

CHAPTER 32

APPEALS

(Amended 11/13/18)

- Section 32.010. Administrative Decisions; Zoning Administrator.
- Section 32.020. Reviewing Departments Decisions.
- Section 32.030. Land Use Hearing Examiner Decisions.
- Section 32.040. Planning Commission Decisions.
- Section 32.050. City Council Decisions.
- Section 32.060. Judicial Review.

Section 32.010. Administrative Decisions; Zoning Administrator. *(Amended 12/13/16)*

- A. Decisions of the Zoning Administrator in applying the provisions of this Code may be appealed to the Hearing Examiner by filing an application and all necessary materials within 30 days of the date of the Zoning Administrator’s decision.
- B. Following receipt by the Hearing Examiner of an appeal of a decision by the Zoning Administrator, the Hearing Examiner shall give notice and schedule a hearing. Following the hearing and the submission of all necessary and relevant information the Hearing Examiner shall render a decision on the appeal.
- C. The Hearing Examiner shall provide a copy of his or her decision by mail to all parties to the appeal within 14 days of the Hearing Examiner’s decision.

Section 32.020. Reviewing Departments Decisions. *(Amended 12/13/16)*

Any person aggrieved by a decision of the Reviewing Departments may, within 30 days after the decision is made, appeal the Reviewing Departments’ decision to the Planning Commission. The procedures for the Planning Commission in considering an appeal of a Reviewing Departments decision shall be the same as those for the Hearing Examiner in considering an appeal of a decision of the Zoning Administrator as identified in Section 32.010.

Section 32.030. Land Use Hearing Examiner Decisions. *(Amended 12/13/16)*

Any person aggrieved by a decision of the Hearing Examiner may, within 30 days after the decision is made, present to the District Court a petition specifying the nature of the appeal and the grounds on

which they are adversely affected.

Section 32.040. Planning Commission Decisions. *(Amended 04/09/02; 12/13/16)*

Any person aggrieved by a decision of the Planning Commission may file an appeal with the appellate body within 30 days of the date of the decision specifying the nature of the appeal. All decisions of the Planning Commission shall be appealed to the Hearing Examiner, including appeals of Conditional Use requests, excepting the following, which shall be appealed to the City Council, unless the City Council designates another appellate body to hear these appeals:

- A. Conditional Use applications for electrical substations, electrical transmission lines, oil and gas transmission lines, public utility buildings and facilities, and utility lines and structures.
- B. Conditional Use applications for commercial and private low power radio communications towers, personal communication systems, paging systems, cellular and mobile phone towers and other antennas and cellular facilities.
- C. Planning Commission decisions for Home Occupation Permits pursuant to Section 20.060.
- D. Planning Commission decisions relating to municipal projects, structures, utilities and facilities.

Section 32.050. City Council Decisions.

Any person aggrieved by a decision of the City Council may file an appeal to District Court within 30 days of the date of the decision, pursuant to the provisions of the Municipal Land Management and Development Act, Utah Code.

Section 32.060. Judicial Review.

No petition for judicial review may be filed unless and until the applicant has exhausted all manner of relief and processes available with Lehi City and as are provided by this Code.