

Oregon Land Conservation and Development Department

Rule 660-034-0040

Planning for Local Parks

- (1) Local park providers may prepare local park master plans, and local governments may amend acknowledged comprehensive plans and zoning ordinances pursuant to the requirements and procedures of ORS 197.610 (Submission of proposed comprehensive plan or land use regulation changes to Department of Land Conservation and Development) to 197.625 (Acknowledgment of comprehensive plan or land use regulation changes) in order to implement such local park plans. Local governments are not required to adopt a local park master plan in order to approve a land use decision allowing parks or park uses on agricultural lands under provisions of ORS 215.213 (Uses permitted in exclusive farm use zones in counties that adopted marginal lands system prior to 1993) or 215.283 (Uses permitted in exclusive farm use zones in nonmarginal lands counties) or on forestlands under provisions of OAR 660-006-0025 (Uses Authorized in Forest Zones)(4), as further addressed in sections (3) and (4) of this rule. If a local government decides to adopt a local park plan as part of the local comprehensive plan, the adoption shall include:
 - (a) A plan map designation, as necessary, to indicate the location and boundaries of the local park; and
 - (b) Appropriate zoning categories and map designations (a "local park" zone or overlay zone is recommended), including objective land use and siting review criteria, in order to authorize the existing and planned park uses described in local park master plan.
- (2) Unless the context requires otherwise, this rule does not require changes to:
 - (a) Local park plans that were adopted as part of an acknowledged local land use plan prior to July 15, 1998; or
 - (b) Lawful uses in existence within local parks on July 15, 1998.
- (3) All uses allowed under Statewide Planning Goal 3 are allowed on agricultural land within a local park and all uses allowed under Statewide Planning Goal 4 are allowed on forest land within a local park, in accordance with applicable laws, statewide goals, and rules.
- (4) Although some of the uses listed in OAR 660-034-0035 (Park Uses On Agricultural and Forest Land)(2)(a) to (g) are not allowed on agricultural or forest land without an exception to Goal 3 or Goal 4, a local government is not required to take an exception to Goals 3 or 4 to allow such uses on land within a local park provided such uses, alone or in combination, meet all other statewide goals and are described and authorized in a local park master plan that:
 - (a) Is adopted as part of the local comprehensive plan in conformance with Section (1) of this rule and consistent with all statewide goals;
 - (b) Is prepared and adopted applying criteria comparable to those required for uses in state parks under OAR chapter 736, division 18; and

- (c) Includes findings demonstrating compliance with ORS 215.296 (Standards for approval of certain uses in exclusive farm use zones) for all uses and activities proposed on or adjacent to land zoned for farm or forest use.

Location: https://oregon.public.law/rules/oar_660-034-0040

Original Source: *Rule 660-034-0040 — Planning for Local Parks*, <https://secure.sos.state.or.us/oard/view.action?ruleNumber=660-034-0040> (last accessed Jun. 8, 2021).