



APPEAL OF PLANNING & ZONING COMMISSION DECISION TO COUNCIL

(Electronic Version Available at: <http://casagrandeaz.gov/dept/planning/planning-division/devforms/>)

Type of Decision Being Appealed:

- Denial of Major Site Plan (17.68.070.E)
- P & Z Decision on a Conditional Use Permit (17.68.140)
- Denial of A PAD Zoning & Preliminary Development Plan (17.68.300.A)
- Denial of a PAD Final Development Plan (17.68.070.E)
- Denial of Rezoning (17.68.520.A)

1. NAME OF PROJECT BEING APPEALED: _____

Project (DSA) number: _____

Assessor's Parcel Number _____

2. APPLICANT INFORMATION:

Name _____

Address _____ City _____ State _____ Zip Code _____

Phone _____ Fax _____ Email Address _____

Status (Owner, Lessee, Agent, etc.) _____

3. PROPERTY OWNER(S):

Name _____

Address _____ City _____ State _____ Zip Code _____

Phone _____ Fax _____ Email Address _____

OWNER/APPLICANT ACKNOWLEDGEMENT OF RESPONSIBILITIES

The signature(s) hereby certify that the statements made by myself and constituting part of this application are true and correct. I am fully aware that any misrepresentation of any information on this application may be grounds for denial of this application. I agree that if this request is issued on the representations made in this submittal, and any approval or subsequently issued building permit(s) or other type of permit(s) may be revoked without notice if there is a breach of representations.

Signature of Property Owner

Date

Signature of Applicant

Date

Applicants who are not the property owner of record are required to have the application co-signed by the property owner and provide a signed statement by the property owner authorizing the submittal of the application on their behalf by the applicant. See attached Owner Authorization Form.



Overview

Appeal of Major Site Plan (17.68.070.E)

- E. A site plan which has been denied by the commission shall not be reviewed by the council except upon written request by the applicant to the city council within ten days of the commission's decision, and placed on the next available city council agenda. At such meeting, the council shall consider oral or written statements from the applicant, city staff, and public and its own members.

Appeal of a Conditional Use Permit (17.68.140)

- A. A written appeal shall be taken to the city council by the applicant or any person, firm, corporation, group or association owning real property within one hundred fifty feet of the conditional use applicant's property, aggrieved or affected by the decision of the commission with respect to any conditional use.
- B. The appeal shall be filed in duplicate with the zoning administrator within ten days from the date of action by the commission.
- C. The appeal shall specifically state the grounds therefore and wherein the commission failed to conform to the requirements of these regulations, appellate has otherwise been aggrieved or affected by the actions of the commission.
- D. The zoning administrator shall immediately transmit one copy of the appeal to the commission.
- E. The zoning administrator shall inspect the appeal for defects, and validate the appeal within forty-eight hours of receipt. If the appeal is defective in any particular for noncompliance, the zoning administrator shall immediately send notice to applicant of the fact and the type and nature of the defect or defects.

Appeal of a PAD Zoning & Preliminary Development Plan (17.68.300.A)

- A. A preliminary development plan which has been recommended for denial by the commission shall not be reviewed by the council except upon written request by the applicant and shall require a public hearing.

Appeal of a PAD Final Development Plan (17.68.070.E)

- E. A Final Development Plan which has been denied by the commission shall not be reviewed by the council except upon written request by the applicant to the city council within ten days of the commission's decision, and placed on next available city council agenda. At such meeting, the council shall consider oral or written statements from the applicant, city staff, and public and its own members.

Appeal of Rezoning (17.68.520.A)

- A. A rezoning which has been recommended for denial by the commission shall not be reviewed by the council except upon written request by the applicant, and shall then require a public hearing. Such written request must be made to the planning director within forty-five days of the commission's decision. Notice of the time and place of the hearing shall be given in the time and manner provided for giving of notice of the hearing by the commission as specified in Section 17.68.500 of this chapter. During any public hearing on the matter, the council shall consider oral or written statements from the applicant, city staff, the public and its own members.



Over-All Review Time-Frames for Projects ^{1,7,8}

Project Classification	Administrative Completeness Review (CR) of Initial Submittal ²	Review of Initial Submittal and Staff Decision to Approve or Issue a Review Letter ^{4,8}	CR Review of Re-Submittal	Review of Resubmittal ^{5,7,8} and Staff Decision to Approve/Deny	Over-All Review Timeframe ^{6,7,8}
Appeal - P&Z Decision to City Council ⁹	5	20	5	20	50

¹All times are maximum timeframes in business days (Mon-Fri.; excluding City Holidays). Shorter review times will be accomplished where possible.

²Completeness Review timeframes are calculated from date of application submittal to date of acceptance or rejection of the application as administratively complete.

³Substantive Review timeframes are calculated from date of acceptance of application for Substantive Review, or upon receipt of re-submittal of revised plans/reports, to the date of issuance of a comprehensive review letter, or final administrative decision.

⁴ Review of initial submittal limited to determination of compliance with ordinances, codes, regulations or policy relevant to the specific permit or project application. The review comments on the initial submittal may be amended to address code/policy requirements that City staff failed to include in the 1st comprehensive review document.

⁵ Review of resubmittal shall be limited to:

- a) Addressing 1st review comments that the applicant failed to adequately address in their resubmittal; or
- b) Addressing new review issues arising from modifications the applicant has made to the design and/or technical reports. In this case the City may issue an additional review letter addressing the new design.

⁶Over-All Review timeframe is the sum of the Completeness, Initial & Resubmittal Substantive Review timeframes.

⁷ If an applicant requests significant changes, alterations, additions or amendments to an application that are not in response to the request for corrections, the City may make **one additional comprehensive written request for corrections (i.e., review of 2nd resubmittal)**. Said additional request for correction shall not exceed 50% of the Substantive Review time frame for the specific type of permit.

⁸The Substantive Review timeframe and the Overall Review timeframe may be extended by mutual consent of the applicant and the City. Said extension shall not exceed 50% of the Over-All timeframe.

⁹Indicates that the Project will require a public hearing and Board/Commission and/or City Council approval. For these Projects the Substantive Review period ends when staff schedules the application for the public hearing and Board/Commission/City Council action.



City of Casa Grande, Planning & Development Dept., 510 E. Florence Blvd, Casa Grande, AZ 85122

In accordance with the Regulatory Bill of Rights (ARS 9-835) the City of Casa Grande will typically make an administrative decision on each permit application after one (1) comprehensive staff review. However, from time to time a 2nd review is necessary to resolve code/policy compliance issues associated with a permit. In accordance with ARS 9-835.I., by mutual agreement, the applicant and the City may engage in a 2nd review of an application as long as said 2nd review does not exceed the over-all time frame by 50%. The specific 1st and 2nd and over-all review timeframes for this application are provided above. Applicants may sign below, consenting to a 2nd review if necessary, within the stated prescribed timeframe. Your consent is not required at time of application submittal. Applicants who do not sign below will be contacted by City staff if a 2nd review is determined to be necessary prior to making an administrative decision on this application. Applications denied after the completion of the review cycle are eligible for re-application to address the code/policy deficiencies which were the basis for the application denial with the payment of a fee equal to 25% of original application fee amount. Said re-application shall occur within 90 days of the application denial.

I hereby consent to an extension of the stated Substantive Review timeframe for a maximum of _____ additional days.

Applicant

Agreed to by City



Appeal Submittal Package

Each application for an appeal shall be accompanied by the following items that will be reviewed by City Staff:

I) Letter of Explanation: Submit a letter stating:

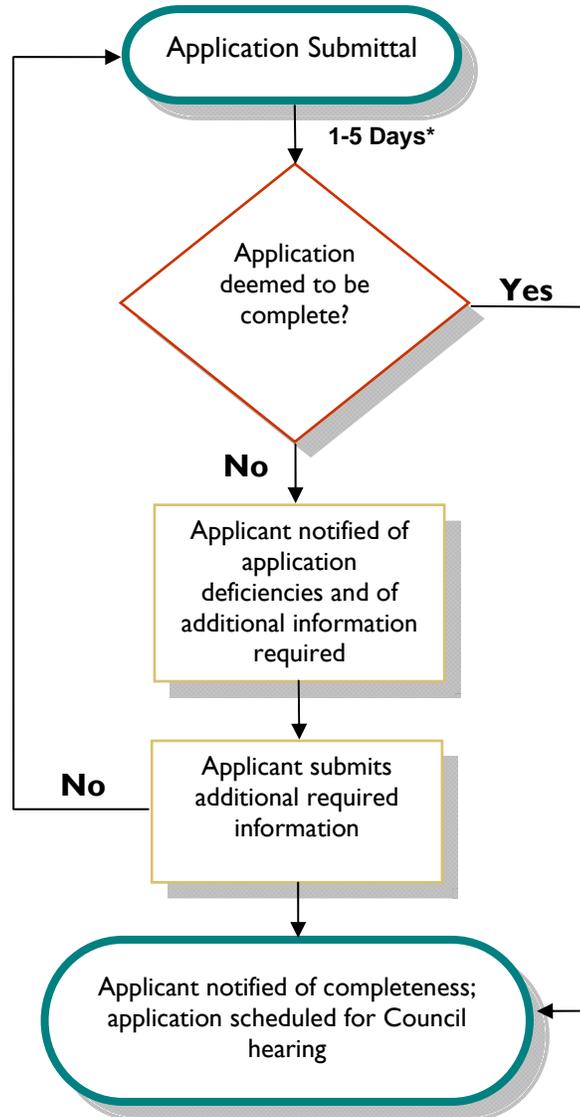
- a. Grounds for the appeal in accordance with the applicable code requirements as set forth in the overview section.

Fees

Appeal: \$100



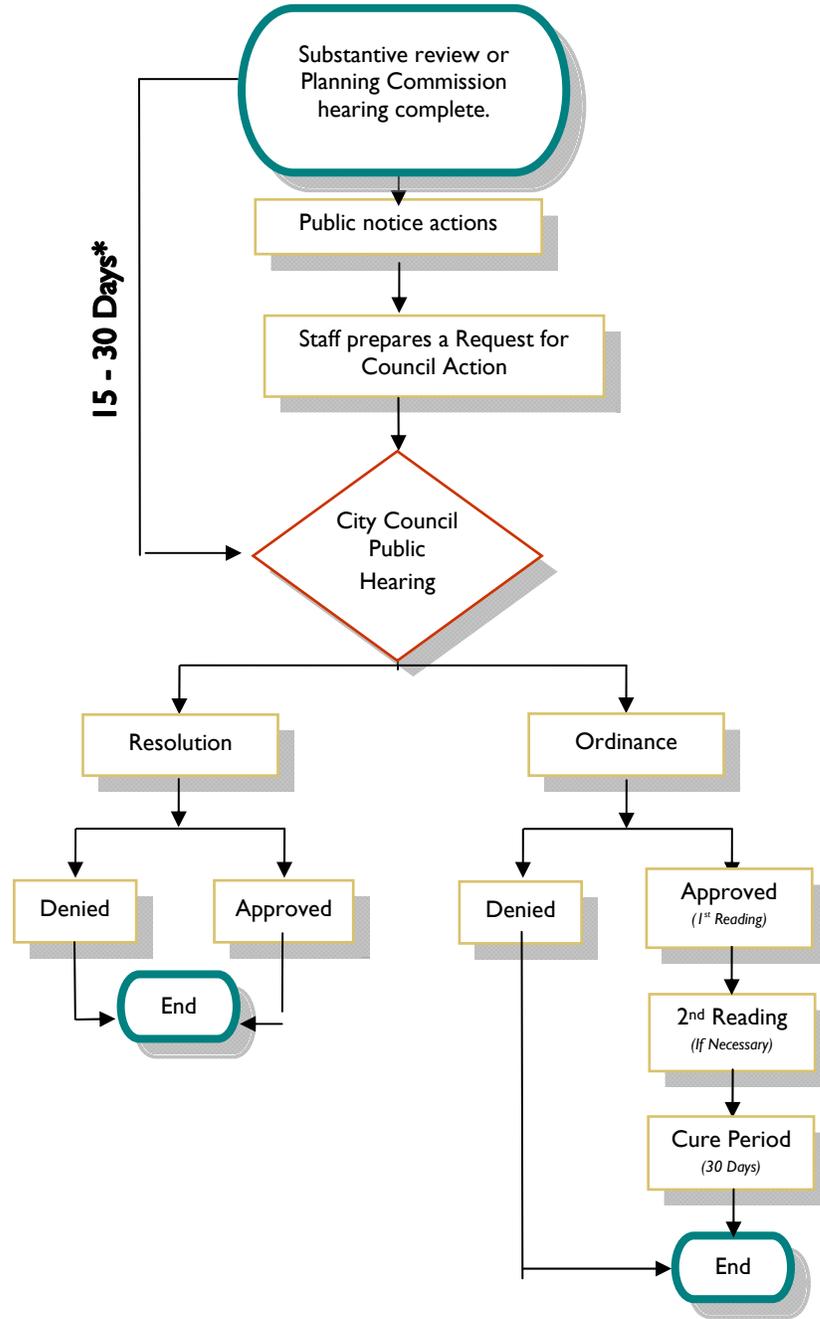
Administrative Completeness Review Process



** All time frames are listed as business days.*



City Council Public Hearing Process



* All times frames are listed as business days.



**APPEAL OF PLANNING & ZONING COMMISSION DECISION TO COUNCIL –
APPLICATION INTAKE CHECKLIST**

- | | |
|---|--------------------------|
| | Planner |
| 1. Owners Authorization Form <i>(if applicable)</i> _____ | <input type="checkbox"/> |
| 2. Letter of Explanation _____ | <input type="checkbox"/> |
| 3. Application Fees _____ | <input type="checkbox"/> |

Prior to submittal the applicant is required to meet with City Staff to confirm the complete submittal of all required items.