

CITY OF LYNDEN

APPEAL OF ADMINISTRATIVE DECISION

See Chapter 17.11 of the Lynden Municipal Code for full text of appeal requirements.

Appellant's Name: _____

Contact (if different than appellant): _____

Address: _____

Telephone Number: _____ Fax Number: _____

Project Name and Number: _____

The contents of an appeal must include the following information:

1. The specific decision, condition or recommendation being appealed.
2. The specific reasons the appellant believes the decision, condition or recommendation to be wrong. The appellant shall bear the burden of showing the decision to be wrong.
3. The desired outcome or changes to the decision, condition or recommendation.

The above information shall be provided by the appellant and attached to this cover sheet. The appellant bears the burden of proof and must prove the decision was:

- a) Clearly erroneous under the law, or
- b) Not supported by substantial evidence, or
- c) Arbitrary and capricious

Appellant's signature

Date

Appeal Received by:

Date

Hearing Date: _____

Fee's (\$100.00) date paid: _____

receipt # _____

CITY OF LYNDEN

APPEAL OF ADMINISTRATIVE DECISION

Summary of Appeal Process

1. An appeal of an administrative decision must be made within 14 days of the date of the decision of the matter being appealed. All appeals are to be filed, in writing, with the Lynden Planning Department. (Section 17.11.030 LMC)
2. Appeal is reviewed for completeness and compliance with the requirements of Section 17.11 of the Lynden Municipal Code.
3. A date is set for an open record appeal hearing before the appropriate hearing body.
4. Notice of the appeal and public hearing must be mailed to all property owners within 300 of the subject property, published in the Lynden Tribune and the posted on the property. Notice must be provided a minimum of fourteen days prior to the appeals hearing.
5. The appeal is reviewed by City's legal counsel and City staff for completion of a staff report.
6. If the Planning Commission is the hearing body, at the conclusion of the hearing they may recommend one of the following actions to the City Council, who will then make the final decision:
 - a. Grant the appeal, in whole or in part;
 - b. Deny the appeal, in whole or in part;
 - c. The Council, upon taking final action may choose to remand the item to the hearing body for further proceedings and/or evidentiary hearings.
7. If the City Council is the hearing body, upon the closure of the hearing, the City Council may take one of the following actions (Section 17.09.050 LMC):
 - a. Grant the appeal, in whole or in part;
 - b. Deny the appeal, in whole or in part;