



City Clerk's Office
130 S. Main Street, Lake Elsinore, CA
(951) 674-3124, Ext. 269

For Official Use Only

Date Received: _____

Received By: _____

Date Fee Paid: _____

APPEAL OF PLANNING COMMISSION ACTION FORM

► **Policy 100-8:** The purpose of this Policy is to provide a standardized procedure for consideration of appeals of Planning Commission decisions. Within 15 calendar days of a Planning Commission decision, any person may appeal a decision to the City Council by filing this form and submitting the appropriate [fee](#). A copy of this policy is attached with further important information.

Applicant Information

Name: _____ Date: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone No.: _____ Fax No.: _____ E-Mail: _____

Subject of Appeal Information

Subject of Appeal: _____

Project No.(s): _____

Project Applicant: _____

Project Location: _____

Date of Planning Commission Action: _____

I, the undersigned, hereby appeal **the** above action of approval/denial by the Lake Elsinore Planning Commission, for the following reasons: (Please cite specific action being appealed.) Attach additional pages as needed.

Signature: _____

CITY OF LAKE ELSINORE, CALIFORNIA

COUNCIL POLICY MANUAL

**SUBJECT: Appeal of Planning Commission
and Nuisance Abatement Decisions**

**Policy No. 100-8
Effective Date: 12/8/87
Revised: 9/12/06
Page No. 1 of 3**

BACKGROUND

The Planning Commission of the City of Lake Elsinore is largely responsible for development within the community, working with the professional planning staff and acting as an advisory board to the City Council in matters relative to planning and land use. The Commission evaluates proposals to assure they conform to the community's goals and general plan with regard to zoning, subdivisions, environmental protection and other related matters.

Nuisance abatement proceedings are initiated by the Code Enforcement Officer and heard by a Nuisance Abatement Board comprised of at least two hearing officers pursuant to Section 8.18.060 of the Lake Elsinore Municipal Code.

PURPOSE

The purpose of this Policy No. 100-8 is to provide a standardized procedure for consideration of appeals from Planning Commission and Nuisance Abatement Board decisions.

POLICY

1. Within fifteen (15) days of a decision of the Planning Commission and in accordance with Section 17.410.100 of the Lake Elsinore Municipal Code, any person, including an applicant, may appeal that decision to the City Council by filing an "APPEAL OF PLANNING COMMISSION ACTION" with the Planning Division, and submitting such fee as has been established by resolution of the City Council. Appeals must be filed on such forms as provided by the office of the City Clerk. Forms are also available in the Community Development Department.
2. A decision by the Nuisance Abatement Board may be appealed within fifteen (15) days of such decision in accordance with the requirements of Section 8.18.100 of the Lake Elsinore Municipal Code. Appeals must be filed in the Office of the City Clerk on such forms as the City Clerk provides and must be accompanied by such fee as has been established by resolution of the City Council.

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COUNCIL POLICY MANUAL

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3. Promptly upon receipt of an Appeal of a Planning Commission decision, the City Clerk shall forward a copy to the Community Development Director. Promptly upon receipt of an Appeal of a Nuisance Abatement Board decision, the City Clerk shall forward a copy to the Building and Safety Manager.
4. The City Clerk shall cause all Appeals to be scheduled for hearing by the City Council within the time required by applicable provisions of The Lake Elsinore Municipal Code, if any. If no time for hearing the Appeal is specified, the City Clerk shall place the Appeal on the City Council agenda within thirty (30) days of receipt of the Appeal or as soon thereafter as is reasonably possible.
5. The Community Development Director or Building and Safety Manager, as applicable, shall prepare a report and supply background information regarding Appeals for the appropriate Council Agenda. He or she will also be responsible for notifying the appellant of the date the matter is scheduled for review by the City Council and will present the Department findings, make recommendations and answer any questions the Council may have.
6. All appellants may submit, in writing, his or her statement of facts and any other relevant information he or she may desire to bring before the Council, to the City Clerk, no later than one week prior to the hearing date, for inclusion in the Council Agenda. All appellants may appear in person and present his or her case to the Council at the hearing.
7. After presentations have been made and information reviewed, the City Council shall, on motion, render a decision on the Appeal. The decision of the City Council shall be the final administrative remedy.
8. Within ten (10) days after the Council hearing, the City Clerk shall notify the appellant, in writing, of the decision of the City Council.
9. If an applicant does not utilize the aforementioned Appeal process within the specified time period, the original decision of the Planning Commission or the Nuisance Abatement Board shall be final.

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HISTORY

Adopted by Resolution No. 87-73	12/8/87
Amended by Resolution No. 2006-152	9/12/06