



CITY OF LOS ALAMITOS

APPEAL FORM AND HANDOUT

City Clerk's Office
3191 Katella Ave., Los Alamitos, CA 90720-5600
Phone: (562) 431-3538 Fax: (562) 493-0678

FOR OFFICE USE ONLY

(DATE STAMP)

An appeal shall be filed within twenty (20) calendar days ten (10) calendar days in the case of a large family day care home permit) after the final action of the director or Commission.

APPEAL OF:

- Director of Community Development Decision
 - Non-resident (\$2,499.00)
 - Resident (\$851.00)
- Planning Commission Decision
 - Non-resident (\$2,349.00)
 - Resident (\$1,038.00)

Type of Permit (example: CUP, SPR, etc.): _____ Permit Number: _____

Address of Project: _____ Decision Date: _____

APPELLANT INFORMATION

Name of Applicant (Appellant): _____

Mailing Address: _____

Telephone Number: (____) _____ - _____ Email: _____

In what capacity is the appellant filing? Recorded Property Owner Interested Party Effected Party

PROPERTY OWNER INFORMATION (IF KNOWN)

Name of Property Owner: _____

Mailing Address: _____

Telephone Number: (____) _____ - _____ Email: _____

Describe what portion(s) of the decision you are appealing: _____

Describe the Purpose for Your Appeal (be specific): _____

APPLICANT CERTIFICATION:

I hereby certify that all information contained in this application is, to the best of my knowledge, true and correct. FALSE OR MISLEADING INFORMATION GIVEN IN THIS APPLICATION SHALL BE GROUNDS FOR DENYING APPLICATION. I hereby grant the City authority to post required public notices.

Signature: _____ Date: _____

CHAPTER 17.68 APPEALS

(Excerpted from the Los Alamitos Municipal Code)

17.68.010 Purpose.

This chapter establishes procedures for the following:

- A. Commission's Review. The commission's review of a decision rendered by the director;
- B. Council's Review. The council's review of a decision rendered by the director or commission; and
- C. Other. The filing of an appeal, by other than the commission or council, of a decision rendered by the director or commission. (Ord. 688 § 1 (part), 2006)

17.68.020 Application filing, processing, and review.

- A. Eligible Appellants. The applicant or any interested party may appeal a decision of the director or commission.
- B. Form of Appeal. An appeal shall:
 - 1. Be made in writing;
 - 2. Include a statement specifically identifying the portion(s) of the decision with which the appellant disagrees and the basis in each case for the disagreement;
 - 3. Be accompanied by the information identified in the department handout for appeal applications; and
 - 4. Be accompanied by the fee established by the city's fee resolution. Appeals filed by the director or commission shall be exempt from payment of any required fee.
- C. Time for Filing. An appeal shall be filed within twenty (20) calendar days (ten (10) calendar days in the case of a large family day care home permit) after the final action of the director or commission.
- D. Filing. Appeal applications addressed:
 - 1. To the commission shall be filed with the department; and
 - 2. To the council shall be filed with the city clerk.
- E. Scheduling. Within thirty (30) days after the receipt of a notice of appeal and fee, or after the commission or council has voted to appeal, the appeal shall be transmitted to either:
 - 1. Appeals to the Commission. The director who shall place the item on the commission agenda for a public hearing; or,
 - 2. Appeals to the Council. The city clerk who shall place the item on the council agenda for a public hearing.
- F. Notice and Hearing. Notice of a hearing shall be given as identified in Chapter 17.66 (Public Hearing Notice Procedures). The city clerk shall also notify the commission of the appeal.
- G. Withdrawal. An appeal may not be withdrawn or dismissed before the scheduled public hearing without the director's approval.
- H. Action. The commission or council shall take action on an appeal within ninety (90) days of the receipt of the notice of appeal. In the case of an appeal of a decision regarding an adult use planning permit, the commission or council shall take action within sixty (60) days. The deadline for action on the appeal may be extended by the mutual, written consent of the commission or council, the applicant, and the party filing the appeal—if the party filing the appeal is other than the city or the applicant. At the close of the public hearing, the commission or council may affirm, revise, or modify the decision of the director or commission, as applicable.
- I. Report to Commission or Council. Upon receipt of the notice of appeal, the department or commission secretary shall prepare a report of the facts pertaining to the decision of the director or commission and shall submit the report to the appropriate review authority along with the reasons for the director's or commission's action. The report shall include copies of any findings, staff reports to the commission, commission resolutions on the project, minutes of the commission meeting(s) on the project, and any other information as deemed relevant by the commission or council.
- J. Referral to Commission. In the event new or different evidence is presented on appeal, the council may, but shall not be required to, return the matter to the commission for further consideration. (Ord. 688 § 1 (part), 2006)

17.68.030 Failure of commission to act on appeal of home occupation permit.

If the commission does not take action on the appeal of the director's determination concerning the issuance of a home occupation permit within sixty (60) days after the filing of the appeal, the director's decision shall be deemed affirmed. (Ord. 688 § 1 (part), 2006)