

APPEAL INFORMATION SHEET

GENERAL INFORMATION

This information sheet explains how an appeal may be filed, how the appeal will be processed, what fees you must pay, and what information you must submit as part of an appeal. If you have any questions after you have read this information, please contact the Planning Division.

WHAT DECISIONS MAY BE APPEALED?

Any land use decision made by the Community Development Director, Zoning Administrator, or Planning Commission in accordance with the Town Development Code may be appealed by the applicant or other interested party. (Decisions made by the Town Council cannot be appealed.) The Development Code establishes an appeal period of 10 calendar days for any decision made by the Director, Administrator, or Commission. The appeal must be filed within the 10-day appeal period. If the appeal period ends on a weekend or a Town government holiday, the appeal period is extended until the end of the next Town business day.

Land use decisions do not become effective for a period of time after the decision is made to provide time for the filing of an appeal. The land use decision becomes effective the day after the appeal period has ended unless an appeal has been filed or a Town Council member has requested the review of the land use decision. The land use decision shall be placed on hold pending the final decision on the appeal.

WHO MAY FILE AN APPEAL?

A land use decision may be appealed by the applicant or any interested person who submits a complete appeal request application. The Town Manager may appeal any decision of the Zoning Administrator or the Planning Commission. The Town Council, by majority vote, may appeal any decision of the Community Development Director, Zoning Administrator, and Planning Commission. A Council member must request within the 10-day appeal period the opportunity to review and discuss the decision rendered by the Director, Zoning Administrator, or Commission, and this request will be considered by the Council at their next available meeting. A majority vote of the Council is required to initiate the appeal.

HOW YOUR APPEAL WILL BE PROCESSED

The steps involved in reviewing your appeal are summarized below:

1. When an appeal has been filed with all information listed in the "Appeal Submittal Checklist" below, the Community Development Director will review the appeal to determine if it has been filed within the applicable appeal period and the information in the appeal request is complete. If the appeal has not been timely filed, the appeal will be rejected for processing. If the appeal is incomplete, the Director will notify the appellant of the information that is required to complete the appeal, and the appellant will have seven days to provide the additional information. If appellant does not submit the additional information within seven days of being notified, the appeal will be rejected for processing.
2. When an appeal has been filed and determined to be timely and complete, the Director will schedule the appeal for consideration by the appropriate appeal body. Appeals of decisions by the

Community Development Director are considered by the Planning Commission, while appeals of decisions by the Zoning Administrator and Planning Commission are considered by the Town Council.

3. If the land use decision being appealed originally required a public notice, a public notice will be published in the newspaper and/or given by mail to surrounding property owners and other interested parties of the hearing. Staff will then complete the staff report that includes a staff recommendation on the approval or denial of the appeal and the land use decision being appealed. The staff report on the appeal will be provided in writing to the appellant and applicant at least five days prior to the appeal hearing.
4. At the appeal hearing, the appeal body will consider the staff report and all written and verbal input submitted on the appeal by the appellant, applicant, and any other interested party. The appeal body may consider any issue involving the matter being appealed in addition to the specific grounds of the appeal. At the conclusion of the hearing, the appeal body may affirm, affirm in part, or reverse the land use decision of the original review authority. The appeal body may impose additional conditions that may address issues of the appeal.
5. Any decision made by the Planning Commission on an appeal may be appealed to the Town Council.

SUBMITTAL REQUIREMENTS

The items listed in the "Appeal Submittal Checklist" must be submitted as part of the application package in order for an appeal to be considered complete for processing. The signed checklist must also be submitted with the appeal. Your appeal will not be accepted if all of the items listed are not submitted.

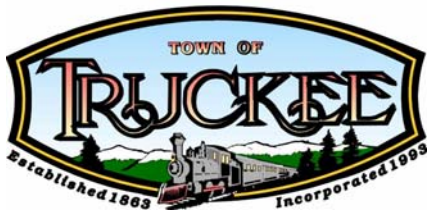
Applicant must fill out the checklist below by placing a check mark in the boxes listed under Column A (for Applicant) and signing below. Column S is for staff to verify that your submittal requirements have been met. Your application will not be accepted if all items listed below are not submitted.

A S

- 1. Completed Land Use/Zoning Application.
- 2. Appeal Request Form.
- 3. Filing fee payable to the Town of Truckee. (\$500.00 for appeal to Commission; \$750.00 for appeal to Council)

Applicant Signature: _____

I certify that I have completed and have included all material checked above in the attached application submittal.



APPEAL REQUEST FORM

Case Number/Name of Decision being Appealed: _____

Type of Decision: (i.e. similar use determination, use permit, tentative map, variance, etc.)

Description of Decision: _____

I/we hereby appeal the decision as follows:

Appeal Description (**Attach additional sheets if necessary**):

1. Detail what is being appealed and what action or changes you seek. Specifically address the findings, mitigation measures, conditions and/or policies with which you disagree.

2. State why you are appealing - be specific. Reference any errors or omissions. Attach any supporting documentation.

3. Please provide a summation of your arguments in favor of the appeal.

4. State the changes or action requested of the appeal body.

I/we certify that I/we are the: Legal owner(s) Authorized Legal Agent(s) Other Interested Persons

Name: _____ Telephone: _____

Address: _____

Appellant(s) Signature: _____