



CITY OF STAYTON
APPLICATION TO APPEAL A LAND USE DECISION

APPELLANT: _____

Address: _____

City/State/Zip: _____

Phone: (____) _____ - _____ Email: _____

PROPERTY OWNER: _____

Address: _____

City/State/Zip: _____

Phone: (____) _____ - _____ Email: _____

APPELLANT'S REPRESENTATIVE: _____

Address: _____

City/State/Zip: _____

Phone: (____) _____ - _____ Email: _____

ORIGINAL APPLICANT: _____

Address: _____

City/State/Zip: _____

Phone: (____) _____ - _____ Email: _____

DECISION MAKER WHOSE DECISION IS BEING APPEALED:

- City Planner Planning Commission

APPEALS BODY TO WHOM APPEAL IS BEING MADE:

- Planning Commission City Council

DATE OF DECISION BEING APPEALED _____

LAND USE FILE NUMBER _____

1. Basis of appeal (attach additional pages if necessary):

2. Identify sections of SMC Title 17 that apply to this appeal: _____

3. Signature of Appellant: _____

DO NOT WRITE BELOW THIS LINE

Appeal received by: _____ Date: _____ Fee Paid: \$ _____ Receipt No. _____

**CITY OF STAYTON
APPEAL OF LAND USE DECISION
(SMC 17.12.110)**

APPEAL OF ADMINISTRATIVE DECISION:

An administrative decision of the City staff may be appealed to the Planning Commission by an affected party within 14 days of the mailing of the notice of decision. The notice of appeal shall indicate the nature of the decision that is being appealed and the matter at issue will be a determination of the appropriateness of the interpretation of the requirements of this title. The fee for an administrative appeal is \$250. If the appellant prevails, the fee for the hearing shall be refunded.

APPEAL OF PLANNING COMMISSION DECISION:

Following the decision of the Planning Commission, any person aggrieved by the decision of the Commission has the right to file within 14 days of mailing of notice of the decision, an appeal of that decision. The appeal shall be in writing and shall clearly state the issue being appealed and the grounds for the appeal. The appeal shall be placed before the City Council. The Council will consider the appeal and either accept the appeal and set a date for public hearing, or elect to deny the appeal based on the record. If the Council accepts an appeal of a Commission action, the Council may at its discretion remand the decision back to the Commission for further consideration and findings which will then be reported to the Council prior to a final Council decision on the appeal. The fee for an appeal of a Planning Commission decision is \$400.

APPEAL OF COUNCIL ACTION:

Council actions, including a council decision to deny an appeal, may be appealed to the State Land Use Board of Appeals pursuant to ORS 197.805 through 197.855.

SPECIFICITY:

Issues of appeal must be raised with sufficient specificity before the appeal body to have afforded the decision authority and the applicant, if appropriate, an adequate opportunity to respond to resolve each issue.

STAY OF PROCEEDINGS:

When an appeal is filed, it shall stay all proceedings, including issuance of building permits, by all parties in connection with the matter upon which the appeal is taken until the determination of such appeal is completed.

REQUIRED SUBMISSIONS

In addition to a completed application form the application for an appeal must include a copy of the decision that is being appealed, the application for the approval for which the decision was rendered, any appropriate site plans or other drawings necessary for the appeal body to understand the nature of the appeal, and a certified list of all property owners within 300 feet of the property for which the appeal has been filed, dated within 60 days of the date on which the appeal is filed. Two copies of the list shall be submitted, on adhesive-backed mailing labels.