

**DIB
#113**

TYPE III DECISION PROCESS

A Type III Decision is a quasi-judicial decision that is made by the Hearing Examiner. Rather than make the final decision, Planning staff makes a recommendation to the Hearing Examiner who considers the matter after a public hearing has been held.

Type III Decisions must be processed within a 120 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 III Decisions require a public hearing following a 14 day public comment period that is noticed in a local newspaper, mailed to all landowners within 300 feet of the proposal, and posted on the property by means of a sign. Island County will provide you a completed public notice sign and will arrange for the notice to be published in the newspaper.

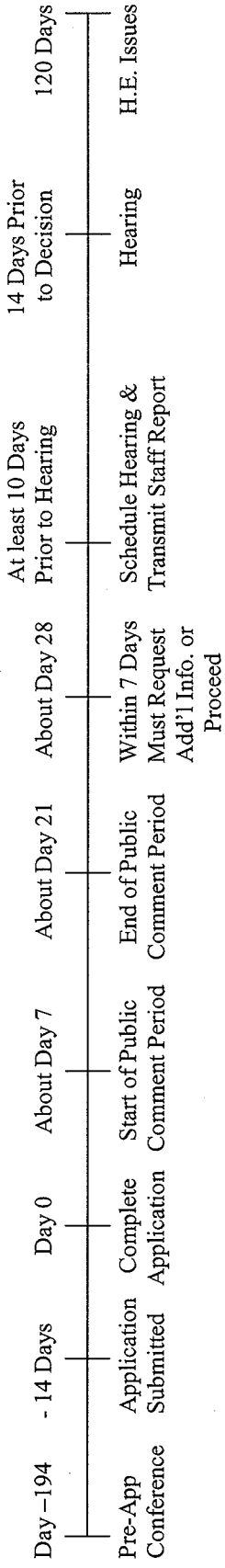
Type III Decisions may be appealed by the applicant or any interested party. When a Type III Decision is appealed a hearing is scheduled and heard by the Board of Island County Commissioners.

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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TYPE III DECISIONS – QUASI JUDICIAL



Examples of Type III Decisions

- Variance for Height
- Preliminary Long Plat
- Long Plat Alterations
- PRDs for more than 4 parcels
- Site Plan Review as defined in Chapter 17.03
- Critical Areas Alteration
- Rezone from RF to R
- Rezone from RA or CA to R

Appeal Process

- Within 14 days of the Hearing Examiner's decision an appeal may be filed to the Board of County Commissioners.
- The Board of County Commissioner's decision is then appealable to Island County Superior Court using the provisions of the Land Use Petition Act, Chapter 36.70C RCW.