Print Form

# CITY OF CANNON BEACH
# NOTICE OF APPEAL OF PLANNING COMMISSION DECISION

Appellant's Name: _____
Mailing Address: _____
_____
Telephone: _____

1. Appeal of Planning Commission decision of _____ , regarding:

2. Interest/Involvement in initial proceedings:

3. Specific grounds relied upon for review and criteria addressed at Planning Commission hearing against which review is being requested:

4. Type of Review/Appeal Requested:

- ☐ On the Record
- ☐ Hearing on Specific Issue or Issues
- ☐ De Novo Hearing

If you are requesting a hearing on a specific issue or issues, or a de novo hearing, please state the reason(s) for requesting such a hearing (refer to page one of General Information Sheet and note a specific reason from Section 17.88.180 of the Municipal Code):

Please attach additional pages, if needed, and any other relevant information.
FEE: $200 - on the record $400 - de novo

Appellant Signature: _____ Date: _____

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For Staff Use Only:

Date Appeal Received: _____ By: _____
Appeal Fee Paid On: _____ Receipt No.: _____

# APPEALING A PLANNING COMMISSION DECISION
# GENERAL INFORMATION

Decisions of the Planning Commission may be appealed to the City Council. The appeal must be submitted on the form provided by the City. The appeal must be received by the City within twenty days of the date that the Planning Commission order was signed.

**In order to file an appeal, a person must have:**
1. Participated in the Planning Commission hearing, either through oral testimony or by correspondence.
2. Raised the issues on which the appeal is based at the Planning Commission hearing.

**An appeal must contain the following information:**
1. The Planning Commission decision that is being appealed.
2. A statement that the person making the appeal participated in the Planning Commission hearing.
3. The basis for the appeal, citing which criteria of the Planning Commission findings of fact were in error.
4. A statement that the criteria on which the appeal is based were addressed at the Planning Commission hearing.

**There are three types of appeals to the City Council:**

1. On the Record Established by the Planning Commission. In this type of an appeal the Council reviews the findings of fact adopted by the Planning Commission, as well as the information on which those findings are based. The Council does not hold a new public hearing. The person making the appeal, as well as others who participated in the Planning Commission hearing, may summarize the arguments they made before the Planning Commission. However, no new evidence may be presented to the Council.

2. De Novo Hearing. In this type of an appeal the Council holds a new public hearing. In addition to the testimony received at the public hearing, the Council also considers the record of the Planning Commission hearing.

3. A New Hearing on Specific Issues. This type of an appeal is similar to a de novo hearing, except that new evidence is considered only on a specific issue or issues. The remainder of the appeal is based on the findings of fact established by the Planning Commission.

Generally, the City Council hears appeals based on the record established by the Planning Commission.

In addition to the general information required for an appeal, a request for a de novo appeal, or a new hearing on specific issues appeal must demonstrate that one of the following apply:

1. There is a valid reason why the additional evidence could not be presented at the Planning Commission hearing; or
2. A new hearing is required to properly evaluate a significant issue relevant to the proposal.

The City Council will determine, as a non-public hearing item, whether or not to accept a request for a de novo hearing, or a new hearing on a specific issue. If the Council does not grant the request, the appeal will be heard on the record established by the Planning Commission.

The fee for an appeal of a Planning Commission decision is $200.00 for an on the record appeal or $400.00 for a de novo appeal.