

17-27a-703 Appealing a land use authority's decision -- Panel of experts for appeals of geologic hazard decisions.

- (1) The applicant, a board or officer of the county, or any person adversely affected by the land use authority's decision administering or interpreting a land use ordinance may, within the time period provided by ordinance, appeal that decision to the appeal authority by alleging that there is error in any order, requirement, decision, or determination made by the land use authority in the administration or interpretation of the land use ordinance.
- (2)
 - (a) An applicant who has appealed a decision of the land use authority administering or interpreting the county's geologic hazard ordinance may request the county to assemble a panel of qualified experts to serve as the appeal authority for purposes of determining the technical aspects of the appeal.
 - (b) If an applicant makes a request under Subsection (2)(a), the county shall assemble the panel described in Subsection (2)(a) consisting of, unless otherwise agreed by the applicant and county:
 - (i) one expert designated by the county;
 - (ii) one expert designated by the applicant; and
 - (iii) one expert chosen jointly by the county's designated expert and the applicant's designated expert.
 - (c) A member of the panel assembled by the county under Subsection (2)(b) may not be associated with the application that is the subject of the appeal.
 - (d) The applicant shall pay:
 - (i) 1/2 of the cost of the panel; and
 - (ii) the county's published appeal fee.

Amended by Chapter 356, 2009 General Session