



CITY OF MENIFEE

Appeals

Introduction

This handout summarizes the City of Meniffee's appeal requirements. For example, appeal requirements for planning decisions are specified in Chapter 2.20 of the Municipal Code and section 2.04.050 for fee and other appeals. Other appeal procedures may be set out in the Riverside County Codes adopted by the City, the City's own Municipal Code or in State law.

What is the Purpose of an Appeal?

The purpose of this appeal procedure is to provide a way for persons dissatisfied with a decision by City staff or the Planning Commission to have a higher authority review that action.

Who considers appealed decisions?

Decisions of the Community Development Director or Director of Building and Safety may be appealed to the Planning Commission. In some cases, decisions of the Planning Commission may be appealed to the City Council. In all cases, a decision of the City Council is final. For fee appeals, decisions of the City Manager may be appealed to a committee of the City Council. The decision of the City Council appointed committee is final.

How do I apply for an Appeal?

The completed and signed application, with appropriate fee and any attached or included information, is submitted to the City Clerk by personal delivery or mail on or before the last date for it to be filed. The application must be filed within a specific number of days after service of written notice of the decision being appealed. The time for appeal depends upon the action being appealed, so check the time frames carefully.

What information must be provided in the appeal application?

The appellant should state the specific decision to be appealed, the specific grounds for the appeal, why and how the appealed action should be altered, reversed or modified, and should present all relevant information whether or not presented before. The appellant should attach all relevant information to the application form in addition to filing out the form.

What are the procedures of the appeal hearing?

The appeal is "de novo" which means the original hearing or decision making process happens all over again.

What actions can the hearing body take?

The Planning Commission or City Council (or a committee of the Council) may continue the matter and at the conclusion of its consideration, may affirm, reverse or modify the action which was initially taken. The Planning Commission or City Council also may take any action which might have been taken originally. In some cases, the City Council may send the matter back to the Planning Commission.

The Planning Commission or City Council will provide a written decision which explains the basis of the decision. A copy of that resolution will be served on the appellant.

How do I send in the appeal form and the fee?

The completed, signed form and the fee must be mailed or delivered in person to the City Clerk on or before the last date to appeal.

THE FEE FOR AN APPEAL must accompany this appeal form.



CITY OF MENIFEE APPEAL APPLICATION

Decision to be appealed: _____

APPELLANT/REPRESENTATIVE _____

PHONE NO. _____ LAST FAX NO. _____ FIRST E-MAIL _____ MI. _____

ADDRESS _____
STREET CITY STATE ZIP

PROPERTY OWNER _____
(if different) LAST FIRST MI.

PHONE NO. _____ FAX NO. _____ E-MAIL _____

ADDRESS _____
STREET CITY STATE ZIP

Name of Project, APN/Address: _____

Appealing the decision of (Specify Community Development Director, Building and Safety Director City Manager, Planning Commission): _____

Action and Date: _____

Explain specify what action or decision is being appealed: _____

Do you have additional evidence not already presented? _____ Yes _____ No. If Yes, please attach.

What result to you want? _____

Applicant's Signature _____ **Date:** _____

Owner Certification: I certify under the penalty of the laws of the State of California that I am the property owner of the property that is the subject matter of this appeal application. I am authorizing and hereby do consent to the filing of this application and acknowledge that the final approval by the City of Menifee, if any, may result in restrictions, limitations and construction obligations being imposed on this real property.

Owner's Signature: _____ **Date:** _____

Print Name: _____

Written authorization from the legal property owner is required. An authorized agent for the owner must attach a notarized letter of authorization from the legal property owner.

No application will be accepted until is complete and the fee paid. If you cannot afford the appeal fee, please contact the City Clerk.

Once complete, you will receive confirmation and a hearing date as well as additional appeal information. For questions, please contact the City Clerk at (951) 672-6777.