

TYPE II DECISION PROCESS

A Type II Decision is an administrative decision that is made by the Planning Director or one of his designees. This type of decision requires some degree of judgment on the part of staff.

Type II Decisions must be processed within a 45 day timeframe that begins on the date that the Department determines your application to be complete. You will know when the Department has made this determination because we will send you a letter within 14 days following the submittal of your application letting you know whether the application is complete or incomplete. If the application is complete, the letter will inform you of key dates and deadlines during the process, as well as the name of the staff person who has been assigned to work on your file. This is your point person whom you should direct all of your correspondence and phone calls. If the application is incomplete, you will receive a letter that provides a list of the items that were missing and that need to be supplied in order to continue processing the application.

Type II Decisions require a 14 day public comment period that is noticed in a local newspaper and posted on the property by means of a sign, however a public hearing is only required when a decision is appealed. Island County will provide you a completed public notice sign and will arrange for the notice to be published in the newspaper.

Type II Decisions may be appealed by the applicant or any interested party. When a Type II Decision is appealed a hearing is scheduled and heard by the Island County Hearing Examiner.

IMPORTANT NOTE - "Development Information Bulletins" (DIBs) are intended to assist the general public in understanding the effect of codes and regulations. DIBs are not complete statements of the laws and rules and should not be used as a substitute for them. If conflicts and questions arise, the code and regulations are the final authority. Because these regulations may be revised or amended at any time, consult Island County staff to be sure you understand all current requirements before beginning any work. It is the responsibility of the applicant to ensure that the project meets requirements of all current codes and regulations.

ISLAND COUNTY PLANNING AND COMMUNITY DEVELOPMENT

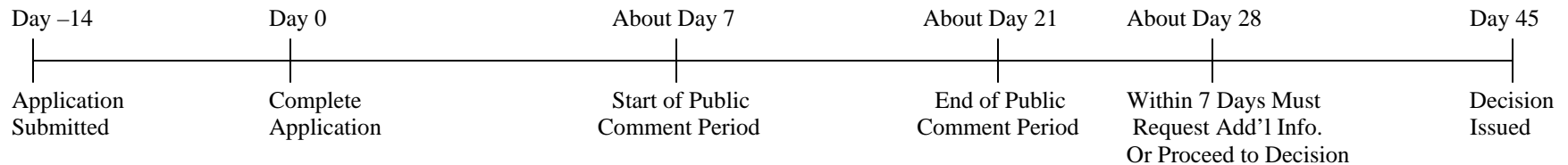
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www.islandcounty.net/community

TYPE II DECISIONS – ADMINISTRATIVE



Examples of Type II Decisions

- Variance (except for height)
- Shoreline Exemption with SEPA
- Clearing and Grading Permit with SEPA
- Shoreline Development Permit
- Preliminary Short Plat
- Alteration of a Short Plat
- PRDs of 4 or fewer parcels
- Zoning Code Interpretations
- Certificates of Zoning Compliance
- Site Plan Review as defined in Chapter 17.03
- Critical Areas Permitted Use

Appeal Process

- Within 14 days of the administrative decision the appellant must file a statement of appeal to the Hearing Examiner.
- Within 7 days of the timely filing a hearing date, time and place must be noticed.
- Within 30 days of the decision the appellant must file a comprehensive statement of appeal to the Hearing Examiner
- Hearing is held and a decision rendered by the Hearing Examiner within 14 days.
- Hearing Examiner decision is then appealable to the Island County Superior Court within 21 days of the issuance of the decision using the procedures of the Land Use Petition Act of Chapter 36.70C RCW.