

SECTION 3.150 PARKLAND OVERLAY ZONE, PO. The purpose of the Parkland Overlay Zone is to limit uses of land identified as parks. Use of lands overlaid with the PO designation are limited to those uses which are consistent with the development of parks in Morrow County and to permit only development which is compatible with such protection.

A. Application. The Parkland Overlay Zone shall be applied to those properties which have been identified as park sites in the Morrow County Comprehensive Plan with the intent of protecting the property as parkland. In addition, owners of adjacent property will benefit by knowing the extent of uses allowed on the neighboring public park property subject to this overlay designation.

B. Permissible Uses. If a use is allowed outright in the underlying zone, it will be allowed outright in the Parkland Overlay Zone but with the overriding provision that no structures are permitted unless consistent with the following list and in conjunction with park use:

1. Roads
2. RV Sites
3. Campground Sites
4. Restrooms
5. Office Structures
6. Bridges
7. Picnic Facilities
8. Playground Equipment
9. Parking
10. Trails
11. Fishing Facilities

12. Recreation Facilities

13. Maintenance to Existing Facilities

14. Expansion of Existing Facilities

15. Other Park Uses as Allowed in OAR
660-034-0040

16. In no instance shall an owner operator of a park site locate a structure or even a permissible use from the list above within one hundred feet (100') of the exterior boundary of a park without first obtaining review process approval as specified in Section 3.150.D below. In cases where it is brought, in writing, to the Planning Director's attention that implementation of a permitted use on public parkland property is not consistent with a perceived notion of recreation need as noted in the Recreation Element of the Morrow County Comprehensive Plan, the matter may be transmitted to the Planning Commission for Conditional Use Permit consideration specified in Section 3.150.C below.

C. Conditional Use. A use not permitted outright in an underlying zone or noted in the list in Section 3.150.B, shall not be allowed. In instances where the proposed use is not accepted as a permitted use by the Planning Director, the applicant can submit the proposed use to the Planning Commission in the form of a Conditional Use Permit application for a determination of similarity to permitted uses. The Conditional Use Permit review process is subject to the provisions of Article 6 and the provisions of this ordinance. The information provided to the Planning Commission will include the Planning Director's initial determination and the reason for making the determination.

D. Review Process. When a determination has been made that a proposed use is a conditional use, the Planning Commission shall conduct a conditional use hearing and consider the following matters and criteria before arriving at a decision.

1. The applicant shall submit a map(s) of the park site and a written description of the proposed use in sufficient detail so that anticipated impacts and benefits can be evaluated.
2. The applicant shall fully describe any measures proposed to mitigate anticipated impacts on adjacent property.
3. The Planning Commission shall approve the application only if it has been determined that the proposed use does not adversely effect adjacent properties or amenities in the park. The review criteria for Conditional Use Permits must be followed.
4. The amount of area disturbed for the proposed use shall be the minimum necessary to accomplish the purpose of the proposed use.
5. There shall be no significant loss of habitat for threatened or endangered species of animals or plants as listed by the U.S. Fish and Wildlife Service or the Oregon Department of Fish & Wildlife.
6. Permanent vegetation removal within the area defined as the riparian zone shall retain 75% of all layers or strata of vegetation (e.g., deciduous trees, shrubs, sedges, rushes and emergents) and maintain riparian diversity.
7. In no instance shall the minimum lot size of this section allow a smaller lot or parcel size than allowed by the underlying zone.
8. In no instance shall a permitted underlying use or a proposed conditional use adversely impact water quality or quantity of any parkland waters. (MC-C-6-98)