

# ***City of Lafayette***

Phone: (503) 864-2451

Fax : (503) 864-4501

*"Third Oldest City in Oregon"*

486 Third Street - PO Box 55 - Lafayette, Oregon 97127-0055



## **LAFAYETTE PLANNING COMMISSION**

### **NOTICE OF PUBLIC MEETING**

THE PLANNING COMMISSION OF THE CITY OF LAFAYETTE WILL MEET IN REGULAR SESSION THURSDAY, FEBRUARY 17, 2011 AT 7 PM IN THE CITY HALL MEETING ROOM AT 486 THIRD STREET (99W), LAFAYETTE, OREGON.

#### **AGENDA IS AS FOLLOWS:**

1. CALL MEETING TO ORDER
2. ROLL CALL
3. APPROVAL OF THE **January 20, 2011 minutes**
4. **Goal setting work session**

The location of this meeting is accessible to the disabled. If you will need any special accommodations to attend or participate in the meeting, please notify City Hall, at (503) 864-2451, at least 24 hours before the meeting.



# Lafayette City Council

Meeting Date: February 10, 2011

Agenda Item: Resolution 2011-06, PC Authorization

---

**Requested Council Action:**

Approve Resolution 2011-06.

**Staff Recommendation:**

Approve Resolution 2011-06.

**Background:**

The Lafayette Planning Commission has produced some great work in recent years including an extensive update of the Lafayette Zoning and Development Code and amendments to the Lafayette Comprehensive Plan. The Council should support the desires of the commission to focus their efforts over the next six months on an update of the Lafayette Parks Master Plan. The City has acquired much additional park acreage in recent years and has recently discussed improving our park standards and committing employee time to parks maintenance. The current timing appears great for the Planning Commission to engage in this effort. The commissioners have the skills, staff support, and desire to accomplish this important task.

An effective Parks Master Plan will be essential to the future quality of life in Lafayette. In order to be eligible for scarce grant funding, the City must have a good master plan that was derived from extensive community input. From this process, certain community members may be identified that would be good candidates to serve on a future Lafayette Parks Commission, which would be an advisory committee to the City Council.

**Alternatives:**

Council may determine that Planning Commission efforts would best be focused in a direction other than parks.

Also, Resolution 2011-06 presupposes a future Lafayette Parks Commission as a logical outcome from the Parks Master Plan update process. Council may have plans other than a future Parks Commission.

**Financial Impact:**

No impact for the current fiscal year. For next fiscal year, however, some consideration should be given to support preliminary design, cost estimates, and map production.

**Suggested Motion:**

"I move to approve Resolution 2011-06 authorizing the Planning Commission to proceed with an update of the Parks Master Plan."

**BEFORE THE CITY COUNCIL  
FOR THE CITY OF LAFAYETTE, OREGON**

**A RESOLUTION AUTHORIZING THE )  
PLANNING COMMISSION TO )  
ENGAGE PUBLIC INPUT AND )  
UPDATE THE PARKS MASTER PLAN )**

**RESOLUTION NO. 2011-06**

**WHEREAS**, the Planning Commission met on August 19, 2010 and January 20, 2011 to discuss goals of the commission and the future of the Lafayette community; and

**WHEREAS**, the commission focused their goals in three areas including future park facilities, improvements to the downtown commercial corridor, and recruitment and expansion of businesses; and

**WHEREAS**, commissioners determined that their primary interest over the next six months should be on updating the Lafayette Parks Master Plan; and

**WHEREAS**, the Planning Commission acknowledges that several considerations need to be explored in this important endeavor with extensive community input; and

**WHEREAS**, findings will need to be determined in areas of inventory, park improvements, neighborhood facilities, connectivity, and accessibility; and

**WHEREAS**, the City Council recognizes that an updated Lafayette Parks Master Plan will be an essential guide for the City Council, along with a possible future Parks Commission, to help improve the quality of life in our community.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council for the City of Lafayette hereby authorizes the Lafayette Planning Commission to engage the community and update the Lafayette Parks Master Plan and recommend to the City Council the enabling legislation by October 2011.

This Resolution shall be effective upon passage by the Council.

APPROVED by the City Council of the City of Lafayette this 10th day of February 2011.

CERTIFIED:

ATTEST:

\_\_\_\_\_  
Chris Heisler, Mayor

\_\_\_\_\_  
Laurie Boyce, Assistant City Administrator

# *Oregon's Statewide Planning Goals & Guidelines*

## **GOAL 8: RECREATIONAL NEEDS**

**OAR 660-015-0000(8)**

***To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.***

### **RECREATION PLANNING**

The requirements for meeting such needs, now and in the future, shall be planned for by governmental agencies having responsibility for recreation areas, facilities and opportunities: (1) in coordination with private enterprise; (2) in appropriate proportions; and (3) in such quantity, quality and locations as is consistent with the availability of the resources to meet such requirements. State and federal agency recreation plans shall be coordinated with local and regional recreational needs and plans.

### **DESTINATION RESORT SITING**

Comprehensive plans may provide for the siting of destination resorts on rural lands subject to the provisions of state law, including ORS 197.435 to 197.467, this and other Statewide Planning Goals, and without an exception to Goals 3, 4, 11, or 14.

### **Eligible Areas**

(1) Destination resorts allowed under the provisions of this goal must be sited on lands mapped as eligible by the affected county. A map adopted by a county may not allow destination resorts approved under the provisions of this goal to be sited in any of the following areas:

(a) Within 24 air miles of an urban growth boundary with an existing population of 100,000 or more unless residential uses are limited to those necessary for the staff and management of the resort;

(b) On a site with 50 or more contiguous acres of unique or prime farm land identified and mapped by the United States Natural Resources Conservation Service or its predecessor agency; or within three miles of a High Value Crop Area except that "small destination resorts" may not be closer to a high value crop area than one-half mile for each 25 units of overnight lodging or fraction thereof;

(c) On predominantly Cubic Foot Site Class 1 or 2 forest lands, as determined by the State Forestry Department, that are not subject to an approved goal exception;

(d) In the Columbia River Gorge National Scenic Area as defined by the Columbia River Gorge National Scenic Act, P.L. 99-663;

(e) In an especially sensitive big game habitat as generally mapped by the Oregon Department of Fish and Wildlife in July 1984 and as further refined through development of comprehensive plans implementing this requirement.

(2) "Small destination resorts" may be allowed consistent with the siting requirements of section (1), above, in the following areas:

(a) On land that is not defined as agricultural or forest land under Goal 3 or 4; or

(b) On land where there has been an exception to Statewide Planning Goals 3, 4, 11, or 14.

### **Siting Standards**

(1) Counties shall ensure that destination resorts are compatible with the site and adjacent land uses through the following measures:

(a) Important natural features, including habitat of threatened or endangered species, streams, rivers, and significant wetlands shall be maintained. Riparian vegetation within 100 feet of streams, rivers and significant wetlands shall be maintained. Alterations to important natural features, including placement of structures that maintain the overall values of the feature, may be allowed.

(b) Sites designated for protection in an acknowledged comprehensive plan designated pursuant to Goal 5 that are located on the tract used for the destination resort shall be preserved through conservation easements as set forth in ORS 271.715 to 271.795. Conservation easements adopted to implement this requirement shall be sufficient to protect the resource values of the site and shall be recorded with the property records of the tract on which the destination resort is sited.

(c) Improvements and activities shall be located and designed to avoid or minimize adverse effects of the resort on uses on surrounding lands, particularly effects on intensive farming operations in the area. At a minimum, measures to accomplish this shall include:

(i) Establishment and maintenance of buffers between the resort and adjacent land uses, including natural vegetation and where appropriate, fences, berms, landscaped areas, and other similar types of buffers.

(ii) Setbacks of structures and other improvements from adjacent land uses.

(iii) Measures that prohibit the use or operation in conjunction with the resort of a portion of a tract that is excluded from the site of a destination resort pursuant to ORS 197.435(7). Subject to this limitation, the use of the excluded property shall be governed by otherwise applicable law.

### **Implementing Measures**

(1) Comprehensive plans allowing for destination resorts shall include implementing measures that:

(a) Adopt a map consisting of eligible lands for large destination resorts within the county. The map shall be based on reasonably available information, and shall not be subject to revision or refinement after adoption except in conformance with ORS 197.455, and 197.610 to 197.625, but not more frequently than once every 30 months. The county shall develop a process for collecting and processing concurrently all map amendments made within a 30-

month planning period. A map adopted pursuant to this section shall be the sole basis for determining whether tracts of land are eligible for siting of large destination resorts under the provisions of this goal and ORS 197.435 to 197.467.

(b) Limit uses and activities to those permitted by this goal.

(c) Assure developed recreational facilities and key facilities intended to serve the entire development and visitor oriented accommodations are physically provided or are guaranteed through surety bonding or substantially equivalent financial assurances prior to closure of sale of individual lots or units. In phased developments, developed recreational facilities and other key facilities intended to serve a particular phase shall be constructed prior to sales in that phase or guaranteed through surety bonding.

## **DEFINITIONS**

***Destination Resort*** -- A self-contained development providing visitor-oriented accommodations and developed recreational facilities in a setting with high natural amenities, and that qualifies under the definition of either a "large destination resort" or a "small destination resort" in this goal. Spending required under these definitions is stated in 1993 dollars. The spending required shall be adjusted to the year in which calculations are made in accordance with the United States Consumer Price Index.

***Large Destination Resort*** -- To qualify as a "large destination resort" under this Goal, a proposed development must meet the following standards:

(1) The resort must be located on a site of 160 acres or more except within two miles of the ocean shoreline where the site shall be 40 acres or more.

(2) At least 50 percent of the site must be dedicated as permanent open space excluding yards, streets and parking areas.

(3) At least \$7 million must be spent on improvements for onsite developed recreational facilities and visitor-oriented accommodations exclusive of costs for land, sewer, and water facilities and roads. Not less than one-third of this amount shall be spent on developed recreational facilities.

(4) Commercial uses allowed are limited to types and levels necessary to meet the needs of visitors to the development. Industrial uses of any kind are not permitted.

(5) Visitor-oriented accommodations including meeting rooms, restaurants with seating for 100 persons, and 150 separate rentable units for overnight lodging must be provided. Accommodations available for residential use shall not exceed two such units for each unit of overnight lodging, or two and one-half such units on land that is in Eastern Oregon as defined by ORS 321.805. However, the rentable overnight lodging units may be phased in as follows:

(a) On land that is not in Eastern Oregon, as defined in ORS 321.805:

(A) A total of 150 units of overnight lodging must be provided.

(B) At least 75 units of overnight lodging, not including any individually owned homes, lots or units must be constructed or guaranteed through surety

bonding or equivalent financial assurance prior to the closure of sale of individual lots or units.

(C) The remaining overnight lodging units must be provided as individually owned lots or units subject to deed restrictions that limit their use to overnight lodging units. The deed restrictions may be rescinded when the resort has constructed 150 units of permanent overnight lodging as required by this section.

(D) The number of units approved for residential sale may not be more than two units for each unit of permanent overnight lodging provided under this section.

(E) The development approval shall provide for the construction of other required overnight lodging units within five years of the initial lot sales.

(b) On lands in Eastern Oregon, as defined in ORS 321.805:

(A) A total of 150 units of overnight lodging must be provided.

(B) At least 50 units of overnight lodging must be constructed prior to the closure of sale of individual lots or units.

(C) At least 50 of the remaining 100 required overnight lodging units must be constructed or guaranteed through surety bonding or equivalent financial assurance within five years of the initial lot sales.

(D) The remaining required overnight lodging units must be constructed or guaranteed through surety bonding or equivalent financial assurances within 10 years of the initial lot sales.

(E) The number of units approved for residential sale may not be more than 2-1/2 units for each unit of permanent overnight lodging provided under this section.

(F) If the developer of a resort guarantees the overnight lodging units required under paragraphs (C) and (D) of this subsection through surety bonding or other equivalent financial assurance, the overnight lodging units must be constructed within four years of the date of execution of the surety bond or other equivalent financial assurance.

(6) When making a land use decision authorizing construction of a "large destination resort" in Eastern Oregon, as defined in ORS 321.805, the governing body of the county or its designee shall require the resort developer to provide an annual accounting to document compliance with the overnight lodging standards of this definition. The annual accounting requirement commences one year after the initial lot or unit sales. The annual accounting must contain:

(a) Documentation showing that the resort contains a minimum of 150 permanent units of overnight lodging or, during the phase-in period, documentation showing the resort is not yet required to have constructed 150 units of overnight lodging.

(b) Documentation showing that the resort meets the lodging ratio described in section (5)(b) of this definition.

(c) For a resort counting individually owned units as qualified overnight lodging units, the number of weeks that each overnight lodging unit is available for rental to the general public as described in section (2) of the definition for "overnight lodgings" in this goal.

**Small Destination Resort** -- To qualify as a “small destination resort” under Goal 8, a proposed development must meet standards (2) and (4) under the definition of “large destination resort” and the following standards:

- (1) The resort must be located on a site of 20 acres or more.
- (2) At least \$2 million must be spent on improvements for onsite developed recreational facilities and visitor-oriented accommodations exclusive of costs for land, sewer, and water facilities and roads. Not less than one-third of this amount must be spent on developed recreation facilities.
- (3) At least 25 but not more than 75 units of overnight lodging shall be provided.
- (4) Restaurant and meeting rooms with at least one seat for each unit of overnight lodging must be provided.
- (5) Residential uses must be limited to those necessary for the staff and management of the resort.
- (6) The county governing body or its designee must review the proposed resort and determine that the primary purpose of the resort is to provide lodging and other services oriented to a recreational resource that can only reasonably be enjoyed in a rural area. Such recreational resources include, but are not limited to, a hot spring, a ski slope or a fishing stream.
- (7) The resort shall be constructed and located so that it is not designed to attract highway traffic. Resorts shall not use any manner of outdoor advertising signing except:
  - (a) Tourist oriented directional signs as provided in ORS 377.715 to 377.830; and
  - (b) Onsite identification and directional signs.

**Developed Recreation Facilities** -- are improvements constructed for the purpose of recreation and may include but are not limited to golf courses, tennis courts, swimming pools, marinas, ski runs and bicycle paths.

**High-Value Crop Area** -- an area in which there is a concentration of commercial farms capable of producing crops or products with a minimum gross value of \$1,000 per acre per year. These crops and products include field crops, small fruits, berries, tree fruits, nuts, or vegetables, dairying, livestock feedlots, or Christmas trees as these terms are used in the 1983 County and State Agricultural Estimates prepared by the Oregon State University Extension Service. The High-Value Crop Area Designation is used for the purpose of minimizing conflicting uses in resort siting and is not meant to revise the requirements of Goal 3 or administrative rules interpreting the goal.

**Map of Eligible Lands** -- a map of the county adopted pursuant to ORS 197.455.

**Open Space** -- means any land that is retained in a substantially natural condition or is improved for recreational uses such as golf courses, hiking or

nature trails or equestrian or bicycle paths or is specifically required to be protected by a conservation easement. Open spaces may include ponds, lands protected as important natural features, land preserved for farm or forest use and lands used as buffers. Open space does not include residential lots or yards, streets or parking areas.

**Overnight Lodgings** -- are permanent, separately rentable accommodations that are not available for residential use. Overnight lodgings include hotel or motel rooms, cabins, and time-share units. Tent sites, recreational vehicle parks, manufactured dwellings, dormitory rooms, and similar accommodations do not qualify as overnight lodgings for the purpose of this definition. Individually owned units may be considered overnight lodgings if:

(1) With respect to lands not in Eastern Oregon, as defined in ORS 321.805, they are available for overnight rental use by the general public for at least 45 weeks per calendar year through a central reservation and check-in service, or

(2) With respect to lands in Eastern Oregon, as defined in ORS 321.805, they are available for overnight rental use by the general public for at least 38 weeks per calendar year through a central reservation system operated by the destination resort or by a real estate property manager, as defined in ORS 696.010.

**Recreation Areas, Facilities and Opportunities** -- provide for human development and enrichment, and include but are not limited to: open space and scenic landscapes; recreational lands; history, archaeology and natural science resources; scenic roads and travelers; sports and cultural events; camping, picnicking and recreational lodging; tourist facilities and accommodations; trails; waterway use facilities; hunting; angling; winter sports; mineral resources; active and passive games and activities.

**Recreation Needs** -- refers to existing and future demand by citizens and visitors for recreations areas, facilities and opportunities.

**Self-contained Development** -- means a development for which community sewer and water facilities are provided onsite and are limited to meet the needs of the development or are provided by existing public sewer or water service as long as all costs related to service extension and any capacity increases are borne by the development. A "self-contained development" must have developed recreational facilities provided on-site.

**Tract** -- means a lot or parcel or more than one contiguous lot or parcel in a single ownership. A tract may include property that is not included in the proposed site for a destination resort if the property to be excluded is on the boundary of the tract and constitutes less than 30 percent of the total tract.

**Visitor-Oriented Accommodations** -- are overnight lodging, restaurants, meeting facilities which are designed to and provide for the needs of visitors rather than year-round residents.

## **GUIDELINES FOR GOAL 8**

### **A. PLANNING**

1. An inventory of recreation needs in the planning area should be made based upon adequate research and analysis of public wants and desires.

2. An inventory of recreation opportunities should be made based upon adequate research and analysis of the resources in the planning area that are available to meet recreation needs.

3. Recreation land use to meet recreational needs and development standards, roles and responsibilities should be developed by all agencies in coordination with each other and with the private interests. Long range plans and action programs to meet recreational needs should be developed by each agency responsible for developing comprehensive plans.

4. The planning for lands and resources capable of accommodating multiple uses should include provision for appropriate recreation opportunities.

5. The *State Comprehensive Outdoor Recreation Plan* could be used as a guide when planning, acquiring and developing recreation resources, areas and facilities.

6. When developing recreation plans, energy consequences should be considered, and to the greatest extent possible non-motorized types of recreational activities should be preferred over motorized activities.

7. Planning and provision for recreation facilities and opportunities should give priority to areas, facilities and uses that

(a) Meet recreational needs requirements for high density population centers,

(b) Meet recreational needs of persons of limited mobility and finances,

(c) Meet recreational needs requirements while providing the maximum conservation of energy both in the transportation of persons to the facility or area and in the recreational use itself,

(d) Minimize environmental deterioration,

(e) Are available to the public at nominal cost, and

(f) Meet needs of visitors to the state.

8. Unique areas or resources capable of meeting one or more specific recreational needs requirements should be inventoried and protected or acquired.

9. All state and federal agencies developing recreation plans should allow for review of recreation plans by affected local agencies.

10. Comprehensive plans should be designed to give a high priority to enhancing recreation opportunities on the public waters and shorelands of the state especially on existing and potential state and federal wild and scenic waterways, and Oregon Recreation Trails.

11. Plans that provide for satisfying the recreation needs of persons in the planning area should consider as a major determinant, the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

## **B. IMPLEMENTATION**

Plans should take into account various techniques in addition to fee acquisition such as easements, cluster developments, preferential assessments, development rights acquisition, subdivision park land dedication that benefits the subdivision, and similar techniques to meet recreation requirements through tax policies, land leases, and similar programs.

## **C. RESORT SITING**

Measures should be adopted to minimize the adverse environmental effects of resort development on the site, particularly in areas subject to natural hazards. Plans and ordinances should prohibit or discourage alterations and structures in the 100 year floodplain and on slopes exceeding 25 percent. Uses and alterations that are appropriate for these areas include:

1. Minor drainage improvements that do not significantly impact important natural features of the site;
2. Roads, bridges and utilities where there are no feasible alternative locations on the site; and
3. Outdoor recreation facilities including golf courses, bike paths, trails, boardwalks, picnic tables, temporary open sided shelters, boating facilities, ski lifts and runs. Alterations and structures permitted in these areas should be adequately protected from geologic hazards or of minimal value and designed to minimize adverse environmental effects.

## Oregon Administrative Rules

[alpha links](#) | [numerical links](#) | [bulletins](#) | [filing resources](#) | [rules coordinators](#) | [about oars](#) | [search oars](#) | [buy oars](#) | [ors](#)

The Oregon Administrative Rules contain OARs filed through January 14, 2011

### LAND CONSERVATION AND DEVELOPMENT DEPARTMENT

#### DIVISION 34

#### STATE AND LOCAL PARK PLANNING

##### 660-034-0000

###### Purpose

(1) The purpose of this division is to establish policies and procedures for the planning and zoning of state and local parks in order to address the recreational needs of the citizens of the state. This division is intended to interpret and carry out requirements of Statewide Planning Goal 8 and ORS 195.120 to 195.125.

(2) In general, this division directs local government planning and zoning activities regarding state and local park master plans. OAR chapter 736, division 18, directs the Oregon Parks and Recreation Department (OPRD) with respect to state park master planning, and does not apply to local governments except where specified by this division.

Stat. Auth.: ORS 195.120 & 197.040

Stats. Implemented: ORS 195.120 - 195.125

Hist.: LCDD 3-1998, f. & cert. ef. 7-15-98; LCDD 3-2004, f. & cert. ef. 5-7-04; LCDD 3-2006, f. & cert. ef. 4-14-06

##### 660-034-0010

###### Definitions

As used in this division, unless the context requires otherwise:

- (1) "Administrative site" is property owned or managed by OPRD that is used solely for state park administration or maintenance facilities, or both, and which is not within or contiguous to a state park.
- (2) "Agricultural land" shall have the same meaning as OAR 660-033-0020(1).
- (3) "Camper cabin" is a camp structure with no permanent foundations or plumbing, located within a camping area and intended for occupancy by one to eight persons.
- (4) "Camp store" is an enclosed building not exceeding 1500 square feet for the sale of sundries to registered campers in camping areas within the park.
- (5) "Endowment property" is property owned by OPRD which has no known outstanding resources or recreational values that would support the state park system mission and role, and which is intended for sale, lease, trade or donation to a different entity or for management for a purpose which does not directly support the state park system mission and role.
- (6) "Forest land" shall have the same meaning as provided in Goal 4.
- (7) "Group shelter" is an open sided or enclosed permanent building that does not include bedrooms, but may include plumbing, fireplace, barbecue, and picnic tables, for use by registered campers in a group camping area.

(8) "Local park" is a public area intended for open space and outdoor recreation use that is owned and managed by a city, county, regional government, or park district and that is designated as a public park in the applicable comprehensive plan and zoning ordinance.

(9) "Open play field" is a large, grassy area with no structural improvements intended for outdoor games and activities by park visitors. The term does not include developed ball fields, golf courses or courts for racquet sports.

(10) "OPRD" means the Oregon Parks and Recreation Department.

(11) "PAPA" is a "post acknowledgment plan amendment" conducted according to the requirements of ORS 197.610 to 197.625. The term includes amendments to an acknowledged comprehensive plan or land use regulation and the adoption of any new plan or land use regulation.

(12) "Park retreat" is an area of a state park designated for organized gatherings. Facilities within a park retreat are for use only by registered retreat guests. A park retreat must include a meeting hall and designated parking, and may also include other park amenities and support facilities.

(13) "Park visitor" is any member of the public who enters a state or local park for the primary purpose of enjoying or learning about the natural, historic or prehistoric, or scenic resources associated with the park setting.

(14) "Preliminary draft master plan" is a proposal for a state park master plan which has been prepared for adoption as an administrative rule by OPRD under the provisions of OAR chapter 736, division 18, and which is provided to local governments and the public for review and comment.

(15) "Recreation shop" is an open or enclosed building not exceeding 500 square feet of floor area for the rental of horses or recreational equipment such as bicycles and boats and for the sale of incidental related items such as bait and fishing flies.

(16) "State park" is any property owned or managed by OPRD and that OPRD has determined possesses outstanding natural, cultural, scenic or recreational resource values that support the state park system mission and role. The following OPRD properties are not state parks for purposes of this division: endowment properties and administrative sites.

Stat. Auth.: ORS 195.120 & 197.040

Stats. Implemented: ORS 195.120 - 195.125

Hist.: LCDD 3-1998, f. & cert. ef. 7-15-98; LCDD 3-2006, f. & cert. ef. 4-14-06

#### **660-034-0015**

##### **State Park Master Plans and Allowable Uses**

(1) OPRD adopts state park master plans as administrative rules pursuant to OAR chapter 736, division 18 and ORS 390.180. In order to facilitate the implementation of state park master plans through local government land use plans, this division provides procedures and criteria for park master planning and coordination.

(2) Each state park master plan shall describe, through maps and text as appropriate, the type, size and location of all land uses intended to occur in the park. Uses listed in ORS 195.120(3) and any other uses determined by OPRD may be authorized in a state park master plan provided all aspects of such uses comply with statewide planning goals, ORS 215.296, 390.180, and OAR 736-018-0020 on July 15, 1998, and all other applicable laws. State park master plans shall include findings of compliance with statewide planning goals and ORS 215.296.

(3) Except where the context specifies otherwise, the requirements in this division do not apply to state park master plans adopted as state rules prior to July 15, 1998. However, the requirements in this division do apply to amendments to such master plans when the amendments are adopted after July 15, 1998.

Stat. Auth.: ORS 195.120 & 197.040

Stats. Implemented: ORS 195.120 - 195.125

Hist.: LCDD 3-1998, f. & cert. ef. 7-15-98; LCDD 3-2006, f. & cert. ef. 4-14-06

#### **660-034-0020**

##### **Coordination Procedures for Development of State Park Master Plans**

(1) For each state park master plan developed after July 15, 1998, OPRD shall submit a preliminary draft master plan to DLCD and all local governments with land use authority over the subject state park property. This submittal shall occur prior to or

simultaneously with OPRD's initiation of the administrative rule procedure for master plan adoption. At the time of the submittal, OPRD shall consult with local planning officials to determine whether the proposed uses in the park master plan are allowed by the acknowledged local comprehensive plan, as follows:

(a) If the local government determines that all of the proposed uses are allowed by the acknowledged local plan, OPRD may proceed with consideration and adoption of the master plan. In this case, the procedures in OAR 660-034-0020(2) to 660-034-0030 (6) do not apply. However, if the proposed uses are allowable, but only by application of local conditional approval criteria that are not clear or objective, OPRD may seek to amend such criteria by proceeding as described in subsection (b) of this section. Upon request from OPRD, the local government shall provide written confirmation that the proposed master plan is compatible with the local plan.

(b) If the local government determines that any of the proposed uses described in the master plan are not allowed by the acknowledged local plan or implementing regulations, OPRD shall submit the preliminary master plan to the local government as an application for a post-acknowledgment plan amendment (PAPA).

(2) Upon receipt of a PAPA application from OPRD, a local government shall follow applicable PAPA procedures and requirements, except as described in subsections (a) through (c) of this section:

(a) The local government shall notify interested citizens and conduct at least one public hearing on the preliminary master plan within 90 days following submittal of a complete PAPA application. This may be conducted as a joint hearing of the local government and OPRD;

(b) Within 120 days following submittal of OPRD's complete application, the local government shall forward to OPRD any recommendations for changes to the master plan. The recommendations shall be in writing and shall include any suggested conditions or changes to the master plan;

(c) The local government shall not take final action on the PAPA application until OPRD has adopted the park master plan as an administrative rule and submitted it to the local government in accordance with OAR 660-034-0030.

(3) Within 60 days of receiving written recommendations from a local government pursuant to OAR 660-034-0020(2)(b), OPRD shall provide a written response to the local government addressing each recommendation. The response shall describe any changes to the draft park master plan that OPRD would propose in response to the local recommendations.

(4) OPRD's response shall also provide a second comment period not less than 30 days during which the local government may:

(a) Review any changes to the park master plan proposed by OPRD in response to the local government's previous recommendations; and

(b) Based on this review, either concur with or object to OPRD's pending adoption of the proposed master plan.

(5) If no objections are raised by the local government during the 30 day comment period, OPRD may proceed with consideration and adoption of the state park master plan. If OPRD receives a timely objection from the local government, and if the objection meets the requirements of OAR 660-034-0020(6), OPRD shall delay final consideration and adoption of the master plan in order to engage in formal or informal dispute resolution with the local government pursuant to OAR 660-034-0025. This delay of adoption shall continue for at least 60 days following the receipt of the objection, or until the issues in the objection are resolved and the objection is withdrawn, whichever occurs first. At the end of the 60 day delay period OPRD may proceed with consideration and adoption of the state park master plan.

(6) OPRD may choose to engage in dispute resolution for all issues raised by an objection. However, the mandatory 60 day delay specified in OAR 660-034-0020(5) shall only apply to an objection that meets the following requirements:

(a) The objection shall be described in a letter from the local governing body to the OPRD director received within the 30 day time period specified in OAR 660-034-0020(4); and

(b) The objection letter shall indicate the reasons why the local government believes the proposed master plan is inconsistent with the statewide planning goals, ORS 215.296, or OPRD's state park master planning criteria in OAR 736-018-0020.

Stat. Auth.: ORS 195.120 & 197.040

Stats. Implemented: ORS 195.120 - 195.125

Hist.: LCDD 3-1998, f. & cert. ef. 7-15-98; LCDD 3-2006, f. & cert. ef. 4-14-06

660-034-0025

**Dispute Resolution**

(1) If a local government objects to a proposed state park master plan, as described in OAR 660-034-0020(4) to 660-034-0020(6), OPRD shall attempt to resolve the objections during the 60 day delay period specified in OAR 660-034-0020(5), either through informal discussions with the local government or through formal mediation.

(2) OPRD or the local government may request mediation through the Oregon Consensus Program in order to resolve a disagreement about uses in a preliminary draft state park master plan. Such mediation shall be conducted according to the provisions of ORS 183.502.

(3) If OPRD and the local government engage in mediation pursuant to OAR 660-034-0025(2), and if this mediation does not result in timely resolution of the objection, either OPRD or the local government may request a nonbinding determination by the Land Conservation and Development Commission (LCDC). This determination shall be limited to issues involving the compliance of OPRD's proposed state park master plan with the statewide goals or related statutes or rules. Such a request shall be submitted by the end of the 60-day delay period specified in OAR 660-034-0020(5), or within 15 days following a withdrawal by either party from the mediation proceedings described under section (2) of this rule, whichever occurs last. LCDC may either agree or not agree to consider a request to issue a nonbinding determination regarding the dispute.

Stat. Auth.: ORS 195.120 & 197.040

Stats. Implemented: ORS 195.120 - 195.125

Hist.: LCDD 3-1998, f. & cert. ef. 7-15-98; LCDD 3-2006, f. & cert. ef. 4-14-06

**660-034-0030****Local Government Implementation of State Park Master Plans**

(1) Within 60 days following the effective date of the state park master plan administrative rule adopted by OPRD, unless an appeal of the rule is filed, OPRD shall submit the adopted master plan to all local governments with land use authority over the subject state park. The submittal shall include a request that the local governments take final action on the PAPA application previously filed pursuant to OAR 660-034-0020(1)(b).

(2) Within 150 days after receipt of an adopted master plan from OPRD, the local governments shall take final action necessary to conclude the PAPA initiated under OAR 660-034-0020(1)(b). Final action shall include amendments to the plan, implementing ordinances, plan map and zoning map, as necessary, to:

- (a) Indicate the existence of the state park and its boundaries on the appropriate maps;
- (b) Apply appropriate plan and zone categories (a "park" zone or overlay zone is recommended); and
- (c) Provide objective land use and siting review criteria in order to allow development of the uses indicated in the state park master plan.

(3) Amendments to the local plan intended to implement the state park master plan shall be consistent with all statewide planning goals. If the local action includes only such amendments as are necessary and sufficient to implement the park master plan, the local government may rely on goal findings that are included in the park master plan (see OAR 660-034-0015(2)) in order to comply with statewide planning goal requirements.

(4) The final local action shall include findings addressing ORS 215.296 for all uses and activities in or adjacent to an agricultural or forest zone. The local government may rely on the ORS 215.296 findings in the state park master plan (see OAR 660-034-0015(2)) in order to comply with this requirement. The analysis required under ORS 215.296 shall concern farm or forest practices occurring on lands surrounding the state park that are devoted to farm or forest use, and shall not concern farm or forest practices occurring on farm or forest land within the state park itself.

(5) The local government may decide to alter or disallow the state park master plan provided the local government determines that adoption of the state park master plan would not comply with a statewide planning goal or ORS 215.296, or both. The local government shall alter or disallow uses described in the park plan only to the extent necessary to comply with statewide goals or ORS 215.296, or both. If the local government alters or disallows the state park master plan, OPRD may pursue any of the following options:

- (a) Take no action;
- (b) Modify the state park master plan to be compatible with the final PAPA action taken by the local government;

(c) Appeal the local decision.

(6) If the local government takes no final action on the PAPA within 150 days from receipt of the adopted state parks master plan from OPRD, the master plan, rather than the local plan:

(a) Shall be deemed the controlling land use regulation for the subject state park with respect to uses described in the state parks master plan;

(b) Shall supersede local zoning ordinances with respect to review and approval of uses described in the state parks master plan; and

(c) The provisions of this section shall remain in effect until the local government takes final action on the PAPA application.

(7) OPRD may submit a state park master plan that OPRD adopted prior to July 15, 1998 to a local government as a PAPA. Upon receipt of such a previously adopted state park master plan, the local government shall consider conforming amendments to local planning and zoning measures, and may adopt such amendments provided the proposed uses in the park master plan comply with statewide planning goals and ORS 215.296.

(8) The OPRD director may continue any use or facility that existed in a state park on July 25, 1997. Furthermore, the following uses and activities shall be approved by local government subject only to clear and objective siting criteria that shall not, either individually or cumulatively, prohibit the use or activity

(a) The repair and renovation of facilities in existence on July 25, 1997;

(b) The replacement of facilities and services in existence on July 25, 1997, including minor location changes; and

(c) The minor expansion of uses and facilities in existence on July 25, 1997.

Stat. Auth.: ORS 195.120 & 197.040

Stats. Implemented: ORS 195.120 - 195.125

Hist.: LCDD 3-1998, f. & cert. ef. 7-15-98; LCDD 3-2006, f. & cert. ef. 4-14-06

**660-034-0035**

#### **Park Uses On Agricultural and Forest Land**

(1) All uses allowed under Statewide Planning Goal 3 are allowed on agricultural land within a state park, and all uses allowed under Statewide Planning Goal 4 are allowed on forest land within a state park, provided such uses are also allowed under OAR chapter 736, division 18 and all other applicable laws, goals, and rules. Local governments may allow state parks and park uses as provided in OAR chapter 660, division 33, and ORS 215.213 or 215.283 on agricultural lands, or as provided in OAR 660-006-0025(4) on forest lands, regardless of whether such uses are provided for in a state park master plan.

(2) The park uses listed in subsection (a) through (i) of this section are allowed in a state park subject to the requirements of this division, OAR chapter 736, division 18, and other applicable laws. Although some of the uses listed in these subsections are generally not allowed on agricultural lands or forest lands without exceptions to Statewide Planning Goals 3 or 4, a local government is not required to adopt such exceptions in order to allow these uses on agricultural or forest land within a state park provided the uses, alone or in combination, meet all other applicable requirements of statewide goals and are authorized in a state park master plan adopted by OPRD, including a state park master plan adopted by OPRD prior to July 15, 1998:

(a) Campground areas: recreational vehicle sites; tent sites; camper cabins; yurts; teepees; covered wagons; group shelters; campfire program areas; camp stores;

(b) Day use areas: picnic shelters, barbecue areas, swimming areas (not swimming pools), open play fields, play structures;

(c) Recreational trails: walking, hiking, biking, horse, or motorized off-road vehicle trails; trail staging areas;

(d) Boating and fishing facilities: launch ramps and landings, docks, moorage facilities, small boat storage, boating fuel stations, fish cleaning stations, boat sewage pumpout stations;

(e) Amenities related to park use intended only for park visitors and employees: laundry facilities; recreation shops; snack shops not exceeding 1500 square feet of floor area;

(f) Support facilities serving only the park lands wherein the facility is located: water supply facilities, sewage collection and

treatment facilities, storm water management facilities, electrical and communication facilities, restrooms and showers, recycling and trash collection facilities, registration buildings, roads and bridges, parking areas and walkways;

(g) Park Maintenance and Management Facilities located within a park: maintenance shops and yards, fuel stations for park vehicles, storage for park equipment and supplies, administrative offices, staff lodging;

(h) Natural and cultural resource interpretative, educational and informational facilities in state parks: interpretative centers, information/orientation centers, self-supporting interpretative and informational kiosks, natural history or cultural resource museums, natural history or cultural educational facilities, reconstructed historic structures for cultural resource interpretation, retail stores not exceeding 1500 square feet for sale of books and other materials that support park resource interpretation and education;

(i) Visitor lodging and retreat facilities in state parks: historic lodges, houses or inns and the following associated uses in a state park retreat area only:

(A) Meeting halls not exceeding 2000 square feet of floor area;

(B) Dining halls (not restaurants).

Stat. Auth.: ORS 195.120 & 197.040

Stats. Implemented: ORS 195.120 - 195.125

Hist.: LCDD 3-1998, f. & cert. ef. 7-15-98; LCDD 3-2006, f. & cert. ef. 4-14-06

**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 to 197.625 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 or 215.283 or on forestlands under provisions of OAR 660-006-0025(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(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 for all uses and activities proposed on or adjacent to land zoned for farm or forest use.

Stat. Auth.: ORS 195.120 & 197.040

Stats. Implemented: ORS 195.120 - 195.125

Hist.: LCDD 3-1998, f. & cert. ef. 7-15-98; LCDD 3-2004, f. & cert. ef. 5-7-04; LCDD 3-2006, f. & cert. ef. 4-14-06

---

The official copy of an Oregon Administrative Rule is contained in the Administrative Order filed at the Archives Division, 800 Summer St. NE, Salem, Oregon 97310. Any discrepancies with the published version are satisfied in favor of the Administrative Order. The Oregon Administrative Rules and the Oregon Bulletin are copyrighted by the Oregon Secretary of State. [Terms and Conditions of Use](#)

---

[Alphabetical](#) Index by Agency Name

[Numerical](#) Index by OAR Chapter Number

[Search](#) the Text of the OARs

[Questions](#) about Administrative Rules?

[Link](#) to the Oregon Revised Statutes (ORS)

[Return](#) to Oregon State Archives Home Page