



### APPEALS TO THE PLANNING COMMISSION

1. If the applicant or any other person is dissatisfied with the action of the Zoning Administrator, City Engineer, Director of Parks and Trees, Fire Chief, Historic Advisory Committee or Development Review Committee, he or she may appeal in writing to the Planning Commission within **15 days after the action**. If no appeal is filed, the action shall be final.
2. Within 45 days of filing an appeal, the Planning Commission shall hold a public hearing to consider the action and the appeal of that action. The Planning Commission shall render its decision within 30 days of the public hearing, and it shall provide immediate verbal notice of the decision. If the Planning Commission's decision is not appealed, the decision shall be final.
3. Exception: To appeal a fee waiver decision, made by the Director of Planning & Development Services, appeals shall be taken directly to the City Council.

### APPEALS TO THE CITY COUNCIL

1. If the applicant or any other person is dissatisfied with a Planning Commission action, he or she may appeal, in writing to the City Council within **15 days after the action**. If no appeal is filed, the action shall be final.
2. Within 45 days of filing an appeal, the City Council shall hold a public hearing to consider the action taken by the Planning Commission and the appeal of that action. The City Council shall render its decision within 30 days of the public hearing, and it shall provide immediate verbal notice of the decision. The decision shall be final.
3. To appeal a fee waiver decision, made by the Director of Planning & Development Services, appeals shall be taken directly to the City Council. Apart from not having to first be heard by the Planning Commission, all other appeal criteria for appeals to the City Council listed above shall apply.

### REAPPLICATION

1. **General:** Whenever an application for a rezoning, pre-zoning, permit or variance has been denied as set forth in this chapter, no new application for the denied rezoning, pre-zoning, permit or variance shall be filed on any part of the property included in the denied application **within 1 year** from the date of the final decision on the denied application; provided, however, that a new application may be filed and accepted where a change of circumstances has occurred that might affect the outcome of the decision.
2. **Hearing:** The finding that relevant circumstances have changed enough to justify reconsideration of the denied application may be made by the planning Commission only after a public hearing noticed and held in the same manner as the hearing for the denied application. A request for a special public hearing shall be accompanied by a fee established by resolution of the City Council and a written explanation of the change of circumstances.
3. **Appeals:** The decision of the Planning Commission on the issue of change of circumstances shall be final, unless it is appealed as provided in Section 17-56.100 of the City Zoning Code (see above). The City Council may approve an appeal only upon finding, based on substantial evidence, that there has been a change of circumstances that might affect the outcome of the decision.

The Community Development Department operates on a full cost recovery for processing of permits. Staff will charge their time and any expenses associated with processing the application against the initial deposit. Fees that have been captured for the reimbursement of City expenses are non-refundable.

Technology cost recovery fees are non-refundable