

Appeals

Filing Instructions and Procedure

AUTHORITY

In accordance with Section 7-9-125.10 of the County of Orange Zoning Code, any decision of the Director, the Zoning Administrator or the Planning Commission, regarding the action taken on a discretionary permit application may be appealed to a Board of Appeals. In accordance with Section 7-9-259 of the County of Orange Subdivision Code, any action of the Subdivision Committee may be appealed to the Planning Commission. Any interested person may file an appeal upon submittal of the required documents and information.

The Board of Appeals for action taken on a discretionary permit application is as follows:

Approving Authority for Application	Board of Appeals
Director	Planning Commission
Zoning Administrator	Planning Commission
Subdivision Committee	Planning Commission
Planning Commission	Board of Supervisors

TIMELINESS

An appeal pursuant to Section 7-9-125.10 shall be filed within fifteen (15) calendar days of the date on which the decision being appealed was rendered. If the fifteenth day is a non-working day for the County, the appeal period shall be extended to include the next County working day. An appeal pursuant to Section 7-9-259 shall be filed within ten (10) days of the date on which the decision being appealed was rendered. If the tenth day is a non-working day for the County, the appeal period shall be extended to include the next County working day. The appeal can be filed online at myoceservices.ocgov.com or in person at the County Service Center, located at 601 N. Ross Street, Santa Ana during normal business hours – Monday through Friday 8:00 a.m. to 4:00 p.m. **NO APPEAL SHALL BE ACCEPTED AFTER THE APPEAL PERIOD HAS EXPIRED.** Note that appeals to the Coastal Commission are an exception to the 15-day deadline, as otherwise provided by Section 7-9-127.2.

MINIMUM APPEAL APPLICATION FILING REQUIREMENTS

Each appeal package shall be accompanied by any such documents and information the Director deems to be necessary to adequately explain and to provide proper notification for the appeal. Each appeal shall set forth specifically and in detail the grounds for the appeal. The Board of Appeals may refuse to consider issues not addressed in the written appeal.

At a minimum, the Appellant shall provide the following:

- Letter of justification explaining in detail the grounds for the appeal
- Alternative action suggestion (applicable to Subdivision Committee appeals)

The Project Applicant shall be responsible for additional staff time spent on the Appeal application. Charges for work performed on the Appeal shall continue to be drawn from Planning Application deposits, per Ordinance No. 15-005.

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PROCEDURE

Appeals pursuant to Section 7-9-125.10

1. *Timeliness.* Except as otherwise provided by section 7-9-40 for appeals to the Coastal Commission, an appeal shall be filed within fifteen (15) calendar days of the date on which the decision being appealed was rendered. If the fifteenth day is a nonworking day for the County, the appeal period shall be extended to include the next County working day. No appeal shall be accepted after the appeal period has expired.
2. *Required documents.* Each appeal shall be accompanied by such other documents and information the Director deems to be necessary to adequately explain and to provide proper notification for the appeal. Each appeal shall set forth specifically and in detail the grounds for the appeal. The Board of Appeals may refuse to consider issues not raised in the written appeal.
3. *Time for action.* Not later than ninety (90) days from the end of the appeal period, the Board of Appeals shall consider the appeal. The Board of Appeals may: 1) take action on the appeal, or 2) may continue the appeal, or 3) may refer the application back to the approving authority with directions.
4. *Public hearing requirements.* The appeal of an approving authority's determination that required a public hearing shall also require a public hearing. Notice and schedule requirements for an appeal hearing shall be identical as those for an original hearing.
5. *Forwarding of records.* When an appeal has been accepted, the Director shall forward to the Board of Appeals all documents and information on file pertinent to the appeal, together with the minutes or official action of the approving authority, and a report on the basis of the decision and the appropriateness of the appeal.

Appeals pursuant to Section 7-9-259

1. Any interested person may appeal to the Planning Commission from any action of the Subdivision Committee by filing an appeal with the Director within ten (10) days of the action.
2. The appeal shall identify the action being appealed, specify why the appellant is dissatisfied with the action, and suggest alternative action.
3. The Director shall bring the matter before the Planning Commission for hearing within thirty (30) days after the date of filing the appeal. The subdivider, the appellant, and other property owners shall be given at least ten (10) days' notice of the Planning Commission's hearing, as provided in Government Code section 65090.
4. The Planning Commission may affirm, reverse or modify any recommendations or rulings of the Subdivision Committee and may make such findings as it deems appropriate. If only one or a limited

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number of conditions are being appealed, the Planning Commission need not limit its review to those specific conditions but may review the whole action taken by the Subdivision Committee.

5. An appeal, once filed, may be withdrawn by the appellant.
6. If requested by the subdivider and if the Director determines that the public interest would be better served, an appeal of the Subdivision Committee action may be forwarded directly to the Board of Supervisors for action.

The appellant and project applicant are expected to appear or be represented at the hearing. Action taken by the Board of Appeals will be effective on the action date.

If there are any further questions regarding the appeal, please call (714) 667-8888.

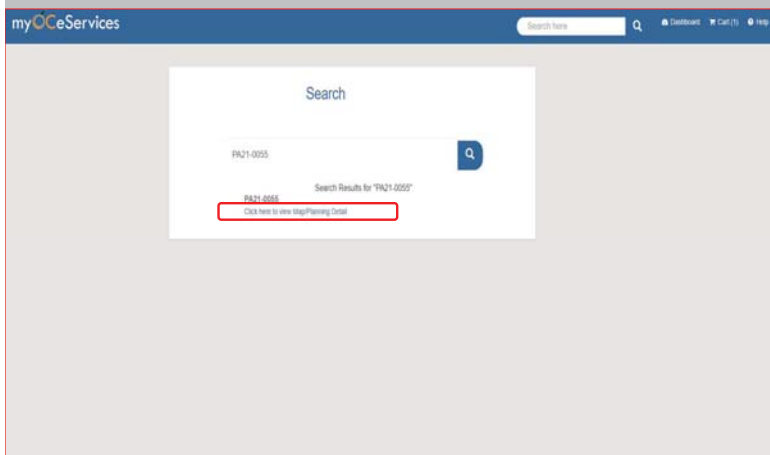
How to submit for an appeal

Login into MyOCeServices

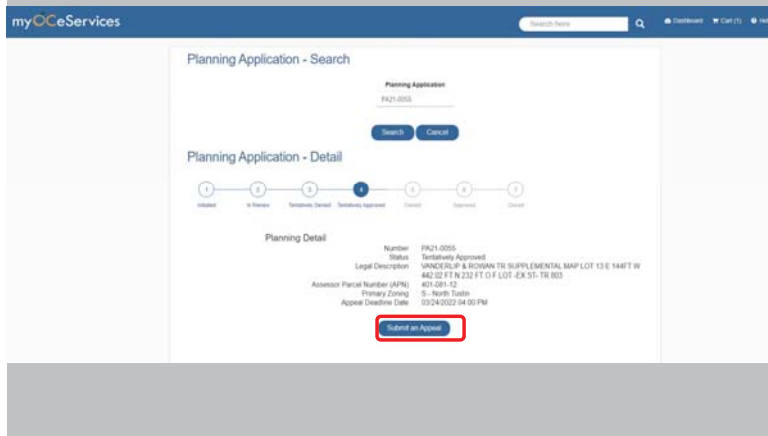
And Put the PA number in the search box



Click on the link



Click on the Submit an Appeal button



Submit an Appeal

Please click [here](#) for complete instructions and procedures for filing an appeal.

Step 1. Fill out the reason for the appeal below and add documents as necessary.

Step 2. Click the 'Submit' button below.

Please note: Submission of the appeal must be provided prior to the appeal deadline date shown on the previous page (Planning Application - Detail) in order to be accepted.

*AppealReason

Letter of Justification

Upload

Additional Documents

Upload

Please fill out the text box

And upload any additional documents

And then click the Submit button