

APPEAL

Planning Department
1480 Main Street
St. Helena, CA 94574

Office Use Only - Do Not Write in this Area

File Number _____
General Plan _____ Zoning _____

Background Files _____
Related Applications _____

Initial Deposit Received _____ Received By _____

Please Type or Print

Project Name _____ Project Applicant _____
Site Address _____ APN ____-____-____ ____-____-____

Person Submitting Appeal _____
(Last Name, First Name)
Mailing Address _____
City _____ State ____ ZIP Code _____
Phone Number _____

If you would like project correspondence and notice of meetings to be sent to parties other than the appellant, please list their names, address and telephone numbers on a separate sheet.

Action being appealed (include the name of the decision-making board and date the action was taken):

Action requested by appellant:

Reason for appeal:

You may attach additional paper if you need more room to describe the facts and grounds on which your appeal is being filed. Indicate what error in any order, requirement, permit, decision, determination, approval, or denial you believe should be corrected. Following receipt of your appeal, the Planning Department will place the appeal on the next agenda for which a notification can be published in the St. Helena Star. Such notice must be published at least ten (10) days in advance of the hearing date.

Processing fee: **\$1,000 Minor**
Processing Fee: **\$2,600 Major**

Public Hearing Notice: **\$ 400**

Request Preparation of Mailing Labels: **\$ 200 *(Additional Fee)**

Applications with a negative balance at the time of the public hearing will be continued until the balance is paid in full.

I, _____, hereby file this application for an appeal and agree to pay any and all processing fees imposed by the St. Helena Municipal Code and City Council Resolutions (as they may be amended from time to time).

Failure to pay all accumulated fees by the time of public hearing will result in a continuance or denial of the project.

A finance charge of 12% per annum shall accrue on any balance unpaid after 30 days.

In the event the City is required to take legal action to enforce any of the terms and conditions of this application, Applicant and Property Owner agree to pay to City reasonable attorney fees and costs incurred in such action.

I, the applicant, will defend, indemnify and hold the City, its agents, officers, and employees harmless from any claim, action or proceeding to attack, set aside, void or annul an approval of the City concerning the project, as long as the City promptly notifies the applicant of any such claim, action or proceedings and the City cooperates fully in the defense. We have also reviewed the requirement to disclose the complete list of partners and/or shareholders.

Date: _____ Applicant's Signature: _____

CHAPTER 17.08: ADMINISTRATIVE PROCEDURES

Sec. 17.08.180. Appeal procedure.

In accord with the following provisions, any applicant or other interested person dissatisfied with any action taken under this title may appeal such action and decision:

- A. Unless otherwise indicated, appeals from the decision of the or any other administrative official in taking any of the actions authorized by this title shall be made to the Planning Commission through the . Appeals from the decision of the Planning Commission in taking any of the actions authorized by this title shall be made to the City Council through the City Clerk .
- B. Unless otherwise indicated, all appeals shall be made in writing and be accompanied by the appropriate fee. Appeals must be received by the or City Clerk not later than fourteen (14) calendar days following the date of action from which such appeal is being taken. If the fourteenth calendar day is a weekend or a City holiday, the deadline is extended to the next working day of the City.
- C. The letter of appeal must state: (1) the specific action objected to; (2) the action appellant requests the City Council to take; (3) the reason for the appeal; and (4) the name, address, and telephone number of the appellant or contact person if there are multiple appellants.
- D. Within three working days of receipt of the appeal, the or City Clerk shall examine the appeal, and if it is found to be incomplete, return it in person or by certified mail to the appellant for revision. Appellant shall have five working days to file an amended appeal. Upon failure to file an amended appeal within the five days, the appeal shall be deemed withdrawn.
- E. The receipt of a written appeal shall stay all actions, or put in abeyance all permits or other discretionary approvals which may have been granted, pending the effective date of the decision of the body hearing the appeal.
- F. The Planning Commission or the City Council may, by motion adopted by majority vote, initiate an appeal on that decision-making body's behalf. A motion for appeal must be passed within fourteen (14) days following rendering of the decision appealed; provided, however, that if no regularly scheduled meeting of the Planning Commission or City Council occurs within such fourteen (14) day time period, the time for such appeal shall be extended through the date of the next succeeding regularly scheduled meeting. No grounds for appeal need be stated nor must a letter of appeal be submitted.
- G. Appeals shall be scheduled for the earliest regular meeting of the hearing body, not less than ten (10) days or more than thirty (30) days after the date of filing an appeal or passing a motion for appeal, consistent with the agenda preparation procedures and schedule of the hearing body.

- H. All appeals shall be considered in a public hearing if a public hearing was required for the decision appealed, consistent with the procedures set forth in Section 17.08.070. All decision-making bodies hearing appeals shall consider the project in its entirety, or de novo. The Planning Commission or the City Council may affirm, reverse or modify the decision appealed as deemed just and equitable, provided such action is not contrary to any provisions set forth in this title. (Prior code § 27.417)