



Baker City Planning Department
Baker City Hall, Suite 104
1655 First Street / PO Box 650
Baker City, OR 97814
(541) 524-2030 / 2028
FAX (541) 524-2049

File No. _____
Appellant _____
Received by _____
Date _____
Accepted as Complete by _____
Date Accepted as Complete _____

Type II Land Use Decision Appeal

There is currently no fee to appeal a decision

APPEAL OF CASE NO.: _____

Date of Decision: _____ Decision-making Body: _____

APPELLANT(S) If more than one appellant, attach names with signatures and addresses on a separate sheet of paper.

Appellant _____

Mailing Address/State/Zip _____

Phone _____ Fax _____ Email _____

Appellant's Signature _____ Date: _____

APPELLANT'S REPRESENTATIVE (if applicable)

Representative _____

Mailing Address/State/Zip _____

Phone _____ Fax _____ Email _____

Representative's Signature _____ Date: _____

SITE LOCATION & DESCRIPTION

Tax Map #(s) _____ Tax Lot #(s) _____

Frontage Street or Address _____

NATURE OF APPEAL (Please provide a separate narrative specifically addressing required contents)

A Type II administrative decision may be appealed to the Planning Commission.

1. Who may appeal. The following people have legal standing to appeal a Type II administrative decision:
 - a. The applicant.
 - b. Any person who was mailed written notice of the Type II administrative decision.
 - c. Any other person who participated in the proceeding by submitting written comments.
2. Appeal procedure.
 - a. Notice of appeal. Any person with standing to appeal, as provided in subsection 1, above, may appeal a Type II Administrative Decision by filing a Notice of Appeal according to the following procedures;
 - (1) Time for filing. A Notice of Appeal shall be filed with the Planning Department within 14 days of the date the Notice of Decision was mailed.
 - (2) Content of notice of appeal. **The Notice of Appeal shall contain:**
 - (a) An identification of the decision being appealed, including the date of the decision.
 - (b) A statement demonstrating the person filing the Notice of Appeal has standing to appeal.
 - (c) A statement explaining the specific issues raised on appeal.
 - (d) If the appellant is not the applicant, a statement demonstrating that the appeal issues were raised during the comment period.
 - (e) Filing fee. The amount of the filing fee shall be established by the City. The maximum fee for an initial hearing shall be the City's cost for preparing and for conducting the hearing, or the statutory maximum, whichever is less.
 - b. Scope of appeal. The appeal of a Type II Administrative Decision by a person with standing shall be limited to the specific issues raised during the written comment period, as provided under subsection 15.1.4.C, unless the Planning Commission allows additional evidence or testimony concerning any other relevant issue. The Planning Commission may allow such additional evidence if it determines that such evidence is necessary to resolve the case. The purpose of this requirement is to limit the scope of Type II Administrative Appeals by encouraging persons with standing to submit their specific concerns in writing during the comment period. The written comments received during the comment period will usually limit the scope of issues on appeal. Only in extraordinary circumstances should new issues be considered by the hearings body on appeal of a Type II Administrative Decision.
 - c. Appeal procedures. Type III notice and hearing procedures shall be used for all Type II Administrative Appeals, as provided in subsections 15.1.5.C - G.

Type II appeals will be scheduled for the next available Planning Commission meeting, subject to applicable deadlines.

On original application form, please print legibly using black/dark blue ink or type. Appellants are advised to review the list of submittal requirements and recommendations indicated on the appropriate land use application form(s) and in the applicable Ordinances prior to submitting an appeal. Failure to provide relevant materials or evidence or to address an error in the decision or the approval criteria in sufficient detail may cause your appeal to be denied.

Appeal to City Council. The decision of the Planning Commission regarding an appeal of a Type II Administrative Decision is the final decision of the City unless appealed to City Council. An appeal to City Council shall follow the same notification and hearing procedures as for the Planning Commission appeal.