City of Springfield
Development & Public Works
225 Fifth Street
Springfield, OR 97477
planning@springfield-or.gov

Appeal

Application Type	***(Applicant: check one)***
Appeal:	
☐ **of a Director's Decision**	☐ **of a Historic Commission Decision**
☐ **of an Expedited Land Division**	☐ **of a Planning Commission Decision**

Required Project Information	***(Applicant: complete this section)***
Case Number:	**Date of Decision:**
Project Name:	
Date of Filing the Appeal: **(Must be within 12 calendar days of the date of decision)**	
Issues: *Briefly* list the specific issues being raised in the appeal. These should be the specific points where you feel the Approval Authority erred in making the decision, i.e. what approval criterion or criteria you allege to have been inappropriately applied. If you are filling in this form by hand, please attach your list of issues to this application.	
Appellant Name:	**Phone:**
Statement of Interest: **(check one)**	☐ Owner ☐ Applicant ☐ Person notified of the request as an adjacent owner or occupant ☐ Person asked to be notified of the request ☐ Other - Explain:
Address:	
The undersigned acknowledges that the appeal application form and its attachments have been read, acknowledges that the requirements for filing an appeal of a land use decision are understood, and states that the information supplied is correct and accurate. **Signature:**	

Required Project Information	***(City Intake Staff: complete this section)***
Associated Cases:	**Placard:**
Case No.:	**Date:** / **Reviewed by:**
Application Fee: $	**Admin Fee: $** / **Notice Fee: $**
***TOTAL FEES: $**	**PROJECT NUMBER:**
***A deposit is collected and charged for Actual Cost of Service (COS)**	

Appeal Application Process

1. Applicant Submits an Appeal Application to the Development & Public Works Department

- The application must conform to the *Appeal Submittal Requirements Checklist* on page 3 of this application packet.
- Planning staff screen the submittal at the front counter to determine whether all required items listed in the *Appeal Submittal Requirements Checklist* have been submitted.
- Applications missing required items will not be accepted for submittal.

2. City Staff Conduct Detailed Completeness Check

- Planning staff conducts a detailed completeness check within 30 days of submittal.
- The assigned Planner notifies the applicant in writing regarding the completeness of the application.
- An application is not deemed technically complete until all information necessary to evaluate the proposed development, its impacts, and its compliance with the provisions of the Springfield Development Code (SDC) and other applicable codes and statutes have been provided.
- Incomplete applications, as well as insufficient or unclear data, will delay the application review process.

3. Planning Commission or City Council Review the Application, Hold a Public Hearing, and Issue a Decision

- These are Type 3 or Type 4 decisions and thus are made after a public hearing.
- A notice is posted in the newspaper, and notice is mailed to property owners and occupants within 300 feet of the property being reviewed, appellant and all other interested parties, and to any applicable neighborhood association. In addition, the applicant must post one sign, provided by the City, on the subject property.
- Written comments may be submitted to the Development & Public Works Department through the day of the public hearing or comments may be provided in person during the public hearing.
- After a public hearing, the Planning Commission or City Council issues a decision that addresses all applicable approval criteria and/or development standards, as well as any written or oral testimony.
- Applications may be approved, approved with conditions, or denied.
- The City mails the applicant and any party of standing a copy of the decision, which is effective on the day it is mailed.
- The decision issued is the final decision of the City, but the Planning Commission's decision may be appealed within 12 calendar days to the City Council, and the City Council's decision may be appealed within 21 calendar days to the Land Use Board of Appeals.

Appeal Submittal Requirements Checklist

☐ **Application Fee** Refer to the Master Fees & Charges Schedule for the appropriate fee. With the exception of the Appeal of Type 2 Director's Decision (ORS227.175), fees are based upon the Actual Cost of Service (ACS) for processing the application. A deposit is collected with the application submittal to cover the ACS and charged against for the time to process the application. In addition to the ACS there is a Comprehensive Planning Fee based on the acreage of the land being annexed. Copies of the fee schedule are available at the Development & Public Works Department. Fees are payable to the City of Springfield.

☐ **Appeal Application Form**

☐ **Narrative** explaining **each** appeal issue listed on the application form in more detail. This statement should indicate where you feel the Director, Historic Commission, or Planning Commission erred in the decision based upon the evidence presented and in applying that evidence to the criteria used to evaluate the request. Be sure to make this statement as complete as possible.

NOTE: Appeals of a Director's or Historic Commission decision will be reviewed de novo by the Planning Commission or Hearings Official. They shall consider all physical and documentary evidence submitted to the Director or Historic Commission as part of the original application, as well as any new evidence or testimony which the opponents or proponents may wish to present at the public hearing.

Appeals of a Planning Commission decision will be reviewed by City Council and will be based upon the record of proceeding. They shall consider all physical and documentary evidence submitted to the Director or Historic Commission as part of the original application and any evidence or testimony presented to the Planning Commission.