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| <b><u>For Office Use Only</u></b> |
| Date received: _____              |
| Copied to: _____                  |
| Date copy sent: _____             |
| Hearing set for: _____            |

**NOTICE OF APPEAL OF PLANNING COMMISSION DECISION**

Date: \_\_\_\_\_

Appeal Fee: \$1,658 Due when filing appeal

APPELLANT FILL IN BELOW THIS LINE, THIS SIDE ONLY – PLEASE PRINT OR TYPE

**Project Site Address**

|        |        |      |     |                          |
|--------|--------|------|-----|--------------------------|
| Number | Street | City | Zip | Assessor's Parcel Number |
|--------|--------|------|-----|--------------------------|

**Appellant's Information**

**Applicant's Information**  (check if same as Appellant)

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Telephone \_\_\_\_\_

**Subject of Appeal**

I wish to appeal the Planning Commission's decision to  Approve  Deny

- Variance Application No.\* \_\_\_\_\_
- Conditional Use Permit No. \_\_\_\_\_
- Director Review and Approval Application No. \_\_\_\_\_
- Tentative Tract Application No. \_\_\_\_\_
- Amendment Application No. \_\_\_\_\_
- Amendment to Text Application No. \_\_\_\_\_
- Other: \_\_\_\_\_

Date of Planning Commission Action \_\_\_\_\_

Reason(s) for Appeal (Attach additional sheets if necessary)

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\_\_\_\_\_  
Appellant's Signature

## City of Selma Municipal Code

### 11-16-6: APPEAL TO THE CITY COUNCIL:

- (A) In case the applicant is not satisfied with the action of the Planning Commission, the applicant may within ten (10) days after the date of mailing, as shown by the postmark of the papers mentioned in subsection 11-16-5(D), or within ten (10) days after the expiration of the forty (40) day period mentioned in subsection 11-16-5(B), file in writing with the City Clerk an appeal to the City Council. Said appeal shall state specifically wherein it is claimed that there was an error or abuse of discretion by the Planning Commission or whereby its decision is not supported by the evidence in the record.
- (B) In case any party other than the applicant is not satisfied with the action of the Planning Commission, said party may within ten (10) days after the date of adoption of the resolution of the Planning Commission, or within ten (10) days after the expiration of the forty (40) day period mentioned in Section 11-16-5(B) file in writing with the City Clerk an appeal to the City Council. Said appeal shall state specifically wherein it is claimed that there was an error or abuse of discretion by the Planning Commission or whereby its decision is not supported by the evidence in the record.
- (C) The City Council shall set a date for a public hearing on the appeal and shall post notices as set forth in Section 11-21-2(C). The date for the public hearing shall not be less than ten (10) nor more than forty (40) days from the date on which the appeal was filed.
- (D) Notice shall also be given to the Planning Commission of such appeal, and the Planning Commission shall submit a report to the City Council setting forth the reason for its action or shall be represented at the hearing.
- (E) The City Council may affirm, reverse, or modify a decision of the Planning Commission, provided, however, that if a decision denying a conditional use permit is reversed or a decision granting a use permit is modified, the City Council shall, on the basis of the record transmitted and such additional evidence as may be submitted, make the findings prerequisite to the granting of a conditional use permit as prescribed in Section 11-16-4.
- (F) The City Council shall render its decision by resolution within forty (40) days after the conclusion of the public hearing held on the appeal. Failure of the City Council to adopt a resolution within the aforementioned forty (40) day period shall be deemed to constitute a denial of the appeal.
- (G) The City Council shall cause a copy of its resolution to be mailed to the applicant within ten (10) days from the adoption thereof.
- (H) The decision of the City Council shall be final and shall have immediate effect.



# City of Selma User Fees

Fee Name Processing of Appeal of Staff/Commission Decision Fee

Reference # CD-039

Description of Service Review, report on , publish, and perform staff work for an appeal of a decision of City staff to either the Planning Commission or the City Council.

Fee Structure \$1,658 per appeal plus actual costs

Department Community Development

Account 100-3100-454.600.000

Effective Date 7/16/19