

# Senate Bill 502

Sponsored by Senator CLOSE (at the request of Linn County Commissioner John Lindsey)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits Land Conservation and Development Commission from adopting rules to regulate religious activities in state or local parks.

Prohibits commission from adopting rules prohibiting or restricting recreational activities in county parks that are in operative, acknowledged county park master plan.

Prohibits commission from adopting rules prohibiting or restricting development or maintenance of county parks outside urban growth boundaries.

## A BILL FOR AN ACT

1  
2 Relating to uses allowed in parks; amending ORS 195.120.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 195.120 is amended to read:

5 195.120. (1) The Legislative Assembly finds that Oregon's parks are special places and the pro-  
6 tection of parks for the use and enjoyment of present and future generations is a matter of statewide  
7 concern.

8 (2) The Land Conservation and Development Commission, in cooperation with the State Parks  
9 and Recreation Commission and representatives of local government, shall adopt rules and land use  
10 planning goal amendments as necessary to provide for:

11 (a) Allowable uses in state and local parks that have adopted master plans;

12 (b) Local government planning necessary to implement state park master plans; and

13 (c) Coordination and dispute resolution among state and local agencies regarding planning and  
14 activities in state parks.

15 (3) Rules and goal amendments adopted under subsection (2) of this section shall provide for the  
16 following uses in state parks:

17 (a) Campgrounds, day use areas and supporting infrastructure, amenities and accessory visitor  
18 service facilities designed to meet the needs of park visitors;

19 (b) Recreational trails and boating facilities;

20 (c) Facilities supporting resource-interpretive and educational activities for park visitors;

21 (d) Park maintenance workshops, staff support facilities and administrative offices;

22 (e) Uses that directly support resource-based outdoor recreation; and

23 (f) Other park uses adopted by the Land Conservation and Development Commission.

24 **(4) Notwithstanding subsections (2) and (3) of this section, the Land Conservation and**  
25 **Development Commission may not make a rule that:**

26 **(a) Regulates in state or local parks activities that are based on religious beliefs, prac-**  
27 **tices or rituals;**

28 **(b) Prohibits or restricts in a county park recreational activities that are allowed under**  
29 **acknowledged provisions of a county park master plan that were operative immediately be-**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **fore the effective date of this 2013 Act and continue to be operative; or**

2 **(c) Prohibits or restricts development or maintenance of county parks, including publicly**  
3 **owned campgrounds, that are outside an urban growth boundary.**

4 [(4)] (5) A local government [*shall not be*] **is not** required to adopt an exception under ORS  
5 197.732 from a land use planning goal protecting agriculture or forestry resources to authorize a  
6 use identified by rule of the Land Conservation and Development Commission under this section in  
7 a state or local park.

8 [(5)] (6) A local government shall comply with the provisions of ORS 215.296 for all uses and  
9 activities proposed in or adjacent to an exclusive farm use zone described in the state or local  
10 master plan as adopted by the local government and made a part of its comprehensive plan and land  
11 use regulation.

12

---