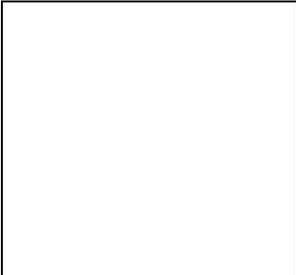




City of Washougal
Appeal Review
 Community Development - Planning
 1701 C Street
 Washougal, WA 98671
 (360) 835-8501 • Fax (360) 835-8808
www.cityofwashougal.us



SUBMIT THIS APPLICATION TO THE PLANNING DEPARTMENT

BRIEF DESCRIPTION OF APPEAL: _____

APPLICANT:

_____ Name	_____ Phone	_____ E-mail	
_____ Address	_____ City	_____ State	_____ Zip

PROPERTY OWNER (list multiple owners separately)

_____ Name	_____ Phone	_____ E-mail	
_____ Address	_____ City	_____ State	_____ Zip

CONTACT (if different than the APPLICANT)

_____ Name	_____ Phone	_____ E-mail	
_____ Address	_____ City	_____ State	_____ Zip

LOCATION OF PROJECT:

Site Address: _____ **Cross Street:** _____

Located in the _____ **1/4 of Sec:** _____ **Township:** _____ **Range:** _____

Serial #s of parcels included: _____

Comp Plan Designation: _____ **Zoning Designation:** _____

Overlay Zone(s): _____ **Total Acreage of Original parcel(s):** _____

AUTHORIZATION

The undersigned hereby certifies that all information submitted with this application is complete and correct. I understand that any errors and/or omissions may lengthen the time to process the request. **The information on and accompanied by this application is certified by me to be true and correct under penalty of perjury by the laws of the State of Washington.**

In addition, my signature below also grants permission for city staff to access or enter the subject property to examine the site.

_____ Authorized Signature (Letter of authorization required if other than property owner)	_____ Date
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Appeal Review Instructions

This packet provides the information necessary to appeal either Administrative Interpretations and/or Approvals by the Planning and Development Department or a Building Official's Recommendation and/or Decision in accordance with Washougal Municipal Code Chapter 18.94.140 - Appeals.

18.94.140 Appeals.

- (1) Appeal of Administrative Interpretations and Decisions.
 - (a) Administrative interpretations and administrative approvals under Titles 15 (Building Code), 16 (Environmental), 17 (Land Division) and 18 (Zoning) may be appealed, by applicants or parties of record, or any person aggrieved by the interpretation or approval, to the hearing examiner (unless otherwise noted in this chapter) within 14 calendar days after issuance of the notice of the decision or after other notice that the decision has been made and is appealable. New evidence can be introduced and new issues can be raised before the hearing examiner in an appeal of a Type I or II decision, and the examiner shall make an independent decision based on all of the evidence in the whole record.

- (2) Appeal of a Hearing Examiner Decision.
 - (a) A decision of the examiner shall be final and conclusive unless a land use petition is timely filed (within 21 days of the notice of decision) in Superior Court pursuant to RCW 36.70C.040 (3); PROVIDED, that no person having actual prior notice of the proceedings of the examiner or council shall have standing to challenge the council or examiner's action unless such person is a party of record at the examiner's hearing.
 - (b) Notice of the appeal and any other pleadings required to be filed with the court shall be served on the city clerk, director, and city attorney within the applicable time period.
 - (c) The cost of transcribing and preparing all records ordered certified by the court or desired by the appellant for such appeal shall be borne by the appellant. The appellant shall post with the city clerk prior to the preparation of any records an advance fee deposit in the amount specified by the city clerk. Any overage will be promptly returned to the appellant.

- (3) Appeal of a City Council Decision.
 - (a) The decision of the city council shall be final unless appealed, by applicants or parties of record, or any person aggrieved by the decision and for which all other appeals specifically authorized have been timely exhausted, and such appeal shall be made to Clark County Superior Court within twenty-one calendar days of the date of issuance of the notice of decision, unless another time period is established by state law or local ordinance.
 - (b) Notice of the appeal and any other pleadings required to be filed with the court shall be served on the city clerk, director, and city attorney within the applicable time period.
 - (c) The cost of transcribing and preparing all records ordered certified by the court or desired by the appellant for such appeal shall be borne by the appellant. The appellant shall post with the city clerk prior to the preparation of any records an advance fee deposit in the amount specified by the city clerk. Any overage will be promptly returned to the appellant.

- (4) Content of Appeal to Hearing Examiner. The appeal shall contain a concise statement identifying:
 - (a) The decision being appealed;
 - (b) The name and address of the appellant and the appellant's interest(s) in the matter;
 - (c) The specific reasons why the appellant believes the decision is in error as a matter of fact or law, and the evidence relied on to prove the error. The appellant shall bear the burden of proving the decision was wrong;
If the petitioner wants to introduce new evidence in support of the appeal, the written appeal also must explain why such evidence should be considered, based on the criteria identified at 18.94.060 C. 6.
 - (d) The desired outcome or changes to the decision;
 - (e) The appeals fee of \$1050.00.

- (5) Appeal Process to Hearing Examiner. Appeals shall be processed as a Type III action; provided, that notice of the appeal hearing shall be sent to only parties of record of the original proceeding.

CITY PROCEDURES:

Upon receipt of an appeal packet, the Community Development Director will:

- Determine within twenty eight (28) calendar days if the application is ***technically complete and timely filed***. An application is technically complete if it contains all of the information described as needed for the notice of appeal.
- A determination of technically complete will be sent to the appellant. If the appeal is not complete, the determination sent to the appellant will specifically indicate what items must be submitted to make the appeal complete.
- Once the appeal letter has been received, the Community Development Director will schedule the appeal for public hearing before the Hearing Examiner.
- Ten (10) days prior to the public hearing, the City shall publish a notice of public hearing in a newspaper of general circulation in the City; mail written notice to the appellant, all parties of record, applicant, property owner, and post the subject property advertising the appeal hearing. **It is the appellant's responsibility to remove all posting signs upon completion of the hearing.**
- Seven (7) days prior to public hearing, the City will mail a copy of the completed Staff Report and Recommendation to the appellant. Copies of the Staff Report and Recommendation will be available to the public upon request at City Hall.
- A notice of decision will be mailed to the appellant and parties of record from the appeal hearing.