

Land Use Process Flowchart

Step 1: We make sure your application is complete.

A planner will be assigned to review your file to make sure it contains all the information needed. Surrounding property owners and affected agencies will be given an opportunity to comment on your proposal. You must post a sign on your property and submit an affidavit attesting to this fact. Staff has 30 days from the date you submitted your application to determine whether the application is complete, and decide whether to review your application administratively or send it to a public hearing. If your application is not complete, your planner will send you a letter describing what is needed. You will be given 30 days to supply the missing information. You cannot supplement your application during these first 30 days except to submit the affidavit of posting or to respond to a request for additional information made under DCC 22.08.030.

Step 2: We either issue an administrative decision or schedule a public hearing.

If your application is to be reviewed administratively, the planner assigned to your application will prepare a written decision and mail it to you. The decision will contain any conditions that must be satisfied in order to obtain final approval and the time limit on the permit (usually two years). The decision will be subject to a 12 day appeal period, during which no building or septic permits can be issued.

If your application is sent to the Hearings Officer for review, a public hearing will be scheduled and you will receive notice of the hearing. Notice of the hearing also will be mailed to surrounding property owners and published in a local newspaper. Your planner will prepare a staff report and mail it to you at least 7 days prior to the hearing. The staff report contains the recommendation of the staff and will be available to all interested parties.

Step 3: We hold the hearing and issue a decision.

At the hearing, your planner will present the staff report, you will present your application and all other proponents and opponents will have an opportunity to speak. As the applicant, it is your responsibility to demonstrate that all applicable criteria have been met.

After the hearing has been closed, the Hearings Officer will provide a written decision containing any conditions of approval and the duration of the permit. Again, there is a 12 day appeal period following the mailing of the decision.

Step 4: Appeals.

If an administrative decision is appealed, a public hearing before the Hearings Officer will be scheduled. The procedure followed in this instance is essentially the same as described in Step 3.

If the decision of the Hearings Officer is appealed, your application will be sent to the Board of County Commissioners for review. The Board has several options available to them. They can hold a new hearing on the matter (de novo review), they can review the decision without allowing any oral testimony (on-the-record review) or they can decline

review and let the decision of the Hearings Officer stand as is.

Any decision of the Board may be appealed to the Land Use Board of Appeals (LUBA); any decision of the Hearings Officer accepted by the Board as the final decision of the county may be appealed to LUBA.