

### **17.16.050: APPEALING A LAND USE AUTHORITY'S DECISION:**

Any person adversely affected by the land use authority's decision in administering or interpreting a land use ordinance may appeal that decision to the city council by alleging that there is an error in any order, requirement, decision, or determination made by the land use authority in the administration or interpretation of the land use ordinance. In addition, the city council shall hear and decide appeals from administrative decisions in applying the zoning or subdivision ordinance, including appeals from: a) building permit denials based upon a failure to comply with a zoning or subdivision ordinance; and/or b) administrative decisions related to subdivision plat requirements. (Ord. 2006-02)

### **17.16.060: PROCEDURE FOR REQUESTING A VARIANCE OR APPEAL:**

- A. Procedure, Time Limit: A request for a variance, or a notice of appeal must be commenced within ten (10) calendar days of the adverse order, requirement, decision or determination by filing a written notice of a request for a variance, or notice of appeal with the Santa Clara building official at the Santa Clara city building department office. The notice must indicate the decision appealed from, and identify the parties making the appeal. Any notice of appeal or request for variance must include a list containing the names and addresses of adjoining property owners. Adjoining property owners include all owners of property within a five hundred foot (500') radius of the property affected by the appeal or request for variance as shown on the tax rolls of Washington County. The Santa Clara building official shall notify the appropriate appeal authority of the request for a variance or a notice of appeal within seven (7) working days.
- B. Fee: A request for a variance, or a notice of appeal shall be accompanied by a fee established by the Santa Clara city council, which amount shall be used to defray the cost of administering the request for a variance, or appeal, including, but not limited to, costs of mailing and publishing notice.
- C. Hearing To Be Scheduled; Notice: When a request for a variance or a notice of appeal is filed, the appeal authority of the adverse order, requirement, decision or determination shall schedule a meeting for a hearing within fifteen (15) working days, unless such time is extended for good cause or stipulation of the parties. Notice of the time, place and subject matter of the meeting shall be given to the person making the appeal, the land use authority or official who issued the adverse order, requirement, decision or determination, and all parties in interest, including adjoining property owners within a five hundred foot (500') radius of the property affected by the request for variance or appeal. The appeal authority may require such written briefs or memorandum of the parties, as the appeal authority deems advisable. At the hearing, the appellant shall appear in person or by agent or attorney.
- D. Stay Of Proceedings: An appeal stays all proceedings in furtherance of the action appealed from, unless the official from whom the appeal is taken, after receiving notice of appeal, certifies in writing with specificity to the appeal authority the reasons why a stay would cause imminent peril

**EXHIBIT A**

**Development Fee Schedule  
For Santa Clara City**

Fees may be reviewed annually by the City Council and are subject to change to accurately cover City costs.

<b>Category of Fee</b>	<b>Description</b>	<b>Fees</b>
Annexation		\$500
Board of Adjustment	Variances & Appeals	\$100 + 1.00 per notice to be sent
Conditional Use Permits	Per 17.40 of City's Zoning Code-including Home Occupations.	\$50 Home Occ Conditional Use Permit \$200 C.U.P. for Zoning (\$150 for Public Hearing Notice and \$50 for Administrative Costs).
Sign Permit		\$2 per square foot
General Plan Amendment	Includes amendments to Transportation Map and General Plan Document.	\$500 + Acreage Fee Less than 1 acre: No charge 1 - 100 acres: \$50 per acre 101 - 500 acres: \$25 per acre Over 500 acres: \$10 per acre
Hillside Review	Compliance review with City's Hillside Protection Overlay Zone Ordinance.	\$500 plus hourly cost of \$120 for every hour of review exceeding initial 2 hours of review time.
Lot Line Adjustment / Easement	Includes action associated with lot line adjustment and corresponding lot line easement.	\$200 (\$150 For Public Hearing Notice and \$50 for Administrative Costs)
Plat Amendment		\$300 + certified mailing costs
Fence Permit		\$5
City Standards Manual Copy		\$40
Zoning Ordinance Copy		\$40
General Plan Copy		\$40
Cell Tower Application Fee	Per 17.42.130 and 17.42.150	•Application Use Permit fee: \$200 •Review Fee: All costs of review (legal, engineering, city staff)
Zoning Ordinance Text Change	Request for change(s) to City's Zoning or Subdivision Ordinances.	\$150 per requested change
Extension of Time	Request for extension of time for completion of improvements or completing platting requirements.	\$75
Additional Dwelling Unit Filing Fee	Process additional dwelling unit occupancy permit applications in R1-10 & RA zoning designations	\$100

**17.42.340: APPEAL:**  

Any person who disagrees with a ruling or interpretation of the city regarding this chapter may appeal the matter to the land use authority. Such appeal shall be made in writing and filed with the city recorder within fourteen (14) calendar days of the ruling or interpretation. The city recorder will then transmit the appeal to the city manager, who will cause the matter to be placed on the agenda of the land use authority. If no appeal is made within that time, the ruling or interpretation shall be final. The appeal shall be addressed to the city recorder and shall set forth in writing the grounds for the appeal and the relief sought by the appellant. The hearing shall be scheduled within two (2) regularly scheduled meetings. The city shall notify in writing all persons who have demonstrated their interest in this matter of the time and place of the meeting on the appeal at least ten (10) calendar days prior to the meeting. The city shall transmit the application and all exhibits therewith to the land use authority for consideration. For the purposes of this section, a ruling is a discretionary action, e.g., a minor conditional use permit or a site plan and architectural review; and, an interpretation refers to the determination of the intent and application of provisions of this chapter. Application or enforcement of provisions of this chapter shall not be considered interpretations or rulings and are not subject to appeal. Notwithstanding this section, an individual may file for an exception from the provisions of this chapter pursuant to section 17.42.310 of this chapter. (Ord. 2006-02: Ord. 99-26 § 1)