



## **General Information**

Appeals may be filed and are processed in accordance with the requirements of Chapter 19.46 of the City's Development Code. Chapter 19.46 provides a regulatory framework for appealing actions to the City Council or Planning Commission in matters of interpreting the Municipal Code and actions involving discretion, when such action is taken by the Community Development Director or Planning Commission as the Approval Authority for a land use permit.

## **Who May File**

Any aggrieved person may Appeal an action of the Community Development Director to the Planning Commission where the action of the Director would otherwise be final.

Any aggrieved person may Appeal an action of the Planning Commission to the City Council where the action of the Planning Commission would otherwise be final.

An aggrieved person is any person who, in person or through a representative, appeared at a public hearing of the City of Twentynine Palms in connection with the decision or action appealed, or who by other appropriate means prior to the hearing, informed the City of the nature of his/her concern(s) or who for good cause was unable to do either. An Appeal fee must be paid when the Appeal is submitted.

## **When May Appeals be Filed**

Appeals shall only be considered if filed within ten (10) consecutive calendar days following the date of action for which the Appeal is made. If the last day to act falls on a non-business day, the following business day shall be deemed to be the last day to act.

## **Appeal Authority**

The Planning Commission is the Appeal Authority for any action appealed to them in accordance with Chapter 19.46. The Planning Commission is authorized to approve or deny an Appeal of an action taken by the Community Development Director that would otherwise be final. The City Council is the Appeal Authority for any action appealed to them in accordance with Chapter 19.46 and is authorized to approve, or deny an Appeal of a Planning Commission action.

## **Appeal Review**

Appeals shall be set for hearing before the Appeal Authority within 30 days of the application being received and deemed complete. If the Appeal Authority finds that the Approval Authority did not misinterpret any policy or ordinance or did not err in exercising its discretion, the Appeal shall be denied. If the Appeal Authority finds that the Approval Authority did misinterpret a policy or ordinance and/or err in exercising its discretion, the Appeal Authority shall provide written findings for their decision prior to taking action to approve the Appeal. Any such action of the Planning Commission shall be final if not appealed in accordance with this Chapter. City Council action on an Appeal shall be final.

## **Effective Date of Appealed Actions**

Any action by an Approval Authority shall become final upon the expiration of the allowed Appeal period unless, during that time, an Appeal is filed pursuant to Chapter 19.46 of the Development Code.