

4. Important Implementing Information from the City of Clayton Municipal Code:

17.68.020 Appeal--Allowed when.

Appeal from any decision of the Planning Commission shall be governed by the provisions of this section and Section 17.68.030. For the purpose of appeal from any action of the Planning Commission, an aggrieved person must be either a subdivider, if he is dissatisfied with any action with respect to the tentative map, or to the kinds, nature and extent of the improvements required for a subdivision, or an applicant or any person alleging:

- A. That his/her property rights or the value of his property is adversely affected and the decision does not comply with the General Plan, if one is in effect at the time; or
- B. That the required standards, which must be specified, are or are not satisfied by the evidence presented at the hearing for rezoning, land use permit, or variance permit; or
- C. That specified findings of the Planning Commission are not supported by the evidence; or
- D. That specified limitations or conditions imposed in granting a permit are not reasonably required; or
- E. That specified limitations or conditions recommended but not imposed are reasonably required in granting a permit. (Ord. 52 Ch. III Sec. 5(a), 1968).

17.68.030 Appeal--Notice--Fee--Hearing and notice--Council conclusions.

An aggrieved party may appeal a decision of the Planning Commission to the City Council by filing a written notice of appeal with the City Clerk specifying the grounds for the appeal along with an appeal fee in such amount as may from time to time be fixed by resolution of the City Council, within ten days after the filing with the appropriate officials of the decision being appealed. When an appeal from the decision of the Planning Commission is properly filed, the City Clerk shall transmit to the City Council copies of the letter of appeal, the application and findings and decision of the Planning Commission. Upon receipt of said matter, the City Council shall order the matter heard before itself. The City Council shall proceed to schedule a public hearing in the matter before it and cause notice of the hearing time, place and nature of the appeal to be given by mailing copies of such notice by United States mail, first-class, postage prepaid to the appellant, the applicant or subdivider, and any other interested person or persons who shall have recorded his name and mailing address along with a request for a notice of hearing on appeal with the City Clerk and/or Secretary of the Planning Commission. The City Council shall then hear the matter as directed in the order fixing hearing and following this shall make its findings and conclusions in writing and file them with the City Clerk within thirty days after the close of the hearing, with copies being forwarded to the Planning Commission, the appellant and the applicant or subdivider. In its conclusions the City Council may approve with conditions, or deny the appeal. The conclusion of the City Council shall be final and the application shall be disposed of in accordance with the City Council's decision with no further administrative action being taken on the application. (Ord. 172 Sec. 5, 1977; Ord. 52 Ch. III Sec. 5(b), 1968).

5. Certification:

General Certification:

I (We):

- consent to the submission of this application.
- understand that an incomplete application may be denied.
- hereby declare under penalty of perjury under the laws of the State of California that the information in this application and its attachments is true, complete and correct.
- certify that I (We) have read and understand Title 17, Chapter 17.68 found in Part 4 of this application and in the City of Clayton's Municipal Code.

Form Specific Certification:

I (We):

- recognize that the Clayton City Council may, in conformity with the Unified Development Ordinance, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from, and may by a resolution make any necessary order, requirement, decision or determination.

Appellant's Signature: _____ Date: _____

Appellant's Signature: _____ Date: _____