



OREGON LIQUOR CONTROL COMMISSION REQUEST Land Use Compatibility Statement

CITY/COUNTY USE ONLY
Date delivered by license applicant:

22-116138-PLN

Received by (print):

JD

Initial:

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.

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 **NOT required to begin processing LUCS forms until January 4, 2016 at 8:30 AM.**
- **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 and proposed development attached? *(required)*

Proposed
Premises Address:

Rm/Ste:

City:

County:

ZIP:

Tax Lot #*:

Range/
Section*:

Latitude:

Township*:

Map*:

Longitude:

Proposed use/permit type sought *(A separate LUCS may be necessary for each proposed use even if 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 (note any attachments):

Section 2 – To be Completed 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:

Phone:

Signature:



Check this box if there are attachments to this form:

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

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.

Prohibited Use

Denied

House Bill 3400 prohibits the OLCC from issuing a recreational marijuana license if the proposed use is prohibited by the local governing body.

Completeness Review

License Investigator and Applicant collect all additional necessary information.

Possible Denial

The OLCC must review for compliance with administrative rules and Oregon 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.

Application Review

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

Non-Compliant

Premises Inspection

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

Non-Compliant

Possible Denial

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

Approved

Applicant has met all requirements of application and premises inspection.

License Fee Due

Applicant pays the licensing fee in the online system.

All Fees Paid

License Issued

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

MEMORANDUM

COMMUNITY DEVELOPMENT DEPARTMENT

TO: Oregon Liquor Control Commission

FROM: Jeronimo Roldan, Planner I

DATE: August 8, 2022

APPLICATION NO.: 22-116138-PLN

SUBJECT: Land Use Compatibility Statement for 3024 Commercial Street SE

The applicant Chun Lung Wan has proposed a retail marijuana sales use at 3024 Commercial St SE (Marion Co. Tax Lot No.: 083W03BA01600). The Salem Area Comprehensive Plan Map designation and zoning for the property are as follows:

Comprehensive Plan Designation	COM (Commercial)
Zoning	CR (Commercial Retail)
Overlay Zone	None

Under the Salem Revised Code (SRC), retail marijuana sales are considered a retail sales and service use (per [SRC 400.045](#)).

Pursuant to [SRC Ch. 522, Table 522-1](#), retail sales are a permitted use in the CR 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

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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,



Jeronimo Roldan, Planner I
on behalf of Lisa Anderson-Ogilvie, Planning Administrator
503-540-2309
jroldan@cityofsalem.net