



EZOP Planning Checklist

APPEAL

Information Sheet

GENERAL INFORMATION

Prior to its effective date, any land use decision made by any County agency, department, office or officer may be appealed to the Planning Commission and any land use decision made by the Planning Commission may be appealed to the Board of Supervisors, except those decisions exempted per Section 86.08.010(b)(2). Actions of the Board of Supervisors are final and may not be appealed.

The Planning Director's decision to require preparation of an Environmental Impact Report (EIR) may be appealed to the Planning Commission for final decision.

An appeal must be filed prior to the effective date for the project action being appealed. Land use decisions made by the Planning Commission become effective 11 days after the action. A decision by the Planning Commission to deny a subdivider's application for an extension may be appealed to the Board of Supervisors within 15 days after the action. Decisions made by a reviewing authority, other than the Planning Commission are effective 11 days after the written decision has been mailed. **In order for an appeal to be deemed filed, fees must be submitted at the time of application submittal.**

HEARING PROCEDURES FOR APPEALS

Within 30 days after an application is accepted, Staff will schedule the appeal hearing date before the appropriate Hearing body (Planning Commission or Board of Supervisors). Staff will confer with the Appellant and the Project Applicant (if different from the Appellant) to consider availability of all parties in scheduling the Public hearing.

The Appellant and the Project Applicant must submit the following information no later than one week in advance of the hearing date:

1. **Speaker Names:** Submit the names of presenters speaking on behalf of the Appellant and the Project Applicant to the Project Planner.
2. **Presentation Materials:** Submit any exhibits or presentation materials you intend to present at the Public hearing.
 - a. PowerPoint presentations are optional, and must be sent by e-mail to the Project Planner. The maximum file size is 5MB.
 - b. Submit eight (8) paper copies of PowerPoint slides or any other exhibits.
 - c. County staff does not assist with PowerPoint presentations. A wireless mouse is provided for the presenter.

On the day of the Public hearing, plan to arrive 15 minutes before the scheduled hearing time. The Project Planner will direct you to reserved seating and give you an orientation to the speakers' table and operation of multi-media equipment.

Hearing Protocol

The following is the standard appeal hearing protocol, which may be modified at the discretion of the Hearing Body (Planning Commission or Board of Supervisors). Please plan your presentations accordingly.

1. Staff Report.
2. 15-minute presentation by the Appellant.
3. 15-minute presentation by the Applicant. (No additional time if the Project Applicant is the Appellant.)
4. Public comment – 3 minutes per speaker.
5. 5-minute comments by the Applicant. (No additional time if the Project Applicant is the Appellant.)
6. 5-minute comments by the Appellant.
7. Questions, deliberation and decision by the Hearing Body.



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FEES

In order for an appeal to be deemed filed, fees must be submitted at the time of application submittal.

Fees based on appeal type:

These fees apply to average cost jobs, or for appeals filed by someone other than the applicant. Appeals by the applicant of actual cost jobs will be charged to the actual cost job. When an appeal of an actual cost application is filed by someone other than the applicant, the appellant will file the stated fee and actual costs in excess of the appeal fee will be charged to the actual cost job.

Appeals by the applicant of actual cost projects will be charged to the actual cost deposit for the original Project filing for the review of staff records and the time spent processing your appeal. Your account is charged for the staff time at rates established by the San Bernardino County Fee Ordinance. You are responsible for all charges made to the project account. If account funds are depleted an additional deposit will be required. If an additional deposit is required it must be paid to allow staff to continue processing. Any failure to pay the required deposit will result in suspension and possible termination of the review process. For more information on fees, please contact County Planning.

- Appeals to the Planning Commission: \$1,496.00
- Appeals to the Board of Supervisors – Planning Division: \$1,192.00
- Appeal to the Chief Executive Office: \$1,416.00

SUBMITTAL MATERIALS CHECKLIST

1. Supplementary Documentation that you feel support your case for appeal.