



Pre-application Meeting (MANDATORY)

Applicant or agent meets with the Technical Review Committee for a “feasibility review” and to discuss fees, time frames for completion of the project, and early issues with the project.

Application Review and Determination of Completeness

City staff reviews all application materials, makes a determination of completeness, and notifies the applicant within 14 days of receiving the application that the application is complete or what information is missing.

Publication of Legal Notice of Application and Project Proposal

City staff is responsible for publishing a legal notice of application and public hearing on the proposed project. Legal notices of application must be published at least 14 days prior to the public hearing.

Certified Mailing to Surrounding Property Owners

The proponent or applicant is responsible for notifying surrounding property owners within 300 feet of the project proposal. Property owners must be given at least 14 days written notice by certified or registered mail. In addition to the mailing, three copies of the legal notice must be posted within 300 feet of the project. A notarized affidavit of the postings and receipts for the certified mailings must be turned over to the Planning Department at least 10 days prior to the hearing date.

Technical Review Committee (TRC) Report and Recommendations

The TRC is notified of the application and reviews it for compliance with City plans and regulations, coordinates necessary permit reviews and identifies the development’s environmental impacts. The TRC consists of representatives from Fire, Parks, Public Works, Planning, and the Administration Department. The applicant is mailed a copy of the report, and it is also forwarded to the Planning Commission as part of the record for the hearing.

SEPA Determination and Publication of Legal Notice (if applicable)

All development permits require a SEPA checklist, except short plats and other projects exempted by WAC 197-11 and LMC 16.05.070. City Staff will be able to advise whether this is required for your project.

Public Hearing at Planning Commission

The Planning Commission makes its recommendation for approval or denial after reviewing and considering the project application materials, the TRC report, and any written or oral testimony in reference to the request. The Commission then forwards its resolution outlining the decision, its findings, conclusions and recommendations to the City Council for consideration.

Consideration by City Council

The City Council makes a decision based upon the Planning Commission’s recommendation and the record established at the Planning Commission hearing. Their decision can be made by motion, resolution or ordinance as appropriate. The Council may also issue Findings of Facts and Conclusions of Law, outlining their decision.

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CONDITIONAL USE APPROVAL
PROCESS CONTINUED



Publication of Legal Notice of Decision

City staff is responsible for publishing a legal notice of final decision on the project. This legal notice, along with a copy of the Planning Commission resolution is mailed to the applicant, specifying any conditions of the decision.

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CONDITIONAL USE APPLICATION REQUIREMENTS



1. Completed application form for conditional use permit request
2. All applicable fees
3. Project drawings showing the following:
 - building / site elevations of the proposed project
 - floor plans (if applicable)
 - landscaping plans (if applicable)
4. Property site map showing the following:
 - property dimensions and size
 - street and alley dimensions
 - footprint and dimensions of existing buildings
 - setbacks to existing buildings
 - other existing physical features
 - north point and scale
5. Area map showing the following:
 - adjacent properties
 - zoning of adjacent properties if different than site zoning
 - nearby structures and buildings
 - streets/highways
 - watercourses
 - easements
6. Legal description of the property
7. Names and addresses of all persons, firms and corporations holding interest in the property
8. Written explanation of why the applicant meets the criteria listed in Chapter 19.49.020 (A) and (C). This should include any additional information necessary to provide proof that the criteria have been met.
9. Critical Areas Ordinance Checklist

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CONDITIONAL USE PERMIT APPLICATION

City of Lynden use only:

CUP # _____ **Staff Initials:** _____

Property Owner

Name: _____

Address: _____

Telephone Number: _____ E-mail Address: _____

Applicant (Agent, Land Surveyor or Engineer)

Name: _____

Address: _____

Telephone Number: _____ E-mail Address: _____

Who is the primary contact for this project? This person will receive all official correspondence for the project. Property owner Applicant

Property Information

Project Location (street address / block range): _____

Legal Description (attach if necessary): _____

Assessor's Parcel Number: _____ Zoning Designation: _____

Property Dimensions: _____ X _____ Parcel Square Footage: _____

Applicable Sub-Area: _____ Building/Structure Size: _____

Height of Structure: _____ Addition Size: _____

Please describe request in detail: **CUP Criteria must be attached**

By signing this application, I certify that all the information submitted is true and correct. I also understand that no final approval will be issued until all final review costs are paid in full.

Submitted by: _____ **Date:** _____

Property owner signature: _____ **Date:** _____

Property owner printed name: _____ **Date:** _____



CONDITIONAL USE PERMIT CRITERIA WORKSHEET

A Conditional Use Permit (CUP) will be granted only if the proposed use complies with the standards and criteria listed below. The applicant shall bear the burden of proof in all CUP proceedings.

Please describe the proposed use. Relevant information may include hours of operation, parking requirements, anticipated traffic to the site, and how the site will be developed and used. Attach additional information and plans as needed.

Respond to each of the criteria below with the specifics of the proposed use in mind. (*per LMC 19.49*) Identify nearby streets and the uses surrounding the site.

1. The proposed use in the proposed location will not be detrimental to surrounding uses legally existing or permitted outright within the zoning district.

2. The proposed use, together with proposed mitigation, will not be detrimental to public health or safety and will be compatible with the surrounding area and land uses with respect to the following:
 - a. Traffic and pedestrian circulation;

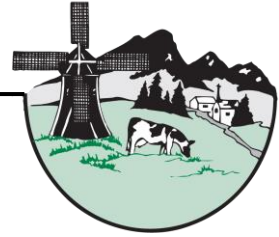
 - b. Noise, smoke, fumes, glare or odors generated by the proposed use;

 - c. Building and site design; and

 - d. The physical characteristics of the subject property.

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CONDITIONAL USE PERMIT CRITERIA WORKSHEET CONTINUED



3. The proposed use is supported by adequate public facilities and services unless conditions can be established to mitigate adverse impacts to those facilities or services.

4. The traffic generated by the proposed use will not cause the traffic circulation system in the vicinity to deteriorate below the adopted level of service.

5. The proposed use complies with the performance standards, parking requirements, height, setback and lot coverage requirements, landscaping standards and other provisions of the Lynden Municipal Code.

6. There are adequate buffering devices, as specified in the landscape standards, or other topographic characteristics, to protect the adjacent properties from adverse impacts of the proposed use.

7. The proposed use will not destroy or substantially damage any natural, scenic or historic feature of major importance.

8. The proposed use is generally consistent with the purposes and objectives of the city comprehensive plan and applicable sub-area plan.