



Application For Appeal

Any aggrieved person may appeal a decision on any project that required a public hearing. Pursuant to Long Beach Municipal Code (LBMC) Section 21.15.120, an Aggrieved person is any person who testified personally or through a representative at a public hearing; or who informed the staff of the Department of Community Development in writing prior to the hearing of an interest in the subject of a hearing.

Applications for appeals shall be submitted to the project planner by email or mail within ten (10) days after the decision for which a public hearing was required is made. An appeal may also be filed in person at the 2nd Floor Permit Center located at City Hall (411 West Ocean Boulevard, 2nd Floor). Upon receipt of a completed Application for Appeal, the appellant shall pay the required fees established in the fee schedule.

An appeal is hereby made to Your Honorable Body from the decision of the

Site Plan Review Committee
Zoning Administrator
Planning Commission
Cultural Heritage Commission

Which was taken on _____ day of _____, 20_____.

Project Address: _____

I/We, your appellant(s), hereby respectfully request that Your Honorable Body reject the decision and

Approve **Deny** the application or permit in question.

Reasons for Appeal: _____

Appellant Name(s): _____

Organization (if representing): _____

Address: _____

City: _____ State: _____ Zip: _____ Phone: _____

Email Address: _____

Signatures: _____ Date: _____

- A separate appeal form is required for each appellant party, except for appellants from the same address, or an appellant representing an organization.
- Appeals must be filed within 10 days after the decision is made (LBMC 21.21.502).
- You must have established *aggrieved* status by presenting oral or written testimony at the hearing where the decision was rendered; otherwise, you may not appeal the decision.
- See reverse of this form for the statutory provisions on the appeal process.

Appeal by Applicant	Appeal by Third Party	
Received by: _____	Case. No.: _____	Appeal Filing Date: _____
Fee: _____	Fee Paid _____	Project (receipt) No.: _____

Statutory Provisions for Appeal, from LBMC Chapter 21.21 (Administrative Procedures)

DIVISION V. – APPEALS

21.21.501 - Authorization and jurisdiction.

- A. Authorization. Any aggrieved person may appeal a decision on any project that required a public hearing. Pursuant to Section 21.15.120, an Aggrieved person is any person who testified personally or through a representative at a public hearing; or who informed the staff of the Department of Development Services in writing prior to the hearing of an interest in the subject of a hearing.
- B. Jurisdiction. The Planning Commission shall have jurisdiction on appeals of interpretations made pursuant to Section 21.10.045 and decisions issued by the Zoning Administrator and Site Plan Review Committee, and the City Council shall have jurisdiction on appeals from the Planning Commission as indicated in Table 21-1. Decisions lawfully appealable to the California Coastal Commission shall be appealed to that body.
- C. Except as specified by this Code, decisions that are recommendations to the Planning Commission or to the City Council are not subject to appeal.

21.21.502 - Time to file appeal. An appeal must be filed within ten (10) days after the decision for which a public hearing was required is made.

21.21.503 - Form of filing. All appeals shall be filed with the Department of Planning and Building on a form provided by that Department.

21.21.504 - Time for conducting hearing of appeals. A public hearing on an appeal shall be held:

- A. In the case of appeals to the Planning Commission, within sixty (60) days of the date of filing of the appeal with the Department of Planning and Building; or
- B. In the case of appeals to the City Council, within sixty (60) days of the receipt by the City Clerk from the Department of Planning and Building of the appeal filed with the Department.
- C. The Director of Development Services may provide an extension of the period for an appeal to be adjudicated for up to ninety (90) days.

21.21.505 - Findings on appeal. All decisions on appeal shall address and be based upon the same conclusionary findings, if any, required to be made in the original decision from which the appeal is taken.

21.21.506 - Finality of appeals.

- A. Decision Rendered. After a decision on an appeal has been made and required findings of fact have been adopted, that decision shall be considered final and no other appeals may be made except: 1. Projects located seaward of the appealable area boundary, as defined in Section 21.25.908 (Coastal Permit—Appealable Area) of this Title, may be appealed to the California Coastal Commission; and 2. Local coastal development permits regulated under the City's Oil Code may be appealed to the City Council.
- B. No Appeal Filed. After the time for filing an appeal has expired and no appeal has been filed, all decisions shall be considered final, provided that required findings of fact have been adopted. C. Local Coastal Development. Decisions on local coastal development permits seaward of the appealable area shall not be final until the procedures specified in Chapter 21.25 (Coastal Permit) are completed.

To request this information in an alternative format or to request a reasonable accommodation, please contact the Community Development Department at longbeach.gov/lbcd and 562.570.3807. A minimum of three business days is requested to ensure availability; attempts will be made to accommodate requests with shorter notice.