City of Malibu

23825 Stuart Ranch Road · Malibu, California · 90265-4861
Phone (310) 456-2489 · Fax (310) 456-3356 · www.malibucity.org

NON-COASTAL DEVELOPMENT PERMIT APPEAL SUBMITTAL

Actions Subject to Appeal: Pursuant to Malibu Municipal Code (MMC) Section 17.04.220, any person aggrieved by a decision or any portion of a decision made by the Community Development Director under the provisions of this title in connection with a site plan review, variance, stringline modification, conditional use permit, cultural resources review, highway dedication or improvement, or temporary use permit may appeal such action to the Planning Commission. Any person aggrieved in a similar manner by such decision made by the Planning Commission may appeal such action to the City Council.

Community Development Director or Planning Commission Date of Action: _____

Case No.: _____

Site Address/Location: _____

Note: Appeals shall be addressed to the appellant body on a form prescribed by the City. The appeal shall state the basis of the appeal and identify the decision or portion of the decision being appealed and stated the grounds for the appeal. Only matters raised in the appeal shall be subject to review. Any matters not raised in the appeal shall not be subject to consideration by the appellate body. The purpose of this limitation is to provide adequate notice to all parties with respect to the issues on appeal and eliminate the necessity of rehearing matters not subject to challenge. Although the issues on appeal will be limited by the appeal, the appellate body will accept new evidence (de novo appeal) and will not be bound by the previous record. [MMC Section 17.04.220(B)]

An appeal shall be filed with the City Clerk within 10 days following the date of action for which appeal is made. Appeals shall be accompanied by the filing fee as specified by the City Council. An appellant shall have an additional 10 days following the date of filing the appeal to submit to the City Clerk in writing, the specific grounds for the appeal. If the appellant does not submit grounds for the appeal within the time allowed by this section, the City Clerk shall return the filing fee and the appeal shall be deemed to have been withdrawn. [MMC Section 17.04.220(C)]

To Submit an Appeal:

The appeal must be timely received by the City Clerk in person at Malibu City Hall, 23825 Stuart Ranch Road, Malibu, CA 90265. For more information, contact Rebecca Evans, Senior Management Analyst, at (310) 456-2489, ext. 246.

ALL of the following must be timely filed to perfect an appeal.

1. Appeal Letter _____
   An appeal letter setting forth the grounds for the appeal
2. Appeal Fees(s)
   In the form of a check or money order made payable to the City of Malibu. Cash will not be accepted. _____
3. Appeal Checklist (This form with appellant's signature) _____

An appellant shall have 10 days following the date of filing to submit the following:

4. Grounds of Appeal Letter _____
   An appellant shall have an additional 10 days following the date of filing the appeal to submit to the City Clerk in writing, the specific grounds for the appeal. If the appellant does not submit grounds for the appeal within the time allowed by this section, the City Clerk shall return the filing fee and the appeal shall be deemed to have been withdrawn. See MMC Section 17.04.220(C) for details.

5. Certified Mailing Data and Radius Map for Public Notice to Property Owners and Occupants ___
   - The addresses of the property owners and occupants within the mailing radius shall be provided in a Microsoft Excel spreadsheet emailed to planningadmin@malibucity.org. The spreadsheet shall have the following column headers in row one: 1) name, 2) address, 3) city, state & zip code, and 4) parcel (for APN). The owners should be listed first followed by the occupants. The project applicant's mailing address should be added at the end of the list.
   - An additional column for "arbitrary number" may be included if the supplied radius map utilizes such numbers for the purpose of correlating the addressee to their map location.
   - Printouts of the excel spreadsheet and radius map, certified by the preparer as being accurate, must be provided.
   - The radius map (8½" x 11") shall show a 500-foot radius* from the subject property and must show a minimum of 10 developed properties. A digital PDF of the map shall be submitted.

     *Properties zoned RR-10, RR-20, or RR-40 require a 1,000-foot radius notification.

I hereby certify that the appeal submittal contains all of the above items. I understand that if any of the items are missing or subsequently deficient, the appeal shall be deemed to have been withdrawn and the filing fee shall be returned.

_____ _____
PRINT APPELLANT'S NAME TELEPHONE NUMBER

_____ _____
APPELLANT'S SIGNATURE DATE

Appellant's mailing address: _____

Appellant's email address (printed): _____

OFFICE USE ONLY

Action Appealed: _____

Appeal Period: _____

Date Appeal Form submitted:_____ Received by:_____

Date Grounds of Appeal Letter submitted:_____ Received by:_____

Date Mailing Data/Radius Map submitted:_____ Received by:_____

Appeal Completion Date:_____ By:_____
Name, Title