

# CITY OF ESCONDIDO

## Planning Commission and Staff Seating



- A. **CALL TO ORDER:** 7 p.m.
- B. **FLAG SALUTE**
- C. **ROLL CALL:**
- D. **MINUTES:** [04/27/21](#)

The Brown Act provides an opportunity for members of the public to directly address the Planning Commission on any item of interest to the public before or during the Planning Commission's consideration of the item. If you wish to speak regarding an agenda item, please fill out a speaker's slip and give it to the Minutes Clerk who will forward it to the Chair.

Pursuant to Governor Newsom's Executive Orders, including N-25-20 and N-29-20: Certain Brown Act requirements for the holding of a public meeting have been temporarily suspended and members of the Planning Commission and staff will participate in this meeting via teleconference. In the interest of reducing the spread of COVID-19, members of the public are encouraged to submit their agenda and non-agenda comments online at the following link <https://www.escondido.org/public-comment-form.aspx>. Council Chambers will be closed, no public allowed.

Public Comment: To submit comments in writing, please do so at the following link: <https://www.escondido.org/public-comment-form.aspx>. If you would like to have the comment read out loud at the meeting (not to exceed three minutes), please write "Read Out Loud" in the subject line. All comments received from the public will be made a part of the record of the meeting. The meeting will be available for viewing via public television on Cox Communications Channel 19 and AT&T u-verse Channel 99 (Escondido only). The meeting will also be live streamed online at the following link: <https://www.escondido.org/> and click on the graphic showing "live stream - meeting in progress".

To watch the archived Planning Commission meeting(s) please visit:  
<https://escondido.12milesout.com/presentations/boards-and-commissions-and-state-of-the-city-videos>

**Availability of supplemental materials after agenda posting:** any supplemental writings or documents provided to the Planning Commission regarding any item on this agenda will be made available for public inspection in the Planning Division located at 201 N. Broadway during normal business hours, or in the Council Chambers while the meeting is in session.

The City of Escondido recognizes its obligation to provide equal access to public services for individuals with disabilities. Please contact the A.D.A. Coordinator, (760) 839-4643 with any requests for reasonable accommodation at least 24 hours prior to the meeting.

**The Planning Division is the coordinating division for the Planning Commission. For information, call (760) 839-4671.**

**E. WRITTEN COMMUNICATIONS:**

Under state law, all items under Written Communications can have no action, and will be referred to the staff for administrative action or scheduled on a subsequent agenda.

**1. Future Neighborhood Meetings**

**F. ORAL COMMUNICATIONS:**

Under state law, all items under Oral Communications can have no action, and may be referred to the staff for administrative action or scheduled on a subsequent agenda.

This is the opportunity for members of the public to address the Commission on any item of business within the jurisdiction of the Commission.

**G. PUBLIC HEARINGS:**

**Please try to limit your testimony to three minutes.**

**1. PUBLIC NUISANCE APPEAL – C 20-4286**

REQUEST: The City's Code Enforcement Division issued a Notice and Order to Abate a Public Nuisance dated March 24, 2021, pursuant to the Building Official's enforcement authority under Chapter 6, Article 20 of the Escondido Municipal Code. On April 6, 2021, Appellant submitted a Notice of Appeal Application to the City Clerk's Office, which is under the review authority of the Planning Commission.

PROPERTY SIZE AND LOCATION: The approximately 4.24-acre site is located at 400 James Street (APN 231-140-20-00).

ENVIRONMENTAL STATUS: The Project is categorically exempt pursuant to California Environmental Quality Act (CEQA) Guidelines section 15321 (Enforcement Actions by Regulatory Agencies).

APPLICANT: Robin L. Stumbo

STAFF RECOMMENDATION: Deny the Appeal

COMMISSION ACTION:

PROJECTED COUNCIL HEARING DATE:

**H. CURRENT BUSINESS:**

Note: Current Business items are those that under state law and local ordinances do not require either public notice or public hearings. Public comments will be limited to a maximum time of three minutes per person.

**1. Traffic Impact Analysis Guidelines and VMT Significance Thresholds**

Staff will present and provide an informational discussion regarding the City's updated Traffic Impact Analysis Guidelines and VMT significance thresholds.

**2. Commission Annual Work Plan**

Adopt the Commission's Annual Work Plan

**I. ORAL COMMUNICATIONS:**

Under state law, all items under Oral Communications can have no action and may be referred to staff for administrative action or scheduled on a subsequent agenda.

This is the opportunity for members of the public to address the Commission on any item of business within the jurisdiction of the Commission.

**J. PLANNING COMMISSIONERS**

**K. ADJOURNMENT**

**CITY OF ESCONDIDO**

**ACTION MINUTES OF THE REGULAR MEETING OF THE  
ESCONDIDO PLANNING COMMISSION  
VIDEO/VIRTUAL CONFERENCE**

**April 27, 2021**

The meeting of the Escondido Planning Commission was called to order at 7 p.m. by Chair Weiler, in the City Council Chambers, 201 North Broadway, Escondido, California.

**Commissioners present:** Stan Weiler, Chair; Ingrid Rainey, Vice-Chair; Katharine Barba, Commissioner; Dao Doan, Commissioner; Rick Paul, Commissioner; Herminia Ramirez, Commissioner; and Nathan Serrato, Commissioner.

**Commissioners absent:** None.

**Staff present:** Mike Strong, Director of Community Development; Kurt Whitman, Senior Deputy City Attorney; Elizabeth Lopez, Associate Engineer; and Joanne Tasher, Minutes Clerk.

**MINUTES:**

Moved by Commissioner Paul, with the correction to the wording on item G.1 SUB 20-0001 from "recommendation" to "condition" and seconded by Vice-Chair Rainey to approve the Action Minutes of the April 13, 2021, Planning Commission meeting. Motion carried unanimously (7-0). Ayes: Barba, Doan, Paul, Rainey, Ramirez, Serrato, and Weiler.



## **SELECTION OF CHAIR AND VICE-CHAIR:**

### **Selection of Chair:**

Commissioner Serrato nominated Commissioner Barba. Commissioner Barba accepted the nomination and provided a brief statement of her qualifications.

Commissioner Paul nominated Chair Weiler. Chair Weiler accepted the nomination and provided a brief statement as to his qualifications.

### **COMMISSION ACTION:**

Moved by Vice-Chair Rainey and seconded by Commissioner Serrato for Commissioner Barba to be elected Chair. Motion Approved 6-1. Ayes: Barba, Doan, Paul, Rainey, Ramirez, and Serrato. Noes: Weiler.

Due to logistical reasons, Commissioner/Chair Barba asked Commissioner Weiler to continue to serve as Chair for the duration of the April 27, 2021 meeting.

### **Selection of Vice-Chair:**

Chair Barba nominated Vice-Chair Rainey to continue to serve as Vice-Chair. Vice-Chair Rainey accepted the nomination and provided a brief statement of her qualifications.

Acting Chair Weiler nominated Commissioner Paul. Commissioner Paul accepted the nomination and provided a brief statement of his qualifications.

### **COMMISSION ACTION:**

Moved by Chair Barba and seconded by Commissioner Doan for Vice-Chair Rainey to be re-elected Vice-Chair. Motion Approved 5-2. Ayes: Barba, Doan, Rainey, Ramirez, and Serrato. Noes: Paul and Weiler.

Motion to continue to have Commissioner Weiler as Acting Chair for the remainder of the 04/27/21 Planning Commission Meeting due to logistics of conducting a virtual

meeting. Moved by Chair Barba and seconded by Commissioner Serrato for Commissioner Weiler to serve as Acting Chair for the duration of the April 27, 2021, meeting. Motion approved unanimously (7-0). Ayes: Barba, Doan, Paul, Rainey, Ramirez, Serrato and Weiler.

**WRITTEN COMMUNICATIONS:** Received.

Memo stating the removal of Agenda Item I.1, Code Enforcement Appeal Case No. C 20-4286.

Communication from Laura Hunter, Chair, Sierra Club North County Group, dated April 19, 2021, regarding communication with the Planning Commission, was submitted into the record.

Two items of communication from Laura Hunter, Chair, Sierra Club North County Group, dated April 19, 2021 and April 26, 2021, regarding the Housing and Community Investment Study were submitted into the record.

**FUTURE NEIGHBORHOOD MEETINGS:** None.

**ORAL COMMUNICATIONS:** None.

**PUBLIC HEARINGS:**

None.

**CURRENT BUSINESS:**

**1. Public Nuisance Appeal Case No. C 20-4286:**

Request: An appeal of a notice and order to abate a public nuisance requiring the abatement of weeds and hazardous vegetation.

Location: 400 James Street (APN: 231-140-2000)

Staff Recommendation: Deny the appeal and uphold the Building Official's decision

COMMISSION ACTION:

**No action taken. The item was removed from the Agenda.**

**2. Housing and Community Investment Study**

Staff provided an informational report and status update to the Commission.

**COMMISSIONER DISCUSSION:**

The Commissioners thanked Director Strong for his presentation.

Vice-Chair Rainey discussed the Mobile Home Rent Review Board and the importance of maintaining fairness and stability of rent for seniors and those with low-income.

Commissioner Paul mentioned the dramatic increase in the construction of Accessory Dwelling Units in 2020.

Chair Barba mentioned that the majority of Accessory Dwelling Units are priced for moderate income and not low-income.

**COMMISSION ACTION:**

No action was taken; information was presented and discussed.

**3. Planning Commission Annual Work Plan**

Staff provided information for the preparation of an Annual Work Plan.

**COMMISSIONER DISCUSSION:**

Chair Barba gave a brief presentation on the concept of preparing a Green Infrastructure Plan. The Commissioners discussed various aspects of this and how it could be implemented.

Acting Chair Weiler would like to have the ability to utilize continued education opportunities like the League of California Cities Commissioners Academy or other conferences for the commissioners. Vice-Chair Rainey also encouraged the use of continued education.

Commissioner Paul discussed the Comprehensive Transportation Plan and expressed the need for Planning Commission review. Chair Barba also expressed interest in reviewing the Comprehensive Transportation Plan.

Commissioner Paul expressed the need to create timelines with swimlanes.

Commissioner Ramirez and Commissioner Serrato both mentioned the importance of community engagement and different methods for providing information to the public. Commissioner Serrato would like to add Community Engagement to the Work Plan.

**COMMISSION ACTION:**

No action was taken; information was presented and discussed. Direction was provided to City staff to finalize the Work Plan.

**ORAL COMMUNICATIONS:** None.

**PLANNING COMMISSIONERS:**

Acting Chair Weiler thanked all the Commissioners for having him as Chair for the prior year, he really enjoyed the experience, and wished good luck to the new Chair and Vice-Chair.

**ADJOURNMENT:**

Acting Chair Weiler adjourned the meeting at 10 p.m.

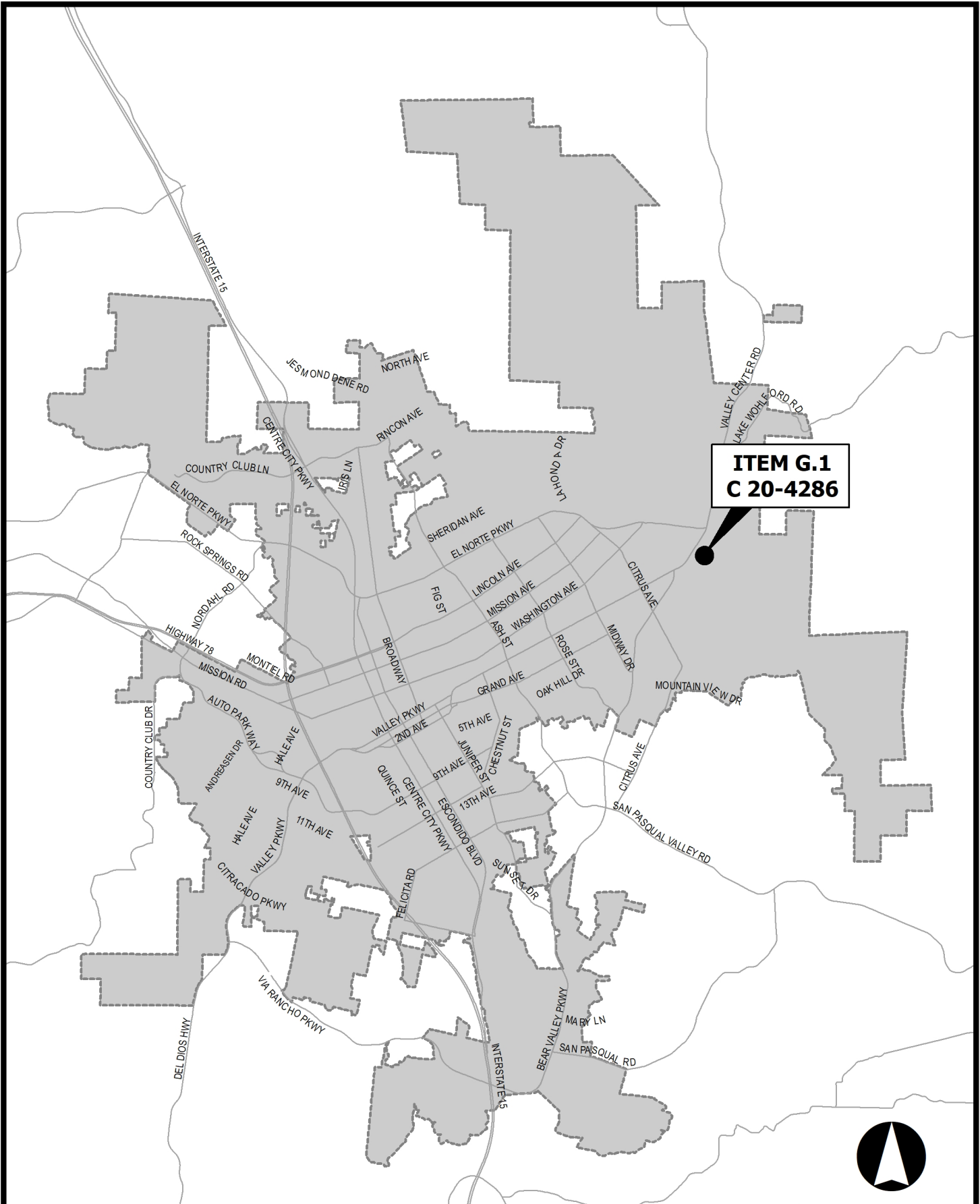
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Mike Strong, Secretary to the  
Escondido Planning Commission

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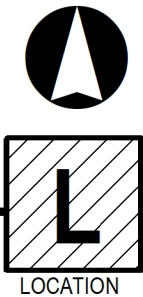
Joanne Tasher, Minutes Clerk

DRAFT



**ITEM G.1  
C 20-4286**

**PLANNING COMMISSION AGENDA ITEMS  
May 25, 2021**



# PLANNING COMMISSION

Agenda Item No.: G.1  
Date: May 25, 2021

**PROJECT NUMBER / NAME:** C20-4286 / Public Nuisance Appeal

**REQUEST:** An appeal of a notice and order to abate a public nuisance related to weeds and hazardous vegetation.

**LOCATION:** 400 James Street

**APPLICANT:** Robin L. Stumbo

**APN / APNS:** 231-140-20-00

**PRIMARY REPRESENTATIVE:**  
Robin L. Stumbo

**GENERAL PLAN / ZONING:** Suburban (S) /  
Residential Estates (RE-20)

**DISCRETIONARY ACTIONS REQUESTED:** Appeal of a notice and order

**PREVIOUS ACTIONS:** N/A

**PROJECT PLANNER:** N/A

**CEQA RECOMMENDATION:** Approve the Categorical Exemption pursuant to CEQA Guidelines section 15321 (Enforcement Actions by Regulatory Agencies)

**STAFF RECOMMENDATION:** Deny the appeal and uphold the Building Official's decision, with modification of such decision to allow for an extension of time to abate the hazardous vegetation ("Option C")

**REQUESTED ACTION:** Approve Resolution No. 2021-03R

**CITY COUNCIL HEARING REQUIRED:**  YES  NO

**REPORT APPROVALS:**

Mike Strong, Community Development Director  
 Adam Finestone, City Planner

**A. BACKGROUND:**

James R. Stumbo (“Appellant”) owns 4.24 acres of land located at 400 James Street in the City of Escondido situated in a Residential Estates zone neighbored to the south and west by single-family residential properties, and to the north and east by residential estates and residential agricultural properties (hereinafter, the “Property”). The Property contains one two-bedroom/two-bathroom residential unit comprising 1,616 square feet.

On July 10, 2019, the Escondido Fire Department (“EFD”) received a complaint regarding a fire hazard at the Property. An inspection revealed a public nuisance and fire hazard as defined under Chapter 11, Article 2, Division 2 of the Escondido Municipal Code (“EMC”). That is, there were weeds on the Property that endangered public safety by creating a fire hazard. On August 15, 2019, the EFD mailed a notice to abate the hazard within 30 days, to Appellant at the Property. On re-inspection of the Property, it was noted the weeds had not been removed. On September 24, 2019, the EFD posted a notice to abate the hazard within 10 days, on the Property. A second re-inspection of the Property revealed the weeds had not been removed. On October 9, 2019, a final notice of forced abatement was mailed to Appellant at the Property. The Property was forced abated by the City of Escondido’s weed abatement contractor on October 31, 2019, and the EFD’s case was closed. Refer to Attachment 1, EFD case file (Case No. FWE2019-0027).

On August 12, 2020, the City’s Code Enforcement Division received a complaint regarding overgrown vegetation causing a fire hazard on the Property. On October 18, 2020, Code Enforcement Officer Don Simpkins inspected the Property from the street and sidewalk, and observed tall weeds, grass, and dead vegetation. Officer Simpkins mailed a Notice of Violation on August 19, 2020, to Appellant at the Property. This Notice was returned to the City as undeliverable. Officer Simpkins then mailed the same Notice of Violation on September 1, 2020 to Appellant, at Appellant’s second address in Hawaii. The Notice noted a violation of EMC section 6-484(d)(2) (dead, diseased, decayed, unsightly, overgrown, or hazardous vegetation maintained on the Property). The Notice ordered Appellant to cut and remove all hazardous vegetation from the Property within 10 days. On September 16, 2020, Officer Simpkins received a letter from Appellant requesting an extension of the time allotted to perform the work. The extension request was granted, giving Appellant an additional 10 days from September 21, 2020, to complete the work.

On November 10, 2020, Senior Code Enforcement Officer Jim Kurupas and Code Enforcement Officer Mark Nicklin conducted a re-inspection of the Property. They noted the hazardous vegetation had not been cut or removed from the Property. Officer Nicklin issued an Administrative Citation on November 12, 2020, and mailed it to Appellant at the Property. This citation was returned to the City as undeliverable and voided. Officer Simpkins then re-issued the Administrative Citation on December 9, 2020, and mailed it to Appellant at Appellant’s Hawaii address. A second re-inspection revealed the hazardous vegetation had not been cut or removed from the Property. Officer Simpkins issued a second Administrative Citation on December 28, 2020, and mailed it to Appellant at Appellant’s Hawaii address.



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On January 25, 2021, Officer Simpkins received a letter from Appellant dated January 15, 2021, providing an updated mailing address in Hawaii. In the letter, Appellant disputed the issuing of the Administrative Citations for failure to cut and remove the hazardous vegetation. Appellant stated in the letter that he had traveled to Escondido in "November and early December" 2020 to cut and remove the hazardous vegetation on the Property. Appellant further requested in the letter that the City "cease and desist from assessing fines."

During this time, the EFD also inspected the Property on October 7, 2020 and January 13, 2021, again noting a public nuisance and fire hazard on the Property, as defined under Chapter 11, Article 2, Division 2 of the EMC. On January 18, 2021, Fire Prevention Specialist Robyn L. Taylor emailed Appellant referencing Code Enforcement's case on the Property and informing Appellant that the Property would once again be forced abated if Appellant did not cut and remove the hazardous vegetation. On February 1, 2021, Fire Prevention Specialist Taylor forwarded her January 18, 2021 email to Appellant after being informed that Appellant had accidentally deleted the email. On February 3, 2021, the EFD posted a Notice to Abate the Hazard within 10 days on the Property and mailed the Notice to Appellant at his updated mailing address in Hawaii. On February 14, 2021, Appellant responded to Fire Prevention Specialist Taylor's email stating his January 15, 2021 letter was his appeal of the City's "arbitrary process."

Officer Simpkins and Fire Prevention Specialist Taylor both met with Deputy City Attorney Alma Gurrola to discuss Appellant's appeal. It was determined the appeal was not received in a timely manner regardless of which notice Appellant was appealing because it was received past any appeal period and did not include the required fees. However, Deputy City Attorney Gurrola reviewed the case and advised that Appellant's confusion may have arisen from receiving notices from both Code Enforcement and the EFD. In order to provide Appellant clarity on the weed abatement process, and allow him his due process, it was determined the appropriate notice would be re-issued by either Code Enforcement or the EFD.

Code Enforcement took the lead on the case and Officer Simpkins re-issued a Notice and Order to Abate a Public Nuisance on March 24, 2021. Officer Simpkins mailed the Notice to Appellant via certified mail, return receipt requested at Appellant's updated mailing address in Hawaii. The Notice identified a violation of EMC section 6-484(d)(2) (dead, diseased, decayed, unsightly, overgrown or hazardous vegetation on the Property). Appellant was given 30 days from the issuing of the Notice to cut and remove the dead, diseased, decayed, unsightly, overgrown, or hazardous vegetation from the Property. Appellant was also informed that non-compliance with the Notice would result in the City causing the work to be done and billing Appellant for the costs or assessing the costs against the Property, re-inspection fees being assessed and administrative citation being issued, and the Notice being recorded against the Property. Furthermore, Deputy City Attorney Gurrola wrote a letter to Appellant explaining both Code Enforcement and the EFD's weed abatement process and authority, clarifying that Code Enforcement would be proceeding with the weed abatement process, and attaching a copy of the re-issued Notice and Order. Deputy City Attorney Gurrola also extended the appeal period from 10 to 15 days, due to Appellant's current location and his previous indication of his desire to appeal. The letter was

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sent via electronic mail and certified mail to Appellant at Appellant's previous Hawaii address. Refer to Attachment 2, Code Enforcement case file (Case No. C20-4286).

Code Enforcement issued the Notice and Order dated March 24, 2021, pursuant to the Building Official's enforcement authority under Chapter 6, Article 20 of the EMC ("Property Maintenance Ordinance"). The Property Maintenance Ordinance authorizes the Building Official to address conditions that are deemed injurious and inimical to the public health, safety, and welfare of the residents of the City including property maintenance, building maintenance, polluted water, and landscape maintenance. Code Enforcement acts as the Building Official's designee utilizing EMC section 6-488 as a tool to abate nuisances that pose a danger to life or property. Code Enforcement has abated nuisances like storm damaged trees, fire hazards, and missing pool gates. The abatement procedures set forth in the Property Maintenance Ordinance are reasonable and afford due process to all affected persons. Refer to Attachment 3, Property Maintenance Ordinance.

On April 6, 2021, the City Clerk's Office received the Notice of Appeal Application and the required filing fee from Appellant. Refer to Attachment 4, Notice of Appeal. The matter contemplated by the appeal was originally scheduled for Planning Commission review and consideration on April 27, 2021. However, the Appellant was unable to attend the hearing on the scheduled date and time. Therefore, the appeal was removed from the April 27, 2021 agenda and re-noticed and rescheduled for May 25, 2021.

**B. SUMMARY OF REQUEST:**

On April 6, 2021, Appellant submitted a Notice of Appeal Application ("Application") to the City Clerk's Office along with the appropriate filing fee. In the Application, Appellant provided a number of reasons why he cannot comply with the Building Official's orders referencing the reasons provided in his January 15, 2021 letter, and providing additional reasons under the Justification for Appeal section. Appellant also attached to the Application a copy of his January 15, 2021 letter, and a Kaiser Permanente professional medical bill. Appellant, in the Application, requests a "delay, not exemption," from the Building Official's orders. Refer to Attachment 4.

**C. SUPPLEMENTAL DETAILS OF REQUEST:**

Hazardous and unsafe conditions, including landscape maintenance, landslides, structural, electrical, plumbing, mechanical damage, may trigger enforcement action, including declaring a public nuisance on a property and assessing fees and civil penalties against responsible parties. If after a period of time as the Building Official considers to be reasonable, it is determined that the substandard conditions and/or health and safety violations remain unabated, the conditions may be abated by the City or City contractors. The property owner is typically given between 7 to 30 days to respond to a finding of a public nuisance before the City takes action. Upon receipt of a written request from any person required to comply with the order, the City may grant an extension of time if the extension will not create or perpetuate a situation imminently dangerous to life or property. Non-compliance will accrue fee assessments and civil penalties. Whenever a

building, structure, portion thereof, or real property is in such immediately dangerous condition due to the existence of or to the perilous risk to the health and welfare of the tenants, property owners, and the community, the City may take immediate action that can include vacating the premises and abatement by the City or City contractors of dangerous conditions or defects.

**D. PROJECT ANALYSIS:**

Although the specific procedures for an appeal of a land use development permit may be found in Article 61, Section 33-1303 of the Escondido Zoning Code, the procedures for abatement of unlawful conditions is provided in Section 6-488 of Article 20 of Chapter 6 of the EMC. The purpose of the appeal process is to provide persons dissatisfied with an order or decision a venue for review and possible reversal of that decision. Pursuant to Section 6-488(c)(1), "Any person aggrieved by the action of the building official in issuing a notice and order pursuant to the provisions of this article may appeal to the planning commission within ten (10) calendar days of service of the notice and order." All appeals must be in writing, and must state the decision from which the appeal is taken, and must contain a concise statement of the reasons for the appeal. The April 6, 2021 appeal is provided in Attachment 4.

The April 6, 2021 appeal was analyzed by City staff and the City Attorney's Office for conformance with Article 20 of Chapter 6 of the EMC. The specific procedure for an appeal of a discretionary decision may be found in subsection (c) of the Application, which requires a written basis or reason for the appeal, among other things. An appeal not containing the basis for appeal may be rejected as incomplete. The following is an overview of the appellant's position, along with staff's response:

- 1a. Appellant's position- Previous attempts were made to abate the public nuisance.
- 1b. Staff response- Among other things, the City's abatement action(s) on the Property included an investigation, alleged violations of nuisance ordinances, notice(s), and the possibility of monetary fines and/or forcible removal of the nuisance. During the course of the abatement procedures, the status and condition of the Property has been well documented, suggesting that the City's application of local and state nuisance laws to declare overgrown weeds and hazardous vegetation be removed is supported by evidence. The Planning Commission should therefore focus its consideration on the evidence in the record, and the associated historical timelines, as prima facie evidence and need for the abatement of a Property-related public nuisance.
- 2a. Appellant's position- Escondido property inspection standards are vague, arbitrary, and changeable.

2b. Staff response-

It is common knowledge that weeds and hazardous vegetation are or may become a public nuisance. The State Weed Abatement Act states that "[w]eeds' means weeds which when mature bear wingy or downy seeds, which will attain such a large growth as to become a fire menace when dry, or which are otherwise noxious or dangerous." (Gov't Code § 39560(b).) California Fire Code section 304 prohibits accumulation of combustible waste material creating a fire hazard upon premises, prohibits accumulation of, among other things, weeds and litter, on various kinds of properties including vacant lots, and requires removal of weeds, grass, vines or other growth that is capable of being ignited and endangering property. These state laws are not vague, arbitrary, and/or changeable.

It is also well settled that in the exercise of its police powers, a municipality may enact ordinances the object of which is to abate or prevent nuisances. The purpose of the City's Property Maintenance Ordinance (Article 20 of Chapter 6) is to require property owners to maintain their properties and remove or destroy the proscribed weeds; and in the event of a failure to do so, to have the same abated as a public nuisance by the City and to charge the expense of such abatement against the affected property. Article 20 of the EMC defines those conditions that constitute visual blight and that could result in harmful or deleterious conditions. Article 20 also establishes guidelines for the correction of violations and nuisances that afford due process and procedural guarantees to affected property owners. It is clear that the ordinance is intended to promote the health, safety, and welfare of the City – in a uniform and fair manner – and as such falls within the compass of municipal police powers.

3a. Appellant's position-

Leniency should be provided because of the novel coronavirus pandemic.

3b. Staff response-

The City has broad discretion to determine both what public interests are and the measures necessary for the protections of such interests. The City provides a uniform procedure to promote property maintenance and the enhancement of the livability, community appearance, and the social, economic, and environmental conditions of the community. The section of the code that addresses landscape maintenance requires that the owner or other specified person occupying or having charge of any building, lot or premises shall not permit weeds to remain on such premises or public sidewalks or streets, or alleys

between said premises and the center line of any public street or alley. There are no waivers or exemptions from these local and state requirements.

- 4a. Appellant's position- The dead vegetation is a result of no water service.
- 4b. Staff response- In review of the appeal in its entirety, overgrown weeds and hazardous vegetation on the Property constitutes a public nuisance that requires abatement despite the Appellant's assertion that the conditions on the Property were not a nuisance or a result of actions set forth in previous steps or actions. The Planning Commission therefore is limited to consideration of the appeal and making the necessary findings based on the requirements in the ordinance and within the constraints of federal and state law governing the regulation of weed and rubbish abatement. It has no jurisdiction to go further. The Planning Commission does not have the authority to reverse billings, restore water service, or to waive fees and penalties related to water billing accounts.
- 5a. Appellant's position- Investigation on the property from reported burglaries might have led to the weed abatement notice.
- 5b. Staff response- In review of the appeal in its entirety, overgrown weeds and hazardous vegetation on the Property constitute a public nuisance that requires abatement despite the Appellant's assertion that the conditions on the Property may not have been identifiable or discoverable. The manner in which the public nuisance is identified or discovered is irrelevant to the appeal.
- 6a. Appellant's position- Requests for a delay in enforcement, not an exemption.
- 5b. Staff response- Over the past seven months, Appellant has been provided with multiple notices and an extended period of time to cut and remove the weeds and hazardous vegetation on the Property. Although Appellant does not deny the presence of dead vegetation on the Property and acknowledges the importance of weed abatement, the hazardous vegetation remains on the Property. As the property owner, Appellant is responsible for the maintenance of the Property. An extension of time is not warranted.

The Planning Commission's review of the Building Official's decision is de novo, that is, the Planning Commission may decide the matter without deference to the decision of the Building Official. The Planning Commission's review is not limited to the ground of the appeal as submitted

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by the Appellant, but may include all issues surrounding the maintenance of the Property. The Planning Commission can review the prior proceedings, reference applicable local regulations, the findings of the Building Official, and any written or oral testimony provided at the Planning Commission public hearing, and may utilize or adopt any, all, or none of them. Any decision of

the Planning Commission should be made through findings based on substantial evidence, in writing to the extent feasible. The actions available to the Planning Commission are:

- Option A:** Approve the appeal and set aside the decision of the Building Official based on specific reasons;
- Option B:** Deny the appeal and affirm the decision of the Building Official. This option would require the abatement of hazardous vegetation on the Property by 30 days of March 24, 2021; or
- Option C:** Deny the appeal, but provide an extended amount of time for compliance. This option would require the abatement of hazardous vegetation on the Property within 10 days of May 25, 2021. The modification of the Building Official's prior determination would allow the owner of the property an extended period of time to abate the hazardous vegetation.

**E. FISCAL ANALYSIS:** N/A

**F. ENVIRONMENTAL STATUS:**

California Environmental Quality Act ("CEQA") Guidelines list classes of projects that have been determined not to have a significant effect on the environment and as a result are exempt from further environmental review under CEQA. The notice and order related to the appeal qualifies for an exemption under CEQA Guidelines section 15321 (Enforcement Actions by Regulatory Agencies). This category includes public nuisance abatement orders and enforcement actions by the Code Enforcement Division. The CEQA Notice of Exemption prepared for the Project (included as Attachment 5 to the Planning Commission staff report) demonstrates that the Project qualifies for the exemption and does not have a significant effect on the environment.

**G. PUBLIC INPUT:** N/A

**H. CONCLUSION AND RECOMMENDATION:**

Weed and hazardous vegetation abatement is paramount in mitigating vegetation wildfires due to the highly flammable nature of the vegetation in the City. Throughout the years, California has been impacted tremendously by enormous wildfires which have resulted in loss of life and property, and financial loss in the billions of dollars. The pressing need for wildfire prevention has led to the development of the weed abatement program. Weed and hazardous vegetation abatement in the City can be addressed by Code Enforcement and the EFD. Both Code

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Enforcement and the EFD have inspected the Property and identified a public nuisance and fire hazard as defined under Chapters 6 and 11 of the EMC. The need to have the hazardous vegetation cut and removed from the Property becomes increasingly pressing as we reach higher temperatures and dryer weather in the year.

Over the past seven months, Appellant has been provided with multiple notices and an extended period of time to cut and remove the hazardous vegetation on the Property. Although, Appellant does not deny the presence of dead vegetation on the Property and acknowledges the importance of weed and hazardous vegetation abatement, the hazardous vegetation remains on the Property. As the property owner, Appellant is responsible for the maintenance of the Property. Although, the City does not dictate the manner in which a public nuisance must be abated, as long as it is carried forth in a legal manner, Appellant has been made aware of multiple options available to correct the violations, including the hiring of a contractor. Appellant's failure to take advantage of these options, failure to comply with the notices issued in the EFD's 2019 case, and failure to specify the amount of time needed to complete the abatement, indicates the hazardous vegetation will likely remain on the Property indefinitely.

The record does not show any new evidence presented by the Appellant in the Application that would have materially affected the Building Official's prior determination. Unless corrective measures are undertaken by the City, the existence of weeds and hazardous vegetation on the Property will continue to endanger public safety. City staff recommends that the Planning Commission determine that a substantial issue exists with respect to the Property. Staff recommends the Planning Commission deny Appellant's appeal, but provide an extended amount of time for compliance. allowing the City to abate the public nuisance identified in the Notice and Order issued March 24, 2021. In such event that draft Planning Commission Resolution No. 2021-03R be adopted as recommended by City staff, the abatement of hazardous vegetation on the Property must occur within 10 days of May 25, 2021.

**ATTACHMENTS:**

1. EFD case file (Case No. FWE2019-0027)
2. Code Enforcement case file (Case No. C20-4286)
3. Property Maintenance Ordinance
4. Notice of Appeal
5. Notice of Exemption under CEQA Guidelines section 15321 (Enforcement Actions by Regulatory Agencies)
6. Draft Planning Commission Resolution No. 2021-03R



# City of Escondido

Run on 4/14/2021 at 5:08:27PM

## Cityworks PLL Fire - 1 Month Expiration Chronology Case #: FWE2019-0027

Classification:

Owner: Stumbo Robin L

Location: 400 James St

APN: 2311402000

Zone: RE-20

Report ID: ESC052

Page 1 of 2

Fire - 1 Month Expiration FWE2019-0027

ATTACHMENT 1

Source	Task Code	Comment/Note Text	Created/Modified By	Date
CASE		OPENED: 08/14/2019 (SB) - CLOSED: 10/31/2019 (SB) - LAST ACTION: 12/11/2019 (SB) - FOLLOW UP: 09/16/2019 (SB) - COMP DATE: 10/31/2019 (SB) - REFERRED: FIRE	plladmin	8/14/19 12:00 am
TASK	CONVERT	CHRONOLOGY - CASE OPENED: (8/14/2019 2:11:18 PM SB) Action Created (8/14/2019 2:11 PM SB) Received a complaint from Fire Personnel regarding a fire hazard at this location Date Complete (Jul 10 2019 12:00AM) - SANDRA BAUER	plladmin	8/14/19 12:00 am
TASK	CONVERT	CHRONOLOGY - INITIAL INSPECTION VF: (8/14/2019 2:20:00 PM SB) Action Created (8/14/2019 2:20 PM SB) An inspection was conducted at this location and if was found to be in violation. See attached photo Date Completed (Aug 7 2019 12:00AM) - SANDRA BAUER	plladmin	8/14/19 12:00 am
TASK	CONVERT	CHRONOLOGY - NOTICE OF VIOLATION: (8/14/2019 2:20:29 PM SB) Action Created (8/14/2019 2:20 PM SB) See attached document Date Completed (Aug 15 2019 12:00AM) - SANDRA BAUER	plladmin	8/14/19 12:00 am
TASK	CONVERT	CHRONOLOGY - NO PROGRESS: (9/23/2019 3:06:42 PM SB) Action Created (9/23/2019 3:06 PM SB) A reinspection was conducted at this location and no progress has been made. This property will be posted for 10 days. See attached photo Date Completed (Sep 23 2019 12:00AM) - SANDRA BAUER	plladmin	9/23/19 12:00 am
TASK	CONVERT	CHRONOLOGY - NOTICE & ORDER: (9/23/2019 3:06:59 PM SB) Action Created (9/23/2019 3:06 PM SB) See attached document Date Completed (Sep 24 2019 12:00AM) - SANDRA BAUER	plladmin	9/23/19 12:00 am
TASK	CONVERT	CHRONOLOGY - NO PROGRESS: (10/9/2019 7:30:25 AM SB) Action Created (10/9/2019 7:30 AM SB) A reinspection was conducted after posting and no progress has been made, this property will b force abated. See attached document Date Completed (Oct 9 2019 12:00AM) - SANDRA BAUER	plladmin	10/8/19 12:00 am
TASK	CONVERT	CHRONOLOGY - NOTICE & ORDER: (10/9/2019 7:32:06 AM SB) Action Created Date Completed (Oct 9 2019 12:00AM) - SANDRA BAUER	plladmin	10/9/19 12:00 am



Fire - 1 Month Expiration FWE2019-0027

Source	Task Code	Comment/Note Text	Created/Modified By	Date
TASK	CONVERT	CHRONOLOGY - PROJECT COMPLETE: (12/11/2019 11:54:49 AM SB) Action Created (12/11/2019 11:54 AM SB) This property was force abated in October 2019 Date Completed (Oct 31 2019 12:00AM) - SANDRA BAUER	pladmin	12/11/19 12:00 am
TASK	CONVERT	CHRONOLOGY - CASE CLOSED: (12/11/2019 11:55:19 AM SB) Action Created Date Completed (Oct 31 2019 12:00AM) - SANDRA BAUER	pladmin	12/11/19 12:00 am

Weed Abatement

**STUMBO ROBIN L  
400 JAMES ST  
ESCONDIDO CA 92027**



# Escondido Fire Department



1163 North Centre City Pkwy. Escondido, CA 92026 Phone: 760-839-5417 Fax: 760-739-7060 weedabatement@escondido.org

## NOTICE OF FORCED ABATEMENT

**Date:** October 9, 2019

**Property Owner:** STUMBO ROBIN L

**Parcel Number:** 231-140-20

**Location of Hazard:** 400 JAMES STREET, ESCONDIDO, CA

**Mailing Address:** 400 JAMES STREET, ESCONDIDO, CA

Because of the highly flammable nature of the vegetation in our area, the Escondido Fire Department has the authority to administer a Weed Abatement Program under the City of Escondido Municipal Code. This program has proven effective in mitigating the spread of vegetation fires in our City and has played a part in reducing the amount of destruction due to these fires.

**BY THIS NOTICE WE ARE WE INFORMING YOU THAT YOU HAVE FAILED TO ABATE THE HAZARDS ON YOUR PROPERTY AND THAT THE HAZARDS WILL BE ABATED BY THE CITY AT YOUR EXPENSE.**

An inspection of your property on August 14, 2019 determined that it was in violation of the *HAZARD REDUCTION AND VEGETATION CLEARANCE STANDARD*. As a result, a notice was sent to the mailing address of record requesting that these violations be corrected within thirty (30) calendar days. A follow-up inspection on September 23, 2019 revealed that the property was still not in compliance. A notice was then posted on the property by the Fire Department and a certified letter was sent to the address of record granting ten (10) calendar days to complete the requested work. After ten (10) calendar days, on October 8, 2019 the property was inspected once again. At that time, compliance had not been achieved. As such, the property has been referred to the City of Escondido's Weed Abatement contractor for forced abatement.

In addition to the failed re-inspection fee of \$100.00 for the inspection on September 23, 2019 and on October 8, 2019, you are also responsible for the costs of forced abatement by the City of Escondido's Weed Abatement contractor for which you will be billed by the contractor directly.

If you have already cleared your property, or feel you have received this notice in error, please contact the Escondido Fire Department as soon as possible at 760-839-5417. If no one is available to take your call, leave a message with your phone number, property address or parcel number, and the best time to return your call.

**Code section violation requiring abatement:**

Escondido Municipal Code Ch.6, Article-2, Division-2, 11-41.

**Al Dobyne, Fire Marshal  
(760) 839-5417**

**Note:** If you suspect your property may contain any rare/endangered species or related sensitive habitat such as coastal sage or a riparian zone, a permit from the California Department of Fish and Wildlife (858-467-4201) and/or the U.S. Fish and Wildlife Service (760-431-9440) may be required prior to clearing. Call for more information.





# ABATE HAZARD/ PUBLIC NUISANCE

Notice is given that any weeds, grasses, dead shrubs, or dead trees upon the lot or source of land in the jurisdiction of the Esccondido Fire Department, as described by Assessor's Parcel Number: 131-140-20 and in the street adjacent, and in the roadway, adjacent thereto are a public nuisance in that there is a fire hazard to or in all probably will become a fire hazard and that any rubbish, rubble, discarded appliances, concrete, auto scoops and parts or other waste material thereon that might interfere with the abatement of the aforementioned public nuisance are also a public nuisance.

Said public nuisances are required to be abated within ten (10) days of the posting date. If not abated on or before this date, the Esccondido Fire Department will authorize forced abatement and the costs thereof will be added to the property owner's account. Should the bills not be settled, the cost will be assessed against the land and collected through tax billing. A lien will also be placed on the parcel. An administrative fee may be added to the costs.

This notice is given pursuant to the provisions of Esccondido Municipal Code Ch. 6, Article 2, Division 2, 11-41. Questions can be forwarded to: Esccondido Fire Department, Fire Prevention 4163 N. Centre City Pkwy., Esccondido, CA 92026, (760) 331-5417, [weedeabatement@esccondido.org](mailto:weedeabatement@esccondido.org)

Dated and posted this 24<sup>th</sup> day of September, 2019

Attest: Al Debynes, Fire Marshal  
Esccondido Fire Department

Weed Abatement

**STUMBO ROBIN L  
400 JAMES ST  
ESCONDIDO CA 92027**



# NOTICE TO ABATE HAZARD/ PUBLIC NUISANCE

Notice is given that any weeds, grasses, dead shrubs, or dead trees upon the lot or parcel of land in the jurisdiction of the Escondido Fire Department, as described by Assessor's Parcel Number:231-140-20, and in the street, sidewalk, and in the parkway, adjacent thereto are a public nuisance in that they are a fire hazard or in all probability will become a fire hazard; and that any rubbish, rubble, discarded asphalt, concrete, auto bodies and parts or other waste material thereon that might interfere with the abatement of the aforementioned public nuisance are also a public nuisance.

Said public nuisances are required to be abated within ten (10) days of the posted date. If not abated on or before this date, the Escondido Fire Department will authorize forced abatement and the costs thereof will be billed to the property owner directly. Should the bills not be settled, the cost will be assessed against the land and collected through tax billing. A lien will also be placed on the parcel. An administrative fee may be added to the costs.

**This notice is given pursuant to the provisions of Escondido Municipal Code Ch.6, Article-2, Division-2, 11-41. Any questions can be forwarded to Fire Prevention (760) 839-5417.**

Dated and posted this 24<sup>th</sup> day of September, 2019

**Al Dobyne, Fire Marshal**  
Escondido Fire Department  
760-839-5417



Escondido Fire Department  
 1163 N Centre City Parkway  
 Escondido, CA 92026  
 Phone: 760-839-5400  
 fire.escondido.org



Aug 15, 2019

Stumbo Robin L  
 400 James St  
 Escondido CA, 92027

## NOTICE TO ABATE HAZARD

Because of the highly flammable nature of the vegetation in our area, the Escondido Fire Department has been authorized to administer the Weed Abatement Program under the City of Escondido Municipal Code. This program has proven effective in mitigating the spread of vegetation fires in our district and has played a part in keeping the destruction due to these fires to a minimum.

**By this notice we are requiring owners within the city to take responsibility to ensure that their property meets the enclosed hazard reduction & vegetation clearance standards. See attachments for additional information.**

**Location of Hazard:** 400 James Street, Escondido (Parcel Number 2311402000)

**Instructions for Abatement:**

**Combustible Debris:** *Maintain premise to be free of vegetation, combustibles and/or other debris. Remove all dead, dying, or diseased trees vegetation and shrubs.*

If you do not own this property, have already cleared your property, or feel you have received this notice in error, please contact Rincon Fire Protection District/Escondido Fire Department as soon as possible at (760) 839-5417. If no one is available to answer your call, leave a message with your phone number, property address or parcel number and best time to return your call.

This is your notice to abate fire hazards and/or public nuisances that may be existing on your property in accordance with the city of Escondido Municipal Code (Ordinance Number 2011-03 (RR) Division 2, Chapter 49, Section 4906.4). This clearance must be accomplished no later than **09/16/2019**. After this date, the property will be re-inspected. If the property does not comply with the abatement requirements, it will be posted with a notice giving 10 calendar days to complete the work and will be charged a \$100 failed re-inspection fee. The property will be re-inspected after the ten days. If the abatement has not been completed, you may be charged an administrative fee and are subject to clearing by the fire department’s weed abatement contractor at the owner’s expense. Property owners are strongly urged to arrange for the clearing of their own parcels before the deadline, as these requirements will be strictly enforced and the clearing services will be substantially more expensive.

**Note:** If you suspect your property may contain any rare/endangered species or related sensitive habitat such as coastal sage or a riparian zone, a permit from the California Department of Fish and Wildlife (858-467-4201) and/or the U.S. Fish and Wildlife Service (760-431-9440) may be required prior to clearing. Call for more information.

**Review/Appeal:** Property owners may request a review of the determination that a nuisance or violation exists or to the administrative fee, or both, by filing a written objection with the Chief of the Escondido Fire Department within 5 days of the date of service of this Notice. The decision of the Chief of the Fire Department may be appealed as set forth in Escondido Municipal Code Ch.6, Article-2, Division-2, 11-41.

**Al Dobyne, Fire Marshal**  
**(760) 839-5417**





**ATTACHMENT 2**

**CODE ENFORCEMENT  
CASE SYNOPSIS**

**CASE NUMBER:** C20-4286

**NAME OF RESPONSIBLE PARTY:** ROBIN STUMBO, PROPERTY OWNER

**SITE ADDRESS:** 400 JAMES ST., ESCONDIDO, CA 92027

**MAILING ADDRESS:** 2205 MAKANANI DRIVE, # 2, HONOLULU, HI 96817

**ASSIGNED OFFICER:** DON SIMPKINS

**Pending Violation(s):**

EMC 6-484(d)(2); unlawful for any responsible person to allow or maintain on such property any dead, diseased, decayed, unsightly, overgrown or hazardous vegetation.

**Actual contact with Responsible Party:**

1. NOV issued 08/19/2020 for (EMC) 6-484(d)(2). Mailed to Robin Stumbo and posted on the property.
2. NOV issued 09/10/2020 for (EMC) 6-484(d)(2). Mailed to Robin Stumbo and posted on the property.
3. Notice and Order issued 03/24/2021 (EMC) 6-484(d)(2). Mailed via Certified Mail, return receipt requested.
4. Administrative Citation #3928, \$100.00, issued 12/09/2020.
5. Administrative Citation #3978, \$250.00, issued 12/28/2020.
6. The Fire Marshal posted the property on 2/3/2021 with a Notice to Abate a Hazard, Public Nuisance and mailed it to Robin Stumbo.

**Current case(s):**

C20-4286.

**Previous case(s):**

FEW 2019-0027. Fire Department

**Key Issue(s):**

Mr. Robin Stumbo is the listed owner of the large property at 400 James St. Mr. Stumbo is currently residing in Honolulu, Hi., at 2205 Makaanani Dr. #2. There have been complaints issued by the residents who's properties border Mr. Stumbo's property. The complaints are of dead and overgrown vegetation that constitutes a fire hazard for their homes that border 400 James St. Mr. Stumbo has been sent several NOV's, several Administrative Citations, and a Notice and Order regarding the property and fire hazard it presents. Mr. Stumbo's property was posted as a fire hazard by the Fire Department. Mr. Stumbo has written many emails and letters stating reasons why he could not return to take care of his property. His latest correspondence has been to seek an appeal to the Notice and Order and forced abatement of the hazardous vegetation on his property by the City.

**Specific Actions Required to Correct the Violation(s):**

Cut and remove hazardous vegetation.

8/18 -

C20-4286

**Donald Simpkins**

---

**From:** Code Enforcement  
**Sent:** Monday, August 17, 2020 7:42 AM  
**To:** Donald Simpkins  
**Subject:** FW: Form Submission Received



James A. Kurupas: CRO, CCEO  
Senior Code Enforcement Officer  
Code Enforcement- Business Licensing | City of Escondido  
Direct: 760-839-6376  
[www.escondido.org](http://www.escondido.org)

**From:** noreply@escondido.org <noreply@escondido.org>  
**Sent:** Wednesday, August 12, 2020 1:07 PM  
**To:** Code Enforcement <codeenforcement2@city.ci.escondido.ca.us>  
**Subject:** Form Submission Received

**400 James Street – assigned to Don Simpkins - JK**

From Url: <https://www.escondido.org/request-for-investigation-eng.aspx>  
From IP Address: 98.176.168.158

**Date:** 8/12/2020

**Address of Violation:** 400 James Street

**Apt. Number:**

**DETAILS OF COMPLAINT (Please be specific):** Overgrown weeds are a fire hazard to properties abutting this property.

**Date Reported to Property Manager/Owner:**

**Name:**

**Phone Number:**

**Address:**

**PERSON REGISTERING COMPLAINT (please specify):**

**Name:**

**Your Phone Number:**

**Your Street Address:**

**Your City:**

**Your State:**

**Your Zip Code:**

**E-mail Address:**

A form has been submitted, click the link below to view the submission:

## Parcel Details for APN: 2311402000

### Parcel Data

Parcel Address:	400 James St, Escondido, CA, 92027-5318
Parcel Owners:	Stumbo Robin L
Parcel Owner Address:	400 James St, ESCONDIDO, CA, 92027
Jurisdiction	ES
Zoning Designation:	RE-20
General Plan Designation:	S
Acreage:	4.24 / 4.21 - (Assessor / GIS)
Square Footage:	184694 / 183518 - (Assessor / GIS)
Historic:	null
Legal Description:	BLK 244*LOT 8*POR*
Subdivision Name:	RANCHO RINCON DEL DIABLO RESURVEY SHEET A
Subdivision Map:	000723
Year Built:	45
Number of Units/Residences	1
Fraction Interest	1
Tract Number	04203
Land Use - Assessor	110
Assessor Use Classification	10
Document Type	1
Document Number	489594
Document Date	092696
Number of Bedrooms	002
Number of Bathrooms	020
Garage Conversion	N
Level Pad Area	
Total Living Space	1616
Building Addition Area	0
Number of Garage Stalls	002
Number of Carport Stalls	000
Pool on Grounds	N

### Other Data

Cases: None

Special Districts: None

Building Permits: None

Addresses:

400 James St





200ft

-117.030 33.145 Degrees



# City of Escondido

Run on 4/16/2021 at 9:20:56AM

## Cityworks PLL Code Enforcement Chronology

Case #: C20-4286

Classification: RPT-PROJECT NEAT-PROP MAINTNCE

Owner: Stumbo Robin L

Location: 400 James St

APN: 2311402000

Zone: RE-20

Report ID: ESC052

Page 1 of 4

Code Enforcement C20-4286

Source	Task Code	Comment/Note Text	Created/Modified By	Date
CASE		<p>From Request 558869:            Code: CE PROP MAINT            Description: CE PROPERTY MAINTENANCE            Details:            Comments: Overgrown vegetation. Fire hazard.</p>	DSIMPKINS@ecity	8/18/20 2:44 pm
TASK	C-CASERVW	I received a submission form and have created a Code case.	DSIMPKINS@ecity	8/18/20 2:48 pm
TASK	C-INITINSP	<p>I went out to the property on an inspection in response to a citizens submission form. The complaint was that the large undeveloped property behind her and other residences is overgrown with tall weeds, grass and dead vegetation. The R/P feels this is a fire hazard.</p> <p>During my inspection I could not gain access to the property however from the street and sidewalk the overgrown vegetation is visible.</p>	DSIMPKINS@ecity	8/18/20 2:58 pm
TASK	C-NOTEVIOL	I issued a NOV to the listed owner of the property at 400 James St. I mailed the NOV via USPS.	DSIMPKINS@ecity	8/18/20 3:01 pm
TASK	C-CASE-INF	<p>Robin L. Stumbo            400 James St.            Escondido, CA. 92027</p> <p>I received the NOV that I had mailed to Robin Stumbo back in the mail as vacant and unable to forward. I have found another address for Stumbo and I am re-sending this NOV to her at the new address with a new compliance date.</p>	DSIMPKINS@ecity	9/1/20 2:27 pm
TASK	C-FLUPINSP	<p>Robin Stumbo            2975 Ala Napuaa Pl.            Honolulu, Hawaii 96818-2737</p> <p>NOV mailed to Robin Stumbo            2975 Ala Napuaa Pl. #208            Escondido, CA. 96818-2737</p>	DSIMPKINS@ecity	9/1/20 3:06 pm

Code Enforcement C20-4286

Source	Task Code	Comment/Note Text	Created/Modified By	Date
TASK	C-NOTEVIOL	I mailed a new NOV to the owner of the property.	DSIMPKINS@ecity	9/1/20 3:08 pm
		Robin A. Stumbo 2975 Ala Napuaa Pl. #208 Honolulu, Hawaii 96818-2737		
TASK	C-CASE-INF	On 09/21/2020, I received a letter from Robin Stumbo from Hawaii requesting an extension to comply with the NOV issued to her. She stated that she has had travel issues with the state of Hawaii during the Covid 19 pandemic, and is going to have a surgical procedue. Stumbo states that she wants an extension so she can return to Escondido to supervise the cleanup of her property when she is able to.	DSIMPKINS@ecity	9/21/20 8:04 am
		I wrote a letter to Stumbo giving her an additional ten days from the date of receiving my letter to arrange for the clean up of her property or face fines.		
TASK	C-CASE-INF	Case re-assigned to Mark Nicklin.	JKURUPAS@ecity	11/10/20 9:08 am
TASK	C-FLUPINSP	Senior Code Officer Jim Kurupas and I conducted a follow-up inspection on the property. I saw weeds and dead vegetation in violation of Escondido Municipal Codes. I took photographs for documentation.	MNICKLIN@ecity	11/12/20 8:40 am
TASK	C-CITEISSU	I issued the property owner - Robin Stumbo Administrative Citation # 3964 and mailed it to her via U.S.P.S.	MNICKLIN@ecity	11/12/20 8:42 am
TASK	C-IREINSP	I completed the form "Intent to Assess Re-Inspection fees and addressed it to Robin Stumbo. I mailed it to her via U.S.P.S.	MNICKLIN@ecity	11/12/20 8:43 am
TASK	C-FLUPINSP	On 11/17/2020 an Administrative Citation that had been mailed to Robin Stumbo was returned to City Hall as undeliverable. The address that had been used was not the current mailing address for Stumbo.	DSIMPKINS@ecity	12/9/20 8:21 am
		The Admin Cite was voided and a new cite (3928) was sent out on 12/09/2020 to the correct address as well as a Notice of intent to assess re inspection fees.		
TASK	C-CITEISSU	A new Administrative Citation was issued and the previous citation was voided on 12/09/2020.	DSIMPKINS@ecity	12/9/20 8:23 am
TASK	C-FLUPINSP	On 12/24/2020 I went back by the property on an inspection. We are currently in a Red Flag fire hazard alert with currently blowing Santa Ana wind conditions. The property is overgrown with dead, overgrown and hazardous vegetation. There are dead trees, brush, shrubbery and dead palm frond skirts on the existing palm trees. This property is very large and butts up to many resident back yards along James Street.	DSIMPKINS@ecity	12/24/20 1:24 pm
		On 09/01/2020 the owner was issued and sent a NOV, via USPS for the violations. On 12/09/2020, an Administrative Citation #3928 on 12/09/2020. Ms. Stumbo has not made any attempt to correct the violation.		
		As of 12/24/2020 the violation and fire hazard still exist. I am issuing a second Administrative Citation #3978, for \$250.00 and assessing a \$52.00 re-inspection fee. The Citation will be		



Code Enforcement

C20-4286

Source Task Code

Comment/Note Text  
mailed via USPS.

Created/Modified By

Date

Robin L. Stumbo  
2975 Ala Napuaa Pl. #208  
Honolulu, Hawaii 96818-2737

TASK C-CITEISU2 On 12/28/2020, I issued Robin L Stumbo, the listed owner of the property a second Administrative Citation #3978 for \$250.00 and assessed a \$52.00 re-inspection fee. These wer mailed to her via USPS to her current address.

DSIMPKINS@ecity

12/28/20 6:34 am

Robin L Stumbo Property Owner  
2975 Ala Napuaa #208  
Honolulu, Hawaii 96818-2737

TASK C-FLUPINSP On 01/13/2021 I met with Escondido Fire Inspector Robyn Taylor at 400 James St. We drove around the outside of the property to view the dead, overgrown and hazardous vegetation. The property is fenced off and the entrance to it chained and padlocked. The property borders many residential backyards along James Street and we have received numerous complaints from the residents that it is a fire hazard and has affected their fire insurance rates. I have sent the owne an NOV and issued 2 Administrative Citations. The owner has failed to comply with the NOV. She works and lives in Honolulu, Hawaii and refuses to hire anyone to clean the property for her She states that she wants to do it herself.

DSIMPKINS@ecity

1/13/21 2:14 pm

Inspector Taylor agrees that the property is overgrown with dead and hazardous vegetation and a fire hazard that needs to be abated. Taylor stated that she will email the owner with a final warning and demand that she abate her property. If she doesn't comply, Taylor will post the property with a 10 abatement sign to clear the property. If the owner does not comply, a City Crew will be sent in to clear and clean the property and the owner will be invoiced. If she does not pay the invoice, a lien will be placed on the property and attached to her property tax statement.

TASK C-CASE-INF On 01/22/2021, I received an email from Escondido Fire Inspector, Robyn Taylor regarding the property at 400 James St. After completing an inspection with me, she agreed that the property needed to be abated. She said that she would send Robin Stumbo a letter advising that if she did not abate the weeds, the City of Escondido would post the property for abatement.

DSIMPKINS@ecity

1/27/21 10:40 am

On January 25, 2021 I received a letter from Ms. Stumbo stating that she has had an address change. She also went into a long explanation of how she is unable to return to Escondido during the Covid epidemic and how hard it is to travel to Escondido from Hawaii with her work schedule and the current lock downs in California and Hawaii.

She continues to believe that the Administrative Citations and the re-inspection fees are unreasonable under the current situation. She also states that these punitive actions and any further punitive actions (Fire Abatement of the Property) is unfair.

Code Enforcement

C20-4286

Source	Task Code	Comment/Note Text	Created/Modified By	Date
		Robin Stumbo 2205 Makanani Dr. #2 Honolulu, HI, 96817 Ph: 760-975-1185		
TASK	C-PRECOLLC	2/1/21-Pre-collection sent to Robin Stumbo for Cites #3978 & 3928.	AJANSSEN@city	2/2/21 2:42 pm
TASK	C-PRECOLLC	2/25/21-Cites #3978 & 3928 sent to Finance for collection.	AJANSSEN@city	3/3/21 1:19 pm
TASK	C-FLUPINSP	On 03/18/2021, I received an email from City Attorney Alma Gurolla asking me to go to 400 James Street and obtain some recent pictures of the property. I will also go to the R/P's residence and see if I can take some photos from their back yard.	DSIMPKINS@city	3/19/21 7:09 am
TASK	C-CASE-INF	On 4/23/2021, I received an email from City Attorney Alma Gurolla with an attached NOTICE and ORDER she wanted me to sign and send out via Certified Mail, returned receipt requested to Robin L. Stumbo. I signed the N. & O. and mailed it out.  Robin L Stumbo 2205 Makanani Dr.#2 Honolulu, CA, 96817	DSIMPKINS@city	3/24/21 7:30 am
TASK	C-CASE-INF	On 03/31/2021 Deputy City Attorney sent an email to Stumbo to inform Stumbo of the appeal procedure regarding the Code Case C20-4286.	DSIMPKINS@city	4/1/21 8:01 am

## Maria Rocamora

---

**From:** Maria Rocamora  
**Sent:** Wednesday, March 24, 2021 4:17 PM  
**To:** 'robin.stumbo@gmail.com'  
**Cc:** Alma Gurrola; Donald Simpkins  
**Subject:** Letter re: 400 James Street, Escondido, California  
**Attachments:** Stumbo Attorney Letter 032421.pdf

Please see attached letter from Deputy City Attorney Alma Gurrola.

Thank you.



Maria G. Rocamora  
Legal Assistant  
City Attorney's Office | City of Escondido  
Direct: 760-839-4325 | Admin: 760-839-4608  
[www.escondido.org](http://www.escondido.org)

*Confidentiality Statement: This communication contains information that may be confidential, and it may also be legally privileged or otherwise exempt from required disclosure. If you are not the intended recipient, please do not read, distribute or copy this communication and please delete the message from your computer.*



Michael R. McGuinness, City Attorney  
Gary J. McCarthy, Senior Deputy City Attorney  
Alma Gurrola, Deputy City Attorney  
201 North Broadway, Escondido, CA 92025  
Phone: 760-839-4608 Fax: 760-739-7070

March 24, 2021

*Sent Via Electronic Mail and  
Certified Mail, Return Receipt Requested*

Robin L. Stumbo  
2975 Ala Napuaa Place, #208  
Honolulu, Hawaii 96818-2737  
[Robin.stumbo@gmail.com](mailto:Robin.stumbo@gmail.com)

**Re: 400 James Street, Escondido, California  
Code Enforcement Case No. C20-4286**

Dear Ms. Stumbo:

Code Enforcement has forwarded their case to the City Attorney's Office for review of the code violation at 400 James Street, in the City of Escondido ("Property"). The record indicates that on September 1, 2020, Code Enforcement Officer Don Simpkins provided you notice of the following violation: EMC § 6-484(d)(2) – dead, diseased, decayed, unsightly, overgrown or hazardous vegetation on the Property. The Notice of Violation ("NOV") ordered the hazardous vegetation be removed from the Property. Subsequent Administrative Citations issued on December 9, 2020 and December 28, 2020, reiterated this order. As of March 19, 2021, the hazardous vegetation has not been removed from the Property.

The Escondido Fire Department has the authority to administer a Weed Abatement Program ("Program") under the Escondido Municipal Code due to the highly flammable nature of vegetation in the City. The Program has proven effective in mitigating the spread of vegetation fires in our City and has played a part in reducing the amount of destruction due to these fires. The Property went through the Program in the fall of 2019. Despite going through the Program, the Property was again found to have hazardous vegetation in the fall of 2020.

Code Enforcement has similar weed abatement authority under Chapter 6, Article 20 of the Escondido Municipal Code. Such authority was granted to address conditions which are injurious and inimical to the public health, safety, and welfare of the residents of the City. The hazardous vegetation on the Property is not only injurious and inimical to the Property itself but to all neighboring properties and residents of the City. Code Enforcement issued the NOV on September 1, 2020, citing to this authority. The Fire

Code Enforcement Case No. CE20-4286  
March 24, 2021  
Page 2

Department then issued two Notices to Abate under the Program on January 27, 2021 and February 3, 2021. However, for the sake of clarity, Code Enforcement will pursue this case under their weed abatement process. To avoid any misunderstandings, Code Enforcement has served the enclosed Notice and Order ("N&O") dated March 24, 2021, allowing an additional 30 days to remove the hazardous vegetation from the Property.

Despite Code Enforcement providing notice of the outstanding violations on the Property, no corrective action has been taken in the past 7 months. Property owners are responsible for the repair and maintenance of their properties even in their absence. It is their responsibility to carry out repairs and maintenance in a legal manner. As the owner of the Property, you are responsible for removing the hazardous vegetation on the Property in a legal manner within the time allotted in the enclosed N&O.

Failure to take corrective action may subject you to significant legal costs resulting from civil or criminal prosecution and/or costs resulting from the City's abatement of the violation. Voluntary compliance with the enclosed N&O is the most cost effective method of resolving this matter. I trust this letter will encourage you to correct the violation such that no further legal action and/or abatement action will be necessary. Please contact Officer Simpkins at (760) 839-4059 before April 23, 2021, with proof that you have complied. In the interim, I will take no further action.

**PLEASE NOTE:** The enclosed N&O allows for the appeal of the Building Official's issuing of the N&O within 10 days of the date of the notice. However, taking into consideration your current location, this appeal period will be extended to **within 15 days** of the date on the notice. The appeal and filing fee may be submitted to the City Clerk's Office electronically, personal appearance is not required. You may contact the City Clerk's Office at (760) 739-7010 for more information on how to submit an appeal electronically.

Sincerely,



Alma Gurrola  
Deputy City Attorney

AG:mgr  
Enclosure: Notice and Order dated March 24, 2021.

cc: Don Simpkins, Code Enforcement Officer II



Code Enforcement Division  
201 North Broadway, Escondido, CA 92025  
Phone: 760-839-4650 Fax: 760-432-6819

**NOTICE AND ORDER  
TO ABATE A PUBLIC NUISANCE  
(Hazardous Vegetation)**

March 24, 2021

*Sent via Certified Mail  
Return Receipt Requested*

Robin L. Stumbo  
2205 Makaanani Drive, #2  
Honolulu, HI 96817

Property Owner

**CASE NUMBER: C20-4286**  
**SUBJECT: 400 James Street, Escondido, CA 92027**  
**DESCRIPTION: Assessor's Parcel Number 231-140-2000**

Pursuant to the Escondido Municipal Code, a Code Enforcement Officer inspected the above referenced property on March 19, 2021. As a result of the inspection, the Building Official for the City of Escondido has determined that a public nuisance, as defined by Escondido Municipal Code section 6-485, is being maintained on this property.

The Following Violation Was Found:

1. Escondido Municipal Code § 6-484(d)(2) – It is unlawful for any responsible person to use, allow or maintain on such property any dead, diseased, decayed, unsightly, overgrown or hazardous vegetation.

*There is dead, diseased, decayed, unsightly, overgrown and/or hazardous vegetation being used, allowed and/or maintained on the property.*

**AS THE RESPONSIBLE PERSON, OWNER OF RECORD, AND/OR TENANT(S)/  
OCCUPANT(S), YOU ARE HEREBY ORDERED WITHIN THIRTY (30) DAYS OF THE  
DATE OF THIS NOTICE TO:**

1. Cut and remove all dead, diseased, decayed, unsightly, overgrown or hazardous vegetation from the property.

March 22, 2021  
400 James Street, Escondido, CA 92027  
Page 2

Disposal of material involved in public nuisances shall be carried forth in a legal manner. If the required work is not commenced within the time specified, the Building Official will proceed to cause the work to be done, and bill the person(s) named in this notice for the abatement costs and/or assess the costs against the property.

Moreover, failure to comply with this notice in abating the violation as required, within the time allotted, may result in re-inspection fees being assessed and/or administrative citations being issued. The first citation has a mandatory fine of \$100.00, the second citation is \$250.00 and each subsequent citation is \$500.00. Each day a violation exists is a separate violation and may be cited. Additionally, the case may be referred to the City Attorney's Office for other appropriate legal action.

Any person having any interest or record title in the property may appeal to the Planning Commission the Building Official's action in issuing this notice **within ten (10) days** of the date of this notice. Appeals must be filed with the City Clerk, be in writing, and be accompanied by the established filing fee. The appeal must state the decision from which the appeal is taken, and must contain a concise statement of the reasons for the appeal.

**IF NO APPEAL IS FILED WITHIN THE TIME PRESCRIBED, THE ACTION OF THE BUILDING OFFICIAL WILL BE FINAL.**

This notice will be recorded against the property in the office of the San Diego County Recorder, unless the violation is corrected.

If you have any questions regarding this case, please contact me at (760) 839-4059 between 8 a.m. and 4 p.m., Monday through Friday.

Sincerely,



Don Simpkins  
Code Enforcement Officer

**PROOF OF SERVICE  
BY CERTIFIED MAIL**

I am employed in the City of Escondido, County of San Diego, California. I am over the age of 18 years. My business address is 201 N. Broadway, Escondido, California 92025.

On March 24, 2021, I served the attached **NOTICE AND ORDER TO ABATE A PUBLIC NUISANCE (Hazardous Vegetation)** on the responsible person(s) in Code Enforcement Case Number C20-4286 by placing a true copy thereof in a sealed envelope(s), addressed as follows:

**ROBIN L. STUMBO  
2205 MAKANANI DRIVE, #2  
HONOLULU, HI 86817**

**VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
# 7018 1830 0001 3854 8186**

I placed each such sealed envelope, with postage thereon fully prepaid for first-class mail for collection and mailing at the City of Escondido, Escondido, California, following ordinary business practices. I am familiar with the practice of the City of Escondido for collection and processing of correspondence, said practice being that in the ordinary course of business, correspondence is deposited in the United States Postal Service the same day as it is placed for collection.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed at Escondido, California on March 24, 2021.

  
\_\_\_\_\_  
Don Simpkins  
Code Enforcement Officer





Sirs:

This is in response to your recent letters and fine notifications regarding my property at 400 James St Escondido. I've begun dating my letters, starting with this, to make it easier to follow the flow of events. I've enclosed copies of all yours I possess. Please note my mailing address has changed again. The new address is at the end of this letter and on the mailing envelope. I'm fairly confident this is the last change before I retire and permanently return to the property in question, which I expect to occur this year.

You assessed a fine for failure to remove all vegetation you judge objectionable, plus a reinspection fee. I dispute your conclusion. Your letters also threaten unlimited fines until resolution. I cherish my home in Escondido and wish to do all I can to protect it. However, as you are aware, I work for the federal government at Pearl Harbor Naval Shipyard. I'm still working and count myself lucky for that since many are unemployed. The shipyard considers me essential for submarine repair and is thus unwilling to allow me unlimited leave for immediate return and resolution. I'm also currently under a covid lockdown order and travel restriction from 2 different governors (as are you, from one of them). Here are quotations.

Gov. Newsome, CA (for Southern California)

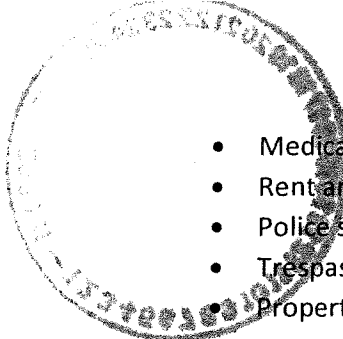
All individuals living in the state of California are currently ordered to stay home or at their place of residence, except for permitted work, local shopping or other permitted errands, or as otherwise authorized.

Mayor Caldwell, HI (for Oahu)

Since this is too lengthy to quote, please see enclosure

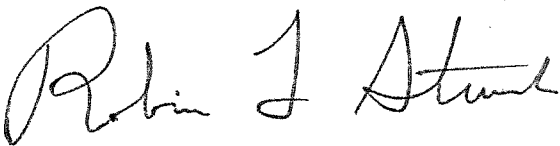
Despite these orders, due to your earlier threat of unlimited fines, last fall, at considerable expense, firing risk, health risk due to covid exposure during the flight and legal risk due to violating state orders, I travelled to Escondido and mitigated for as long as work would allow (1 week mitigation + 2 weeks subsequent quarantine, which is very inefficient) last November and early December. I was unable to complete mitigation because my employer mandated my return (not unreasonably, given my 3 week absence). I am committed to more mitigation, so find your letters and fines grossly inappropriate and unreasonable given the situation and lengths to which I've already gone to meet your demands. I want to live in neat surroundings and don't need your punitive measures to motivate me. It appears I'm being punished for doing the best I can at a very difficult time.

Apparently you now think I should return to Escondido immediately to continue gardening. Until California and Hawaii lift their lockdown orders, or I get vaccinated, that would be illegal. I assume you are not asking me to break the law. As for hiring someone local for mitigation, in addition to potential theft and property damage (since I'd be unable to supervise), the same California lockdown orders would apply to local hires in my absence, though I suspect the same company you retain to inspect would be happy to be hired for the purpose. In fact their inspections as they travel about Escondido may themselves violate the lockdown order. Any effort to travel by me could be even more inefficient, as I could potentially now be subject to two 2 week quarantines. Other organizations have curtailed actions as follows:

- 
- Medical service except most vital
  - Rent and mortgage collection
  - Police service except most vital
  - Trespass on public property (homeless squatting)
  - Property crimes (except mine?)

Why is your punitive "service" more important?

I'll return as soon as I can (perhaps permanently), but in consideration of all the factors I list above, I request you cease and desist from assessing fines, since that is penalizing me for circumstances beyond my control in this current, unique situation. I'm in a geographic location outside the continental US. Interstate travel for me absolutely mandates air travel and subsequent quarantines and consequent legal ramifications and limitations. You should consider my efforts and circumstance and suspend further threats until my safe return. I'm shocked there seems no compassion for property owners such as myself, truly trying to be responsible and responsive. I hope when similar circumstances occur in your own life (and they have or will) you're treated better. I'm sending copies of all correspondence to the federal and California state justice department offices indicated below. My research indicates they've assumed the function of addressing covid harassment issues such as this. If we can't resolve matters between ourselves, they may. Sincerely,



Rob Stumbo

2205 Makaanani Dr. #2

Honolulu, HI 96817

(760) 975-1185

January 15, 2021

Cc: US Department of Justice

Civil Rights Division

950 Pennsylvania Ave. NW

Washington, DC 20530

Cc: Attorney General's Office, California Dept. of Justice

Attn: Public Inquiry Unit

PO Box 944255

Sacramento, CA 94244

## Maria Rocamora

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**From:** Donald Simpkins  
**Sent:** Tuesday, February 16, 2021 6:32 AM  
**To:** Terry Wilson; Alma Gurrola  
**Subject:** FW: [EXT] Fwd: Property Located at 400 James St. ESCONDIDO

**From:** Robin Stumbo <robin.stumbo@gmail.com>  
**Sent:** Sunday, February 14, 2021 8:53 PM  
**To:** Robyn L. Taylor <rtaylor@escondido.org>; Donald Simpkins <dsimpkins@escondido.org>  
**Subject:** [EXT] Fwd: Property Located at 400 James St. ESCONDIDO

**CAUTION :** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender email address AND know the content is safe.

All:

Sorry for a slow response. Though your email still went to spam I managed not to delete it this time and hope this response will prevent recurrence.

1. Have you received my letter? Is there a response? I'm fairly sure you have because I got a mailing to my new address and the only way you could know it is from that letter. I don't thoroughly understand your arbitrary process, but it seems to allow an appeal or contest. My letter is that appeal though I'm sure it doesn't meet your timelines or personal appearance requirements. My letter explains why I can't personally appear immediately. If I could there'd be no issue.
2. Your process also seems to involve a cost determination after unilateral remediation. Who determines that cost, and can it be forecast? Are there limits? Is it a significant fraction of the property value? How's the weather? There's loose soil on the property and if mud stuck vehicle extraction costs were added, that would tend to indicate there's no fire prevention urgency.

I hope you're all safe and uninfected. I'm sure you intended to wish me the same. I'm fine though I haven't travelled. Vaccination seems to be progressing, though I'm not yet, and travel restriction relaxation closer. Please respond to my questions and I'll answer yours. Thanks,  
Robin Stumbo

**From:** Robyn L. Taylor <rtaylor@escondido.org>  
**Date:** Mon, Feb 1, 2021, 6:23 AM  
**Subject:** FW: Property Located at 400 James St. ESCONDIDO  
**To:** robin.stumbo@gmail.com <robin.stumbo@gmail.com>  
**Cc:** Donald Simpkins <dsimpkins@escondido.org>, LaVona D. Koretke <lkoretke@escondido.org>

Good Morning Robin,

The Deputy Fire Marshal forwarded your email about accidentally deleting the email I sent on 1.18.21. I am forwarding it again (see below). I believe office Simpkins has granted a few additional days with regard to posting the property. As stated, you will receive the posting letter in the mail.

Please contact officer Simpkins, if you need. It sounds like email may be best, based on work schedules.

Sincerely,

**Error! Filename  
not specified.**

Robyn Taylor  
Fire Prevention Specialist  
Escondido Fire Department | City of Escondido  
Direct: 760-839-5418  
[www.escondido.org](http://www.escondido.org)

**From:** Robyn L. Taylor  
**Sent:** Monday, January 18, 2021 10:39 AM  
**To:** 'robin.stumbo@gmail.com' <robin.stumbo@gmail.com>  
**Cc:** Donald Simpkins <dsimpkins@escondido.org>  
**Subject:** Property Located at 400 James St. ESCONDIDO  
**Importance:** High

Good Morning Ms. Stumbo,

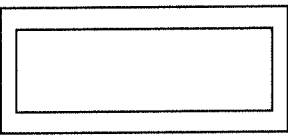
Code Enforcement Officer Don Simpkins has brought me in on the Code Enforcement case for the property located at the above referenced address. He mailed you a Notice of Violation in August of 2020 and has substantially extended the time for you to complete the task. To date, nothing has been done. Furthermore, in my research of the property I found that you received a Notice of Violation in August of 2019 as well. And that after the initial notice of violation, and the 10-day posting notice, your property went to forced abatement in October 2019.

I am contacting you to inform you that the property will once again be posted, the end of this week. You will receive a copy of the posting notice/letter and will have 10 days from the date of that letter to comply, or it will once again be sent to forced abatement.

Please contact officer Simpkins, or myself, with any questions.

**Error! Filename  
not specified.**

Robyn Taylor  
Fire Prevention Specialist  
Escondido Fire Department | City of Escondido  
Direct: 760-839-5418  
[www.escondido.org](http://www.escondido.org)

For local information and daily updates on COVID-19, please visit <a href="#">San Diego County Coronavirus</a> . To receive updates via text, send <b>COSD COVID19</b> to <b>468-311</b> .	
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No

## Maria Rocamora

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**From:** Robyn L. Taylor  
**Sent:** Friday, January 22, 2021 7:22 AM  
**To:** Stephen Jacobson; Donald Simpkins  
**Cc:** LaVona D. Koretke  
**Subject:** Posting Properties

Good Morning Gentlemen,

I wanted to touch base and let you know that I have not yet begun the posting process on either property. LaVona and I have a meeting Monday with Terry to discuss the process, and iron out some procedures.

**Don** – I did send an email to your property owner, stating the property would be posted the end of this week (she’s a repeat offender, so she knows what that means). But a few more days will not make a huge difference, so we’ll wait until early next week. All it does is buy her more time. Interesting though, she never responded to my email.

**Stephen** – apologies for not getting back to you sooner – it’s been a busy week with a lot going on, and I am the duty investigator this week. Thanks for your patience.

Have a great weekend, both of you!



Robyn Taylor  
Fire Prevention Specialist  
Escondido Fire Department | City of Escondido  
Direct: 760-839-5418  
[www.escondido.org](http://www.escondido.org)

## Maria Rocamora

---

**From:** Robyn L. Taylor  
**Sent:** Monday, January 18, 2021 10:39 AM  
**To:** robin.stumbo@gmail.com  
**Cc:** Donald Simpkins  
**Subject:** Property Located at 400 James St. ESCONDIDO

**Importance:** High

Good Morning Ms. Stumbo,

Code Enforcement Officer Don Simpkins has brought me in on the Code Enforcement case for the property located at the above referenced address. He mailed you a Notice of Violation in August of 2020 and has substantially extended the time for you to complete the task. To date, nothing has been done. Furthermore, in my research of the property I found that you received a Notice of Violation in August of 2019 as well. And that after the initial notice of violation, and the 10-day posting notice, your property went to forced abatement in October 2019.

I am contacting you to inform you that the property will once again be posted, the end of this week. You will receive a copy of the posting notice/letter and will have 10 days from the date of that letter to comply, or it will once again be sent to forced abatement.

Please contact officer Simpkins, or myself, with any questions.



Robyn Taylor  
Fire Prevention Specialist  
Escondido Fire Department | City of Escondido  
Direct: 760-839-5418  
[www.escondido.org](http://www.escondido.org)

**NOTIFICATION OF ASSESSMENT OF  
RE-INSPECTION FEES**

**December 28, 2020**

**Robin L. Stumbo  
2975 Ala Napuaa Pl. #208  
Honolulu, Hawaii 96818-2737**

<b>CASE NUMBER</b>	<b>C20-4286</b>
<b>ADDRESS</b>	<b>400 James St., Escondido, CA 92027</b>
<b>AMOUNT DUE</b>	<b>\$52.00 (\$78.00 if not received within 30 days.)</b>
<b>DATE OF INSPECTION</b>	<b>12/24/2020</b>


A recent inspection of your property has shown that violations listed in the notice of violation dated 09/01/2020 have not been corrected.

Pursuant the authority of Escondido Municipal Code, Section 6-502(a), a re-inspection fee of \$52.00 has been assessed and is now payable to the City of Escondido. **Payment is due within 30 days of the date of this letter.** An additional late fee of \$26.00 is due if payment is not received within 30 days. Weekly inspections will be made until the violations have been corrected.

Payment may be made by mail using the enclosed envelope or in person at the Code Enforcement Division Counter located inside City Hall. Please make your check payable to the City of Escondido. Do not send cash. **Please write the case number and date of inspection on the front of your check or you may not receive proper credit for the payment.**


Donald Simpkins  
Code Enforcement Officer II  
(760) 839-4059

23

SENDER COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY																
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <span style="float: right;"><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</span></p> <p>X <u>COLY</u></p>																
<p>1. Article Addressed to:</p> <p><u>ROBIN STUMBO</u> <u>2205 MAKANANI DR.</u> <u># 2</u> <u>HONOLULU, HI 96817</u></p>  <p>9590 9402 3893 8060 9050 83</p>	<p>B. Received by (Printed Name) <span style="float: right;">C. Date of Delivery</span></p> <p><u>PBT</u></p>																
<p>2. Article Number (Transfer from service label)</p> <p><u>7014 2120 0002 7876 5129</u></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>																
	<p>3. Service Type</p> <table border="0"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail Restricted Delivery over \$500</td> <td></td> </tr> </table>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Insured Mail		<input type="checkbox"/> Insured Mail Restricted Delivery over \$500	
<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®																
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™																
<input type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery																
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise																
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™																
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery																
<input type="checkbox"/> Insured Mail																	
<input type="checkbox"/> Insured Mail Restricted Delivery over \$500																	

PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt

**USPS TRACKING #**



9590 9402 3893 8060 9050 83

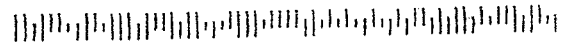
First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

United States Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

CITY OF ESCONDIDO  
CODE ENFORCEMENT DIVISION  
201 N. BROADWAY  
ESCONDIDO, CA 92025-2798

C20-4286 D. SIMPKINS





7014 2120 0002 7876 5129

**U.S. Postal Service<sup>®</sup>**  
**CERTIFIED MAIL<sup>®</sup> RECEIPT**  
*Domestic Mail Only*

For delivery information, visit our website at [www.usps.com](http://www.usps.com)<sup>®</sup>  
**OFFICIAL USE**

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To **ROBIN STUMBO**  
 Street & Apt. No.,  
 or PO Box No. **2205 MAKANANI DR. #2**  
 City, State, ZIP+4<sup>®</sup> **HONOLULU, HI 96817**

PS Form 3800, July 2012 See Reverse for Instructions



**CITY OF ESCONDIDO**  
Code Enforcement Division  
201 North Broadway  
Escondido, CA 92025-2798  
(760) 839-4650

AC# 3978

Make checks payable to **CITY OF ESCONDIDO**. Mail penalty payments to:

CITY OF ESCONDIDO  
CITATION PROCESSING CENTER  
201 NORTH BROADWAY  
ESCONDIDO, CA 92025-2798

CASE # C22-4286

**ADMINISTRATIVE CITATION**

(PLEASE SEE INSTRUCTIONS ON BACK OF CITATION)

DATE OF VIOLATION <u>12/28/2020</u>	TIME <u>0900</u> <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	PENALTY AMOUNT <u>\$ 250.00</u>
ADDRESS OF VIOLATION(S) <u>400 JAMES ST., ESCONDIDO, CA 92027</u>		
RESPONSIBLE PERSON OR PROPERTY OWNER OR LESSEE <u>ROBIN L. STUMBO</u>		
DATE OF BIRTH <u>2975 ALA NAPUAA PL # 208, HONOLULU HAWAII</u>	CITY <u>HAWAII</u>	ZIP CODE <u>96818-2737</u>

CODE SECTION	DESCRIPTION OF VIOLATION
<u>(EMC) 6-484(d)(2)</u>	<u>DEAD, DISEASED, UNSIGHTLY</u>
<u>4</u>	<u>OVERGROWN, OR HAZARDOUS</u>
	<u>VEGETATION.</u>

CORRECTIVE ACTION REQUIRED: CUT AND REMOVE ALL OF  
THE DEAD, DISEASED, DECAYED, UNSIGHTLY,  
OVERGROWN OR HAZARDOUS VEGETATION.

I ACKNOWLEDGE RECEIPT OF THIS NOTICE

PRINTED NAME <u>DONALD SIMPKINS</u>	SIGNATURE <u>[Signature]</u>
SERVED BY: U.S. MAIL <input checked="" type="checkbox"/>	PERSONAL SERVICE <input type="checkbox"/>
ISSUED BY: <u>DONALD SIMPKINS</u>	POSTED ON PROPERTY <input type="checkbox"/>
CODE ENFORCEMENT OFFICER	ISSUE DATE <u>12/28/2020</u>

**IMPORTANT - READ CAREFULLY**

The responsible party, property owner or lessee cited for violation shall, within 30 calendar days from the issuance of this citation, pay the assessed amount by mail to the above address.

OR

If you dispute the underlying facts of this citation, you may file a written appeal within 10 calendar days from the issuance of this citation. The appeal must be accompanied by the penalty amount, must include a return address, and specify in detail the basis for the appeal.

**REPEATED VIOLATIONS**

Each and every day a violation of any provision of the Municipal Code exists constitutes a separate and distinct offense. Each section of the Code violated constitutes a separate violation for any day at issue.

**FAILURE TO ANSWER OR PAY PENALTY FOR VIOLATION(S)**  
(City of Escondido Municipal Code Section 1A-11(e), (f) and (g))

The failure of any person to pay a penalty assessed by administrative citation within the time specified on the citation constitutes a debt to the city. To enforce that debt, the city may file a civil action, impose a special assessment, or pursue any other legal remedy to collect such money.

Any administrative penalty assessed under this chapter may also include a re-inspection fee, as defined in section 1A-4.



CITY OF ESCONDIDO  
 Code Enforcement Division  
 201 North Broadway  
 Escondido, CA 92025-2798  
 (760) 839-4650

C20-4286 Case Number      400 JAMES ST., ESCONDIDO, CA 92027 Address

**DECLARATION OF SERVICE BY MAIL**

I, DONALD SIMPKINS, am, and was at the time of service of the papers herein referred to, over the age of 18 years, and not a party to the action; and I am employed in the County of San Diego, California, in which county the within-mentioned mailing occurred. My business address is 201 North Broadway, Escondido, California 92025. I served the following document(s):

ADMINISTRATIVE CITATION # 3978, 250.<sup>00</sup>

by placing a copy thereof in a separate envelope for each addressee named hereafter, addressed to each such addressee respectively as follows:

ROBIN L. STUMBO  
2975 ALA NAPUAA PL. # 208  
HONOLULU, HAWAII 96818-2737

I then sealed each envelope and, with the postage thereon fully prepaid, deposited each in the United States mail at Escondido, California, on 12/28/2020.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on: 12/28/2020  
Date

Donald Simpkins  
Signature

DONALD SIMPKINS  
Typed Name



Code Enforcement Division  
201 North Broadway, Escondido, CA 92025  
Phone: 760-839-4650 Fax: 760-432-6819

## NOTICE OF INTENT TO ASSESS RE-INSPECTION FEES

12-09-2020

Robin L Stumbo  
2975 Ala Napuaa Pl. #208  
Honolulu, Hawaii 96818-2737

**SUBJECT: 400 James St. Escondido 92027**

**CASE NUMBER: C20-4286**

A recent inspection of your property has shown that the violations listed in the notice of violation 08/19/2020 have not been corrected as required.

Pursuant the authority of Escondido Municipal Code, Section 6-502(a), a re-inspection fee of \$52.00 may be assessed for all inspections required after the first compliance inspection fails to document the required correction of outstanding violations by the specified deadline.

Your property will be re-inspected during the week of 12/23/2020. If the violations have not been corrected by that time, re-inspection fees may be assessed against you for all subsequent inspections.

The assessment of re-inspection fees does not limit the ability of the City to pursue additional remedies, if necessary, up to and including the issuance of administrative citations and, or the initiation of legal proceedings.

Please phone me at (760) 839-4059, so we may discuss these issues and I can explain what is necessary to correct the violations and therefore, avoid the fees.

Sincerely,

A handwritten signature in cursive script that reads "Donald Simpkins".

Donald Simpkins,  
Code Enforcement Officer



**CITY OF ESCONDIDO**  
Code Enforcement Division  
201 North Broadway  
Escondido, CA 92025-2798  
(760) 839-4650

AC# 3928

CASE # C20-4286

Makes checks payable to CITY OF ESCONDIDO. Mail penalty payments to:

CITY OF ESCONDIDO  
CITATION PROCESSING CENTER  
201 NORTH BROADWAY  
ESCONDIDO, CA 92025-2798

**ADMINISTRATIVE CITATION**

(PLEASE SEE INSTRUCTIONS ON BACK OF CITATION)

DATE OF VIOLATION <u>12/09/2020</u>	TIME <u>0800</u> <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	PENALTY AMOUNT <u>\$ 100.00</u>
ADDRESS OF VIOLATION(S) <u>400 JAMES ST, ESCONDIDO, CA 92027</u>		
RESPONSIBLE PERSON OR PROPERTY OWNER OR LESSEE <u>ROBIN L STUMBO</u>		
ADDRESS <u>2975 ALA NAPUAA PL # 208 HONOLULU, HAWAII</u>		
CITY <u>ESCONDIDO</u>		ZIP CODE <u>92025-2787</u>

**IMPORTANT - READ CAREFULLY**

The responsible party, property owner or lessee cited for violation shall, within 30 calendar days from the issuance of this citation, pay the assessed amount by mail to the above address.

OR

If you dispute the underlying facts of this citation, you may file a written appeal within 10 calendar days from the issuance of this citation. The appeal must be accompanied by the penalty amount, must include a return address, and specify in detail the basis for the appeal.

**REPEATED VIOLATIONS**

Each and every day a violation of any provision of the Municipal Code exists constitutes a separate and distinct offense. Each section of the Code violated constitutes a separate violation for any day at issue.

**FAILURE TO ANSWER OR PAY PENALTY FOR VIOLATION(S)**  
(City of Escondido Municipal Code Section 1A-11(e),(f) and (g))

The failure of any person to pay a penalty assessed by administrative citation within the time specified on the citation constitutes a debt to the city. To enforce that debt, the city may file a civil action, impose a special assessment, or pursue any other legal remedy to collect such money.

Any administrative penalty assessed under this chapter may also include a re-inspection fee, as defined in section 1A-4.

CODE SECTION	DESCRIPTION OF VIOLATION
<u>(C.M.C.) 6-4B4 (a)(2)</u>	<u>DEAD, DISEASED UNSIGHTLY OVER GROWING OR HAZARDOUS VEGETATION</u>

CORRECTIVE ACTION REQUIRED: CUT AND REMOVE ALL OF THE DEAD, DISEASED, DECAYED, UNSIGHTLY OVERGROWN OR HAZARDOUS VEGETATION

I ACKNOWLEDGE RECEIPT OF THIS NOTICE

PRINTED NAME	SIGNATURE
SERVED BY: U.S. MAIL <input checked="" type="checkbox"/>	POSTED ON PROPERTY <input type="checkbox"/>
ISSUED BY: <u>DONALD SIMPkins</u>	ISSUE DATE: <u>12/09/2020</u>
CODE ENFORCEMENT OFFICER	



CITY OF ESCONDIDO  
Code Enforcement Division  
201 North Broadway  
Escondido, CA 92025-2798  
(760) 839-4650

Case Number 020-4286 Address 400 JAMES ST, ESCONDIDO CA - 92027

### DECLARATION OF SERVICE BY MAIL

I, DONALD SIMPKINS, am, and was at the time of service of the papers herein referred to, over the age of 18 years, and not a party to the action; and I am employed in the County of San Diego, California, in which county the within-mentioned mailing occurred. My business address is 201 North Broadway, Escondido, California 92025. I served the following document(s):

ADMINISTRATIVE CITATION #3928 #100.00

by placing a copy thereof in a separate envelope for each addressee named hereafter, addressed to each such addressee respectively as follows:

ROBIN L. STUMBO  
2975 AIA NAPUAA PL. #208  
HONOLULU, HAWAII 96818-2737

I then sealed each envelope and, with the postage thereon fully prepaid, deposited each in the United States mail at Escondido, California, on 12/09/2020.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on: 12/09/2020  
Date

Donald Simpkins  
Signature

DONALD SIMPKINS  
Typed Name



Code Enforcement Division  
201 North Broadway, Escondido, CA 92025  
Phone: 760-839-4650 Fax: 760-432-6819

## NOTICE OF INTENT TO ASSESS RE-INSPECTION FEES

November 12, 2020

Robin L Stumbo  
400 James Street  
Escondido CA 92027

Owner

**SUBJECT:** 400 James Street

**CASE NUMBER:** C20-4286

A recent inspection of your property has shown that the violations listed in the notice of violations dated September 1, 2020 have not been corrected as required.

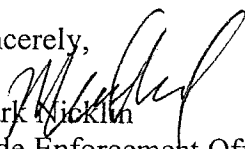
Pursuant the authority of Escondido Municipal Code, Section 6-502(a), a re-inspection fee of \$52.00 may be assessed for all inspections required after the first compliance inspection fails to document the required correction of outstanding violations by the specified deadline.

Your property will be re-inspected during the week of April 28, 2020. If the violations have not been corrected by that time, re-inspection fees may be assessed against you for all subsequent inspections.

The assessment of re-inspection fees does not limit the ability of the City to pursue additional remedies, if necessary, up to and including the issuance of administrative citations and, or the initiation of legal proceedings.

Please phone me at (760) 839-6381 so we may discuss these issues and I can explain what is necessary to correct the violations and therefore, avoid the fees.

Sincerely,

  
Mark Nicklin  
Code Enforcement Officer II  
City of Escondido





**CITY OF ESCONDIDO**  
 Code Enforcement Division  
 201 North Broadway  
 Escondido, CA 92025-2798  
 (760) 839-4650

AC# 3964  
 CASE # C20-4286

**ADMINISTRATIVE CITATION**

(PLEASE SEE INSTRUCTIONS ON BACK OF CITATION)

<u>11/10/2020</u>	<u>2:49</u>	<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	<u>\$100</u>
DATE OF VIOLATION		TIME	PENALTY AMOUNT
<u>400 James Street Escondido, CA 92027</u>			
ADDRESS OF VIOLATION(S)			
<u>Robin L. Stumbo</u>			<u>92027</u>
RESPONSIBLE PERSON OR PROPERTY OWNER OR LESSEE			DATE OF BIRTH
<u>400 James Street</u>	<u>Escondido</u>	<u>92027</u>	<u>92027</u>
ADDRESS	CITY	ZIP CODE	ZIP CODE

CODE SECTION	DESCRIPTION OF VIOLATION
<u>ENC 6-4B4(d)(2)</u>	<u>Dead, diseased, unsightly, overgrown or hazardous vegetation.</u>

CORRECTIVE ACTION REQUIRED: Cut and remove all of the dead, diseased, decayed, unsightly, overgrown, or hazardous vegetation

I ACKNOWLEDGE RECEIPT OF THIS NOTICE

Mailed via U.S.P.S.

PRINTED NAME SIGNATURE

SERVED BY: U.S. MAIL  PERSONAL SERVICE  POSTED ON PROPERTY

ISSUED BY Mark Niadin #14545 11/12/2020

CODE ENFORCEMENT OFFICER ISSUE DATE

EX1185 (Rev. 10/16)  
 WHITE - EBF YELLOW - ADMIN PINK - RESPONSIBLE PARTY OR POST ON PROPERTY

## Donald Simpkins

---

**From:** Andrew Modglin  
**Sent:** Wednesday, October 7, 2020 8:32 PM  
**To:** Donald Simpkins  
**Subject:** Re: 400 James St. Weed abatement

Good afternoon Don

I went out to the property today and inspected it. I would see that this property does meet the criteria to have it forced abated. When did the property owner say that she would be out to clear it? There is a hazardous amount of dead vegetation close to the homes in the surrounding properties.

Thanks  
Andrew Modglin.

Sent from my iPhone

On Oct 2, 2020, at 8:02 AM, Donald Simpkins <[dsimpkins@escondido.org](mailto:dsimpkins@escondido.org)> wrote:

Andrew, I need someone in your department to come to 400 James St. and make a decision on whether or not the City should do an abatement on this vacant piece of property. Let me know if we can meet Monday at the property. Thanks, Don

<image001.jpg> Donald Simpkins  
Code Enforcement Officer II  
Code Enforcement City of Escondido  
Direct: 760-839-4059 | Mobile: 760-802-0904  
[www.escondido.org](http://www.escondido.org)

## Donald Simpkins

---

**From:** Robin Stumbo <robin.stumbo@gmail.com>  
**Sent:** Thursday, October 1, 2020 10:23 AM  
**To:** Donald Simpkins  
**Subject:** [EXT] 400 James St

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender email address AND know the content is safe.

Mr. Simpkins:

I appreciate your email address. Mail delay to Hawaii is significant. Rather than impose deadlines on one another I hope we can work together to solve our problems. Regarding who cleans for me, it has always been myself personally, with tools I possess on site (unless burgled in my absence). I would prefer to continue doing it myself since I really don't want strangers on my property. I've been burglarized when I've been on the premises, and really can't trust hiring people from afar. I will ask Pearl Harbor Naval Shipyard for permission to fly back to Escondido in October. Due to job commitments I think the earliest they'd permit me to leave is October 21 (I'll deal with time wasted in 2 week quarantine on my return as best I can). But before going further, can you confirm that California and/or Escondido don't impose any restrictions on the use of equipment that may cause a spark (weed eaters, mowers, etc.)? Thanks  
Robin Stumbo



Sept. 21, 2020

Ms. Stumbo I received your letter requesting an extension on the Notice of Violation that has been issued regarding your property. We are currently in a heat wave and have been in a stage 1 fire alert for areas in the County. I understand that you are in Hawaii and have logistical issues in returning. However, this does not preclude the responsibility you have as the property owner of the property. One of my questions would be why you would not contact who ever in the past has cleaned up the vegetation on your property by phone and arrange for the cleanup. I am willing to work with you however, it is a concern of your neighbors as well as the City during this dangerous fire season. I've been instructed to give you 10 days from the date you receive this letter to arrange for the cleanup or fines will be imposed. Please call me at the number on the Notice of Violation or email me at [Dsimpkins@escondido.org](mailto:Dsimpkins@escondido.org) with the information.

Thank you,

Donald Simpkins

A handwritten signature in cursive script that reads "Donald Simpkins".

Sirs:

You recently sent a citation for my home at 400 James St. I certainly will correct any of your concerns as soon as I possibly can, but can't immediately for the following reasons:

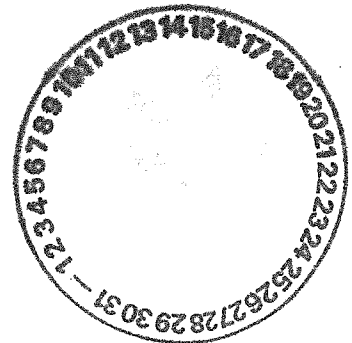
1. I currently live in Honolulu, Hawaii, and work for the Department of the Navy at Pearl Harbor Naval Shipyard (PHNSY). I normally travel home to Escondido twice a year to perform maintenance on my home and rent equipment to cut weeds/vegetation on my property. However, Covid-19 travel restrictions, travel risk and job obligations have prevented me from traveling to Escondido so far this year.
2. I have a gall bladder procedure Sunday September 13<sup>th</sup> that I would be ill advised to postpone for travel now, and if surgery is necessary, I probably won't be allowed to travel while I heal.
3. Travel from Hawaii to California currently seems unhindered, but when I return from abatement to my job I'll be compelled to quarantine for 14 days due to Covid -19. Though I have sufficient accrued work leave, that will require negotiation and timing with my employer, PHNSY. PHNSY is currently restricting leave to finish several submarine overhauls and will be unhappy with an extended absence.
4. I understand Escondido is currently experiencing a heat wave which may restrict spark producing tool operation. Arriving to wait until such restrictions are lifted would extend my work absence, which my employer may not accommodate.

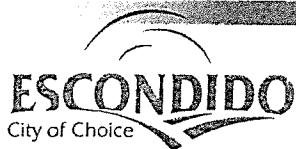
I'd rather personally perform or at least supervise abatement since I've had prior burglaries and wish to restrict access. I need time to resolve these issues and hope you'll allow it, and extend the time in which the abatement can take place. Since I began work in Hawaii I've had less time for maintenance, but I still returned and performed it adequately until the coronavirus issue restricted travel.

I assure you that I do plan to travel to Escondido and perform the abatement as soon as the impediments listed above are resolved, and I will be sure to keep you informed once I have firm travel dates. In the meantime, I request that you suspend any fines and/or legal action against me while the circumstances beyond my control prevent me from taking the immediate actions described in your citation.

Sincerely,

*Rob. J. Albi*  
# C20 - 4286





# City of Escondido

## NOTICE OF VIOLATION

September 01, 2020

Robin L. Stumbo  
400 James St.  
Escondido, CA 92027

Robin Stumbo  
2975 Ala Napuaa Pl. #208  
Honolulu, Hawaii 96818-2737

CASE NUMBER: C20-4286  
SUBJECT: 400 James St., Escondido, CA. 92027  
DESCRIPTION: Assessor's Parcel Number 2311402000

Pursuant to the Escondido Municipal Code, a Code Enforcement Officer inspected the above referenced property on 08/19/20. The property was found to be in violation of one or more federal, state, or local code statutes.

The violations noted are as follows:

- 1 Escondido Municipal Code 6-484 (d) (2)
  - (d) It is unlawful for any responsible person to use, allow or maintain on such property any of the following: (2) Dead, diseased, decayed, unsightly, overgrown or hazardous vegetation.

**AS THE OWNER OF RECORD, YOU ARE HEREBY ORDERED WITHIN 14 DAYS OF RECEIVING THIS NOTICE TO:**

- 1 Cut and remove all of the dead, diseased, decayed, unsightly, overgrown or hazardous vegetation from the vacant lot identified as Parcel Number 2311402000 per Fire Department clearance standards.

If you fail to comply with this notice in abating all violations as required, within the time allotted, re-inspection fees may be assessed and, or you may be issued an administrative citation. The first citation has a mandatory fine of \$100.00, the second citation is \$250.00 and each subsequent citation is \$500.00. Each day a violation exists is a separate violation and may be cited. Additionally, the case may be referred to the City Attorney's Office for other appropriate legal action.

If you have any questions regarding this case, please contact the undersigned at (760)839-4059 between 8:00 a.m. and 4:00 p.m., Monday through Friday.

Sincerely,  
*Donald Simpkins*  
DON SIMPKINS  
Code Enforcement Officer

Delivered By

X-Regular Mail

Certified Mail

Posting

Personally Delivered



# City of Escondido

## NOTICE OF VIOLATION

August 19, 2020

Robin L. Stumbo  
400 James St.  
Escondido, CA 92027

CASE NUMBER: C20-4286  
SUBJECT: 400 James St., Escondido, CA. 92027  
DESCRIPTION: Assessor's Parcel Number 2311402000

Pursuant to the Escondido Municipal Code, a Code Enforcement Officer inspected the above referenced property on 08/19/20. The property was found to be in violation of one or more federal, state, or local code statutes.

The violations noted are as follows:

- 1 Escondido Municipal Code 6-484 (d) (2)
  - (d) It is unlawful for any responsible person to use, allow or maintain on such property any of the following: (2)  
Dead, diseased, decayed, unsightly, overgrown or hazardous vegetation.

**AS THE OWNER OF RECORD, YOU ARE HEREBY ORDERED WITHIN 10 DAYS OF RECEIVING THIS NOTICE TO:**

- 1 Cut and remove all of the dead, diseased, decayed, unsightly, overgrown or hazardous vegetation from the vacant lot identified as Parcel Number 2311402000 per Fire Department clearance standards.

If you fail to comply with this notice in abating all violations as required, within the time allotted, re-inspection fees may be assessed and, or you may be issued an administrative citation. The first citation has a mandatory fine of \$100.00, the second citation is \$250.00 and each subsequent citation is \$500.00. Each day a violation exists is a separate violation and may be cited. Additionally, the case may be referred to the City Attorney's Office for other appropriate legal action.

If you have any questions regarding this case, please contact the undersigned at (760)839-4059 between 8:00 a.m. and 4:00 p.m., Monday through Friday.

Sincerely,

DON SIMPKINS  
Code Enforcement Officer

Delivered By

X-Regular Mail

Certified Mail

56 Posting

Personally Delivered

Paul McNamara, Mayor

Consuelo Martinez, Deputy Mayor

Olga Diaz

Michael Morasco



03/19/2021 11:25



03/19/2021 11:26



03/19/2021 11:26

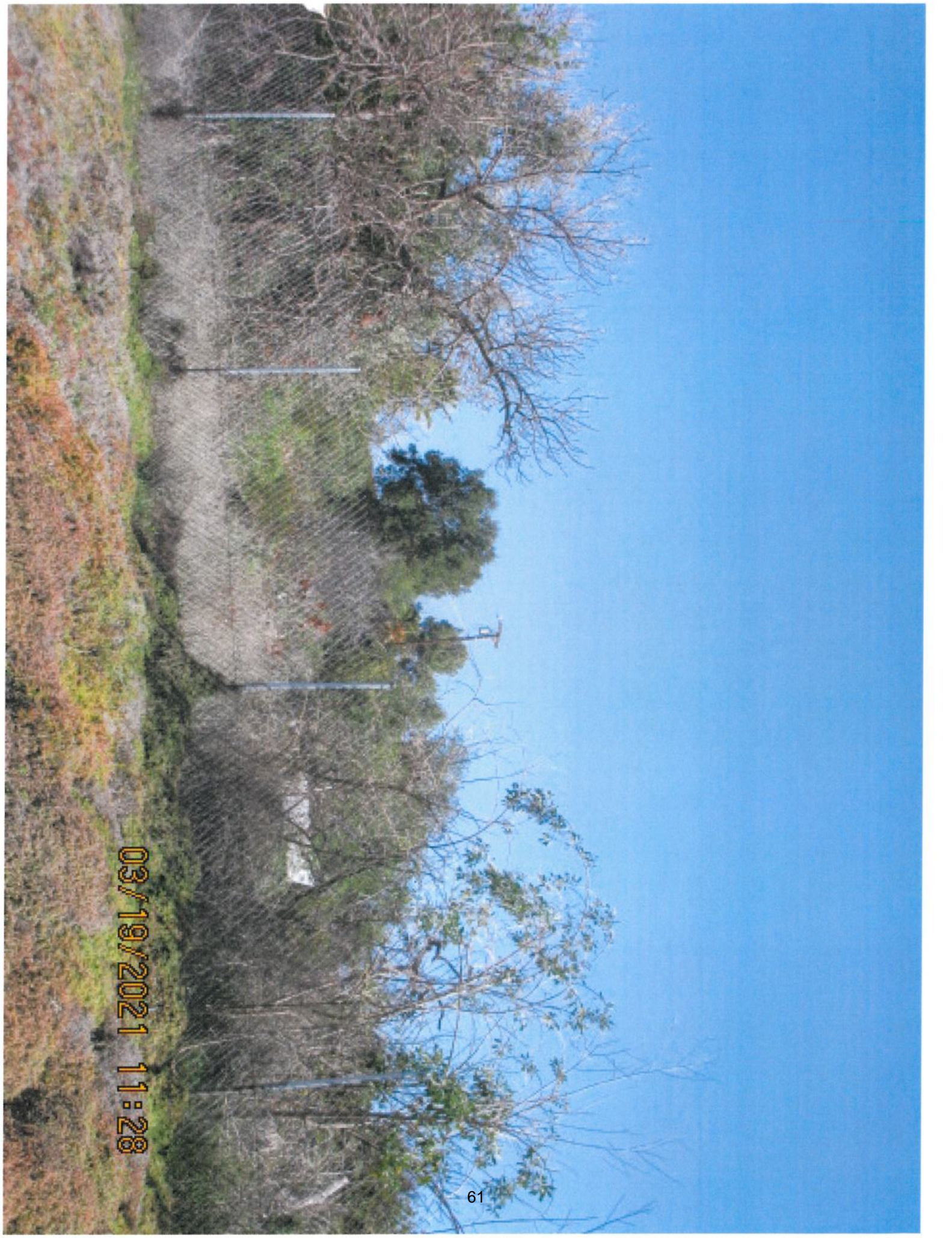








03/19/2021 11:28





# PUBLIC NUISANCE

Notice is given that any weeds, grasses, stalks, or other debris, or other material upon the lot or portion of any lot in the jurisdiction of the Escondido Fire Department, as described in Assessor's Parcel Number 211 142 1000, and in the parcel address 211 142 1000, or the parcels, subdivisions and a portion, hereinafter, that may be the subject of an all property owner notice is the hazard, and that any weeds, stalks, discarded material, concrete, auto bodies and parts or other waste material thereof that might interfere with the abatement of the aforementioned public nuisance are also a public nuisance.

All such nuisances are required to be abated within 10 days of the posting hereof. If not abated or in failure to do so, the Escondido Fire Department will undertake removal and the costs thereof will be billed to the property owner. No removal fee shall be added. The cost will be applied against the bill and collected through the billing. A lien will be placed against the parcel, and enforcement will then be taken at the court.

This notice is given pursuant to the provisions of Escondido Municipal Code Ch. 8, Article 2, Section 2.11.4. Questions can be forwarded to Escondido Fire Department, Fire Prevention, 1100 N. Carrizo City Hwy., Escondido, CA 92026, (761) 233-8477, [awed@escondido.org](mailto:awed@escondido.org).

Dated and posted this 3<sup>rd</sup> day of FEBRUARY.

Escondido Fire Station  
Escondido Fire Department

02/03/2021 12:02



NOTICE TO  
ABATE  
HAZARD/  
PUBLIC  
NUISANCE

CLOSE GATE  
AFTER ENTRY  
OR EXIT TO  
KEEP ANIMALS  
INSIDE

02/03/2021 12:02



CLOSE GATE  
AFTER ENTRY  
OR EXIT TO  
KEEP ANIMALS  
INSIDE

02/03/2021 12:02



02/03/2021 12:02

GRANIT



# PUBLIC NUISANCE

Notice is given that any weeds, grasses, dead sticks, or dead trees upon the lot or part of lots in the jurisdiction of the Executive Fire Department, as described by Assessor's Parcel Number: 211462100, and in the street addresses, set in the hereby attached form, are a public nuisance in that they are a fire hazard or a safety hazard to the public, and that any other weeds, grasses, dead sticks and trees or other waste material present may exist in conjunction with the maintenance of the aforementioned public nuisance and also a public hazard.

Said public nuisances are required to be abated within 90 days of the posted date. If not abated on or before this date, the Executive Fire Department of San Mateo County, California, and the State of California, may be called to the property owner's property to abate the same and be entitled to be reimbursed for the cost and expense of such abatement. A lien will also be placed on the owner. An authorization fee may be added to the costs.

This notice is given pursuant to the provisions of the San Mateo County Municipal Code Ch. A, Article 4, Division 2, 15441. Questions can be directed to: San Mateo Fire Department, Fire Prevention 1182 N. Center City Street, Sausalito, CA 94068, (415) 338-5417, [weeds@firemfga.sausalito.ca.gov](mailto:weeds@firemfga.sausalito.ca.gov)

Posted and posted this 3<sup>RD</sup> day of FEBRUARY

By: Director, Fire Marshal  
Executive Fire Department

02/03/2021 12:02





02/03/2021 12:03













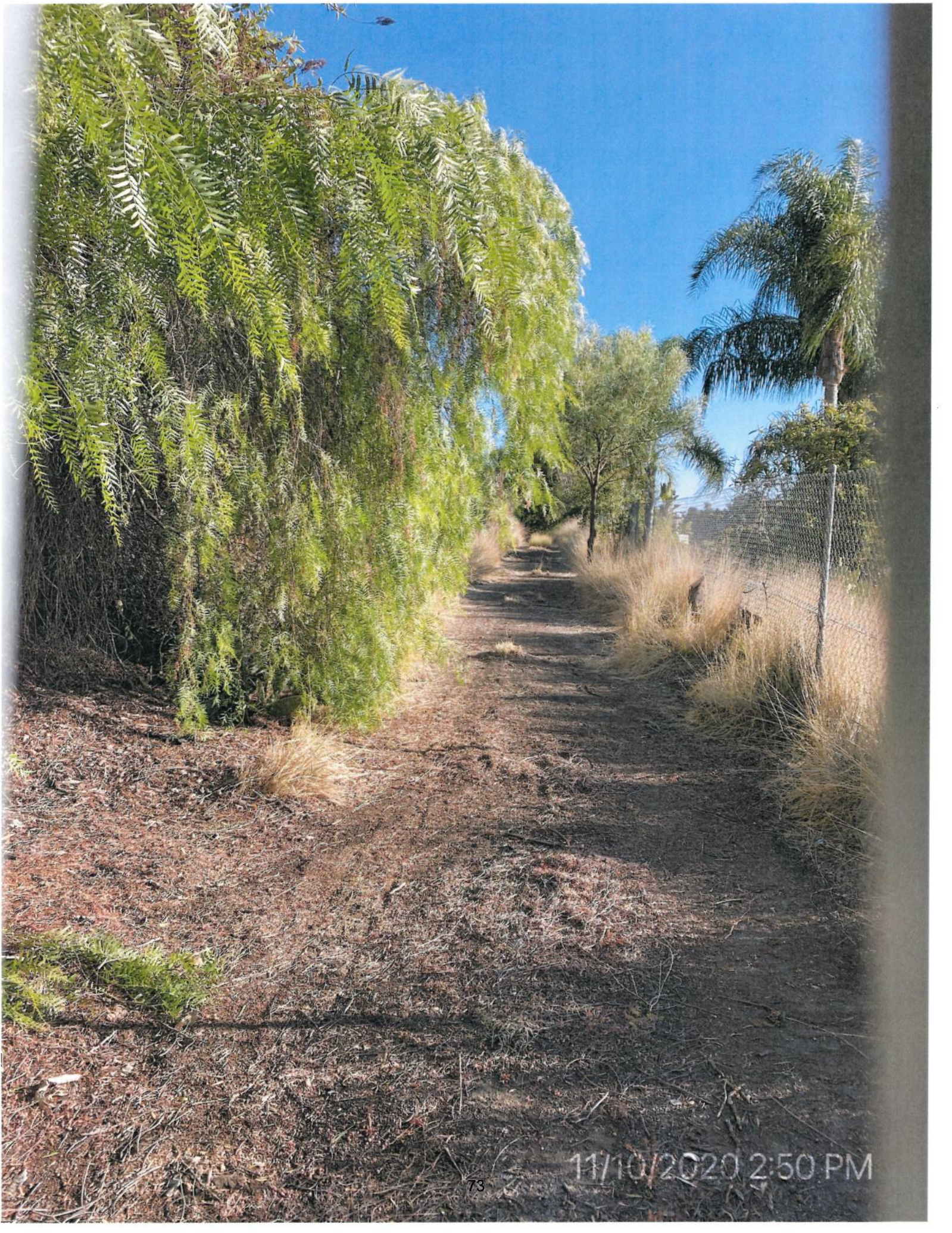






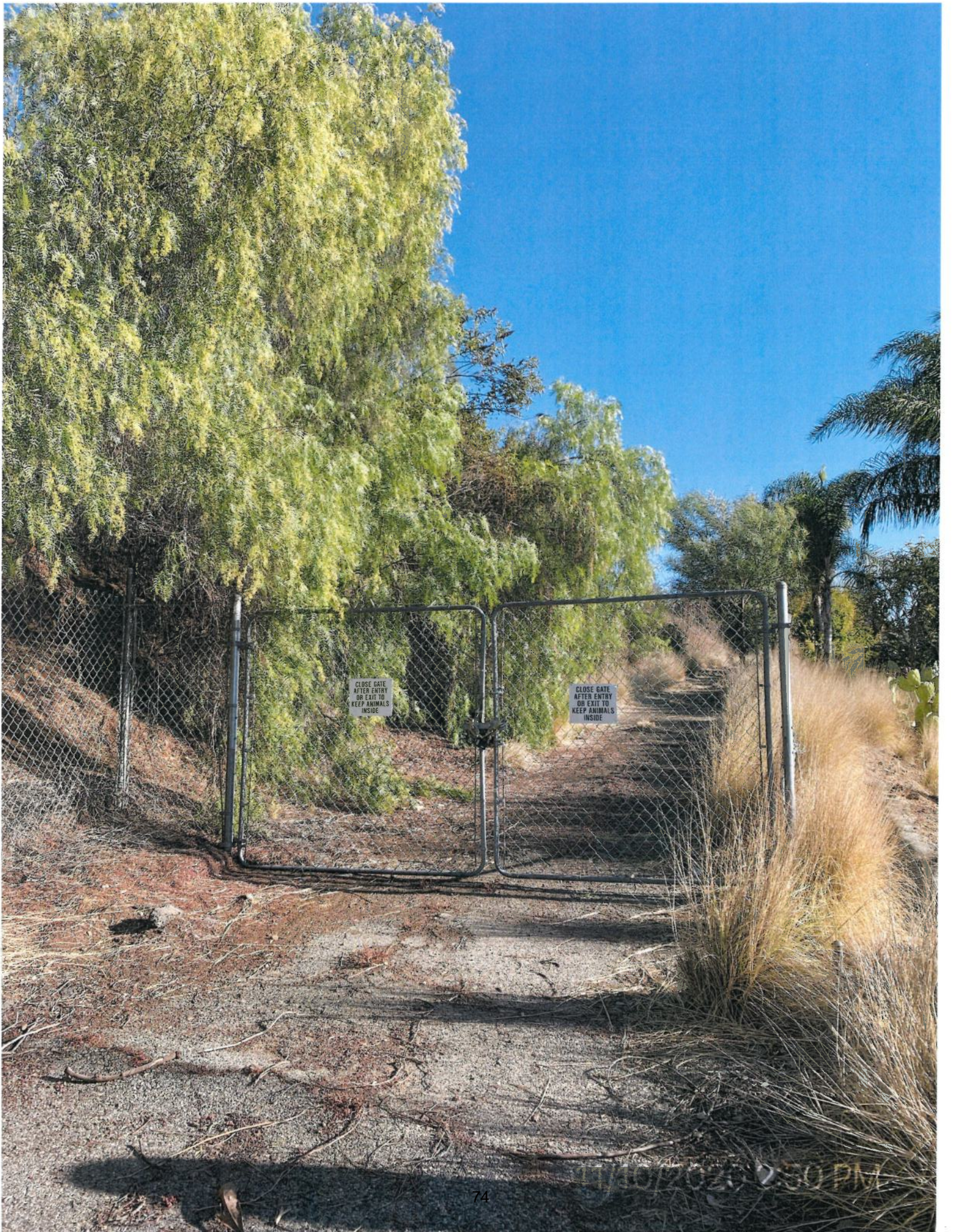






11/10/2020 2:50 PM













11/10/2020 2:49 PM





11/10/2020 2:49 PM



OT J K E



CO J MES

10/08/2020 09:36



10/08/2020 09:36



10/08/2020 09:36





10/08/2020 09:37



10/08/2020 09:38



10/08/2020 09:38



# ATTACHMENT 3

## ARTICLE 20. PROPERTY MAINTENANCE

### Sec. 6-480. Title.

This article shall be known as the "City of Escondido Property Maintenance Ordinance." (Ord. No. 85-44, § 1, 7-10-85)

### Sec. 6-481. Findings.

The council finds and determines as follows:

- (a) The city has a history and reputation for well-kept properties and the property values and the general welfare of the community are founded, in part, upon the appearance and maintenance of private and public properties.
- (b) There is a need for further emphasis on property maintenance and sanitation in that certain conditions, as described in this article, have been found from place to place throughout the city.
- (c) The existence of such conditions described in this article is injurious and inimical to the public health, safety, and welfare of the residents of the city and contributes substantially and increasingly to the deterioration of neighborhoods.
- (d) Unless corrective measures are undertaken to alleviate such existing conditions and assure the avoidance of future problems in this regard, the public health, safety, and general welfare, and specifically the social and economic standards of the community, will be depreciated.
- (e) The abatement of such conditions will improve the general welfare and image of the city.
- (f) The abatement procedures set forth in this article are reasonable and afford due process to all affected persons.
- (g) The uses and abuses of property as described in this article reasonably relate to the proper exercise of police power to protect the health, safety, and general welfare of the public. (Ord. No. 85-44, § 1, 7-10-85)

### Sec. 6-482. Definitions.

The following words and phrases, whenever used in this article, shall be construed as defined in this section, unless from the context a different meaning is specifically defined and more particularly directed to the use of such words or phrases:

(a) *Attractive nuisance* shall mean any condition, instrumentality, or machine which is unsafe and unprotected and thereby dangerous to young children by reason of their inability to appreciate the peril therein, and which may reasonably be expected to attract young children to the premises and risk injury by playing with, in, or on it. Attractive nuisances may include, but shall not be limited to:

- (1) Abandoned and/or broken equipment,
- (2) Hazardous pools, ponds, and excavations, and
- (3) Neglected machinery.

(b) *Landowner* shall mean the person to whom land is assessed as shown on the last equalized assessment roll of the county and the City of Escondido.

(c) *Parkway* shall mean that portion of a street right-of-way which lies between the property line and the outside edge of a gutter or gutter lip, including a driveway approach. Where no curb exists, "parkway" shall mean the area of property from the property line to the edge of the pavement.

(d) *Property* shall mean any lot or parcel of land. For the purposes of this definition, "lot or parcel of land" shall include any alley, sidewalk, parkway, or unimproved public easement abutting such lot or parcel of land.

(e) *Reinspection fee* shall mean a fee charged against a responsible person who has become the subject of city enforcement of state or local law, and for which there is a need to recover the city's actual cost of a second or any

subsequent inspection of the property, caused by the responsible party's failure to comply with a lawful order from an enforcement officer. The amount of this fee shall be set by periodic resolution of the city council.

(f) *Responsible person* shall mean a property owner, a tenant, a person occupying or having control or possession of any property, any person with a legal interest in real property (including banks or mortgage holders), and any person who directly manages a business or property or who demonstrates responsibility for the maintenance and repair of the property, or any agents thereof. (Ord. No. 85-44, § 1, 7-10-85; Ord. No. 2000-03, §§ 3 and 4; Ord. No. 2008-24, § 1, 10-22-08)

#### **Sec. 6-483. Responsibility for enforcement.**

The building official shall be responsible for the administration and enforcement of this article. (Ord. No. 85-44, § 1, 7-10-85)

#### **Sec. 6-484. Prohibited activities.**

(a) It is unlawful for any responsible person to use, allow, maintain, or deposit on such property any of the following:

(1) Trash, junk, or debris including, but not limited to, household waste, litter, garbage, scrap metal or lumber, wood, concrete, asphalt, tires, piles of earth or construction material.

(2) Abandoned, discarded, or unused furniture, appliances, sinks, toilets, cabinets, fixtures, tools, vehicle parts, machinery, equipment, or similar items within public view.

(3) Trash cans, bins, boxes, recycle containers or other similar containers stored in front or side yards, within public view, except as permitted by section 14-27.

(4) Building supplies, materials, or equipment not associated with a valid building permit at the same address, unless entirely screened from public view.

(5) Tarpaulins, plastic sheeting, cloth and similar coverings unless used on a temporary basis, or used in conjunction with a valid building permit.

(A) Use of tarpaulins, plastic sheeting, cloth or similar coverings thirty (30) days after receiving notice from the city shall be prima facie evidence of a violation.

(B) Tarpaulins, plastic sheeting, cloth and similar temporary coverings shall not be used to screen items prohibited by section 6-484(a) from public view for any period of time.

(6) Abandoned, wrecked, dismantled, or inoperative vehicles or parts thereof, including motor homes, trailers, campers and boats, or any portions of any of the above, unless stored within an entirely enclosed space.

(7) Signs which are broken, deteriorated, partially obscured, illegible or in a state of disrepair.

(b) Buildings. It is unlawful for any responsible person to use, allow, or maintain on such property any of the following:

(1) Buildings which are abandoned, partially destroyed, or partially constructed or incomplete.

(2) Buildings which have deteriorated to the point that exterior building coverings allow sun or water penetration.

(3) Broken windows, doors, attic vents and under floor vents.

(4) Building exteriors, walls, fences, patios, driveways, or walkways which are cracked, broken, defective, deteriorated or in disrepair.

(5) Building exteriors, walls, fences, driveways or walkways which are defaced due to any writing, inscription, figure, scratches or other markings commonly referred to as "graffiti."

(6) A gate that is not secure and latched or lacks a functional automatic self-closing device if the property contains a swimming pool.

(c) Polluted Water. It is unlawful for any responsible person to use, allow, or maintain on such property, a swimming pool, pond or other body of water which is abandoned, unattended, unfiltered or not otherwise maintained, resulting in the water becoming polluted. For the purpose of this subsection, polluted water means water contained in a swimming pool, pond or other body of water, which includes but is not limited to bacterial growth, including algae, remains of insects,

remains of deceased animals, reptiles, rubbish, refuse, debris, papers, and any other foreign matter or material which because of its nature or location constitutes an unhealthy, unsafe or unsightly condition.

(d) Landscape Maintenance. It is unlawful for any responsible person to use, allow or maintain on such property any of the following:

(1) Weeds.

(2) Dead, diseased, decayed, unsightly, overgrown or hazardous vegetation.

(3) Vegetation growing into, upon or above a sidewalk, alley or any public right-of-way, except trees with at least eight (8) feet of vertical clearance above the surface.

(4) Roots growing beneath public or private sidewalks, streets or alleys and causing the improved surface to crack, buckle or rise.

(5) Barren patches of dirt, holes and ruts on any landscaped area in public view.

(6) Deteriorated or unsightly landscape elements including natural features such as rock and stone; and structural features, including fountains, reflecting pools, art works, screens, walls, fences and benches.

(7) Excess irrigation resulting in water flowing from the property. (Ord. No. 85-44, § 1, 7-10-85; Ord. No. 94-41, § 15, 1-11-95; Ord. No. 2008-24, § 2, 10-22-08; Ord. No. 2011-02RR, § 18, 3-16-11)

#### **Sec. 6-485. Public nuisances.**

It is hereby declared a public nuisance for any landowner or person leasing, occupying, directly controlling, or having possession of any property in this city to maintain any condition described in section 6-484 of this code or to maintain any attractive nuisance. (Ord. No. 85-44, § 1, 7-10-85)

#### **Sec. 6-486. Authority for adoption, application and purpose.**

The procedures set forth in this chapter for the abatement of a public nuisance and the recovery of the cost of such abatement are adopted pursuant to the authority set forth in California Government Code Sections 38773 and 38773.5, and the police power of the city pursuant to the California Constitution.

The procedures set forth in this chapter shall apply to any public nuisance in the city.

The procedures set forth in this chapter are not exclusive and shall be in addition to the procedure for abatement of public nuisances permitted by California state law or other local ordinance. (Ord. No. 85-44, § 1, 7-10-85; Ord. No. 89-19, § 1, 5-3-89)

#### **Sec. 6-487. Enforcement.**

Enforcement of this article may be accomplished by the building official, or a designee of the building official, to include a contractor retained pursuant to the provisions of this code, in any manner authorized by law. The procedures set forth in this article shall not be exclusive, and shall not in any manner limit or restrict the city from enforcing other city ordinances or abating public nuisances in any other manner provided by law. (Ord. No. 85-44, § 1, 7-10-85; Ord. No. 96-29, § 1, 9-4-96)

#### **Sec. 6-488. Procedures for abatement of unlawful conditions.**

(a) Notice and order. Whenever the building official or designee ("building official") has inspected or caused to be inspected any property and has found and determined that conditions constituting a public nuisance exist thereon, the building official may use the procedures set forth in this section for the abatement of such nuisance.

(1) The building official shall issue a notice and order and mail a copy of such notice and order to the landowner and the person, if other than the landowner, occupying or otherwise in real or apparent charge and control of the property. The notice and order shall contain:

(i) The street address and a legal description sufficient for identification of the property on which the condition exists.

(ii) A statement that the building official has determined that a public nuisance is being maintained on the property with a brief description of the conditions which render the property a public nuisance.

(iii) An order to complete abatement of described conditions within such time as the building official considers to be reasonable, but in no event shall the total time allowed for abatement be more than sixty (60) days from the date of the notice and order. Provided that, in the event of work required due to fire, earthquake, or any other natural disaster, all appropriate permits shall be obtained and the work shall commence within sixty (60) days from the date of service of the notice and order, and shall be completed within one hundred eighty (180) days from the date of service of the notice and order.

(iv) A statement advising that the disposal of material involved in public nuisances shall be carried forth in a legal manner.

(v) A statement advising that if the required work is not commenced within the time specified, the building official will proceed to cause the work to be done, and bill the persons named in the notice for the abatement costs and/or assess the costs against the property.

(vi) A statement advising any person having any interest or record title in the property of the appeal process provided in this section.

(vii) A statement advising that the notice and order will be recorded against the property in the office of the county recorder, unless the violation(s) are corrected.

(2) The notice and order, and any amended notice and order shall be mailed by certified mail, postage prepaid, to each person as required pursuant to the provisions of subsection (a) of this section at the address as it appears on the last equalized assessment roll of the county or as known to the building official. The address of owners shown on the assessment roll shall be conclusively deemed to be the proper address for the purpose of mailing such notice. The failure of the building official to make or attempt service on any person required in this section to be served shall not invalidate any proceedings hereunder as to any other person duly served. Service by mailing shall be effective on the date of mailing. The failure of any person entitled to receive such notice shall not affect the validity of any proceedings taken under this article.

(3) Proof of service of the notice and order shall be documented at the time of service by a declaration under penalty of perjury executed by the person effecting service, declaring the time and manner in which service was made.

(4) If the violations are not corrected within a reasonable time, the building official shall file in the office of the county recorder a certificate legally describing the property and certifying that a public nuisance exists on the property and the owner has been so notified. The building official shall file a new certificate with the county recorder that the nuisance has been abated whenever the corrections ordered shall have been completed so that there no longer exists a public nuisance on the property described in the certificate; or the notice and order is rescinded by the planning commission upon appeal; or whenever the city abates the nuisance and the abatement costs have been paid. Such certificate shall be filed within five (5) working days of the date of completion of such corrections.

(b) Extension of time to perform work. Upon receipt of a written request from any person required to comply with the order, the building official may grant an extension of time within which to complete said abatement, if the building official determines that such an extension of time will not create or perpetuate a situation imminently dangerous to life or property. The building official shall have the authority to place reasonable conditions on any such extensions.

(c) Appeal.

(1) Any person aggrieved by the action of the building official in issuing a notice and order pursuant to the provisions of this article may appeal to the planning commission within ten (10) calendar days of service of the notice and order. Notwithstanding section 6-491, if the building official's notice and order states a violation is dangerous to life or property and must be abated within seven (7) calendar days, then the appeal shall be filed with the city manager within five (5) calendar days of service. If no appeal is filed within the time prescribed, the action of the building official will be final.

(2) All appeals must be in writing, and must be accompanied by a filing fee, which will be established by resolution of the city council. The appeal must state the decision from which the appeal is taken, and must contain a concise statement of the reasons for the appeal.



(3) Appeals must be filed with the city clerk. The filing of an appeal will immediately stay the action proposed in the notice and order, until the planning commission has acted upon the appeal. Violations deemed dangerous to life or property will be promptly resolved by the city manager or designee (“city manager”) based upon the written appeal. The city manager’s decision shall be final. (4) Within ten (10) calendar days of the decision of the planning commission, any individual member of the city council may request review of the decision of the planning commission. Such review must be requested in writing, and must be filed with the city clerk. There is no appeal fee payable upon a request for a review by a member of the city council.

(5) Planning commission appeals will be placed on the next available agenda. The planning commission, by a majority vote, may approve, modify or disapprove the decision of the building official. The city council by a majority vote may approve, modify or disapprove the decision of the planning commission, by requesting a review pursuant to subsection (c)(4) of this section. (Ord. No. 85-44, § 1, 7-10-85; Ord. No. 88-28, § 1, 5-18-88; Ord. No. 96-29, § 1, 9-4-96; Ord. No. 98-17, § 1, 9-16-98; Ord. No. 2020-18 §§ 1—7, 8-26-20)

#### **Sec. 6-489. Performance of abatement.**

Abatement of the nuisance may, in the discretion of the building official, be performed by city forces or by a contractor retained pursuant to the provisions of this code. (Ord. No. 85-44, § 1, 7-10-85)

#### **Sec. 6-490. Entry on private property.**

The building official may enter upon private property between the hours of 7:00 a.m. and 5:00 p.m. Mondays through Fridays, except holidays, to abate the nuisance pursuant to the provisions of this article. No person shall obstruct, impede, or interfere with any officer, employee, contractor or authorized representative of the city whenever such person is engaged in the work of abatement, pursuant to the provisions of this article, or in performing any necessary act preliminary to or incidental to such work as authorized or directed pursuant to this article. (Ord. No. 85-44, § 1, 7-10-85)

#### **Sec. 6-491. Additional proceedings for abatement of imminently dangerous public nuisances.**

Notwithstanding any provision of this article to the contrary, whenever the building official determines that a public nuisance is so imminently dangerous to life or adjacent property that such condition must be immediately corrected, or isolated, the building official may institute the following procedures:

(a) Notice. The building official shall attempt to make contact through a personal interview, or by telephone with the landowner or the person, if any, occupying or otherwise in real or apparent charge and control thereof. In the event contact is made, the building official shall notify such person, or persons, of the danger involved and require that such condition be immediately removed, repaired or isolated so as to preclude harm to any person or property.

(b) Abatement. In the event the building official is unable to make contact as hereinabove noted, or if the appropriate persons, after notification by the building official, do not take action as specified by such official, within twenty-four (24) hours, then the building official may, with the approval of the city manager, take all steps deemed necessary to remove or isolate such dangerous condition, or conditions, with the use of city forces or a contractor retained pursuant to the provisions of this article.

(c) Cost. The building official shall keep an itemized account of the costs incurred by the city in removing or isolating such condition, or conditions. Such costs may be recovered in the same manner that abatement costs are recovered pursuant to this article. (Ord. No. 85-44, § 1, 7-10-85; Ord. No. 98-5, § 1, 3-4-98)

#### **Sec. 6-492. Account of abatement costs.**

(a) The building official shall keep an itemized account of the costs incurred by the city in the abatement of any public nuisance. Such costs may include, but shall not be limited to, the cost of relocating individuals to other suitable housing in accordance with applicable state or local law, demolishing buildings, grading land or accomplishing any other work reasonable and necessary to abate the public nuisance, together with any and all administrative costs, including reinspection fees.

(b) Upon completion of the abatement work, the building official shall prepare a report specifying the work done and the services performed, as well as the itemized costs of the work for each property, including direct and indirect costs, together with interest on all amounts expended by the city for such abatement. The report shall include a description of the real property and the names and addresses of any persons entitled to service pursuant to section 6-487.

(c) Each person named in the report shall be jointly and severally liable for all abatement costs and the amount of such costs shall be a debt owed to the city. (Ord. No. 85-44, § 1, 7-10-85; Ord. No. 89-19, § 2, 5-3-89; Ord. No. 2000-03, § 5, 2-16-00)

### **Sec. 6-493. Procedure for special assessment.**

(a) City clerk. When any charges levied pursuant to this article remain unpaid for a period of sixty (60) days or more after the date on which they were billed, the building official shall forward the report

of abatement costs specified in section 6-492 to the city clerk.

(b) Hearing notice. Upon receipt of the abatement costs report, the clerk shall fix a time and place for hearing and passing upon the report. The clerk shall cause notice of the amount of the proposed assessment, shown in this report, to be given in the manner and to the persons specified in section 6-488. Such notice shall contain a description of the property sufficient to enable the persons served to identify it, and shall specify the day, hour, and place when the council will hear and pass upon the report, together with any objections or protests which may be raised by any landowner liable to be assessed for the costs of such abatement. Notice of the hearing shall be given not less than fifteen (15) days prior to the time fixed by the clerk for the hearing, and shall also be published once, at least fifteen (15) days prior to the date of the hearing, in a newspaper of general circulation published in the County of San Diego.

(c) Protests. Any interested person may file a written protest with the city clerk at any time prior to the time set for the hearing on the report of the building official. Each such protest shall contain a description of the property in which the person signing the protest is interested and the grounds of such protest. The city clerk shall endorse on every such protest the date and time of filing, and shall present such protest to the council at the time set for hearing. (Ord. No. 85-44, § 1, 7-10-85)

### **Sec. 6-494. Hearing on proposed assessment, personal obligation or assessment on real property.**

(a) At the hearing, the city council shall consider the report of the building official, and any protests which have been filed with the city clerk. The council may make any revision, correction or modification in the report as it deems just, and when the council is satisfied with the correctness of the assessment, it shall confirm the assessment. The decision of the council shall be final.

(b) The city council may thereupon order that the assessment be made a personal obligation of the property owner, or assess the charge against the property involved.

(c) If the city council orders that the charge shall be a personal obligation of the property owner, it shall direct the city attorney to collect the same on behalf of the city by use of all appropriate legal remedies.

(d) If the city council orders that the charge shall be assessed against the property, it shall confirm the assessment, and cause the assessment to be recorded as described in section 6-496. (Ord. No. 85-44, § 1, 7-10-85; Ord. No. 89-19 § 4, 5-3-89)

### **Sec. 6-495. Contest of assessment.**

The validity of any assessment levied under the provisions of this article shall not be contested in any action or proceeding unless such action or proceeding is commenced within thirty (30) days after the assessment is confirmed by the council. (Ord. No. 85-44, § 1, 7-10-85)

### **Sec. 6-496. Notice of lien; form and contents.**



(a) Notice of lien. Immediately upon the confirmation of the assessment by the council, the building official shall execute and file in the office of the county recorder a certificate in substantially the following form:

### NOTICE OF LIEN

Pursuant to the authority vested in the Building Official by the provisions of Article 20, Chapter 6 of the Escondido Municipal Code, said Building Official on or about the \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, caused the abatement of a nuisance on real property, and the Council for the City of Escondido, on the \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, assessed the cost of such abatement upon said real property and the same has not been paid nor any part thereof, and the City of Escondido does hereby claim a lien on said real property for the net expense of the doing of said abatement in the amount of \$\_\_\_\_\_, and this amount shall be a lien upon said real property until the sum has been paid in full and discharged of record.

The real property hereinbefore mentioned, and upon which a lien is claimed, is that certain parcel of land in the City of Escondido, County of San Diego, State of California, and particularly described as follows:

#### (DESCRIPTION)

Dated: This \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
BUILDING OFFICIAL OF  
THE CITY OF ESCONDIDO

#### (ACKNOWLEDGEMENT)

(b) Recordation. Immediately upon the recording of the notice of lien the assessment shall constitute a lien on the real property assessed. Such lien shall, for all purposes, be upon a parity with the lien of state and local taxes. (Ord. No. 85-44, § 1, 7-10-85)

#### **Sec. 6-497. Collection with regular taxes; procedure.**

(a) Assessment book. The notice of lien, after recording, shall be delivered to the auditor of San Diego County, who shall enter the amount on the county assessment book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The notice of lien shall be delivered to the auditor before the date fixed by law for the delivery of the assessment book to the county board of equalization.

(b) Collection. Thereafter the amount set forth in the notice of lien shall be collected at the same time and in the same manner as ordinary city taxes are collected, and shall be subject to the same penalties and interest and to the same procedure under foreclosure and sale in case of delinquency as provided for ordinary city taxes. All laws applicable to the levy, collection and enforcement of city taxes are hereby made applicable to such assessment.

(c) Refunds. The council may order a refund of all or part of a tax paid pursuant to this article if it finds that all or part of the tax has been erroneously levied. A tax or part thereof shall not be refunded unless a claim is filed with the city clerk on or before November 1st after the tax became due and payable. The claim shall be verified by the person who paid the tax, or the legal representative of such person. (Ord. No. 85-44, § 1, 7-10-85)

#### **Sec. 6-498. Remedies of private parties.**

The provisions of this article shall in no way adversely affect the right of the owner, lessee, or occupant of any such lot to recover all costs and expenses required by this article from <sup>90</sup>any person causing such nuisance. (Ord. No. 85-44, § 1, 7-

**Sec. 6-499. Severability.**

The city council of the City of Escondido hereby declares that should any section, paragraph, sentence or word of this article of the Code hereby adopted be declared for any reason to be invalid, it is the intent of the council that it would have passed all other portions of this article independent of the elimination herefrom of any such portion as may be declared invalid. (Ord. No. 85-44, § 1, 7-10-85)

**Sec. 6-500. Savings clause.**

Neither the adoption of this article nor the repeal hereby of any other ordinance of this city shall in any manner affect the prosecution for violations of ordinances, which violations were committed prior to the effective date hereof, nor be construed as a waiver of any license or penalty or the penal provisions applicable to any violation thereof. The provisions of this article, insofar as they are substantially the same as ordinance provisions previously adopted by the city relating to the same subject matter, shall be construed as restatements and continuations, and not as new enactments. (Ord. No. 85-44, § 1, 7-10-85)

**Sec. 6-501. Declaration of purpose.**

(a) The city council finds there is a need to recover costs incurred by the city for the time and expense of reinspecting properties throughout Escondido as part of the city's effort to ensure compliance with the Escondido Municipal Code or applicable state codes.

(b) The council further finds that the assessment of a reinspection fee is an appropriate method to recover costs incurred for reinspections made by city personnel which become necessary because the city's initial enforcement efforts have been ignored. The assessment and collection of reinspection fees shall not preclude the imposition of any administrative or judicial civil penalties or fines for violations of the Municipal Code or applicable state codes. (Ord. No. 2000-03, § 6, 2-16-00)

**Sec. 6-502. Authorization.**

(a) Whenever a city enforcement officer reinspects a property to determine compliance with provisions of the Municipal Code and applicable state codes that have been listed in a notice and order to the responsible person, the enforcement official may assess a reinspection fee against the responsible person.

(b) Reinspection fees may be assessed for each inspection of the property after the issuance of a notice of violation to the responsible person. (Ord. No. 2000-03, § 6, 2-16-00)

**Sec. 6-503. Assessment of reinspection fee.**

The amount of the reinspection fee shall be based on the city's costs of conducting reinspections, and shall be established by periodic resolution of the city council, and shall be listed on the city's annual fee inventory. (Ord. No. 2000-03, § 6, 2-16-00)

**Sec. 6-504. Notification of assessment of reinspection fee.**

Notification of the reinspection fee shall be made in a written notice to the responsible person. The responsible person's refusal to receive notice of a reinspection fee shall not affect the validity of any fees imposed under this code. (Ord. No. 2000-03, § 6, 2-16-00)

**Sec. 6-505. Failure to pay reinspection fee.**



The failure of any person to pay the assessed reinspection fee by the deadline specified in the written notice described in section 6-504 shall result in the assessment of an additional late fee, which shall be established periodically by resolution of the city council. (Ord. No. 2000-03, § 6, 2-16-00)

**Sec. 6-506. Collection of reinspection fee.**

The building official shall collect the assessed reinspection and late fee(s) by the use of all appropriate legal means, including but not limited to civil action imposing a special assessment against the property. (Ord. No. 2000-03, § 6, 2-16-00)

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CITY OF ESCONDIDO  
City Clerk  
201 North Broadway  
Escondido, CA 92025  
(760) 839-4617

FOR CITY USE ONLY	
_____	Application Code(s)
_____	Fee (Non-Refundable)
_____	Receipt No.
_____	Date Filed
_____	Council Hearing Date
_____	Planning Case File No. (if applicable)

NOTICE OF APPEAL APPLICATION

Applicant: Robin L. Stumba Phone: 760-975-1185  
(Print)

Mailing Address: 2205 Makani Dr. #2 Honolulu, HI 96817  
(Street) (City) (Zip)

Legal Owner: Robin L. Stumba Phone: 760-975-1185  
(Print)

Property Address: 400 James St.  
(Subject of Appeal)

Is legal owner aware of this application?  Yes  No

Justification for appeal (May use additional paper, if necessary):

See attached

Distribution:  
Planning Department  
City Manager  
City Clerk  
Other \_\_\_\_\_  
Applicant

Robin L Stumba  
Signature of Applicant  
4/6/2021  
Date



Councilmembers:

My attached letter dated January 15, 2021 explains the basic reasons I can't immediately comply with your code enforcement direction. I'll list here points not previously covered or amplify if I have additional information.

1. Your deputy attorney's letter I expect she'll provide has a factual error. It says I made no remediation attempt for the last 7 months. I have plane tickets, an attached Kaiser unpaid coronavirus test bill (they double billed me) and receipts for weed wacker and chainsaw parts purchase that prove otherwise. I was as timely as I could be, but had to delay departure for a medical procedure (Kaiser again, dated bill available on request). However, I agree my efforts over 2 weeks were inadequate, but I couldn't stay longer. I took a month off work (all that Pearl Harbor Naval Shipyard would allow) but was required by the state to spend 2 weeks of it in quarantine in Hawaii before returning to work. This is horribly inefficient and I hope changes soon. If it would help I can procure a letter from the shipyard specifying their limitations on my absence for national security reasons.
2. Escondido property inspection standards are vague, arbitrary and changeable. I and others in my situation (agricultural property) have known this for years. My place is not a dump unless some of my many neighbors are continuing to treat it so. When present, I pick up after them with no City help. I just have weeds. Frankly I'm frightened to discuss specifics with inspectors because it just gets worse. I know from visual inspection that public property (road rights of way, park verges) is often not held to the same standard and I could provide photos to prove it. Agricultural standards should not be the same as if my property were sold and subdivided into residences. I hope that's not your goal.
3. I see you've recently approved leniency for individuals who can't pay their rent due to covid. Aren't tax paying property owners owed a similar exemption in appropriate situations?
4. Much of the "dead vegetation" is because the city turned off my water. Yet I still pay \$100 per month for no service. It's largely my own fault though. A neighbor complained his 15 foot vertical retaining wall, right at the property line (code enforcement?) seeps water whenever I irrigate. Since lately I haven't been present, I agreed to turning it off. There may be a slight leak which I will address, but I guarantee if I'm subdivided his experience will magnify a hundredfold. I'm sick about the dead trees and resent the high cost of no service.
5. I've been burglarized numerous times over the 25 years I lived and paid taxes in Escondido. Another occurred last fall and a neighbor led a cop to investigate. As far as I can tell, the only result may have been this weed abatement notice. I understand that's important, but maybe burglary prevention is more so. This reinforces my impression I get no return on my tax expenditures, only grief.
6. Finally, conditions are improving. For me to satisfy you long term, one of 2 things must happen. Either a vaccination quarantine exemption be given by Hawaii upon proper proof, or I retire to California and be present all day, every day, since remediation to your standards will require constant effort. My retirement is imminent, but I'd rather it be on my terms, not a regulator's. I'd want to be physically present even (or especially) if hired contractors did any work. I think you'd feel the same in my position. Basically I'm requesting a delay, not exemption, and will respond to any related questions you may have, remotely, in the interim. Thanks for your consideration,

Robin Stumbo

April 5, 2021

Sirs:

This is in response to your recent letters and fine notifications regarding my property at 400 James St., Escondido. I've begun dating my letters, starting with this, to make it easier to follow the flow of events. I've enclosed copies of all yours I possess. Please note my mailing address has changed again. The new address is at the end of this letter and on the mailing envelope. I'm fairly confident this is the last change before I retire and permanently return to the property in question, which I expect to occur this year.

You assessed a fine for failure to remove all vegetation you judge objectionable, plus a reinspection fee. I dispute your conclusion. Your letters also threaten unlimited fines until resolution. I cherish my home in Escondido and wish to do all I can to protect it. However, as you are aware, I work for the federal government at Pearl Harbor Naval Shipyard. I'm still working and count myself lucky for that since many are unemployed. The shipyard considers me essential for submarine repair and is thus unwilling to allow me unlimited leave for immediate return and resolution. I'm also currently under a covid lockdown order and travel restriction from 2 different governors (as are you, from one of them). Here are quotations.

Gov. Newsome, CA (for Southern California)

All individuals living in the state of California are currently ordered to stay home or at their place of residence, except for permitted work, local shopping or other permitted errands, or as otherwise authorized.

Mayor Caldwell, HI (for Oahu)

Since this is too lengthy to quote, please see enclosure

Despite these orders, due to your earlier threat of unlimited fines, last fall, at considerable expense, firing risk, health risk due to covid exposure during the flight and legal risk due to violating state orders, I travelled to Escondido and mitigated for as long as work would allow (1 week mitigation + 2 weeks subsequent quarantine, which is very inefficient) last November and early December. I was unable to complete mitigation because my employer mandated my return (not unreasonably, given my 3 week absence). I am committed to more mitigation, so find your letters and fines grossly inappropriate and unreasonable given the situation and lengths to which I've already gone to meet your demands. I want to live in neat surroundings and don't need your punitive measures to motivate me. It appears I'm being punished for doing the best I can at a very difficult time.

Apparently you now think I should return to Escondido immediately to continue gardening. Until California and Hawaii lift their lockdown orders, or I get vaccinated, that would be illegal. I assume you are not asking me to break the law. As for hiring someone local for mitigation, in addition to potential theft and property damage (since I'd be unable to supervise), the same California lockdown orders would apply to local hires in my absence, though I suspect the same company you retain to inspect would be happy to be hired for the purpose. In fact their inspections as they travel about Escondido may themselves violate the lockdown order. Any effort to travel by me could be even more inefficient, as I could potentially now be subject to two 2 week quarantines. Other organizations have curtailed actions as follows:



- Medical service except most vital
- Rent and mortgage collection
- Police service except most vital
- Trespass on public property (homeless squatting)
- Property crimes (except mine?)

Why is your punitive “service” more important?

I'll return as soon as I can (perhaps permanently), but in consideration of all the factors I list above, I request you cease and desist from assessing fines, since that is penalizing me for circumstances beyond my control in this current, unique situation. I'm in a geographic location outside the continental US. Interstate travel for me absolutely mandates air travel and subsequent quarantines and consequent legal ramifications and limitations. You should consider my efforts and circumstance and suspend further threats until my safe return. I'm shocked there seems no compassion for property owners such as myself, truly trying to be responsible and responsive. I hope when similar circumstances occur in your own life (and they have or will) you're treated better. I'm sending copies of all correspondence to the federal and California state justice department offices indicated below. My research indicates they've assumed the function of addressing covid harassment issues such as this. If we can't resolve matters between ourselves, they may. Sincerely,

Rob Stumbo

2205 Makaanani Dr. #2

Honolulu, HI 96817

(760) 975-1185

January 15, 2021

Cc: US Department of Justice

Civil Rights Division

950 Pennsylvania Ave. NW

Washington, DC 20530

Cc: Attorney General's Office, California Dept. of Justice

Attn: Public Inquiry Unit

PO Box 944255

Sacramento, CA 94244

## Guide to understanding your bill

Depending upon the portion of cost collected at check-in and any additional services you received, you may receive another bill. This sample professional bill explains some key terms and illustrates how services you received for medical care and your payments will be reflected.

1 Service Date	2 Post Date	Location	Provider	Description	3 Billed to plan	4 Covered by plan	5 Paid by you	Your Share You owe
3/31/18	3/14/08	SAMPLE CITY CLINIC	BROWN J	DOE, JANE Q 99212 OFFICE VISIT FOR LIMITED PROBL EM	\$200.00	\$130.00	\$70.00	\$50.00
3/31/18		SAMPLE CITY CLINIC	GREEN M	PATIENT PANEL/AT CHECK IN(CREDIT CAR)O	\$65.00	\$35.00	\$30.00	\$30.00
3/31/18		SAMPLE CITY CLINIC	GREEN M	270-01 BLOOD CREATININE LEVEL LAB TEST	\$120.00	\$70.00	\$50.00	\$40.00
3/31/18	3/23/18	SAMPLE CITY CLINIC	GREEN M	PATIENT PAYMENT (AT CHECK IN)(CHECK #1111	\$60.00	\$30.00	\$30.00	\$30.00
PROFESSIONAL BILL TOTAL FOR DOE, JANE Q					\$445.00	\$265.00	\$180.00	\$150.00
TOTAL					\$445.00	\$265.00	\$180.00	\$150.00

**A Office Visit:** In this example, Jane Doe visited Dr. Brown on March 31, 2018. Jane was charged \$200 for the doctor's office visit, which included a medical exam.

Jane made a \$20 payment when she checked in for her appointment, and it was posted to her account on the same day.

Since Jane is a Kaiser Permanente member, her insurance paid \$130.00.

Jane still owes \$50 (\$200 - \$130 - \$20) for her visit.

### B Additional Charges

That same day, Jane received three different lab tests with total charges of \$245 (\$65 + \$120 + \$60). Her insurance paid \$135 (\$35 + \$70 + \$30).

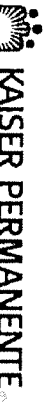
Additionally, a few days later, Kaiser Permanente posted the \$10 payment Jane made at the lab. Jane is expected to pay a total of \$100 (\$30 + \$40 + \$30) for these tests.

### C Amount You Owe

Adding up the remaining costs of the office visit and the lab tests, Jane's current bill is \$150, due within 30 days of the bill date.

## Key Terms and Definitions:

- 1. Service Date:** The date you or a family member received medical services.
  - 2. Post Date:** The date Kaiser Permanente processed payments and adjustments related to services received.
  - 3. Billed to Plan:** The total cost for services received. These charges reflect the cost of Kaiser Permanente services before any consideration of insurance coverage.
  - 4. Covered by Plan:** The amount your insurance paid for the services provided to you, based on your plan benefits. Adjustments and discounts applied by Kaiser Permanente are also reflected here.
  - 5. Paid by You:** The amount you've paid to-date for services received.
- Past Due (page 1):** This reflects balances over 30 days old and not paid since your last bill.
- Paid by You - Awaiting Charges (previous page, if applicable):** This is the amount you have pre-paid for certain services that have not yet been charged or processed by Kaiser Permanente.
- Bill Details (page 3):** Includes all medical services and payments processed since your last bill, as well as previous medical services not yet paid in full.



ROBIN L STUMBO

Bill date: 02/19/2021

Your professional medical bill

Account number: 218157742

Details about your new charges and payments

Service date	Post date	Location	Provider	Description	Billed to plan	Covered by plan	Your share	
							Paid by you	You owe
10/22/20		KP SAN DIEGO MEDICAL CEN*	OAKLEY, K	99442 - PHYSICIAN ASSESSMENT <b>STUMBO, ROBIN L</b>	\$82.00	-\$20.50	\$0.00	\$61.50
10/30/20		CHINO HILLS REGIONAL LAB	MCLAREN, S	U0003 - INF AGT DET DNA/RNA;SARS-COV-2 COVID-19 AMP*	\$199.00	-\$49.75	\$0.00	\$149.25
				<b>PROFESSIONAL BILL TOTAL FOR STUMBO, ROBIN L</b>	<b>\$281.00</b>	<b>-\$70.25</b>	<b>\$0.00</b>	<b>\$210.75</b>
				<b>TOTAL</b>	<b>\$281.00</b>	<b>-\$70.25*</b>	<b>\$0.00</b>	<b>\$210.75</b>

\* The total dollar amount in this column shows a discount we're giving you to help you with the cost of care, since you currently don't have insurance. It's part of our commitment to making health care more affordable for everyone. Your discount amount for this bill is \$70.25.







**CITY OF ESCONDIDO**  
201 North Broadway • Escondido, California 92025

Receipt No.

481863

**RECEIPT**

Date 4/6/21

Received From Robin L. Strumbo

Address 2205 Makanih Dr. # 2

Revenue Description	*(Required)			(Optional)		Revenue Code	Collected Amount
	Account	Fund	Dept	Program	Project		
Appeal - Public Nuisance w/o notice	4271	001	000				40 50
<div style="border: 1px solid black; padding: 5px; display: inline-block;">           PAID            APR - 6 2021            DIRECTOR OF FINANCE         </div>							
<b>Total</b> ▶							

\*Account & fund to be filled out if revenue is coded to a clearing (Abate) account; Department required if the account is an expenditure account.

Received By Jasmine Department City Clerk Phone No. x4614

1001 (4/02)

WHITE - Finance

PINK - Customer Copy

YELLOW - Origination Department

CITY OF ESCONDIDO UTIL  
201 N BROADWAY  
ESCONDIDO, CA 920252709

04/06/2021

14:55:16

CREDIT CARD

MC SALE

Card #	XXXXXXXXXXXX0669
SEQ #:	7
Batch #:	202
INVOICE	9
Approval Code:	63269B
Entry Method:	Manual
Mode:	Online
Avs Code:	YYY

SALE AMOUNT	\$40.00
-------------	---------

CUSTOMER COPY



ATTACHMENT 5  
CITY OF ESCONDIDO  
PLANNING DIVISION  
201 NORTH BROADWAY  
ESCONDIDO, CA 92025-2798  
(760) 839-4671

Notice of Exemption

To: San Diego Assessor/Recorder/County Clerk  
Attn: Fish and Wildlife Notices  
1600 Pacific Highway, Room 260  
San Diego, CA 92101  
MS A-33

From: City of Escondido  
201 North Broadway  
Escondido, CA 92025

Project Title/Case No.: C20-4286 / Public Nuisance Appeal

Project Location - Specific: 235 S. Pine Street, APN 231-140-20-00.

Project Location - City: Escondido Project Location - County: San Diego

Description of Project: An appeal of a notice and order to abate a public nuisance related to weeds and hazardous vegetation

Name of Public Agency Approving Project: City of Escondido

Name of Person or Agency Carrying Out Project:

Name: Robin L. Stumbo Telephone: N/A

Address: 400 James Street, Escondido CA 92025

Private entity  School district  Local public agency  State agency  Other special district

Exempt Status: Categorical Exemption. CEQA Guidelines section 15321 (Enforcement Actions by Regulatory Agencies).

Reasons why project is exempt:

The proposed project involves the consideration of an appeal filed in protest of a notice and order to abate weeds and hazardous landscaping. Section 15321 provides an exemption for this enforcement actions by regulatory agencies, including public nuisance abatement orders and enforcement actions by the Code Enforcement Division.

Lead Agency Contact Person: Mike Strong, Director Area Code/Telephone/Extension (760) 839-4556

Signature: Mike Strong, Director of Community Development Date

Signed by Lead Agency Date received for filing at OPR: N/A



## ATTACHMENT 6

Planning Commission  
Hearing Date: May 25, 2021

Effective Date: June 4, 2021

### PLANNING COMMISSION RESOLUTION NO. 2021-03R

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ESCONDIDO, CALIFORNIA, DENYING THE APPEAL AND UPHOLDING THE BUILDING OFFICIAL'S DECISION, WITH MODIFICATION OF SUCH DECISION TO ALLOW AN EXTENSION OF TIME TO ABATE THE HAZARDOUS VEGETATION.

APPLICANT: Robin L. Stumbo

WHEREAS, James R. Stumbo ("Appellant") owns the property located at 400 James Street in the City of Escondido (hereinafter, the "Property"); and

WHEREAS, the City is authorized to investigate allegations of violations of the Escondido Municipal Code; and

WHEREAS, on August 12, 2020, the City received an allegation of a violation of the Escondido Municipal Code on the Property; and

WHEREAS, the City investigated said allegations and identified weeds and hazardous vegetation on the Property, a violation of the Escondido Municipal Code; and

WHEREAS, on March 24, 2021, a final Notice and Order was issued to the Appellant, the recorded owner of the aforementioned Property; and

WHEREAS, the City extended the appeal period on the Notice and Order to 15 days; and

WHEREAS, on April 6, 2021, Appellant submitted a Notice of Appeal Application (“Application”) to the City Clerk’s Office along with the appropriate filing fee; and

WHEREAS, pursuant to CEQA and the CEQA Guidelines (Title 14 of California Code of Regulations, Section 15000 et. seq.), the City is the Lead Agency for the Project, as the public agency with the principal responsibility for approving the proposed Project; and

WHEREAS, the Planning Division studied the notice(s), the appeal, performed necessary investigations, prepared a written report, and hereby recommends denial of the appeal with the modification to allow an extension to abate the hazardous vegetation; and

WHEREAS, the matter contemplated by the appeal was scheduled for Planning Commission review and consideration on April 27, 2021; however, the Appellant was unable to attend the hearing on the scheduled date and time. The appeal was therefore re-noticed and rescheduled for May 25, 2021; and

WHEREAS, on May 25, 2021, the Planning Commission conducted a meeting, at which time the Planning Commission received and considered the reports and recommendation of the Community Development Department and gave all persons full opportunity to be heard and to present evidence and testimony regarding the appeal. Evidence was submitted to and considered by the Planning Commission, including, without limitation:

- a. Written information including case summaries, notices, correspondence, and other material, submitted by the Appellant;
- b. Oral testimony from City staff, interested parties, and the public;
- c. The staff report, dated May 25, 2021, with its attachments as well as City staff's recommendation on the appeal, which is incorporated herein as though fully set forth herein; and
- d. Additional information submitted during the May 25, 2021 meeting.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Escondido that:

1. The above recitations are true and correct.
2. The Planning Commission, in its independent judgment, has determined the Project to be exempt from environmental review pursuant to CEQA Guidelines section 15321 (Enforcement Actions by Regulatory Agencies). This category includes public nuisance abatement orders and enforcement actions by the Code Enforcement Division.
3. It is within the interest of the Planning Commission to provide a uniform and consistent procedure for the abatement of property related public nuisances.
4. The ordinances related to "Weed Abatement and Rubbish Abatement" (Division 2 of Chapter 11 of the EMC) and "Property Maintenance" (Article 20 of Chapter 6 of the EMC) constitute proper exercises of the City's police power, and all therein designate the responsibility of the owners of real property in the City of Escondido in the elimination of the public nuisance created by weeds, rubbish, and refuse on or about their property, including the subject Property.



5. The object of the “Weed Abatement and Rubbish Abatement Ordinance” and the “Property Maintenance Ordinance” is one which was properly invoked during the course of the investigation(s) on the subject Property; and the City, through a series of steps (that have been well documented in the May 25, 2021 Agenda Report, which is incorporated herein by this reference as though fully set forth herein) has adequately determined the actions and corrective measures that are necessary to protect public health, safety, and general welfare.

6. After consideration of all evidence presented, and studies and investigations made by the Planning Commission and on its behalf, the Planning Commission hereby denies the appeal with the modification that the order is extended to abate hazardous vegetation on the Property within 10 days of May 25, 2021. If the nuisance is not removed within the required time, the nuisance may be abated by the City of Escondido or a contractor hired by the City to remove the nuisance. The property owner will be billed for the cost of such abatement plus administrative fees. In addition, the property owner or other responsible party may be issued a citation and/or billed for the City’s enforcement costs.

PASSED, ADOPTED, AND APPROVED by a majority vote of the Planning Commission of the City of Escondido, California, at a regular meeting held on the 25<sup>th</sup> day of May, 2021, by the following vote, to wit:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSTAINED:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:

\_\_\_\_\_  
STAN WEILER, Chair  
Escondido Planning Commission

ATTEST:

\_\_\_\_\_  
MIKE STRONG, Secretary of the  
Escondido Planning Commission

I hereby certify that the foregoing Resolution was passed at the time and by the vote above stated.

\_\_\_\_\_  
JOANNE TASHER, Minutes Clerk  
Escondido Planning Commission

Decision may be appealed to City Council  
pursuant to Zoning Code Section 33-1303

**Agenda Item No. H.1**  
**Date: May 25, 2021**

May 20, 2021

TO: Planning Commission

FROM: Mike Strong, Director of Community Development

SUBJECT: Discussion regarding the City's updated Traffic Impact Analysis Guidelines and VMT significance thresholds

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No materials available. City staff PowerPoint presentation for Planning Commission discussion only.

STAFF RECOMMENDATION: None

ATTACHMENT: None.



# PLANNING COMMISSION

Agenda Item No.: H.2  
Date: May 25, 2021

**PROJECT NUMBER / NAME:** Commission Annual Work Plan

**REQUEST:** Adopt the Commission's Annual Work Plan

**LOCATION:** N/A

**APN / APNS:** N/A

**GENERAL PLAN / ZONING:** N/A

**APPLICANT:** Community Development Department

**PRIMARY REPRESENTATIVE:**  
Mike Strong, Director of Community Development

**DISCRETIONARY ACTIONS REQUESTED:** N/A

**PREVIOUS ACTIONS:** The Planning Commission initiated the preparation of the Work Plan at its meeting on April 13, 2021 and discussed the scope of the Work Plan on April 27, 2021.

**PROJECT PLANNER:** Mike Strong, Director of Community Development

**CEQA RECOMMENDATION:** Not a project under CEQA, pursuant to CEQA Guidelines section 15378(b)(5).

**STAFF RECOMMENDATION:** Prepare the Commission's Annual Work Plan

**REQUESTED ACTION:** Adopt Resolution No. 2021-04

**CITY COUNCIL HEARING REQUIRED:**  YES  NO

**REPORT APPROVALS:**

Mike Strong, Community Development Director  
 Adam Finestone, City Planner

**A. BACKGROUND:**

At its April 13, 2021 meeting, the Planning Commission briefly discussed the manner in which items could be placed on future Planning Commission Agendas and directed staff to initiate the preparation of a Commission Annual Work Plan. City staff facilitated a Work Plan prioritization discussion and exercise with the Planning Commission on April 27, 2021. At its meeting, the Planning Commission discussed existing City work programs or known City Council priorities within the Commission's purview and added new Work Plan ideas. Based on the Planning Commission's discussion and direction, City staff prepared a final Work Plan for consideration at a subsequent meeting.

**B. SUMMARY OF REQUEST:**

The Planning Commission needs to adopt its annual report and Work Plan to establish clear expectations on timeline, interim milestones, budget resources, and specific deliverables of tasks within their purview. Once adopted, City staff would work on completing the tasks requested based on the priority established by the City Council, and subject to the City Council's approval.

**C. SUPPLEMENTAL DETAILS OF REQUEST:**

The Escondido Planning Commission was established pursuant to Escondido Municipal Code section 20-1. The Planning Commission serves in an advisory capacity to the City Council on land use policy planning matters, which guide the future development of the City. The Planning Commission has final approval authority on certain cases and recommends action to the City Council on others. Among other responsibilities, the Planning Commission assists the City Council in the formulation of policies and ordinances that implement the General Plan, such as amendments to the Zoning Code, the adoption of new code sections, and changes to the existing zoning text and maps.

The scope of the Commission's powers and duties are determined by the City Council, the Escondido Municipal Code, and state law (particularly the Planning and Zoning Laws in the Government Code). All matters of parliamentary procedure not specifically governed by the Planning Commission By-Laws (per Planning Commission Resolution No. 2018-01) or otherwise required by law are governed by the current edition of Robert's Rules of Order.

**D. ANALYSIS:**

The Commission's Work Plan provides an opportunity for the City Council to evaluate and ensure continuous improvement to the City's land use and regulatory framework. As of this writing it is anticipated that an annual report and Work Plan would be revised on a rolling two-year basis to ensure the proposed actions are contemporary and respond to changing circumstances.

The Planning Commission understands that staff resources are limited, which may necessitate some level of prioritization. As of this writing, it is assumed that no prioritizations need to be made

to the Work Plan by the Planning Commission; however, this may change based on Council review and consideration.

**E. FISCAL ANALYSIS:**

There are no direct fiscal impacts associated with this item. Future funding needed to support the preparation of a Work Plan involves minor staff support and can be incorporated into the existing Community Development Department budget. Implementation of a work plan, if created, may require resources to accomplish the plan. As of this writing, it appears that there is sufficient funding in the City Council FY2020-21 budget for the costs identified in year one activities, but funding would be required to support the preparation of the Green Infrastructure Plan and Active Transportation Plan work programs. Those resources may be identified and considered during future budget preparations as established by the City Council.

**F. ENVIRONMENTAL STATUS:**

The primary purpose of this agenda item is to prepare an annual report and work plan. The content of this agenda report is provided for informational purposes only, and is “not a project” under the California Environmental Quality Act (“CEQA”), pursuant to CEQA Guidelines section 15378(b)(5), which excludes from the definition of “project” “[o]rganizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.”

**G. PUBLIC INPUT:**

None.

**H. CONCLUSION AND RECOMMENDATION:**

Provide direction to City staff as appropriate.

**ATTACHMENTS:**

- 1- Resolution No. 2021-04



## ATTACHMENT 1

Planning Commission  
Hearing Date: May 25, 2021

Effective Date: May 26, 2021

### PLANNING COMMISSION RESOLUTION NO. 2021-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING THE ANNUAL REPORT AND WORK PLAN FOR THE ESCONDIDO PLANNING COMMISSION FOR YEARS 2021 AND 2022.

WHEREAS, the Escondido Planning Commission was established pursuant to Escondido Municipal Code section 20-1; and

WEHREAS, the Planning Commission serves in an advisory capacity to the City Council on land use policy planning matters, which guide the future development of the City. The Planning Commission has final approval authority on certain cases and recommends action to the City Council on others. Among other responsibilities, the Planning Commission assists the City Council in the formulation of policies and ordinances that implement the General Plan, such as amendments to the Zoning Code, the adoption of new code sections, and changes to the existing zoning text and maps; and

WHEREAS, at its April 13, 2021 meeting, the Planning Commission briefly discussed the manner in which items could be placed on future Planning Commission Agendas and directed staff to initiate the preparation of a Commission Annual Work Plan; and

WHEREAS, the Planning Commission desires to prepare and present an annual report and work plan to the City Council to establish clear expectations on timeline, interim milestones, budget resources, and specific deliverables of tasks within the Planning Commission's purview. The Planning Commission understands that staff resources are limited, which may necessitate some level of prioritization or authorization by the City Council.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Escondido that:

1. The above recitations are true and correct.
2. The Planning Commission, in its independent judgment, has determined that the Project is "not a project" under the California Environmental Quality Act ("CEQA"), pursuant to CEQA Guidelines section 15378(b)(5), which excludes from the definition of "project" "[o]rganizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment." The content of this agenda report is provided for informational purposes only, and is "not a project" under the California Environmental Quality Act ("CEQA"), pursuant to CEQA Guidelines section 15378(b)(5), which excludes from the definition of "project" "[o]rganizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment."
3. The Planning Commission approves the Annual Report and Work Plan, attached hereto as Exhibit "A" and incorporated herein by this reference as though fully set forth herein.

4. The Planning Commission designates the Chair to present the Annual Report and Work Plan to the City Council.



PASSED, ADOPTED, AND APPROVED by a majority vote of the Planning Commission of the City of Escondido, California, at a regular meeting held on the 25<sup>th</sup> day of May, 2021, by the following vote, to wit:

AYES:                    COMMISSIONERS:  
NOES:                    COMMISSIONERS:  
ABSTAINED:        COMMISSIONERS:  
ABSENT:                COMMISSIONERS:

\_\_\_\_\_  
KATHERINE BARBA, Chair  
Escondido Planning Commission

ATTEST:

\_\_\_\_\_  
MIKE STRONG, Secretary of the  
Escondido Planning Commission

I hereby certify that the foregoing Resolution was passed at the time and by the vote above stated.

\_\_\_\_\_  
JOANNE TASHER, Minutes Clerk  
Escondido Planning Commission

**ATTACHMENT A**  
**Planning Commission Work Plan (May 25, 2021)**

**Section 1. Ongoing or Recurring Work Plan Elements**

1. Education. Provide support for Commissioners through on-going training and learning opportunities to enable more informed decision-making.
  - Registration for in-state travel to professional trade conferences (i.e. League of California Cities and/or APA)\*;
  - Registration for professional trade webinars (ULI, APA, AEP, etc.) and/or relevant web castings\*; and/or
  - Provide staff-facilitated presentations.

*\* Training and learning opportunities involving “for-fee” registrations will be made available to Commission members on a rolling basis, starting with the newest members first. The number of registrations will be established by the Department budget, which is subject to change from time to time.*

2. Director’s report. Provide a report from the City Planner or Director of Community Development at the end of each Commission meeting to identify upcoming agenda items.

**Section 2. Program Specific Work Plan Elements**

	Project Name	Brief Description	Deliverable	Council Authorized (Y/N)	State Mandate (Y/N)	CAP Related Implementation (Y/N)	Status and Program Timeline	Budget Required	Funded (Y/N)	Planning Commission Role
1	Business Recovery Ordinance	Evaluate the City’s regulatory business relief measures and determine if any measures should be effective on a more permanent basis	Zoning Code Amendment(s) <u>or</u> Specific Plan Amendment(s)	Yes	No	No	<ul style="list-style-type: none"> <li>• In development</li> <li>• Timeline: 3 to 4 months</li> <li>• <b>Est. Summer 2021</b></li> </ul>	None	N/A	<ul style="list-style-type: none"> <li>• Public Hearing(s)</li> </ul>
2	Downtown Specific Plan Ground Floor Retail Amendment	Evaluate the ground floor retail requirements in the downtown specific plan and develop recommendations to remove the use requirement if it is not desired for a key pedestrian activity area	Specific Plan Amendment	Yes	No	No	<ul style="list-style-type: none"> <li>• In development</li> <li>• Timeline: 6 to 8 months</li> <li>• <b>Est. Summer 2021</b></li> </ul>	None	N/A	<ul style="list-style-type: none"> <li>• Public Hearing(s)</li> </ul>
3	Annual Omnibus Code Clean-Up	Amendments to various sections of the Municipal and Zoning Codes to address recent changes in State law, to provide clarity in our regulations, and to correct errors	Zoning Code Amendment(s)	Yes	Yes	No	<ul style="list-style-type: none"> <li>• In development</li> <li>• Timelines: 4 to 6 months</li> <li>• <b>Est. Summer 2021</b></li> </ul>	None	N/A	<ul style="list-style-type: none"> <li>• Public Hearing(s)</li> </ul>
4	Comprehensive Density Bonus Ordinance Update	Amendment to Article 67 of the Zoning Code to incorporate recent changes	Zoning Code Amendment	No	Yes	No	<ul style="list-style-type: none"> <li>• In development</li> <li>• Timeline: 4 to 6 months</li> <li>• <b>Est. Summer 2021</b></li> </ul>	None	N/A	<ul style="list-style-type: none"> <li>• Public Hearing(s)</li> </ul>

		in State and to resolve other conflicts								
5	Hotel Conversion Ordinance	Amendment to various section of the Municipal and Zoning Codes to address site and building design related issues associated with hotel conversions	Municipal Code and Zoning Code Amendments	No	No	No	<ul style="list-style-type: none"> <li>In development</li> <li>Timeline: 6 to 8 months</li> <li><b>Est. Summer/Fall 2021</b></li> </ul>	None	N/A	<ul style="list-style-type: none"> <li>Public Hearing(s)</li> </ul>
6	Housing Element Update	Update of the City's goals, policies, and programs to promote the maintenance, improvement, and development of housing opportunities	General Plan Amendment	Yes	Yes	No	<ul style="list-style-type: none"> <li>In development</li> <li>Timeline: 14 to 18 months</li> <li><b>Est. Fall 2021</b></li> </ul>	\$118,000 plus EIR costs	Yes	<ul style="list-style-type: none"> <li>Informational study sessions</li> <li>Public Hearing(s)</li> </ul>
7	Sector Feasibility Study	Development Cost/Revenue analysis to inform the Housing Element update and the East Valley Specific Plan	Informational report	Yes	No	No	<ul style="list-style-type: none"> <li>In development</li> <li>Timeline: 14 to 18 months</li> <li><b>Est. Fall 2021</b></li> </ul>	\$45,000	Yes	<ul style="list-style-type: none"> <li>Informational study sessions</li> </ul>
8	East Valley Specific Plan	New rezoning program to accommodate future housing needs and the appropriate densities	Specific Plan adoption	Yes	Yes	No	<ul style="list-style-type: none"> <li>In development</li> <li>Timeline: 14 to 18 months</li> <li><b>Est. Fall 2021</b></li> </ul>	\$147,000 plus EIR costs	Yes	<ul style="list-style-type: none"> <li>Informational study sessions</li> <li>Public Hearing(s)</li> </ul>
9	Building and Permit Processing Guide	Collateral material and marketing material overview of City development services and how to process land use development projects	Informational report	No	No	No	<ul style="list-style-type: none"> <li>In development</li> <li>Timeline: 6 to 8 months</li> <li><b>Est. Fall/Winter 2021</b></li> </ul>	None	N/A	<ul style="list-style-type: none"> <li>Discussion</li> <li>Receive and file</li> </ul>
10	EV Parking Ordinance	Adopt standards for EV charging stations in new multi-family and commercial developments and in single-family model homes	Municipal Code and Zoning Code Amendments	N/A	No	Yes	<ul style="list-style-type: none"> <li>Not initiated</li> <li>Timeline: 3 to 4 months</li> <li><b>Est. Winter 2021/22</b></li> </ul>	None	N/A	<ul style="list-style-type: none"> <li>Public Hearing(s)</li> </ul>
11	TDM Ordinance	Amendments to the Zoning Code to require transportation demand management practices in new non-residential developments.	Zoning Code Amendment	N/A	No	Yes	<ul style="list-style-type: none"> <li>Not initiated</li> <li>Timeline: 6 to 8 months</li> <li><b>Est. Winter 2021/22</b></li> </ul>	None	N/A	<ul style="list-style-type: none"> <li>Public Hearing(s)</li> </ul>
12	Alternatively-Fueled Water Heater Ordinance	Amendment to the local Building Code (Chapter 6 of the Municipal Code) to require the installation of electric water heaters in new residential developments and significant remodels	Municipal Code and Zoning Code Amendments	N/A	No	Yes	<ul style="list-style-type: none"> <li>Not initiated</li> <li>Timeline: 3 to 4 months</li> <li><b>Est. Winter 2021/22</b></li> </ul>	None	N/A	<ul style="list-style-type: none"> <li>Public Hearing(s)</li> </ul>



13	Electric Cooking Appliance Ordinance	Amendment to the local Building Code (Chapter 6 of the Municipal Code) to require electric cooking appliances in all new multi-family development and significant remodels	Municipal Code and Zoning Code Amendments	N/A	No	Yes	<ul style="list-style-type: none"> <li>Not initiated</li> <li>Timeline: 3 to 4 months</li> <li><b>Est. Winter 2021/22</b></li> </ul>	None	N/A	<ul style="list-style-type: none"> <li>Public Hearing(s)</li> </ul>
14	Net Zero Energy Reach Ordinance	Amendment to the local Building Code (Chapter 6 of the Municipal Code) to require all new non-residential development to achieve net zero energy	Municipal Code and Zoning Code Amendments	N/A	No	Yes	<ul style="list-style-type: none"> <li>Not initiated</li> <li>Timeline: 3 to 4 months</li> <li><b>Est. Winter 2021/22</b></li> </ul>	None	N/A	<ul style="list-style-type: none"> <li>Public Hearing(s)</li> </ul>
15	Communications and Outreach Strategy	Discuss issues and opportunities community awareness and engagement strategies and identify more effective and efficient ways to get information out to the public	Discussion item	No	No	No	<ul style="list-style-type: none"> <li><b>Est. Winter 2022</b></li> </ul>	None	N/A	<ul style="list-style-type: none"> <li>Discussion</li> <li>Receive and file</li> </ul>
16	Annual Progress Report for 2021	Annual report of General Plan and CAP implementation	Informational report	N/A	Yes	Yes	<ul style="list-style-type: none"> <li>Not initiated</li> <li>Timeline: 2 to 3 months</li> <li><b>Est. Spring 2022</b></li> </ul>	None	N/A	<ul style="list-style-type: none"> <li>Discussion</li> <li>Receive and file</li> </ul>
17	Comprehensive Nonconforming Ordinance Update	Amendment to Article 61 of the Zoning Code to update the standards and requirements for nonconforming uses and structures	Zoning Code Amendment	No	No	No	<ul style="list-style-type: none"> <li>Not initiated</li> <li>Timeline: 8 to 12 months</li> <li><b>Est. Summer/Fall 2022</b></li> </ul>	None	N/A	<ul style="list-style-type: none"> <li>Public Hearing(s)</li> </ul>
18	Pre-Approved ADU Plans	Develop sets of pre-approved floor plans to help incentivize new accessory dwelling unit production	Special study	Yes	No	No	<ul style="list-style-type: none"> <li>Not initiated</li> <li>Timeline: 12 to 18 months</li> <li><b>Est. Summer/Fall 2022</b></li> </ul>	\$70,000 to \$100,000	Yes	<ul style="list-style-type: none"> <li>Discussion</li> <li>Receive and file</li> </ul>
19	Comprehensive Sign Ordinance Update	Amendment to Article 66 of the Zoning Code to resolve conflicts with first amendment rights and standards for signage	Zoning Code Amendment	No	Yes	No	<ul style="list-style-type: none"> <li>Not initiated</li> <li>Timeline: 18 months</li> <li><b>Est. Fall 2022</b></li> </ul>	None	N/A	<ul style="list-style-type: none"> <li>Public Hearing(s)</li> </ul>
20	Landscape Ordinance Update	Amendment to Article 62 of the Zoning Code to reduce water consumption, to install greywater and rain barrel systems in new single-family homes and to create new landscaping standards	Municipal Code and Zoning Code Amendments	N/A	No	Yes	<ul style="list-style-type: none"> <li>Not initiated</li> <li>Timeline: 8 to 12 months</li> <li><b>Est. Fall 2022</b></li> </ul>	None	N/A	<ul style="list-style-type: none"> <li>Public Hearing(s)</li> </ul>

		as required by the CAP, such as cool roofs on multi-family projects								
21	Green Infrastructure Plan	Prepare a plan to integrate a whole systems approach to green infrastructure	Special Study and Municipal Code and Zoning Code Amendments	No	No	No	<ul style="list-style-type: none"> <li>• Not initiated</li> <li>• Timeline: 16 to 18 months</li> <li>• <b>To be determined based on Council authorization and funding allocation</b></li> </ul>	\$100,000	No	<ul style="list-style-type: none"> <li>• Informal study sessions</li> <li>• Public Hearing(s)</li> </ul>
22	Open Space Standards Review and Ordinance Update	Evaluate the open space standards in the downtown specific plan and develop recommendations to right-size the requirements and incorporate new strategies to incorporate green space in new projects	Special study and Specific Plan Amendment	Yes	No	No	<ul style="list-style-type: none"> <li>• Not initiated</li> <li>• Timeline: 12 to 16 months</li> <li>• <b>Est. Fall/Winter 2022</b></li> </ul>	\$40,000 to \$60,000	Yes	<ul style="list-style-type: none"> <li>• Public Hearing(s)</li> </ul>
23	Downtown Parking Study and Ordinance Update	Develop a parking management plan and update off-street parking standards in the downtown area	Special study and Specific Plan Amendment	Yes	No	Yes	<ul style="list-style-type: none"> <li>• Not initiated</li> <li>• Timeline: 16 to 24 months</li> <li>• <b>Est. Winter/Spring 2023</b></li> </ul>	\$75,000 to \$125,000	Yes	<ul style="list-style-type: none"> <li>• Public Hearing(s)</li> </ul>
24	Active Transportation Plan ("ATP")	Prepare a multi-modal infrastructure analysis and plan for implementation	Special study	No	No	No	<ul style="list-style-type: none"> <li>• Not initiated</li> <li>• Timeline: 24 months</li> <li>• <b>To be determined based on Council authorization and funding allocation</b></li> </ul>	\$250,000 to \$300,000	No	<ul style="list-style-type: none"> <li>• Informal study session(s) <i>The ATP is not within the purview of the Commission</i></li> </ul>

**ATTACHMENT B**

**Commission Work Plan Approximate Timeline (May 25, 2021)**

	Project Name	2021									2022												2023	
		May	June	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	
1	Business Recovery Ordinance																							
2	Downtown Specific Plan Ground Floor Retail Amendment																							
3	Annual Omnibus Code Clean-Up																							
4	Comprehensive Density Bonus Ordinance Update																							
5	Hotel Conversion Ordinance																							
6	Housing Element Update																							
7	Sector Feasibility Study																							
8	East Valley Specific Plan																							
9	Building and Permit Processing Guide																							
10	EV Parking Ordinance																							
11	TDM Ordinance																							
12	Alternatively-Fueled Water Heater Ordinance																							
13	Electric Cooking Appliance Ordinance																							
14	Net Zero Energy Reach Ordinance																							
15	Communications and Outreach Strategy																							
16	Annual Progress Report for 2021																							
17	Comprehensive Nonconforming Ordinance Update																							
18	Pre-Approved ADU Plans																							
19	Comprehensive Sign Ordinance Update																							



