



City of Woodburn  
 Community Development Department  
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OFFICE USE ONLY File Number(s): <hr style="width: 80%; margin: 10px auto;"/>
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## Appeal of a Development Decision

### Who Can Appeal?

Pursuant to WDO 4.02.01 A.2 & 3: For Type II decisions, only those persons who are adversely affected or aggrieved or who are entitled to notice have standing to appeal a Director’s decision to the City Council.

For Type III Decisions, only those persons who participated either orally or in writing, or who are adversely affected or aggrieved have standing to appeal the decision of the Planning Commission or Design Review Board to the City Council.

### Timeline to Appeal

Pursuant to WDO 4.02.01 B. 1: A notice of intent to appeal (this application) any Type II or Type III decision must be received in writing by the Director within twelve (12) days from the date notice of the decision is mailed to those entitled to notice. Late filing of any appeal shall be a jurisdictional defect and will result in the automatic rejection of any appeal so filed.

### Additional Appeal Information

Each appellant must submit a separate form and attachments. Only one appeal fee is required, regardless of the number of appellants.

Appeals of development decisions are made to the City Council. The Council conducts a *de novo* public hearing, which is a hearing where the previous decision is set aside and the matter is considered as if the previous decision had never happened.

The City Council makes the City’s final decision. The Council’s decision can be appealed to the Land Use Board of Appeals (LUBA) within 21 days.

If the Council sustains the appeal, the fee will be refunded to the appellant. If the Council denies the appeal, the appeal fee is forfeited.

Appeals are governed by Section 4.02.01 of the Woodburn Development Ordinance.

### Fee

- Type II decision                    \$250
- Type III decision                    \$100 + half the original application fee, but not more than \$2,000

**Required Attachments**

- Statement of how the appellant has standing to appeal
- Statement of the grounds for the appeal.

***One digital and one printed copy of both statements are required.***

**General Information:**

Project Address or Location: \_\_\_\_\_  
\_\_\_\_\_

File number(s) of the decision being appealed: \_\_\_\_\_

Date of the decision being appealed: \_\_\_\_\_

**Appellant Information:**

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

Signature of Appellant: \_\_\_\_\_ Date: \_\_\_\_\_