

**Department of Environmental Quality  
LAND USE COMPATIBILITY STATEMENT (LUCS)**



**WHAT IS A LUCS?** The Land Use Compatibility Statement is the process used by the DEQ to determine whether DEQ permits and other approvals affecting land use are consistent with local government comprehensive plans.

**WHY IS A LUCS REQUIRED?** Oregon law requires state agency activities that impact land use be consistent with local comprehensive plans. DEQ Oregon Administrative Rules (OAR) Chapter 340, Division 18 identifies agency activities or programs that significantly affect land use and must have a process for determining local plan consistency.

**WHEN IS A LUCS REQUIRED?** A LUCS is required for nearly all DEQ permits and certain approvals of plans or related activities that affect land use. These permits and activities are listed on p. 2 of this form. A single LUCS can be used if more than one DEQ permit/approval is being applied for concurrently.

A permit modification requires a LUCS when any of the following applies:

1. Physical expansion on the property or proposed use of additional land;
2. A significant increase in discharges to water;
3. A relocation of an outfall outside of the source property; or
4. Any physical change or change of operation of an air pollutant source that results in a net significant emission rate increase as defined in OAR 340-200-0020.

A permit renewal requires a LUCS if one has not previously been submitted, or if any of the above modification factors apply.

**HOW TO COMPLETE A LUCS:**

Step	Who Does It	What Happens
1	Applicant	Completes Section 1 of the LUCS and submits it to the appropriate city or county planning office.
2	City or County Planning Office	Completes Section 2 of the LUCS by determining if the activity or use meets all local planning requirements, and returns to the applicant the signed and dated LUCS form <b><u>with findings of fact for any local reviews or necessary planning approvals.</u></b>
3	Applicant	Includes the completed LUCS with <b><u>findings of fact</u></b> with the DEQ permit or approval submittal application to the DEQ.

**WHERE TO GET HELP:** For questions about the LUCS process, contact the DEQ staff responsible for processing the permit/approval. Headquarters and regional staff may be reached using DEQ's toll-free telephone number 1-800-452-4011. For general questions, please contact DEQ land use staff listed at: [www.deq.state.or.us/pubs/permithandbook/lucs.htm](http://www.deq.state.or.us/pubs/permithandbook/lucs.htm).

**CULTURAL RESOURCES PROTECTION LAWS:** Applicants involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. *ORS 358.920 prohibits the excavation, injury, destruction, or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking, to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.*

**SECTION 1 - TO BE COMPLETED BY APPLICANT**

**A. Applicant Name:** \_\_\_\_\_

**Contact Name:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**City, State, Zip:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_

**Tax Account No.:** \_\_\_\_\_

**B. Project Name:** \_\_\_\_\_

**Physical Address:** \_\_\_\_\_


**City, State, Zip:** \_\_\_\_\_

**Tax Lot No.:** \_\_\_\_\_

**Township:** \_\_\_\_\_ **Range:** \_\_\_\_\_ **Section:** \_\_\_\_\_

**Latitude:** \_\_\_\_\_

**Longitude:** \_\_\_\_\_

 For latitude/longitude, use the **DEQ Location Finder** at <http://deq12.deq.state.or.us/website/findloc>.

**C. Describe the type of business or facility and services or products provided:**

\_\_\_\_\_

**SECTION 1 - TO BE COMPLETED BY APPLICANT (Continued)**

**Applicant Name:** \_\_\_\_\_

**Project Name:** \_\_\_\_\_

**D. Check the type of DEQ permit(s) or approval(s) being applied for at this time.**

<input type="checkbox"/> Air Notice of Construction <input type="checkbox"/> Air Discharge Permit ( <i>excludes portable facility permits</i> ) <input type="checkbox"/> Title V Air Permit <input type="checkbox"/> Parking/Traffic Circulation Plan <input type="checkbox"/> Air Indirect Source Permit <input type="checkbox"/> Solid Waste Disposal Permit <input type="checkbox"/> Solid Waste Treatment Permit <input type="checkbox"/> Solid Waste Compost Registration or Permit <input type="checkbox"/> Solid Waste Letter Authorization Permit <input type="checkbox"/> Solid Waste Material Recovery Facility Permit <input type="checkbox"/> Solid Waste Transfer Station Permit <input type="checkbox"/> Solid Waste Tire Storage Permit	<input type="checkbox"/> Pollution Control Bond Request <input type="checkbox"/> Hazardous Waste Treatment, Storage, or Disposal Permit <input type="checkbox"/> Clean Water State Revolving Fund Loan Request <input type="checkbox"/> Wastewater/Sewer Construction Plan/Specifications ( <i>includes review of plan changes that require use of new land</i> ) <input type="checkbox"/> Water Quality NPDES Individual Permit <input type="checkbox"/> Water Quality WPCF Individual Permit ( <i>for onsite construction-installation permits use DEQ's <a href="#">Onsite LUCS form</a></i> ) <input type="checkbox"/> Water Quality NPDES Stormwater General Permit ( <i>1200-A, 1200-C, 1200-CA, 1200-COLS, and 1200-Z</i> ) <input type="checkbox"/> Water Quality General Permit ( <i>all general permits, except 600, 700-PM, 1700-A, and 1700-B when they are mobile.</i> ) <input type="checkbox"/> Water Quality 401 Certification for federal permit
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**E. This application is for:** ☐ permit renewal ☐ new permit ☐ permit modification ☐ other: \_\_\_\_\_

**SECTION 2 - TO BE COMPLETED BY CITY OR COUNTY PLANNING OFFICIAL**

**Please Note:** A LUCS approval cannot be accepted by DEQ until all local requirements have been met. Written findings of fact for all local decisions addressed under Item C below are required. Written findings for an activity or use addressed by the acknowledged comprehensive plan in accordance with OAR 660-031-0020 may simply reference the specific plan policies, criteria, or standards that were relied upon in rendering the decision and indicate why the decision is justified based on the plan policies, criteria, or standards.

**A. The facility proposal is located:** ☐ inside city limits ☐ inside UGB ☐ outside UGB

**B. Name of the city or county that has land use jurisdiction** (*the legal entity responsible for land use decisions for the subject property or land use*): \_\_\_\_\_

**C. Does the activity or use comply with all applicable local land use requirements** (*as required by OAR Chapter 660, Division 31*)?

☐ **YES**, you must complete below or attach findings to support the affirmative compliance decision

i) Relevant specific plan policies, criteria, or standards:

\_\_\_\_\_

ii) Provide the reasons for the decision:

\_\_\_\_\_

☐ **NO**, you must complete below or attach findings for noncompliance, and identify requirements the applicant must comply with before LUCS compatibility can be determined.

i) Relevant specific plan policies, criteria, or standards:

\_\_\_\_\_

ii) Provide the reasons for the decision:

\_\_\_\_\_

**D. Planning Official Signature:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**Print Name:** \_\_\_\_\_ **Telephone No.:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**E. If necessary, depending upon city/county agreement on jurisdiction outside city limits but within UGB:**

**Planning Official Signature:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**Print Name:** \_\_\_\_\_ **Telephone No.:** \_\_\_\_\_ **Date:** \_\_\_\_\_