



APPEAL TO BOARD OF SUPERVISORS

APPLICATION PROCESS

STEP 1

INITIAL CONSULTATION

Applicants and appellants must contact Community Development Department Planning staff prior to submittal of an application for appeal. Any appeal must be filed within 10 calendar days of the action by staff or the Planning Commission.

STEP 2

APPLICATION SUBMITTAL

FEE

Current fees are available at the Community Development Department (Planning) or on the Community Development website. The following forms of payment are accepted: cash, credit card (processing fee of \$1.35 or 2.29% [whichever is greater] applies), debit card (processing fee of \$1.35 applies) and check (made payable to San Joaquin County Treasurer)

FORM

Seven (7) copies of the completed application information forms (attached) which all owners must sign.

APPLICATION COMPLETE

The Community Development Department will review the application for completion. Pursuant to Government Code §65943; 14 California Code of Regulations §§ 15060(a), 1510, the Community Development Department will notify the applicant in writing within 30 days from the date of submittal whether the application is deemed complete for processing.

STEP 3

APPLICATION PROCESSING

ACTION

A public hearing will be scheduled before the Board of Supervisors. At the conclusion of the hearing the Board will take action to deny, uphold, or partially uphold the appeal.

FINAL ACTION

The decision of the Board of Supervisors on an appeal from the Planning Commission shall be final and effective immediately, Development Title Sec. 9-220.11(f).

ADDITIONAL ACTION

The filing of an appeal prevents the staff from approving any additional permits for the project until the final action is effective on the appeal.



COMMUNITY DEVELOPMENT DEPARTMENT APPEAL TO BOARD OF SUPERVISORS

FILE NUMBER: _____

Owner Information	Applicant Information
Name:	Name:
Mailing Address:	Mailing Address:
Phone:	Phone:
Email:	Email:

BASIS FOR APPEAL (Attach additional sheets as necessary)
Action being appealed:
Date of Planning Commission action:
Basis of the appeal. Cite the specific abuse of discretion by the Planning Commission reasoning:
List any condition(s) and or finding(s) specifically to be modified or removed cite the specific abuse of discretion by the Planning Commission:



COMMUNITY DEVELOPMENT DEPARTMENT APPEAL TO BOARD OF SUPERVISORS

FILE NUMBER: _____

AUTHORIZATION SIGNATURES

ONLY THE OWNER OF THE PROPERTY OR AN AUTHORIZED AGENT MAY FILE AN APPLICATION.

I, the Owner/Applicant/Agent agrees to indemnify, defend (with counsel reasonably approved by County), and hold harmless the County and its officers, officials, employees, agents, boards, and commissions (collectively "County") as follows:

1. INDEMNITY:

A. From and against any and all claims, demands, actions, proceedings, lawsuits, losses, damages, judgments and/or liabilities arising out of, related to, or in connection with the application and applied for project or to attack, set aside, void, or annul, in whole or in part, an approval of the applied for project by the County, the adoption of environmental review documents related to the applied for project, and any related development approvals or project conditions for the applied for project (hereinafter "Claim");

B. For any and all costs and expenses incurred by the County on account of any Claim, except where such indemnification is prohibited by law, including but not limited to damages, costs, expenses, attorney's fees, or expert witness costs that may be asserted by any person or entity, private attorney general fees claimed by or awarded to any party against the County, and the County's costs incurred in preparing an administrative record which are not paid by the petitioner.

C. Except as to the County's sole negligence or willful misconduct.

2. Defense:

A. The County may participate or direct the defense of any Claim. The County's actions in defense of any claim shall not relieve me of any obligation to indemnify, defend, and hold harmless the County.

B. In the event of a disagreement between County and me regarding defense of any Claim, the County shall have the authority to control the litigation and make litigation decisions, including, but not limited to, the manner in which the defense is conducted.

C. If the County reasonably determines that having common counsel presents such counsel with a conflict of interest, or if I fail to promptly assume the defense of any Claim or to promptly employ counsel reasonably satisfactory to the County, then County may utilize the Office of the County Counsel or employ separate outside counsel to represent or defend the County, and I shall pay the reasonable attorneys' fees and costs of such counsel.

I, further, certify under penalty of perjury that I am (check one):

Legal property owner (owner includes partner, trustee, trustor, or corporate officer) of the property(s) involved in this application, or

Legal agent (attach proof of the owner's consent to the application of the properties involved in this application) and have been authorized to file on their behalf, and that the foregoing application statements are true and correct.

Print Name: _____	Signature: _____	Date: _____
Print Name: _____	Signature: _____	Date: _____
Print Name: _____	Signature: _____	Date: _____
Print Name: _____	Signature: _____	Date: _____