

OREGON LIQUOR & CANNABIS COMMISSION REQUEST

Land Use Compatibility Statement

What is a land use compatibility statement (LUCS)? The LUCS is a form used by a state agency and local government to determine whether a land use proposal is consistent with local government's comprehensive plan and land use regulations.

Why is a LUCS required? OLCC and other state agencies with permitting or approval activities that affect land use are required by Oregon law to be consistent with local comprehensive plans and to have a process for determining consistency. Section 34(4)(a) of 2015 Oregon Laws, Chapter 614, requires OLCC to request and obtain the LUCS and have a positive LUCS prior to issuing a license.

CITY/COUNTY USE ONLY
Date delivered by license applicant:
Received by (print):
Initial:

When is a LUCS required? A LUCS is required for all proposed marijuana facilities before an OLCC license can be obtained.

How to complete a LUCS:

- **Step 1: Applicant** completes Section 1 of this form and submits it to the appropriate city or county planning office. Applicant verifies with local jurisdiction whether additional forms, applications, or permits are required.
- **Step 2: Local jurisdiction** completes Section 2 of this form indicating whether the proposed use is compatible with the acknowledged comprehensive plan and land use regulations and returns signed and dated form to the applicant.
 - Applicant completes payment to local jurisdiction for processing application.
 - Local jurisdictions are <u>NOT required</u> to begin processing LUCS forms until <u>January 4, 2016 at 8:30 AM.</u>
- **Step 3: Applicant** submits this date-stamped form and any supporting information provided by the city or county to the OLCC with the license application. This form may be submitted while Section 2 is in process with the local governing body.

Section 1 — To be Completed by Applicant *Sections marked with an asterisk should be verified with the local planning department prior to submitting this form.						
Applicant Name:		Phone:				
Mailing Address:		Rm/Ste:				
City:				State:	ZIP:	
Site plan of the	subject property a	nd proposed dev	velopment attached	d? (required)		
Proposed Premises Address:					Rm/Ste:	
City:			County:		ZIP:	
Tax Lot #*:		Range/ Section*:			Latitude:	
Township*:		Map*:			Longitude:	
Proposed use/permi	t type sought (A se	eparate LUCS may	be necessary for each	h proposed use even i	f it is on the same property):	
Producer Note indoor or outdoor below	Wholesaler	Processor List endorse- ments below	Retailer	Laboratory	Research Certificate	
Details of proposed use (n	ote any attachments):					

Section 2 – To be Com	pleted by Local Jurisdiction					
Site Location:						
Inside city limits Inside UGB	Outside UGB					
Name of Jurisdiction:						
Property Zoning of Proposed Premises:						
The proposed land use has been reviewed and is prohibited.						
The proposed land use has been reviewed and is not prohibited.						
If the proposed land use is allowable only as a conditional use, permits are required as noted below.						
Comments:						
Name of Reviewing Local Official (print):						
Title:						
Date:						
Email:						
Emaii.						
Phone:						
Signature:	But all					
Check this box if there are attachments to this form:						

REMINDER: Local jurisdictions are <u>NOT</u> required to begin processing LUCS forms until <u>January 4, 2016 at 8:30 AM</u>

Life of a License Application

Submitted

Applicant submits marijuana license application in online licensing system and paid application fee.

Received

OLCC License Investigator receives application and begins review.

Local Government

Land Use Compatibility Statement and local opt-out reviewed for prohibited use.

Completeness Review

License Investigator and Applicant collect all additional necessary information.

Application Review

License Investigator reviews application to determine if submitted information meets requirements.

Premises Inspection

OLCC Inspector visits site to determine compliance with physical requirements: Security, operations, etc.

Approved

Applicant has met all requirements of application and premises inspection.

License Fee Due

Applicant pays the licensing fee in the online system.

Prohibited Use

Possible Denial

Denied

House Bill 3400 prohibits the OLCC

from issuing a recreational

marijuana license if the proposed use is prohibited by the local

governing body.

The OLCC must review for compliance with administrative rules and Oreaon law. In some cases, a potential denial may be overcome if the applicant can correct the issue or otherwise show good cause to overcome the denial basis.

Non-Compliant

Non-Compliant

A failed inspection means that a premises does not meet security, operational, or

Possible Denial

other requirements. An opportunity is provided to correct any compliance issues, but failure to do so or a second failed inspection may result in application de ni al.

All Fees Paid

The license is issued and can be printed by the applicant. It must be displayed prominently at the location.

License

Issued

555 Liberty Street SE / Room 305 • Salem OR 97301-3503 • Phone 503-588-6213 www.cityofsalem.net/planning

February 21, 2025

SUBJECT: 25-103995-PLN: Land Use Compatibility Statement for 4550

Commercial Street SE

Oregon Liquor & Cannabis Commission:

The applicant TLC Medical, Inc. DBA Green Cross Cannabis Emporium has proposed a retail marijuana sales use at 4550 Commercial Street SE (Marion Co. Tax Lot No.: 083W10DA01601). The Salem Area Comprehensive Plan Map designation and zoning for the property are as follows:

Comprehensive Plan Designation	Mixed Use
Zoning	MU-III (Mixed Use)
Overlay Zone	None

Under the Salem Revised Code (SRC), retail marijuana sales are considered a retail sales and service use (per <u>SRC 400.045</u>).

Pursuant to <u>SRC Ch. 535, Table 535-1</u>, retail sales are a permitted use in the MU-III zone.

Additional Requirements. Prior to establishing the proposed use on the property, the following additional requirements *may* be applicable depending on the nature of any proposed/required improvements to the property:

• Building Permit to Change Use/Occupancy of Building(s): Depending on the current approved occupancy of the existing building(s) on the property, a building permit may be required to change the use/occupancy of the building(s) in order to allow them to be used for the proposed new use in conformance with the Building Code. To determine whether a building permit will be required to change the use/occupancy of the building in conjunction with the proposed new use, please contact the City's Building & Safety Division at 503-588-6256.

• Site Plan Review: If there will be any proposed and/or required improvements to the site or existing buildings/structures on the property which require a building permit, an application for Site Plan Review may also be required. To determine whether an application for Site Plan Review will be required, please contact the City's Permit Application Center Planner's Desk at 503-588-6213.

Marijuana Business Registration. In addition to the above requirements, marijuana businesses within the City must also be registered pursuant to SRC 31.015. A "marijuana business" is defined under SRC 31.005(d) as, "a person or entity that operates a business that transfers or sells marijuana, grows commercial marijuana, or manufactures marijuana items. Marijuana business does not include individual persons who grow marijuana for their own personal use in compliance with state law." Marijuana business registrations are processed via the instructions outlined at this link: https://www.cityofsalem.net/Pages/register-your-marijuana-business.aspx

Feel free to let me know if you have any questions.

Thank you,

Beth Freelander, Planner III 503-540-2431 bfreelander@cityofsalem.net