



City of Dixon  
Community Development Department  
600 East A Street Dixon, CA 95620  
Phone: (707) 678-7000 Fax: (707) 678-0960

No. \_\_\_\_\_ Date \_\_\_\_\_

Fee \_\_\_\_\_ Rec. # \_\_\_\_\_

By \_\_\_\_\_

**Appeal Application**

Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_ Contact Person: \_\_\_\_\_

Fax: \_\_\_\_\_ e-mail Address: \_\_\_\_\_

\_\_\_\_\_

Property Address/Location: \_\_\_\_\_

Appeal of Application Number(s): \_\_\_\_\_

\_\_\_\_\_

Check one: \_\_\_\_\_ Appeal of Planning Commission Action

\_\_\_\_\_ Appeal of Architectural Review Commission Action

\_\_\_\_\_ Appeal of Staff/Administrative Interpretation

Reason for Appeal (attach additional sheets if necessary):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I hereby certify that the facts and information contained in this application (and additional pages when needed) are true and correct to the best of my knowledge.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

**12.28      APPEALS**

**Sections:**

- 12.28.01 Purpose of Appeals
- 12.28.02 Filing Written Notice of Appeal; Appeals by City Council Members
- 12.28.03 Scheduling of Appeals
- 12.28.04 Fees
- 12.28.05 Appeal to Stay All Proceedings
- 12.28.06 Submission of Record of Action of Administrative Officer or Advisory Body
- 12.28.07 Notification
- 12.28.08 Public Hearing Required
- 12.28.09 Notice of Public Hearing
- 12.28.10 Findings of City Council
- 12.28.11 Action by City Council

**12.28.01      Purpose of Appeals**

The purpose of the appeal procedure established by Section 12.28 is to provide formal review of any order, requirement, permit, decision or determination made by an administrative official or advisory body in the administration or enforcement of the Zoning Ordinance. (Ord. 05-001)

**12.28.02      Filing Written Notice of Appeal; Appeals by City Council Members**

Any person aggrieved by the action of an administrative official or advisory body in the administration or enforcement of the Zoning Ordinance may file a written notice of appeal to the City Clerk in the manner prescribed by the City Council within 10 days from final determination of the body or official from which the appeal is being taken. If no appeal is made within the time as prescribed herein, the determination of the administrative official or advisory board is final. A "person aggrieved by the action" as that phrase is used in this Section, may in all instances include any member of the City Council. If an appeal is initiated by a City Council Member, Section 12.28.04 shall not be applicable, and a majority of the City Council shall determine at the next regular council meeting whether or not the Council will entertain the appeal.

**12.28.03      Scheduling of Appeals**

Appeals shall proceed in the following manner:

- A. Appeal of a Planning Commission decision shall be scheduled for City Council hearing;
- B. Appeal of a decision of the Design Review Commission shall be scheduled for a Planning Commission hearing, unless the Planning Commission was acting as the Design Review Commission, in which event the appeal shall be scheduled for a City Council hearing. (Ord No. 8206)

- C. Appeal of a decision of an administrative official shall be reviewed by the City Manager and then scheduled by the manager for the most appropriate advisory body or the City Council.

**12.28.04**      **Fees**

The written notice of appeal shall be accompanied by a fee as prescribed by City resolution. No part of such fee is refundable; except, at the discretion of the City Council, fees may be refunded in whole or in part.

**12.28.05**      **Appeal to Stay All Proceedings**

An appeal shall stay all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken shall certify that a stay would in the officer's opinion cause imminent peril to life and property.

**12.28.06**      **Submission of Record of Action of Administrative Officer or Advisory Body**

A full record in writing shall be submitted by the Administrative Officer or advisory body whose action is appealed, setting forth reasons for action taken.

**12.28.07**      **Notification**

The City Clerk shall give notice to the applicant and to the appellant (if the applicant is not the appellant) and may give notice to any other interested party of the time when the appeal will be considered by the Planning Commission or City Council.

**12.28.08**      **Public Hearing Required**

The City Council shall hold a public hearing on an appeal from any action taken by an administrative official or advisory body for which a public hearing was initially required, or on any other appeal as may be required by law. In all other cases, the City Council may hold a public hearing if it deems it necessary and in the public interest. (Ord. 05-001)

**12.28.09**      **Notice of Public Hearing**

If a public hearing is to be held, the notice of the time, place and purpose of the hearing shall be given by publication in a newspaper of general circulation in the City not less than 10 days prior to the date of hearing, and by such other means as the City Council deems necessary. Failure of owners or citizens to receive notice of hearing shall in no way affect the validity of the action taken.

**12.28.10 Findings of City Council**

The City Council shall adopt written findings as needed to support its determination of the appeal. With respect to an appeal from action taken on an application for a use permit or variance, the Council shall, if it approves such variance or use permit, make the findings required in Section 12.21.07 or 12.22.07, as applicable. (Ord. 05-001)

**12.28.11 Action by City Council**

The City Council may, within the terms of the Zoning Ordinance, affirm, reverse or modify the action appealed as it deems just and equitable, and the determination of the City Council shall be final.