

# How to Appeal a Decision

## Whose decisions may I appeal?



Decisions made on zoning or subdivision applications are made at different levels of authority; the Planning Director/Zoning Hearing Officer/Design Review Committee, the Planning Commission and the Board of Supervisors.

- ✓ You may appeal a decision made by any one of the above to the next highest level. You may not, however, appeal a variance decision made by the Director or the ZHO beyond the Planning Commission hearing. The Planning Commission is the final authority on all variance applications.
- ✓ The person filing an application, or any interested party, may appeal any decision. A use permit, variance or subdivision may be appealed to reverse the decision, or to add, subtract or amend conditions.
- ✓ If the location of the property is within the Coastal Zone, some County decisions regarding coastal development permits may also be appealed to the California Coastal Commission, in Santa Cruz.
- ✓ The Design Review Committee is a special architectural evaluation group. Their decision may be appealed to the Planning Commission.

## When may I file an Appeal?



You must file a complete appeal application, materials and fee within a specified time after the initial decision. These vary as to application and location.

- ✓ Variances & exceptions - appeal within 10 working days
- ✓ Coastal Development Permit - appeal within 10 working days
- ✓ Design Review/Coastal Zone - appeal within 15 calendar days
- ✓ Design Review/Outside Coastal Zone - appeal within 10 calendar days
- ✓ Other Zoning and Subdivision applications - appeal within 10 working days

## How do I File an Appeal?



The appeal forms are available at the Planning counter, on the second floor of the County Office Building. Fill out the application with the following information:

- ✓ The decision that you are appealing
- ✓ A detailed statement of the reasons for your appeal
- ✓ Any other information that you believe may support your appeal

The staff will prepare a report for the appeal hearing. You will be notified of the time and place of the hearing and receive a copy of the report. There will be an appeal fee.

## What can I do to give my appeal the best chance for approval?



- ✓ You should present as much evidence as possible that the issues you wish addressed at the appeal, were not addressed to your satisfaction at the earlier hearing.
- ✓ You should provide the most correct, well-documented, readable information possible supporting your appeal.

## What are the appeal board's alternatives?

The commission or Board that hears your appeal has three options:

- ✓ Affirm, amend or reverse the previous action
- ✓ Refer the item back to the original decision-maker for an additional hearing

## How long will the appeal process take?



The entire process usually takes about two to three months from the time you submit the appeal to the day of the appeal hearing.

## What fees must I pay?



You must pay a non-refundable filing fee when you appeal is accepted.

## Suppose the matter that concerns you is not a zoning or subdivision issue. You have other options.

You may wish to make use of either of two mediation services. The Community Services Mediation Program (650/363-4841) and The Peninsula Conflict Resolution Center (650/871-0367) help to resolve neighborhood problems such as damage to property, noise or parking issues. Mediation uses neutral persons (mediators) trained to help both sides talk it out and settle their differences. This service is free.

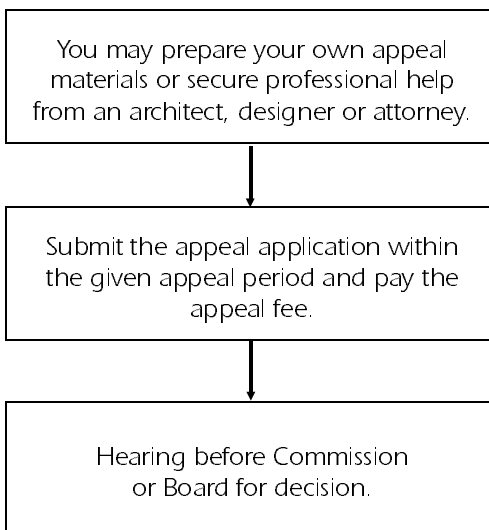
## Technical Assistance is available



First, decide whether the matter can be resolved through mediation. If you believe that it can, contact the mediation service of your choice directly.

Secondly, if you decide that an appeal is necessary, we suggest that you have a brief conference with a staff member at the Planning Counter. They will be able to give you preliminary guidance before you fill out your application.

## Process for Appealing a Decision



San Mateo County  
Planning and Building Division

# How to Appeal a Decision

Planning and Building Division

455 County Center, Second Floor

Redwood City, California 94063

(650) 363-4161

FAX (650) 363-4849

PUBLIC SERVICE EXCELLENCE

