



MARION COUNTY LAND USE APPLICATION PROCESS

This is a generalized summary of the procedures used by Marion County Planning Division to review land use applications not requiring a hearing. It is not to be considered a substitute for specific language in the zoning codes. We encourage you to contact Planning staff before submitting your application. A planner can review your request, present viable options or alternatives, and determine the type of application necessary. This may save you additional time and expense. If you would like more information on how to complete your application, this process, or need assistance in completing forms, please call or stop by our office. A planner is available Monday thru Friday, 8:00 a.m. to 4:00 p.m.

NOTE: The development process usually involves other agency permits and fees in addition to the land use application and fee, i.e., driveway permits, septic permits, building permits, surveyor fees, systems development charges, etc.

WHAT IS THE BASIC PROCEDURE?

1. Obtain a land use application(s) and applicable zoning information.
2. The type of application required will depend on zoning regulations for the property and the nature of your proposal. If more than one application is necessary, you must respond to all criteria and regulations required by each application.
3. Prepare the application demonstrating how the standards and criteria can be met. Please note all actual property owner(s) must sign the application form.
4. The application, fee, and all required information is submitted to the Planning Division. Please note we do not accept applications by mail.
5. A planner will review your application and prepare a report which will state whether the request is approved or denied (see below for more details).
6. Length of time for this process can vary, however, the average is 30 days if no public hearing is required.
7. You and other affected persons are mailed a copy of the decision. This decision may be appealed (see our handout entitled, "*Marion County Planning Division Land Use Hearings*" for more details). Please note an appeal can significantly increase the processing time.
8. If no appeal is filed, the decision will become effective.

HOW YOUR APPLICATION IS PROCESSED:

1. When you submit your application, staff will determine if all required material has been included. If materials are missing, your application may not be accepted.

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HOW YOUR APPLICATION IS PROCESSED, cont.:

2. Your case is assigned to a planner who will review the application to determine if it is complete. If not complete, you will be given a specific period of time to submit additional information. If you fail to do this, the application will be processed “as-is”, which may result in a denial.
3. A copy of the application is sent to a variety of public agencies and other organizations (school district, fire district, etc). requesting comments regarding issues that fall within their regulations.
4. The planner will then determine if your request meets the applicable regulations and criteria. The planner may contact you for more information and may conduct an on-site visit. The final decision is made by the Planning Director or designee.
5. The planner will prepare a report which will include:
 - Name of applicant, address of property, and nature of the request;
 - Description of the property, available services, and land use restrictions and zoning regulations for the property and the surrounding area;
 - Responses from the agencies that reviewed the request;
 - The criteria the application must address and how the request does or does not comply;
 - Whether the request is approved or denied and the facts that support this decision;
 - Any “Conditions of Approval”, if the request is approved, that must be satisfied.
 - The date when the decision will become final.
 - Information on how the applicant or others can appeal the decision.
6. This “Notice of Decision” is mailed to the applicant(s) and persons listed in County tax records as owning property within a certain distance of the subject property.
7. The Notice of Decision, if it is an approval, will contain conditions including permits or requirements from various agencies. The name of the agency, phone number and contact person is usually included.
8. Applicants are strongly encouraged to contact these agencies as soon as possible after receiving the decision to obtain specific information on other permits or requirements needed. This can sometimes be done while the land use application is being processed or during the appeal period, however, check to see which fees, if any, are refundable if the case is appealed.
9. Conditions to be fulfilled within a certain period of time, or before certain permits can be obtained, must be met. You must also comply with any conditions that are on-going or continuous. Failure to do so may invalidate the approval.
10. An appeal period, 15 days, begins when the Notice of Decision is mailed.
11. If appealed, the decision does not become final until the appeal is resolved.
12. If no appeal is filed, the decision becomes effective. This date is also included in the Notice of Decision.

At any time during the application process, if you have questions or need clarification, please feel free to contact the staff person assigned to your case.

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