

MARION COUNTY MEASURE 37 LAND USE VERIFICATION

To begin the Measure 37 process, you must first have actual enforcement of a land use regulation or denial of a request that restricted the desired use of your property. If you were not previously denied through a land use application, the Planning Division has this form you can submit, **along with a \$120 fee**. This requests confirmation that your proposed use does not comply with current land use regulations, thereby “triggering” a Measure 37 claim.

Procedure:

- A. Submit the attached form and the \$120 fee.
- B. The planner will review the proposed use to determine whether it would comply with the County Comprehensive Plan and zoning ordinances, Oregon Statewide Planning Goals, and other applicable ordinances and regulations.
- C. The Planning Division will confirm for you, in writing, whether or not the proposed use would comply with these regulations.

This process will take up to five (5) business days, depending on existing caseload and staffing levels.

- D. After you receive our letter, assuming it is a denial of the proposed use, and you choose to file a Measure 37 claim, the next step is submittal of a *Marion County Measure 37 Compensation Application*, along with a **\$200 filing fee** and other documents and information. These include: 1) your name, address and phone number; 2) copy of the official title transfer instrument (deed, land sale contract, etc.) available at the County Clerk; 3) a preliminary title report (obtained through a title company); 4) a written statement on the proposed use, including information on the reduction in fair market value; 5) and the filing fee.

As noted above, the cost to submit the verification request is \$120 and the subsequent M37 Application is \$200. Please be advised if you submit a M37 Application, the Clerk’s Office charges a nominal fee for a copy of your title and there will be a charge by the title company for the preliminary title report. The amount varies so you may want to call several title companies.

Check with the Planning Division staff for additional information on the *M37 Land Use Verification* form or the *M37 Compensation Application*.

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Effective 12/2/04

Fee: \$120.00

If the Planning Division has questions about this form, who should be contacted?

FORMS SUBMITTED BY MAIL, E-MAIL, OR FAX WILL NOT BE ACCEPTED

Name

Address

Day phone (8:00 a.m.- 4:30 p.m.)

1. Property owner(s) or Applicant(s)

Address and zip code

2. Contract and/or mortgage holders (if any)

Address and zip code

3. Proposed use (attach additional pages if needed):

4. Address of subject property (street address or, if not addressed, staff will assist in assigning block street address):

5. SIGNATURE(S) of applicant.

Date

Date

FOR OFFICE USE ONLY

Section _____ Township _____ Range _____

Application elements submitted:

Tax lot number(s) _____

_____(a) Filing Fee

Zone _____

Application accepted by _____

Date determined complete _____