

APPEAL TO BD OF ADJUSTMENT - MOTION FORM

A. RECORD COMPLETE.

I move that we determine that the record on this decision is **complete and not deficient** *[or is incomplete and deficient]* as demonstrated in the referenced Staff Reports, Planning Commission Minutes, Findings and Conditions, and available recordings of the Planning Commission meetings, and therefore, that **the matter can be reviewed on the record, and not de novo.**

B. ERROR IN DECISION.

I move that we determine that the Planning Commission *[or the Director of Community Development]* **did not** *[or did]* **err** in making its decision to _____, based upon the following finding:

1. The Appellants have not *[or have]* shown that there is no reasonable basis to justify the action taken, and therefore, that the determinations made were so unreasonable as to be arbitrary and capricious; in other words, the Planning Commission decision was correct in its interpretation and application of the Land Development Code.

2. The Planning Commission decision was reasonable and based on substantial evidence, including the following:

- a.
- b.
- c.