

**From:** Robert Maul  
**To:** ["mitchcopp@aol.com"](mailto:mitchcopp@aol.com)  
**Subject:** RE: City Council Meeting, Grass Valley  
**Date:** Friday, May 25, 2018 2:21:00 PM  
**Attachments:** [RE Grass Valley Development request to postpone Public Hearing to 618 or July.msg](#)

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Good afternoon, Mitch.

I have attached the emailed response I received from the applicant regarding Jiri's request to postpone the hearing. As you can see they do not wish to do so. Based on due process laws the process belongs to the applicant. As for appeals I have attached a couple of applicable code sections below for your review. In short, the SEPA appeal gets consolidated into the hearing for the master plan and will be heard the same night of the 4<sup>th</sup>. Please let me know if you have other questions or need any additional information.

Regards,

Robert Maul

18.55.165 - SEPA threshold determinations and consolidated review.

A. Notice of Threshold Determinations. Under a consolidated review, notice of a threshold determination will be mailed to those agencies, individuals, or entities submitting comment within the comment period, and to all owners of record of the subject property, and all owners of real property generally located within three hundred feet of the subject property based on Clark County GIS records. Where a notice of public hearing is required, the threshold determination may be combined with such notice. An applicant is responsible for submitting a certified list of the property owners to be notified, and mailing labels of this list.

B. Public Hearing on Project Permit. If an open record predecision hearing is required for the underlying project permit application, the city shall issue its threshold determination at least fifteen days prior to the open record predecision hearing.

C. Consolidated Appeals. All SEPA related appeals, other than a DS, shall be consolidated with the open record hearing, or appeal, if any, on the underlying project application.

18.55.200 (A) Type II decisions may be appealed to the hearings examiner.

B. The following decisions may be appealed to the City Council: (1) Shoreline master program permits; (2) SEPA decisions; (3) civil regulatory orders, and (4) civil fines. For all other decisions under this chapter, there is no appeal to any other decision maker within the city.

C. All appeals are initiated by filing a notice of appeal with the director within fourteen days of issuance of the decision being appealed.

D. The notice of appeal shall be in writing and contain the following information: (1) Appellant's name, address and phone number; (2) Appellant's statement describing his or other standing to appeal; (3) Identification of the application which is the subject of the appeal; (4) Appellant's statement of grounds for the appeal and the facts upon which the appeal is based; (5) The relief sought, including the specific nature and extent; (6) A statement that the appellant has read the notice of appeal and believes the content to be

true, followed by the appellant's signature.

E. The notice of appeal shall be accompanied by an appeal fee as set forth in a fee schedule adopted by resolution.

F. Appeals of civil regulatory orders and civil fines shall be heard de novo by the city council. All other appeals shall be closed record hearings before the city council.

**From:** mitchcopp@aol.com [mailto:mitchcopp@aol.com]

**Sent:** Friday, May 25, 2018 12:56 PM

**To:** Robert Maul

**Subject:** City Council Meeting, Grass Valley

Hi Robert,

Like Dr. Vasat, I too request a set over to prepare for the City Council hearing. Also, I was under the impression that the City Council would not hear the plan presentation or make any decision while SEPA administrative and judicial appeals are pending; Am I incorrect? What is the usual policy/protocol in this situation?

Thanks,

Mitch Copp