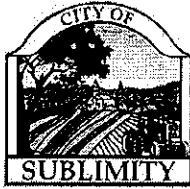


245 Johnson St.
Sublimity, OR 97385



503-769-5475
Fax 503-769-2206

City of Sublimity

___ Filing Fee

___ Narrative

Land Use Decision Appeal Filing Form

Application Accepted:
By _____ Date _____

Property address/location(s): _____

Deadline of appeal: _____

Interest in proposal (applicant, neighbor, etc.): _____

Appellant's/Business Name: _____

Address: _____

City/state: _____ Zip: _____

Ph#: _____ Email: _____

Please state the alleged error of the Planning Commission based upon the approval criteria or any other local, state or federal regulation that apply to the application: (Attach additional page if needed)

Fees: As per City of Sublimity Resolution 1617-6, the fee to file an Appeal is \$500 and per 3.205.04 of the City of Sublimity Development code states that in addition to other fees for appeal requests, the appellant shall pay a transcript fee equal to the actual cost of the preparation of the transcript up to \$500, plus one-half (1/2) the actual costs over \$500. The cost of the transcript fee shall be determined by the cost per page for the preparation of such transcripts, at the rate of \$0.25 per page. The City shall estimate the cost of the transcript at the time of the filing of the appeal request and shall receive a deposit in that amount. The appellant shall be billed for actual costs in excess of the deposit or receive a refund for surplus deposit funds in excess of transcript fees authorized by this Section.

Appellant's Signature

Print Name/Title

Date

3.205 APPEAL PROVISIONS

3.205.01 Appeal Period

The decision of the City staff under administrative procedure or a decision made by the Planning Commission following a public hearing shall be final unless a notice of appeal from an aggrieved party is received by the City within twelve (12) days of the date of the final written notice, or unless:

- A. The Planning Commission, on its own motion, orders review within twelve (12) days of the decision of the City staff under administrative procedure; or
- B. The City Council, on its own motion, orders review within twelve (12) days of initial action.

An appeal stays the proceedings in the matter appealed until the determination of the appeal.

Appeal of staff decision on administrative procedures is appealed to the Planning Commission. An appeal of a decision made by the Planning Commission is appealed to the City Council.

3.205.02 Form of Appeal

Appeal requests shall be made on forms provided by the City and shall state the alleged errors of the City staff decision or in the Planning Commission action based upon the approval criteria or any other local, state, or federal regulation that applied to the application.

3.205.03 Notice Requirements

Notice of hearings by the City Council on appeal requests shall be as specified in Section 3.202.

3.205.04 Transcript Fees

In addition to other fees for appeal requests, the appellant shall pay a transcript fee equal to the actual cost of the preparation of the transcript up to \$500, plus one-half (1/2) the actual costs over \$500. The cost of the transcript fee shall be determined by the cost per page for the preparation of such transcripts, at the rate of \$0.25 per page.

The City shall estimate the cost of the transcript at the time of the filing of the appeal request and shall receive a deposit in that amount. The appellant shall be billed for actual costs in excess of the deposit or receive a refund for surplus deposit funds in excess of transcript fees authorized by this Section.

3.107.04 Criteria for Approval

- A. The review body shall approve, approve with conditions, or deny the request based upon the following criteria:
1. Development of any remaining contiguous property under the same ownership can be accomplished as provided in this Code.
 2. Adjoining land use under separate ownership can either be developed or be provided access that will allow its development in accordance with the Comprehensive Plan and this Code.
 3. The proposed street plan affords the most economic, safe, efficient, and least environmentally damaging circulation of the traffic possible under existing circumstances.
 4. The preliminary plan complies with applicable portions of the Comprehensive Plan, this Code, and State and Federal laws.
 5. For planned unit developments, the project results in an equal or superior product than would have resulted from following the requirements of the zoning district and base development standards, as provided in this Code or lot standards for land divisions, as provided in Section 2.208 of this Code.
 6. For Planned unit developments, the proposal results in a balanced exchange: for the developer, flexible development standards, maximum land utilization and alternate ownership options; for the Community, greater preservation of natural features and natural resources, greater proportions of useable open space and recreation facilities; for both, a greater opportunity for housing at all income levels.
 7. The proposal provides a housing mix of 85 percent single family and 15 percent multifamily for residential developments, based upon the formula presented in section 2.208.03.A.
 8. Potential impacts to adjoining properties have been adequately mitigated through site design and attached development conditions.