

Implementing OAR 660-023-0210, the Cultural Areas Rule Guidance for Oregon Local Governments

Optional Procedures for Notice and Receiving Applications
for Significant Cultural Landscape Features

A Practical Guide to Understanding and Applying the Cultural Areas Rule

Prepared by the Department of Land Conservation and Development

Updated February 23, 2026

This document provides optional guidance to assist Oregon cities and counties in understanding and applying OAR 660-023-0210. The rule applies directly whether or not a local government adopts amendments to its comprehensive plan or development code. The model ordinance, model resolution, and other materials included in the appendices are optional tools that may be adapted or not used at all, depending on local needs and existing procedures.

EXECUTIVE SUMMARY

On December 4, 2025, the Land Conservation and Development Commission adopted a rule to protect cultural areas - places with archaeological sites or landscapes that hold deep meaning for tribes and Oregon communities. This rule is specifically related to Statewide Planning Goal 5: Natural, Scenic, and Historic Areas. While the rule takes effect on January 1, 2027, local governments can prepare early. This rule supports including the nine federally recognized tribes in Oregon in local decision-making processes.

Once a cultural site or landscape is disturbed, its history and heritage can be lost forever. Many (62) tribes in Oregon were left out of local comprehensive planning conversation due to being “terminated” by the 1953 and 1954 Western Oregon Indian and Klamath Tribal Termination Acts by Congress. The rule does not affect established treaty rights and is consistent with the government-to-government consultation responsibilities expected of state agencies. The rule defines local government procedures for sending notice to tribes and sharing those comments with applicants and decision-makers. The goal is to support communication between tribes and local governments so that communities can better identify options for preserving cultural resources while planning for growth.

This Oregon Administrative Rule (OAR) 660-023-0210 or the Cultural Areas Rule establishes procedures that Oregon cities and counties must follow when providing notice to applicants for permits for ground disturbing activities, and to federally recognized tribes in Oregon for public processes associated with ground disturbing activities, and processing applications from Oregon based governments to designate Significant Cultural Landscape Features.

These are provided as optional tools. Local governments may adopt them, modify them, or rely on the rule directly. This document explains each item, describes how cities and counties may choose to use them, and offers best practices and optional enhancements to support consistent, respectful, and effective implementation.

If you have comments on these tools or suggestions for improvement, please contact Kirstin Greene, AICP, Deputy Director and Tribal Liaison at DLCD. Kirstin may be reached at 971-701-1584 or via email at Kirstin.greene@dlcd.oregon.gov

DLCD is holding two initial webinars for local governments on these tools: February 24 and 25, 2026. With any feedback received by mid-March, DLCD will post these final tools and guidance documents by May 1, 2026.

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Chapter 1. Introduction and Purpose

Introduction and Purpose

This guidance explains the contents of the draft ordinance package intended to support local governments implementing the Cultural Areas Rule as defined in Oregon Administrative Rule (OAR) 660-23-0210). The rule is intended to support greater understanding and protection of significant cultural resources throughout Oregon and to ensure that local jurisdictions work with representatives of federally recognized tribes in the state to better understand and preserve Oregon’s cultural heritage.

This protection is achieved through sharing information about land use actions taken by local governments-; projects with the potential to disturb cultural sites; and state statutes and permit requirements protecting archaeological sites in Oregon. This guidance document focuses on requirements in the rule to provide Federally Recognized Tribes in Oregon with notice of development applications and upcoming local decisions.

This document is designed to help Oregon cities and counties implement OAR 660-023-0210 within their local land use programs. It is organized to support local governments at various stages of implementation- whether preparing to adopt local procedures, processing applications for potentially significant Cultural Landscape Features, or updating comprehensive plans. Each chapter focuses on a specific component of the rule, explains how the corresponding model materials function, and offers best practices and optional enhancements that local governments may choose to incorporate.

State Resources and Assistance

Local governments implementing the Cultural Areas Rule may rely on several state resources for support and technical assistance.

Department of Land Conservation and Development (DLCD)

DLCD Regional Representatives and the Natural Resource Specialist are available to help jurisdictions understand and implement this rule. They can assist with notice procedures, preparing to receive applications for Cultural Landscape Features, and associated Goal 5 processes.

Legislative Commission on Indian Services (LCIS)

LCIS will provide each city, county, and Metro with a list of the tribes and contact information for those tribes that wish to receive notice in any particular areas due to their ancestral connection to that land. A local government satisfies the notice requirements in this rule by sending notices to tribes on the list available on the websites of the Legislative Commission on Indian Services and DLCD.

Oregon State Historic Preservation Office (SHPO)

SHPO maintains state laws and permit requirements that pertain to archaeological sites. SHPO can assist local governments in understanding confidentiality requirements, archaeological permitting, and compliance with state statutes as needed.

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Chapter 2. Notice And Response Guidance

This chapter provides guidance on required tribal notice and tribal response procedures under Oregon Administrative Rule (OAR) 660-023-0210. It includes requirements for land use applications for which comment is accepted and involving ground disturbance, applications outside urban growth boundaries, urban growth boundary amendments, and applications for potentially significant Cultural Landscape Features. It also describes optional local cultural resource program components and provides a response to frequently asked questions.

Information on Archaeological Laws and Permit Requirements

OAR 660-023-0210(5)

Applicability

All local application forms for land use authorizations that involve ground disturbance.

Process

Local governments must include a statement on application forms informing the applicant that it is unlawful to disturb an archaeological site without first obtaining a permit required by OAR chapter 736, division 51 and of steps to take in the event of unintentional discovery of an archaeological object or site. Sample language for the notice is provided in this chapter as **Attachment A**.

Notice to Tribes and Tribal Response

This section provides guidance on required tribal notice and tribal response procedures under OAR 660-023-0210.

1. Land Use Applications Involving Ground Disturbance

OAR 660-023-0210 (5)

Applicability

Cities and counties must notify tribes of applications seeking local authorization for development that will result in ground disturbance. This requirement applies to:

1. Land use permits as defined in ORS 215.402(4) / ORS 227.160(2);
2. Limited land use decisions requiring public notice under ORS 197.195 / ORS 197.797
3. Land use actions subject to the procedures established in Oregon Laws 2025, chapter 330, section (3)

Notice to tribes is **not required** for ministerial permits, limited land use decisions processed ministerially under ORS 197.195(6), or any application for which public notice is not required by statute.

Examples of ground disturbance include: grading, foundation installation, installation of underground utilities, and mining of aggregate or minerals.

Notice Requirements

For applications where there is an opportunity for public comment, and tribes have indicated they wish to receive comment, local governments must send notice to those tribes no later than five days after the application is deemed complete. The purpose of the notice is to request information about the potential for negative impacts to known or suspected archaeological site. Notice must include:

- A description of the proposed development
- A map showing the vicinity of the proposed development
- Tax lots and the street address or other easily understood geographical reference to the subject property
- Contact information for the jurisdiction's planning official

A sample tribal notification sheet is provided in this chapter as **Attachment B**.

Response and Confidentiality

When a tribe responds to a notice, the local government must add the tribal contact to the list of interested parties receiving notice of public comment period or hearings provided under ORS 197.195, ORS 197.797 or Oregon Laws 2025, chapter 330, section 3.

Information from a tribe received prior to the first evidentiary hearing - or by the close of the comment period if no public hearing is held - shall be included as part of the record for the application in a manner that preserves confidentiality of information on the location of a known or suspected archaeological site. Information identifying the specific location of the cultural site or the nature of its significance is exempt from public records law under ORS 192.345(11).

In coordination with tribes who have indicated an interest in the area, local governments may:

- Acquire and publish aggregated data in a spatial format to indicate relative likelihood of inadvertent discovery within all or a portion of a local jurisdiction.
- Acquire and publish data on a known archaeological site if the location of the site is approximated so that the precise location of the site is obscured.
- Acquire and keep confidential information on a specific site that is used to inform permit conditions or other strategies for avoiding impacts to a site or support compliance with state statutes and rules governing excavation of an archaeological site.

Local governments must inform the applicant when a tribe responds and transmit to the applicant a tribe's recommendation for avoiding or mitigating impacts. This is not considered public disclosure.

While local governments must consider information in a tribe's response pertinent to the local review, the local government is not required to alter its review standards. Findings must address tribal feedback

and explain how the information was considered including any recommendations for avoiding or minimizing impacts.

If staff from the State Historic Preservation Office (SHPO) confirms that the proposed development is within the established boundaries of a known archaeological site, the city or county must condition the land use decision on the applicant applying to SHPO for an Oregon Archaeological Permit according to state archaeological laws.

2. Urban Growth Boundary (UGB) Amendments

OAR 660-023-0210(7)

Applicability

Local governments must send notice to tribes with an ancestral connection to the area of a proposed UGB amendment. The Legislative Commission on Indian Services (LCIS) will keep this information on their website. DLCD also will post this information on its Tribal Relations website. You may also contact your regional representative for this information.

Notice Requirements

- **Cities** must send notice at least 35 days prior to the first evidentiary hearing.
- **Metro** must send notice at least 45 days prior to the first evidentiary hearing.

Response and Confidentiality

Confidentiality requirements are the same as those described in Section 1 in this chapter in the *Response and Confidentiality* section for Ground Disturbing Activities.

Metro must convey tribal responses to the city or county responsible for comprehensive planning of the UGB expansion area.

If factual information in the record demonstrates that a landscape feature or its impact area is present in the UGB expansion area, the city or county responsible for comprehensive planning of the UGB expansion area must apply Goal 5 consistent with OAR 660-023-0250(3)(c).

Findings and archaeological permit requirements are the same as described for ground-disturbing applications.

3. Applications Outside Urban Growth Boundaries

OAR 660-023-0210(8)

Applicability

Counties must identify applications requiring permits and a comment period under ORS 215.402(4) on lands outside an urban growth boundary and provide notice to tribes. This requirement will overlap with OAR 660-023-0210(5) for protection of archaeological sites and may be satisfied with the same notice.

Notice Requirements

Counties must send notice to tribes no later than five days after an application is deemed complete to request information about the potential for negative impacts to a cultural landscape feature. As in urban areas, notice must include:

- A description of the proposed development
- A map showing the vicinity of the proposed development
- Tax lots and the street address or other easily understood geographical reference to the subject property
- Contact information for the jurisdiction's planning official

A sample tribal notification sheet is included as **Attachment B**.

Notification and consultation with tribes required and carried out as part of a federal action satisfy the requirements of this section.

Local governments also may use an alternate procedure if agreed to by the local government and a tribe or tribes as described in ORA 660-023-0210(9) - optional and additional local protection strategies

Response and Confidentiality

All responses received from a tribe must be treated as part of the official record. When a tribe responds, the local government must add the tribal contact to the list of interested parties receiving notice of public comment period or public hearing on the application provided under ORS 197.195, ORS 197.797 or Oregon Laws 2025, chapter 330, section 3.

If a tribe indicates the potential for a negative impact, the local government must offer to arrange a meeting with the tribe(s) and the applicant within the required review timeline to discuss potential impacts and voluntary measures to avoid or minimize them.

Confidentiality requirements are the same as those described for ground-disturbing applications.

Local governments must include voluntary measures or required federal measures in the record unless the tribe requests confidentiality.

4. Cultural Landscape Feature Designation Applications

OR 660-023-0210(4)(c)

Applicability

Local governments must provide notice for all applications received from an Oregon-based government to add a Cultural Landscape Feature to the local inventory of Goal 5 significant sites.

Notice Requirements

Cities and counties must:

- Notify owners of property that contains all or portion of the subject landscape feature or its impact area.
- Within seven days of receiving an application, send notice to tribes with an ancestral connection to land within the jurisdiction. The Legislative Commission on Indian Services will keep this list on their website. DLCD also will post a copy on their Tribal Affairs website. Local governments also may contact their regional representative for this information.

Response

Please see **Chapter 3** for detailed guidance on processing applications for Culturally Significant Landscape Features, conducting Goal 5 significance analyses, and adopting protection measures.

5. Optional Local Cultural Resource Program Components

OAR 660-023-0210(9)

Optional Local Archaeological Survey Overlay Zone

OAR 660-023-0210(9)(c)

A local government may adopt a local protection program as a plan amendment after January 1, 2026, enabled by a memorandum of understanding with one or more tribes:

- A local program that replaces protections shall be consistent with the principles for establishing tribal relationships described in guidance from the Legislative Commission on Indian Services.
- A government-to-government consultation program adopted shall be enabled by a memorandum of understanding with one or more tribes.
- Notification to a local government by a tribe of withdrawal from a memorandum of understanding, upon which the government-to-government consultation program relies, will cause the local government to resume compliance with the baseline protections for archaeological sites and potentially significant cultural landscape features process steps.
- A local program adopted prior to January 1, 2026, to protect archaeological and cultural resources is consistent with these rules if the local government provides required noticing.
- As an alternative to OAR 660-023-0030, a local government may identify areas with a high likelihood of containing archaeological sites and require preconstruction surveys within such areas.
- Local governments must notify tribes when initiating a local program identifying areas with a high likelihood of containing archaeological sites and require preconstruction surveys within such areas.
- Local government may limit development to protect an archaeological site identified through a preconstruction survey, provided the local government follows the Goal 5 analysis decision process and adopts a program to achieve protection.

Local governments must provide notice to tribes if they choose to pursue creation and adoption of a requirement for preconstruction archaeological surveys in select areas.

Alternate Notice Procedures (MOU-Based)

As an alternative to notice requirements in OAR 660-023-0210 (8), a local government may adopt a local protection program as a plan amendment after January 1, 2026, enabled by a memorandum of understanding with one or more tribes as provided in OAR 660-023-0210 (9)(a)(B).

6. Optional Preconstruction Archaeological Survey Requirement

As provided for in Section 9 of the rule (Optional and additional local protection strategies), In addition to complying with the notice procedures in the rule, a local government may identify areas with a high likelihood of containing archaeological sites and require preconstruction surveys within such areas. A local program may limit development to protect an archaeological site identified through a preconstruction survey, provided the local government bases the decision to limit development on an analysis of the economic, social, environmental, and energy consequences of options considered, decision (ESEE analysis) as described in OAR 660-023-0040 and the local government adopts a program to achieve protection, consistent with the directives in OAR 660-023-0050.

FAQ-Notice and Response to Tribes of General Land Use Applications

1. Can a jurisdiction send notices to tribes in addition to the federally recognized tribes in Oregon identified by Legislative Commission on Indian Services?

Yes. This rule does not limit a local jurisdiction's ability to provide notices about development permits and other local decisions and actions to non-federally recognized tribes. Communication and coordination with tribes is encouraged. While a local government may receive responses from terminated tribes, or those not recognized in Oregon, these responses are not covered by this rule.

2. Will I need to update my code or comprehensive plan to comply with this portion of the new rule?

No. Local jurisdictions are not required to update their comprehensive plans to comply with the notice requirements of this rule. A comprehensive plan amendment will be required if a city or county adds a significant cultural landscape feature to a list of Goal 5 significant resource sites.

Local jurisdictions may need to amend procedural codes to ensure that required notices are sent and to provide for the receipt and processing of an application to add recognize a cultural landscape feature as a significant Goal 5 resource site.

3. Who do I contact if I have questions about which tribes to send notice to?

Local governments may find this information on the Legislative Commission on Indian Services (LCIS). DLCDC also will keep this information on their Tribal Affairs website. Local governments also may contact their regional representative.

4. Do I need to mail or email the notices to the tribes?

Email is sufficient. However, if you have follow-up questions, you are free to reach out to each specific tribe once you obtain contact information from LCIS or DLCDC.

5. If a property owner has an archaeological site on their property, does that mean they can't develop it?

No, it does not. It does mean per ORS 358.920 a person may not excavate, injure, destroy or alter an archaeological site or object or remove an archaeological object located on public or private lands in Oregon unless that activity is authorized under an archaeological permit per ORS 390.235. [Click here](#) for a helpful guide.

6. Is the local jurisdiction required to schedule a meeting with the tribe prior to processing the land use application?

No. However, the local jurisdiction may offer a meeting with a tribe who comments following best practices for tribal engagement.

7. What is SHPO and do I mail or email notices to them?

The SHPO is the Oregon State Historic Preservation Office. When sending them information/notice about an application after receiving a tribal response or after issuing a Decision, use their [GoDigital](#) system.

Attachments

Attachment A — Archaeological Law Statement

Attachment B — Tribal Notification Sheet Template

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Attachment A — Archaeological Law Statement

Model language for inclusion on local applications for land use permits

All archaeological sites contribute to the physical record of the history of Oregon from the earliest inhabitants to the recent past. Under Oregon law, it is illegal to excavate or alter an archaeological site without a permit, remove an archaeological object on public or private lands without a permit, or injure or destroy any Native American cairn, burial, human remains, funerary object, sacred object or object of cultural patrimony. People have lived in Oregon since time immemorial, at least 20,000 years. Evidence of past human occupation exists, in part, within archaeological sites.

If a suspected archaeological object or site is discovered during construction, stop all work and contact the State Historic Preservation Office (SHPO) by calling: (503) 986-0690. If the discovery includes potential human remains, also call Oregon State Police Dispatch at 503-731-3030. Do not resume work until the proper contacts have been made and you have permission from SHPO or OSP to continue.

For more information on laws and best practices that apply to archaeological sites on private land see: [Archaeology Bulletin 1 - Archaeological Sites on Private Lands](#) and [Oregon Archaeology Bulletin Number 3 - Archaeological Sites on Public Lands](#).

Attachment B — Tribal Notification Sheet Template

Included below is a sample template language for a tribal notification sheet that could be included with application materials and completed by applicants. The language could be placed on a singular sheet or form which would be easily separated from the remainder of a land use application and sent to tribes. A separate tribal transmittal cover sheet may be used and a template can be found here [hyperlink].

When transmitting the information below, contact information for the local planning official shall also be included with information being sent to tribes.

1. Provide the address or other easily understood geographical reference to the subject property:

- Provide the map and tax lot number(s) (example 3S-2E-30DD Tax Lot 1200) for the proposed development:

2. Provide a description of the proposed development including information whether there will be ground disturbance including but not limited to:

- Grading,
- Foundation installation,
- Installation of underground utilities, and
- Mining of aggregate or minerals

3. Provide a map showing the vicinity of the proposed development:

Chapter 3. Implementing the Model Ordinance Package

Purpose of This Chapter

This chapter provides a consolidated overview of the Model Ordinance Package—Exhibits A, B, and C—and the companion fee resolution. **Chapter 2** contains the detailed operational requirements for notices generally including applications for recognizing a cultural landscape feature as a significant Goal 5 resource site. This chapter explains how the model exhibits work together, how local government staff can use them in practice, and optional enhancements local governments may adopt to strengthen implementation.

Ordinance Exhibit A — Model Notice Procedures

Purpose of Ordinance Exhibit A

Ordinance Exhibit A guides the local government through one clear pathway for implementing the notice and response requirements in OAR 660-023-0210. It identifies which application types require notice, when notice must be sent, what must be included, how responses are managed, and when SHPO must be notified.

The rule’s notice requirements apply directly under ORS 197.646; Exhibit A provides a structured, consistent way to implement those requirements. **Ordinance Exhibit A** is intentionally concise. It is written to be adopted directly into the development code without modification.

Using Ordinance Exhibit A in Practice

Ordinance Exhibit A is written to be integrated into the planning workflow in the same way as other procedural code sections. Staff should review each application at intake to determine whether public notice is required, and whether the application involves ground disturbing activity. Be sure to track the completeness date, which determines the notice deadline of five days after the application is deemed complete.

When preparing notice, DLCD recommends that staff use the standardized notice template in Attachment B to ensure that all required elements described in **Chapter 2** are included.

All notices and tribal responses must be included in the record. Confidential information should be stored in a separate, non-public appendix. Staff should document:

- The date notice was sent
- The date any response was received
- Any follow up communication

Staff reports should summarize tribal comments and describe how they were considered. Conditions of approval should be added when the State Historic Preservation Office (SHPO) confirms the presence of a known archaeological site. Findings should address any recommendations a tribe has provided. These practices help ensure that notice is timely, consistent, and respectful of tribal sovereignty.

Best Practices for Implementing Ordinance Exhibit A

Local governments may strengthen implementation of **Ordinance Exhibit A** by adopting internal practices that support consistency and transparency. These include:

- Adding a ground disturbance disclosure to all application forms
- Tracking completeness dates using a shared internal system
- Training staff annually on tribal notification requirements
- Being familiar with the current list of tribal contacts provided by LCIS
- Documenting all communications with tribes in the record
- Providing applicants with clear information about the notice process

Optional Model Code Enhancements

Some local governments may wish to strengthen **Ordinance Exhibit A** by adopting optional code provisions. While these provisions are not required by the cultural areas rule, they can improve clarity, transparency, and consistency. The following options may be added to the ordinance package if desired.

General Approval Criterion

This option provides a clear legal hook tying local decisions to state law.

All land use decisions shall comply with applicable state law, including OAR 660-023-0210 and ORS 358.905–358.961.

Voluntary Applicant Revisions

This option encourages collaboration between applicants and tribes.

An applicant may submit voluntary revisions in response to tribal comments at any time prior to the close of the record.

Staff Report Summary Requirement

This option improves transparency and ensures that tribal comments are consistently addressed.

Staff reports for applications requiring notice under this section shall summarize tribal comments received and describe how the comments were considered in the decision.

These enhancements may be adopted individually or as a group, depending on local needs.

Ordinance Exhibit B — Model Cultural Landscape Feature Designation Procedures

Purpose of Ordinance Exhibit B

Exhibit B provides a clear, predictable local process for evaluating cultural landscape feature designation applications and adopting protections. It offers a legislative path for processing cultural landscape feature applications, while recognizing that local governments retain authority to determine which local procedure applies under their own code.

Ordinance Exhibit B incorporates into local code procedures in division 23 for recognizing a cultural landscape feature as a Goal 5 significant resource site and adopting protections. It identifies:

- Who may apply
- How applications are processed
- How significance is evaluated
- How conflicting uses are analyzed
- How protections are adopted

The exhibit is intentionally concise, providing the essential procedural steps without duplicating the detailed guidance found in **Chapter 2**.

Exhibit B offers a process for cultural landscape feature designation applications to be processed as legislative comprehensive plan amendments. Local governments may use this legislative path or another procedure allowed under their code. The legislative option ensures that the designation and associated protections are adopted through a transparent public process and incorporated into the local government's Goal 5 inventory. **Exhibit B** is consistent with the division 23 requirement that protections be adopted concurrently with the designation. Local protections will ensure that the significant cultural landscape feature designation is meaningful and enforceable in future development review.

Using Ordinance Exhibit B in Practice

Exhibit B should be used as the primary reference for processing cultural landscape feature designation applications when a local government chooses to use the legislative path provided in the model ordinance. When a local government chooses to use the legislative path provided in Exhibit B, staff should follow the steps outlined below:

- Confirm that the application was submitted by an eligible applicant
- Follow the procedural steps outlined in **Exhibit B**
- Coordinate early with legal counsel, planning commissions, and elected officials to ensure alignment with local legislative procedures

Staff should also consult **Chapter 2** to ensure that all notice and tribal response requirements are met. Tribal notice must be sent within 7 days of the local government receiving the application. Staff should document the date it was sent. Tribal responses must be included in the record and considered in the findings.

Throughout the process, staff should maintain clear communication with the applicant, affected property owners, and tribes. Because cultural landscape feature designation applications often involve

complex cultural, historical, and environmental information, early coordination helps ensure that the process is respectful.

Best Practices for Implementing Ordinance Exhibit B

Local governments can improve the quality of cultural landscape feature applications and efficiency of review by adopting internal practices that support clarity and consistency.

Use of a Submittal Checklist

A submittal checklist helps applicants understand expectations and reduces the need for repeated information requests. A typical checklist may include:

- A map of the feature and impact area
- A narrative describing the feature
- Documentation of significance
- Identification of conflicting uses
- Any available GIS data

Completeness Review

For applications for cultural landscape feature designation that are processed legislatively, staff could consider using a minimal completeness standard. Supplemental information may be requested at any time before the close of the record. This flexibility allows staff to gather the information needed to evaluate significance and conflicting uses without delaying the start of the process.

Evaluating Significance

During the significance evaluation, staff should treat tribal knowledge and documentation as authoritative sources. The evaluation should:

- Clearly describe the geographic extent of the feature and its impact area
- Explain how the feature meets the significance criteria in OAR 660-023-0210

When the feature is complex or contested, local governments may benefit from using qualified consultants to assist with the evaluation. They may also contact DLCD, SHPO, and LCIS for support.

Conducting the Economic, Social, Environmental, and Energy (ESEE) Analysis

The Economic, Social, Environmental, and Energy analysis should:

- Identify conflicting uses
- Consider appropriate protection strategies and explain why the selected approach is suitable for the feature and its impact area. Use a consistent format to ensure clarity and repeatability

Protections should be map based, enforceable, and tied to specific areas within the potentially significant cultural landscape feature and its impact area. Storing protections in a dedicated section of the development code—such as a significant cultural landscape feature overlay—helps ensure that they are easy to identify and apply.

Integrating Protections into Development Review

The development review chapter should cross-reference the significant cultural landscape feature protections, so they function as approval criteria. This cross-reference works together with mapped protections—such as an overlay zone— and is not a substitute for them. Early review of the significant cultural landscape feature map helps ensure that protections are incorporated into the development review process.

Optional Model Code Enhancements

Some local governments may wish to strengthen Exhibit B by adopting optional code provisions that improve clarity, predictability, or administrative efficiency. While these provisions are not required by the cultural areas rule, they can help staff manage a cultural landscape feature application more effectively and ensure that the designation process is well documented, and easy to administer. The following options may be added to the ordinance package individually or as a group, depending on local needs.

Application Checklist Authority

This option allows staff to maintain and update a cultural landscape feature designation application checklist without requiring a code amendment. It is useful for local governments that expect to refine their process over time or want flexibility to request specific types of information.

The Planning Director may establish and update a Cultural Landscape Feature designation application checklist to implement this section. The checklist may specify the form and content of application materials, consistent with this code.

Minimal Completeness Standard

This option clarifies that cultural landscape feature designation applications are complete with basic information and that staff may request additional information later in the process, helping avoid unnecessary delays at intake.

An application under this section is complete when it includes, at a minimum, a map and written description of the Potentially Significant Cultural Landscape Feature. The Planning Director may request additional information at any time prior to the close of the record.

Significance Findings Requirement

This option reinforces the requirement to adopt findings describing the feature and explaining how it meets the significance criteria. It is helpful for local governments that want to ensure a clear and consistent record for future reference or potential appeals.

In designating a Cultural Landscape Feature as significant, the [City/County] shall adopt findings identifying the cultural landscape feature, describing its significance, and explaining how it meets the criteria in OAR 660-023-0210.

Economic, Social, Environmental, and Energy Analysis Requirement

This option clarifies the relationship between the cultural landscape feature significance determination and the Goal 5 Economic, Social, Environmental, and Energy process. It is useful for local governments

that want to ensure that the Economic, Social, Environmental, and Energy analysis is consistently documented and tied to the protections adopted.

When designating a Cultural Landscape Feature as significant, the [City/County] shall conduct an Economic, Social, Environmental, and Energy analysis consistent with OAR 660-023-0040 and adopt a program to achieve protection consistent with OAR 660-023-0050.

Mapping Requirement

This option ensures that the Significant Cultural Landscape Feature and its impact area are clearly shown on the Goal 5 inventory map at the time of designation. It is useful for local governments that want to maintain a complete and accurate inventory, for property owners, and developers.

At the time of Significant Cultural Landscape Feature designation, the local government shall amend the Goal 5 inventory map to show the Significant Cultural Landscape Feature and its impact area.

Protection Storage Requirement

This option ensures that protections adopted for each significant cultural landscape feature are stored in a consistent location within the development code and incorporated into the Goal 5 inventory. It helps staff and applicants easily locate the applicable standards.

Each Significant Cultural Landscape Feature designation shall be accompanied by a list of applicable protections, which shall be codified in Section [] and incorporated by reference into the Goal 5 inventory.

Cross-Reference Requirement

This option ensures that the development review chapter clearly references the significant cultural landscape feature protections so that they function as approval criteria during application review. It works in conjunction with mapped protections and helps avoid confusion during application processing.

The development review procedures in Chapter [] shall reference the Significant Cultural Landscape Feature protections in Section [] and require findings of compliance where applicable. This cross-reference supplements, and does not replace, mapped protections such as and overlay zone.

These enhancements provide local governments with additional tools to tailor the cultural landscape feature designation process to their administrative needs while maintaining consistency with state requirements. They also help ensure that the protections adopted for each significant cultural landscape feature are clear, enforceable, and easy to apply during development review.

Ordinance Exhibit C — Model Comprehensive Plan Policy

Purpose of Ordinance Exhibit C

Ordinance Exhibit C provides a concise comprehensive plan policy that ties the development code amendments to the community's long-range planning framework. It recognizes the importance of

cultural landscape features and supports the use of protections for significant cultural landscape features.

Ordinance Exhibit C includes a concise comprehensive plan policy that:

- Recognizes the importance of cultural landscape features
- Expresses the local government’s intent to carry out the Cultural Areas Rule
- Supports the use of protections for significant cultural landscape features

The policy is intentionally brief. Its role is not to restate the rule or duplicate the development code, but to offer a straightforward statement that ties the plan and code together.

Using Ordinance Exhibit C in Practice

Once adopted, the plan policy in **Ordinance Exhibit C** becomes part of the comprehensive plan and can help guide long-range planning, legislative amendments, and Goal 5 inventory work. Staff may find it useful to reference the policy when:

- Preparing materials for cultural landscape feature applications
- Updating the Goal 5 inventory map
- Reviewing broader planning efforts that touch cultural resources

The policy also provides a helpful point of connection when coordinating with tribes, reflecting the local government’s interest in meaningful engagement.

Best Practices for Implementing Ordinance Exhibit C

Local governments can strengthen the usefulness of **Ordinance Exhibit C** by adopting internal practices that support consistency over time. Examples include:

- Keeping the Goal 5 inventory current, including updating it when new Significant Cultural Landscape Features are designated
- Clearly identifying Significant Cultural Landscape Features and their areas
- Ensuring related information appears in plan maps or background documents

Although not required by the Cultural Areas Rule, some communities choose to integrate cultural landscape feature awareness into broader planning efforts such as when updating transportation plans, housing analyses, or other long-range planning documents. These practices help weave cultural resource awareness into everyday planning work.

Optional Model Plan Policies

Some local governments may want to include additional comprehensive plan policies to strengthen their cultural resource program. These policies are completely optional. These policies are optional. While the Cultural Areas Rule does not require a plan amendments, local governments that adopt related code provisions may choose to add supporting plan policies to maintain consistency between the plan and code. Communities can adopt any of the following policies individually or as a set, depending on local goals.

Policy: Recognition of Cultural Landscape Features

This policy highlights the community’s interest in acknowledging and caring for cultural landscape features.

The [City/County] recognizes Significant Cultural Landscape Features as important elements of the community’s cultural heritage and will protect these resources through its land use planning program.

Policy: Coordination with Tribes

This policy expresses the community’s interest in maintaining strong working relationships with tribes.

The [City/County] will coordinate with federally recognized tribes in Oregon when considering land use actions that may affect cultural landscape features or archaeological resources.

Policy: Maintenance of the Goal 5 Inventory

This policy supports ongoing updates to the inventory, so it remains a useful planning tool.

The [City/County] will maintain its Goal 5 inventory by updating it when new Significant Cultural Landscape Features are designated and when related information becomes available through established review processes..

Policy: Integration with Long-Range Planning

This policy encourages-but does not require- the integration of cultural resource considerations into broader planning efforts.

When preparing or updating long-range planning documents, the [City/County] will consider designated Significant Cultural Landscape Features and may also consider information voluntarily provided by tribes about areas of cultural value. This policy does not require new surveys or proactive identification of cultural resources.

These optional policies can help communities build a more complete cultural resource program and ensure that cultural landscape features are considered across a wide range of planning activities.

Optional Implementation Measures

In addition to optional plan policies, local governments may adopt implementation measures that support long term administration of the Cultural Areas Rule. Examples include:

- Maintaining Cultural Landscape Feature designation application procedures in a staff manual
- Maintaining confidentiality protocols for archaeological information
- Updating maps and inventories as new information becomes available
- Including ground disturbance disclosures on application forms

While these implementation measures are not required, they can make implementation clearer and more consistent over time.

Model Fee Resolution Package

Purpose of the Model Fee Resolution

The **Model Fee Resolution Package (Appendix F)** establishes fees for processing applications for designation of cultural landscape features. While the ordinance package amends the development code and comprehensive plan to carry out the Cultural Areas Rule, the model resolution package provides the financial structure that helps local governments cover the staff work involved in reviewing these applications.

Understanding the Model Resolution Package

The model resolution package is a companion to the model ordinance package. It includes:

- A resolution adopting the significant cultural landscape feature application fee schedule
- A fee schedule exhibit listing the adopted fee
- A fee calculation methodology exhibit explaining how the fees were derived
- A staff report supporting the resolution

It is separate from the ordinance package because fees are typically adopted by resolution. This approach also makes it easier for local governments to update fees later without reopening the development code or comprehensive plan.

The fee schedule is meant to be simple to use. It lists the fee for processing an application for cultural landscape feature designation application and, where relevant, the hourly rates or pass-through charges that may apply if additional staff time or consultant services are needed. The fee calculation exhibit provides transparency by showing how the fee was developed and how it relates to the work involved.

How the Model Resolution Package Fits Within the Implementation Program

The model resolution package works in tandem with the model ordinance package to support local implementation of the Cultural Areas Rule. **Ordinance Exhibit A** outlines notice procedures, **Ordinance Exhibit B** outlines the cultural landscape feature designation process, and **Ordinance Exhibit C** adds the plan level- policy. The model resolution package adds a fee structure that supports the staff work required by **Ordinance Exhibit B**.

Processing a cultural landscape feature application for designation can involve the following steps:

- Reviewing the application
- Preparing and sending tribal notice
- Coordinating with tribes and applicants
- Evaluating significance
- Reviewing or preparing the Economic, Social, Environmental, and Energy analysis
- Drafting findings and protections
- Updating the Goal 5 inventory
- Preparing materials for public hearings

The fee schedule helps local governments recover the costs of this work in a clear and predictable way.

Using the Fee Schedule in Practice

Once adopted, the fee schedule should be added to the local government's standard fee table and made available to applicants. Staff can reference the fee schedule when receiving a Cultural Landscape Feature designation application and explain what the fee covers. Including the fee schedule in application materials, checklists, and public information can help applicants understand the process.

The fee schedule is designed to be flexible. If an application requires more staff time beyond than the base fee covers, the fee schedule may allow the local government to charge hourly rates or pass-through costs. Staff should track time spent on each application and apply additional charges only when authorized by the adopted schedule.

The fee calculation exhibit should be kept as part of the administrative record. It documents how the fee was developed and can be helpful when the fee schedule is updated in future years.

Best Practices for Administering Fees

Local governments can support clear and consistent fee administration by adopting internal practices such as:

- Documenting staff time
- Providing applicants with a written explanation of the fee structure
- Reviewing the fee schedule periodically to ensure it reflects actual processing costs

It can also be helpful to coordinate Cultural Landscape Feature fee updates with broader fee schedule reviews. Because these applications may be infrequent and vary in complexity, periodic review helps keep the fee aligned with actual experience.

Staff should also understand how the fee schedule relates to the Cultural Landscape Feature designation process. Being able to explain how the fee supports the work outlined in **Ordinance Exhibit B** can help applicants understand the purpose of the charges.

As an additional practice, local governments may choose to reduce or waive Cultural Landscape Feature application fees for federally recognized tribes. Because tribes are likely to submit applications to protect culturally important places, and because these applications serve a public purpose, a fee-reduction or fee-waiver policy can support strong government-to-government relationships and improve access to the designation process. This type of policy can be adopted administratively or included in the fee resolution.

Optional Model Fee Schedule Language

Some local governments may wish to adopt additional fee schedule language to clarify how Cultural Landscape Feature related fees are applied. The following options may be added to the resolution package if desired.

Base Cultural Landscape Feature Application Fee

This fee covers the standard staff work required to process a Significant Cultural Landscape Feature application.

Cultural Landscape Feature Designation Application Fee: \$[amount], covering staff review, notice preparation, significance evaluation, Economic, Social, Environmental, and Energy analysis, preparation of findings, and Goal 5 inventory updates.

Hourly Staff Time Charge

This option allows the local government to recover additional costs when an application requires more staff time than anticipated.

Additional staff time beyond the scope of the base fee shall be billed at an hourly rate of \$[amount] per hour.

Consultant Pass Through Charges

This option allows the local government to recover the cost of hiring consultants when specialized expertise is needed.

If consultant services are required to evaluate a Cultural Landscape Feature application, the applicant shall be responsible for the full cost of such services, billed at cost.

Fee Reduction or Waiver for Tribes

This optional policy supports government-to-government relationships and equitable access.

The [City/County] may reduce or waive Cultural Landscape Feature application fees for federally recognized tribes submitting a Cultural Landscape Feature application.

Appendices

The appendices offer supporting materials that local governments can use when implementing the Cultural Areas Rule. These materials are not part of the ordinance or resolution packages, but they provide practical tools that can improve consistency, clarity, and efficiency in day-to-day administration. Communities may adapt these materials to fit their internal processes as needed.

The appendices include:

Appendix A. How the Model Ordinance Implements OAR 660-023-0210

Appendix B. Integrating Cultural Areas Rule Requirements into Local Procedures and Code

Appendix C. Sample Cultural Landscape Feature Designation Application Checklist

Appendix D. Protection Strategy Options

Appendix E. Model Ordinance Package

Ordinance Exhibit A — Development Code Amendments- Tribal Notice Procedures

Ordinance Exhibit B — Development Code Amendment: Cultural Landscape Features

Ordinance Exhibit C — Comprehensive Plan Amendments

Appendix F. Model Fee Resolution Package

Resolution Exhibit A — Fee Schedule Amendment

Each appendix is designed to be flexible and easy to use. Local governments may incorporate these materials into staff manuals, application packets, or internal workflows to support smooth implementation.

Appendix A. How the Model Ordinance Implements OAR 660-023-0210

Ordinance Exhibit	What It Does	Corresponding Rule Requirement	For Guidance, See
Exhibit A	Establishes local notice triggers, timing, content, confidentiality, and feedback handling	OAR 660-023-0210(5), (7), (8), (9)	Chapter 2; Chapter 3
Exhibit B	Establishes intake, significance evaluation, Economic, Social, Environmental, and Energy, protections, and development review	OAR 660-023-0210(4), (6)	Chapter 3
Exhibit C	Provides plan level authority to implement the rule	Goal 5 & OAR 660-023-0210	Chapter 3

Appendix B. Integrating Cultural Areas Rule Requirements into Local Procedures and Code

A tool for identifying where each requirement fits within local procedures, code, and plans

Acronyms Used in This Table

To keep the table concise, the following acronyms are used throughout:

- UGB — Urban Growth Boundary
- DLCD — Oregon Department of Land Conservation and Development
- OARRA — Oregon Archaeological Records Remote Access system
- CPA — Comprehensive Plan Amendment
- ESEE — Economic, Social, Environmental, and Energy analysis
- MOU — Memorandum of Understanding
- SCLF — Significant Cultural Landscape Feature

Note: The term Cultural Landscape Feature designation application is spelled out in the table to avoid implying significance before evaluation. The acronym “SCLF” is used only when referring to features that have already been determined to be significant.

How to Use This Appendix

This table helps local governments understand:

- What the Cultural Areas Rule requires
- What cities and counties may already have in place
- What typically happens if no local procedures exist
- A recommended pathway for integrating each requirement into local practice

Local governments can use this tool to decide whether a requirement is best addressed through internal procedures, development code updates, or comprehensive plan amendments. *What the Rule Provides* describes required Goal 5 outcomes and procedural steps- such as processing Cultural Landscape Feature designation applications as comprehensive plan amendments, adopting protections concurrently, and adopting the Goal 5 inventory. The rule does not prescribe local administrative procedures a city or county must use to carry out these requirements.

Ground Disturbing Development Applications (Section 5)

Requirement	What the Rule Provides	What May Already Be in Place	What This Means in Practice	Recommended Pathway
Archaeological law statement on applications	Must inform applicants that disturbing archaeological sites	Standard application forms with disclosure language	Without a standard statement, applicants may be unaware of	Procedure (update application forms)

	without a state permit is unlawful		state requirements	
Tribal notice within 5 days of completeness	Notice required for all qualifying ground disturbing applications	General noticing procedures for land use applications	Without a workflow, notice may be late or incomplete	Procedure (recommended) or Code amendment (optional)
Managing tribal responses	Must transmit responses to applicant and include them confidentially in the record	Public records handling protocols; staff workflows	Without a process, confidential information may be mishandled	Procedure
Conditioning approvals for known archaeological sites	Must require application be made for an Oregon Archaeological Permit when site is documented in OARRA	Conditional approval authority in development code	Without code authority, staff may lack a clear approval criterion	Code amendment

Rural Development Outside UGBs (Section 8)

Requirement	What the Rule Provides	What May Already be in Place	What This Means in Practice	Recommended Pathway
Archaeological law statement on applications	Must inform applicants that disturbing archaeological sites without a state permit is unlawful	Standard application forms with disclosure language	Without a standard statement, applicants may be unaware of state requirements	Procedure (update application forms)
Tribal notice within 5 days of completeness	Notice required for all qualifying ground disturbing applications	General noticing procedures for land use applications	Without a workflow, notice may be late or incomplete	Procedure (recommended) or Code amendment (optional)
Managing tribal responses	Must transmit responses to applicant and include them confidentially in the record	Public records confidentiality protocols	Without a process, confidential information may be mishandled	Procedure

UGB Amendments (Section 7)

Requirement	What the Rule Provides	What May Already be in Place	What This Means in Practice	Recommended Pathway
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Tribal notice 35/45 days before hearing	Cities: 35 days; Metro: 45 days	DLCD notice procedures; legislative hearing workflows	Without a workflow, staff may miss required deadlines	Procedure (recommended) or Code amendment (optional)
Managing archaeological information	Must maintain confidentiality	Public records confidentiality protocols	Without a process, staff may mishandle exempt information	Procedure

Cultural Landscape Feature Designation Applications (Sections 4 & 6)

Requirement	What the Rule Provides	What May Already be in Place	What This Means in Practice	Recommended Pathway
Accepting Cultural Landscape Feature designation applications	Must accept applications from Oregon based governments	CPA application process	Without a local application type, staff may need to accept filings under existing CPA procedures	Code amendment
Property owner notice	Must notify owners of property containing the feature or impact area	CPA noticing procedures	Without procedures, notice may be incomplete	Procedure or Code amendment
Significance evaluation	Must apply OAR 660-023-0030 and rule section 4(a)	Hearing procedures; staff report templates	Without procedures, the record may be insufficient	Procedure
ESEE analysis	Must complete ESEE for significant features	Goal 5 experience (varies)	The local code should clearly indicate that the ESEE analysis is triggered after a significance finding. Plan and code amendments needed to adopt protections typically occur at the time of designation, not before the application is filed.	Plan amendment + Code amendment
Adopting protections concurrently	Must adopt protections at the	Overlay zones or special area plans	Local implementation may not be possible	Plan amendment +

	same time as designation		without mapping or code home	Code amendment
Fee schedule	Rule is silent; local fees may be charged	Fee schedules for CPAs or land use actions	Without a fee, costs are likely to be absorbed locally	Resolution
Development review hook	Protections must be enforceable on future permits	Development review chapter	Protections must be enforceable in development review; a code amendment is typically needed to create the approval criterion.	Code amendment

Baseline Archaeological Site Protections (Section 5)

Requirement	What the Rule Provides	What May Already be in Place	What This Means in Practice	Recommended Pathway
Confidentiality of archaeological information	Must comply with ORS 192.345(11)	Public records confidentiality protocols	Without procedures, staff may disclose exempt information	Procedure
Use of OARRA data	Must use appropriately and maintain confidentiality	Limited access to OARRA; staff workflows	Without procedures, staff may mishandle data	Procedure
Advisory recommendations for suspected sites	Must support compliance with state law	General permit advisory practices	Without procedures, staff may not provide consistent guidance	Procedure

Optional Local Programs (Section 9)

Requirement	What the Rule Provides	What May Already be in Place	What This Means in Practice	Recommended Pathway
MOU based consultation program	May replace Sections 5 and 8 for tribes in an MOU	Rare; only in jurisdictions with existing MOUs	Requires sustained tribal engagement	Plan amendment + Code amendment
Archaeological survey overlay	May require pre-construction surveys	Rare; typically not present	Requires mapping, ESEE, and protections	Plan amendment + Code amendment

Appendix C. Sample Cultural Landscape Feature Designation Application Checklist

This appendix provides a detailed checklist that local governments may use when receiving Cultural Landscape Feature designation applications. The checklist separates required submittal items from optional or recommended items so applicants can clearly see what must be provided under OAR 660-023-0210 and what may help strengthen the application. Optional model code language supporting these items appears in Chapter 3. Implementing the Model Ordinance Package for communities that want to formalize any of the recommended practices.

Local governments may also choose to reduce or waive Cultural Landscape Feature application fees for federally recognized tribes. Because these applications are typically legislative, infrequent, and often submitted by tribal governments acting in the public interest, a fee reduction or fee waiver policy can support strong government-to-government relationships and improve access to the designation process.

Required Submittal Items (Rule Mandated)

These items are required because they allow the local government to evaluate significance, identify conflicting uses, and conduct the Economic, Social, Environmental, and Energy (ESEE) analysis under OAR 660-023-0210(4)–(6).

Required by Rule	Description
Map of the Cultural Landscape Feature and its impact area	A clear map showing the geographic extent of the Cultural Landscape Feature and the proposed impact area. May be submitted as a PDF or in GIS-ready format.
Written description of the Cultural Landscape Feature	A narrative describing the feature, its characteristics, and its cultural importance.
Documentation supporting significance	Materials showing how the feature meets the significance criteria in OAR 660-023-0210(4). May include historical records, ethnographic information, or other documentation.
Tribal information about significance (if provided)	Any information shared by tribes regarding the feature's significance. Local governments must consider tribal knowledge when evaluating significance.
Identification of conflicting uses	A description of existing or potential uses that may conflict with protecting the Cultural Landscape Feature, consistent with OAR 660-023-0210(6).
Materials necessary for the ESEE analysis	Information needed to evaluate economic, social, environmental, and energy considerations related to potential protection strategies.
Filing fee	The adopted Cultural Landscape Feature application fee, as listed in the local government's fee schedule resolution.

Optional and Recommended Submittal Items

These items are not required by rule but can improve clarity, efficiency, and the overall quality of the designation process. Local governments may encourage or require these items through administrative policy or optional model code.

Recommended Best Practice	Description
GIS ready spatial data	Shapefiles or georeferenced PDFs that allow staff to integrate the Cultural Landscape Feature and impact area into local GIS systems.
Authorship and source documentation	Identification of the author(s) of technical materials, including qualifications and sources used in preparing significance documentation.
Parcel scale mapping of conflicting uses	A spatial depiction of conflicting uses at the parcel level to support a more precise ESEE analysis.
Narrative of feasible protection strategies	A written description of potential protection strategies the applicant believes may be appropriate for the Cultural Landscape Feature.
Pre-application meeting summary	A summary of any pre-application coordination with staff or tribes, including topics discussed and information exchanged.
Summary of tribal coordination efforts	A description of any tribal information shared during early coordination and how the applicant incorporated that information into the application.
Supporting technical studies	Additional studies—such as viewshed analyses, environmental reports, or cultural landscape assessments—that help staff evaluate significance or conflicting uses.

Appendix D. Protection Strategy Options

This appendix summarizes protection strategies referenced in OAR 660-023-0210(6)(b) and offers examples of when each approach may be useful. These strategies can help local governments tailor protections to the specific characteristics of a Cultural Landscape Feature and the surrounding land uses.

Protection Strategy	When It is Useful	Example Application
Clustering	When development can be directed away from sensitive areas	Subdivision design
Open space preservation	When the feature covers a broad area or landscape	Conservation easements
Time window access	When cultural practices occur during specific seasons or times	Seasonal trail closures
Height limits	When viewsheds or sightlines are culturally important	Scenic corridor
Non-reflective surfaces	When glare or reflection could interfere with cultural practices	Solar facility design
Buffers / setbacks	When physical disturbance needs to be avoided	Utility installation

These examples are illustrative rather than exhaustive. Local governments may adapt or combine strategies based on site-specific needs and input from tribes and community members.

Appendix E. Model Ordinance Package

The materials in this appendix are optional tools that cities and counties may use or adapt when incorporating Cultural Areas Rule procedures into their local land use framework. OAR 660-023-0210 applies directly, and local governments are not required to adopt development code or comprehensive plan amendments to carry out the rule.

This model ordinance package—including a sample staff report, adopting ordinance, development code amendments, and a comprehensive plan amendment—is provided for communities that want to place tribal notice procedures, Cultural Landscape Feature designation steps, and related Goal 5 processes into their own code and plan structure. Doing so can improve clarity, consistency, and ease of administration.

Local governments may modify, expand, or choose not to use these materials based on their existing procedures and local context.

MODEL STAFF REPORT

To: [Planning Commission / Governing Body]

From: [Planning Director / Community Development Department]

Date: [Hearing Date]

Subject: Comprehensive Plan and Development Code Amendments Related to Tribal Notice and Cultural Landscape Features

I. INTRODUCTION

This staff report presents proposed amendments to the [City/County] Comprehensive Plan and Development Code to incorporate local procedures related to OAR 660-023-0210, also known as the Cultural Areas Rule. The rule applies directly and establishes required outcomes, and these local amendments provide a clear, predictable administrative structure for implementing those outcomes. The amendments include:

- **Exhibit A:** Development Code amendments establishing Tribal Notice Procedures
- **Exhibit B:** Development Code amendments establishing procedures for Cultural Landscape Feature designation applications
- **Exhibit C:** Comprehensive Plan amendments providing policy support for Cultural Landscape Feature review and protection

These amendments are optional tools that the [City/County] has chosen to adopt to provide clarity, predictability, and a clear administrative structure for Cultural Areas Rule procedures. The rule applies directly, but local amendments can help integrate its requirements into existing workflows.

II. BACKGROUND

A. Overview of OAR 660-023-0210

OAR 660-023-0210 establishes requirements that Oregon cities and counties must follow when:

- Providing notice to federally recognized tribes for certain land use applications
- Processing applications submitted by Oregon based governments to designate Significant Cultural Landscape Features
- Completing Goal 5 significance evaluations and Economic, Social, Environmental, and Energy analysis/conflicting use analyses
- Adopting protection measures at the time of designation
- Applying adopted protections to future land use decisions

The rule also requires tribal notice for:

- Land use applications involving ground disturbing activity
- Rural land use applications outside the Urban Growth Boundary
- Urban growth boundary amendments

Some provisions of the rule apply directly, regardless of whether a city or county adopts local amendments (OAR 660-023-0210(10)(b)).

B. Purpose of Local Amendments

Although the rule does not require local amendments, many communities choose to adopt them to:

- Provide staff with clear, repeatable procedures
- Integrate Cultural Areas Rule requirements into existing workflows
- Support consistent handling of confidential information
- Establish a local application type for designating Cultural Landscape Feature as significant
- Provide a clear home for Goal 5 significance and Economic, Social, Environmental, and Energy analyses
- Ensure that adopted SCLF protections are enforceable through development review

The proposed amendments are intended to support these goals and provide a coherent local implementation framework.

III. SUMMARY OF PROPOSED AMENDMENTS

A. Exhibit A — Tribal Notice Procedures (Development Code)

Exhibit A establishes a local procedural framework for issuing tribal notice under OAR 660-023-0210. The exhibit:

- Identifies the types of applications that require tribal notice
- Establishes timing and content requirements
- Directs staff to use the LCIS tribal list
- Provides procedures for handling tribal feedback and confidential information
- Adds the required advisory statement to ground disturbing applications
- Clarifies when archaeological permit conditions apply

These procedures provide a clear workflow for staff and applicants.

B. Exhibit B — Significant Cultural Landscape Feature Procedures (Development Code)

Exhibit B provides one clear local pathway for receiving, evaluating, and acting on Cultural Landscape Feature designation applications submitted by Oregon based governments. It:

- Creates a Cultural Landscape Feature designation application type
- Establishes intake and notice procedures
- Outlines the significance evaluation process
- Recognizes tribal governments as authoritative sources of knowledge
- Requires an Economic, Social, Environmental, and Energy /conflicting use analysis when significance is found
- Provides a mechanism for adopting site specific protection measures
- Adds designated Significant Cultural Landscape Features to the Goal 5 inventory

- Makes adopted protections enforceable through development review

This exhibit provides a complete, ready to use process for Cultural Landscape Feature designation.

C. Exhibit C — Comprehensive Plan Amendments

Exhibit C adds or updates Comprehensive Plan policies to reflect the [City/County]’s role in implementing the Cultural Areas Rule. It:

- Establishes a Goal 5 policy acknowledging the Cultural Areas Rule
- States that the [City/County] will apply key rule provisions
- Links Cultural Landscape Feature designation, tribal notice, significance evaluation, and Economic, Social, Environmental, and Energy analysis to the Comprehensive Plan
- Provides a policy foundation for the development code procedures in Exhibits A and B

These Comprehensive Plan amendments are optional and are intended to help the plan and code operate as a coherent system.

IV. FINDINGS

The following findings demonstrate that the proposed amendments are consistent with applicable statewide planning goals, Oregon Administrative Rules, and the [City/County] Comprehensive Plan.

A. Statewide Planning Goals

Goal 1: Citizen Involvement

The amendments were reviewed through the [City/County]’s acknowledged procedures, including public notice and hearings before the Planning Commission and [Governing Body]. This satisfies Goal 1.

Finding: Consistent with Goal 1.

Goal 2: Land Use Planning

The amendments maintain a coordinated land use planning process by:

- Integrating Cultural Areas Rule procedures into the local framework
- Providing clear administrative homes for required processes
- Ensuring consistency between the Comprehensive Plan and Development Code

Finding: Consistent with Goal 2.

Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

The amendments support Goal 5 by:

- Providing a complete process for evaluating and designating Significant Cultural Landscape Features
- Ensuring significance evaluation, Economic, Social, Environmental, and Energy analysis, and adoption of protection measures occur concurrently
- Adding Significant Cultural Landscape Features to the Goal 5 inventory
- Ensuring protections are applied to future land use decisions

Finding: Consistent with Goal 5.

B. Oregon Administrative Rules

OAR 660-023-0210 (Cultural Areas Rule)

The amendments support implementation of the Cultural Areas Rule by:

- Establishing tribal notice procedures (Exhibit A)
- Establishing Cultural Landscape Feature application and review procedures (Exhibit B)
- Providing Comprehensive Plan policy support (Exhibit C)

Finding: Consistent with OAR 660-023-0210.

OAR 660-023-0250 (Goal 5 and UGB Amendments)

Exhibit B provides the Goal 5 process necessary to evaluate and protect Significant Cultural Landscape Features when present in a proposed urban growth boundary expansion area, as required by OAR 660-023-0250.

Finding: Consistent with OAR 660-023-0250.

C. [City/County] Comprehensive Plan

The amendments:

- Provide a clear policy basis for Cultural Areas Rule implementation
- Maintain consistency between Comprehensive Plan policies and Development Code procedures
- Support long term cultural resource protection

Finding: Consistent with the [City/County] Comprehensive Plan.

V. STAFF RECOMMENDATION

Staff recommends that the [Planning Commission / Governing Body] approve the proposed Comprehensive Plan and Development Code amendments and adopt Ordinance No. ____, including:

- **Exhibit A:** Development Code Amendments — Tribal Notice Procedures
- **Exhibit B:** Development Code Amendments — Cultural Landscape Feature Procedures
- **Exhibit C:** Comprehensive Plan Amendments

These amendments create a clear, consistent local framework for implementing OAR 6600230210 and support the [City/County's] ability to administer tribal notice requirements, process Cultural Landscape Feature designation applications, conduct Goal 5 significance and Economic, Social, Environmental, and Energy analyses, and adopt site specific protection measures when required.

Staff further recommends that the [Planning Commission / Governing Body] adopt the findings contained in this staff report as support for the decision.

February Review Draft

ORDINANCE NO. _____

AN ORDINANCE ADOPTING AMENDMENTS TO THE COMPREHENSIVE PLAN AND DEVELOPMENT CODE TO IMPLEMENT OAR 660-023-0210 TRIBAL NOTICE PROCEDURES AND DESIGNATION OF SIGNIFICANT CULTURAL LANDSCAPE FEATURES

WHEREAS, the State of Oregon has adopted OAR 660-023-0210, which establishes requirements for providing notice to federally recognized tribes and for processing applications submitted by Oregon-based governments to evaluate, and where appropriate, designate Potentially Significant Cultural Landscape Features as Significant Cultural Landscape Features; and

WHEREAS, OAR 660-023-0210 sets out requirements for issuing tribal notice, evaluating the significance of Cultural Landscape Features, conducting an Economic, Social, Environmental, and Energy / conflicting use analysis, adopting site-specific protection measures at the time of designation, and applying those protections to future land use decisions; and

WHEREAS, OAR 660-023-0210 also requires tribal notice for certain land use applications involving ground-disturbing activity, rural applications outside the Urban Growth Boundary, and Urban Growth Boundary amendments; and

WHEREAS, OAR 660-023-0210(10)(b) provides that certain provisions of the rule—including subsections (4)(c), (5), (6), and (8)—apply directly to local land use decisions whether or not a city or county adopts local code amendments; and

WHEREAS, OAR 660-023-0250 requires the application of Goal 5 when a Significant Cultural Landscape Feature or its impact area is present within a proposed Urban Growth Boundary expansion area; and

WHEREAS, the [City/County] of _____ chooses to amend its Comprehensive Plan and Development Code to incorporate these procedures into its local land use framework and to support consistent implementation of OAR 660-023-0210; and

WHEREAS, the Planning Commission held a duly noticed public hearing on _____, 2026, and recommended approval of the proposed amendments; and

WHEREAS, the [Governing Body] held a duly noticed public hearing on _____, 2026, and found that the proposed amendments are consistent with the Comprehensive Plan, applicable statewide planning goals, and OAR 660-023-0210;

NOW, THEREFORE, THE [CITY/COUNTY] OF _____ ORDAINS AS FOLLOWS:

Section 1. The Development Code is amended to add Tribal Notice Procedures as shown in Exhibit A, incorporated herein by reference.

Section 2. The Development Code is amended to add Cultural Landscape Feature Designation Procedures as shown in Exhibit B, incorporated herein by reference.

Section 3. The Comprehensive Plan is amended as shown in Exhibit C, incorporated herein by reference.

Section 4. This ordinance takes effect on _____ [a date on or before January 1, 2027, to be consistent with OAR 660-023-0210(10)(g)].

PASSED AND ADOPTED by the [GOVERNING BODY] of the [CITY/COUNTY] of _____ this ____ day of _____, 2026.

Signature blocks and attestation lines for the [GOVERNING BODY] and the [RECORDER/CLERK].

EXHIBITS

Exhibit A — Development Code Amendments- Tribal Notice Procedures

Exhibit B — Development Code Amendments- Cultural Landscape Feature Designation Procedures

Exhibit C — Comprehensive Plan Amendments

Ordinance Exhibit A — Development Code Amendments- Tribal Notice Procedures

What This Exhibit Is

Exhibit A provides a local procedural framework for issuing tribal notice under OAR 660-023-0210. Although the rule applies directly, many cities and counties choose to place these steps in their development code so staff have a clear, consistent workflow for identifying when notice is required, who receives it, and how confidential information is managed.

What This Exhibit Does

- Identifies the types of applications that trigger tribal notice
- Establishes timing and content requirements
- Directs staff to use the LCIS tribal list
- Provides a consistent method for handling tribal feedback
- Ensures confidentiality protections are followed
- Adds the required advisory statement to ground disturbing applications
- Clarifies when archaeological permit conditions apply

Why a City or County Might Adopt It

Local governments often incorporate state required outcomes into their development code to ensure:

- Staff have a clear, repeatable process
- Applicants receive consistent information
- Tribal notice is issued on time
- Confidential information is managed correctly
- Local procedures align with existing land use workflows

This exhibit provides a single, accessible location for all tribal notice requirements and supports consistent implementation of directly applicable rule provisions.

Section Y. Tribal Notice Procedures

Section Y.010 Definitions

For purposes of this Section:

- A. Tribe: Has the meaning given in OAR 660-023-0210(1)(h).
- B. Ground Disturbing Activity: Includes activities described in OAR 660-023-0210(5)(e).
- C. LCIS Tribal List: The list of tribes with ancestral connection to the jurisdiction, as maintained by the Legislative Commission on Indian Services.

Section Y.020 Applicability

This section applies to actions for which OAR 660-023-0210 requires tribal notice, including:

- A. Cultural Landscape Feature designation applications under OAR 660-023-0210(4)(c)

- B. Land use applications requiring public notice that involve ground disturbance under OAR 660-023-0210(5)(c)
- C. Land use applications outside the UGB requiring public notice under OAR 660-023-0210(8)(a)
- D. UGB amendments requiring notice under OAR 660-023-0210(7)(a)

Section Y.030 Tribal Notice Recipients

The [City/County] shall send notice to all tribes listed on the LCIS Tribal List for the jurisdiction, consistent with OAR 660-023-0210(10)(c).

Section Y.040 Timing of Notice

The [City/County] shall provide notice within the timelines specified in OAR 660-023-0210, including:

- A. Within 7 days of receiving a Cultural Landscape Feature designation application (0210(4)(c)).
 - Within 5 days after completeness for ground disturbing applications (0210(5)(c)).
- B. Within 5 days after completeness for rural applications outside the UGB (0210(8)(a)).
- C. At least 35 days before the first evidentiary hearing for UGB amendments (0210(7)(a)).

Section Y.050 Content of Notice

Notice shall include the information required by:

- OAR 6600230210(5)(e) for ground disturbing applications; and
- A. OAR 660-023-0210(8)(a)(C) for rural applications outside the urban growth boundary.

Section Y.060 Handling of Tribal Feedback

- A. Tribal comments shall be included in the record in a manner that preserves confidentiality.
- B. For applications subject to OAR 660-023-0210(5), tribal comments shall be shared with the applicant.
- C. For applications subject to OAR 660-023-0210(8), the [City/County] shall offer to arrange a meeting between the tribe and the applicant.
- D. Tribal comments may be considered as part of the record, but any conditions of approval or decisions must relate to applicable approval criteria.
- E. Tribal comments do not create new approval criteria or modify existing criteria.
- F. Confidential information shall be protected consistent with state and federal law and OAR 660-023-0210(3)(d).

Section Y.070 Required Advisory Statement

All application forms for actions involving ground disturbing activity shall include the advisory statement required by OAR 6600230210(5)(b).

Section Y.080 Known Archaeological Sites

Where the record indicates the presence of a known archaeological site, approval shall be conditioned on obtaining an Oregon Archaeological Permit under ORS 390.235 and OAR chapter 736, division 51.

Ordinance Exhibit B — Development Code Amendment: Cultural Landscape Features

What This Exhibit Is

Exhibit B provides one clear, predictable local pathway for receiving, evaluating, and acting on Cultural Landscape Feature designation applications submitted by Oregon based governments. While the Cultural Areas rule allows local governments to rely on existing Goal 5 procedures, they have the option of adopting a dedicated section to ensure the process is clear, predictable, and aligned with the specific requirements of OAR 6600230210.

What This Exhibit Does

- Creates a Cultural Landscape Feature designation application type
- Establishes intake and notice procedures
- Sets out the significance evaluation process
- Recognizes tribal governments as authoritative sources of knowledge
- Requires an Economic, Social, Environmental, and Energy / conflicting use analysis when significance is found
- Provides a mechanism for adopting site specific protection measures
- Adds designated Significant Cultural Landscape Features to the Goal 5 inventory
- Makes adopted protections enforceable through development review

Why a City or County Might Adopt It

A dedicated Cultural Landscape Feature section helps local governments:

- Integrate Cultural Landscape Feature designation review into their existing Goal 5 framework
- Ensure the record contains all elements required for designation
- Provide clarity to applicants, staff, and decision makers
- Avoid procedural gaps when a Cultural Landscape Feature application is filed
- Ensure protections are adopted concurrently and applied consistently

This exhibit gives a complete, ready-to-use process for Cultural Landscape Feature designation applications.

Section X. Cultural Landscape Features

X.010 Definitions

For purposes of this Section:

- Oregon Based Government: As defined in OAR 6600230210(1)(f).
- A. Potentially Significant Cultural Landscape Feature: As defined in OAR 660-023-0210(1)(d).
- B. Archaeological Site: As defined in OAR 660-023-0210(1)(a).

X.020 Applicability

This section applies to Cultural Landscape Feature designation applications submitted under OAR 660-023-0210(4)(c).

X.030 Application Intake

1. The [City/County] shall accept Cultural Landscape Feature designation applications submitted under OAR 660-023-0210(4)(c).
2. Applications shall be processed as comprehensive plan amendments.
3. The [City/County] shall provide property owner notice consistent with OAR 660-023-0210(4)(c).

X.040 Goal 5 Review Procedures

- A. The [City/County] shall evaluate significance consistent with OAR 660-023-0210(4) and OAR 660-023-0030. Tribal governments are authoritative sources of knowledge regarding cultural landscape features.
- B. If the feature is determined to be significant, the [City/County] shall conduct an Economic, Social, Environmental, and Energy analysis consistent with OAR 60-023-0210 (6) and OAR 660-023-0040. The Economic, Social, Environmental, and Energy shall consider the protection strategies listed in OAR 660-023-0210(6)(b), including:
 1. Clustering and open space preservation
- Time window access restrictions
 2. Height limits
 3. Non-reflective surfaces
- The [City/County] shall adopt site specific protection measures concurrently with designation consistent with OAR 660-023-0050.

X.050 Development Review

Protection measures adopted with a Significant Cultural Landscape Feature designation are approval criteria for all land use applications affecting the Significant Cultural Landscape Feature or its adopted impact area.

Ordinance Exhibit C — Comprehensive Plan Amendments

What This Exhibit Is

Exhibit C adds or updates Comprehensive Plan policies to reflect the city or county’s role in implementing the Cultural Areas Rule. While the rule does not require a plan amendment, many local governments choose to include a policy statement so that their plan, code, and procedures operate as a coherent system.

What This Exhibit Does

- Establishes a Goal 5 policy acknowledging the Cultural Areas Rule
- Acknowledges that the city or county will apply key rule provisions directly, consistent with ORS 197.646
- Links Significant Cultural Landscape Feature designation, tribal notice, significance evaluation, and Economic, Social, Environmental, and Energy analysis to the Comprehensive Plan

Provides policy support for the development code procedures in Exhibits A and B, helping the plan and code operate as a coherent system

Why a City or County Might Adopt It

Comprehensive Plan policies help:

- Clarify the local government’s approach to cultural resource protection
- Provide a clear basis for related development code provisions
- Ensure consistency between the plan and code
- Support findings for future Cultural Landscape Feature designations or UGB amendments

This exhibit ensures the plan reflects the local government’s chosen implementation approach.

Goal 5 Policy: Cultural Landscape Features

The [City/County] shall implement OAR 6600230210 by processing Cultural Landscape Feature designation applications, issuing tribal notice, evaluating significance, conducting Economic, Social, Environmental, and Energy analysis, and adopting site specific protection measures concurrently with designation. The [City/County] shall apply OAR 6600230210(4)(c), (5), (6), and (8) directly, consistent with OAR 6600230210(10)(b). Procedures are provided in the development code.

Appendix F. Model Fee Resolution Package

The model resolution in this appendix is an optional template that local governing bodies may use when adopting amendments related to the Cultural Areas Rule. The resolution is not required by OAR 660-023-0210 or OAR 660-023-0250. It is provided solely as a convenience for local governments that prefer to adopt plan or code amendments by resolution or that use resolutions to document policy direction or implementation choices.

Local governments may adapt this template to fit their charter requirements, local legislative practices, or the specific scope of amendments they choose to adopt. Use of this resolution is entirely discretionary.

MODEL STAFF REPORT

To: [Planning Commission / Governing Body]

From: [Planning Director / Community Development Department]

Date: [Hearing Date]

Subject: Adoption of Consolidated Fee for Cultural Landscape Feature Designation Applications

I. SUMMARY

This item proposes adoption of a fee for processing Cultural Landscape Feature designation applications. While OAR 660-023-0210 does not require local governments to amend their fee schedules, the rule assigns several responsibilities to local governments when a Significant Cultural Landscape Feature application is submitted. These responsibilities require staff time and resources. Establishing a fee ensures that the [City/County] can recover a portion of the costs associated with administering the Cultural Landscape Feature designation process.

The proposed fee is based on estimated staff time for intake, completeness review, tribal notice, Goal 5 review steps, public hearing preparation, and adoption of site specific protection measures.

II. BACKGROUND

In December 2025, the Land Conservation and Development Commission adopted OAR 660-023-0210, establishing a process for the designation and protection of Cultural Landscape Features. When an application is submitted, the rule requires the [City/County] to:

- accept and review the application
- determine completeness based on rule specified submittal requirements
- issue tribal notice within required timelines
- conduct significance evaluation
- conduct an Economic, Social, Environmental, and Energy analysis under OAR 660-023-0040
- prepare and present findings
- adopt site specific protection measures concurrently with designation

These tasks require staff time from planning, administration, and legal review. The [City/County]'s current fee schedule does not include a fee category for Cultural Landscape Feature designation applications. The rule does not require local governments to adopt fees for Cultural Landscape Feature designation applications; establishing a fee is a local choice to recover administrative costs.

III. PURPOSE OF THE FEE

The proposed fee is intended to:

- recover a portion of the staff time required to process Cultural Landscape Feature designation applications
- provide clarity and predictability for applicants

Cultural Areas Rule Guidance — Appendix F: Model Fee Resolution Package

- align the fee schedule with the [City/County]’s existing land use processes
- ensure that the Cultural Landscape Feature designation process can be administered without shifting costs to the general fund

The fee does not create new policy or new approval criteria. It simply supports the administrative responsibilities assigned to the [City/County] under the rule.

IV. FEE CALCULATION

Staff prepared a time and materials estimate based on the procedural steps required by OAR 6600230210, including:

- application intake and completeness review
- preparation and issuance of tribal notice
- coordination with tribes
- preparation of staff reports and findings
- significance evaluation and Economic, Social, Environmental, and Energy analysis
- public hearing preparation and attendance
- adoption of site specific protection measures

The fee estimate was developed using the Cultural Landscape Feature Designation Fee Calculation Worksheet included in the Resolution Package. The resulting estimate supports a fee of \$_____, which reflects the average staff time required for a typical Cultural Landscape Feature designation application.

V. PROPOSED ACTION

Adopt the attached resolution amending the [City/County] fee schedule to include a fee for Cultural Landscape Feature designation applications.

VI. PUBLIC NOTICE AND COMMENTS

Public notice was provided consistent with the [City/County]’s requirements for fee schedule amendments. [Insert summary of comments, if any.]

VII. STAFF RECOMMENDATION

Staff recommends that the [City/County] [Council/Board] adopt the resolution establishing a fee for SCLF designation applications. The fee supports implementation of OAR 660-023-0210 and ensures that the [City/County] can administer the Significant Cultural Landscape Feature designation process efficiently and consistently.

RESOLUTION NO. _____

A RESOLUTION AMENDING THE [CITY/COUNTY] FEE SCHEDULE TO ESTABLISH A FEE FOR PROCESSING CULTURAL LANDSCAPE FEATURE DESIGNATION APPLICATIONS

WHEREAS, the Land Conservation and Development Commission adopted OAR 660-023-0210 and related division 23 rules in December 2025, establishing a process for the designation and protection of Cultural Landscape Features; and

WHEREAS, when a Cultural Landscape Feature designation application is submitted, the rule assigns responsibilities to local governments including application intake, issuing tribal notice, evaluating significance, conducting Economic, Social, Environmental, and Energy analysis, and adopting site specific protection measures; and

WHEREAS, the [City/County]'s existing fee schedule does not include fees for Cultural Landscape Feature designation applications; and

WHEREAS, establishing fees will allow the [City/County] to recover a portion of the staff and consultant time required to administer the Cultural Landscape Feature review process; and

WHEREAS, the proposed fees are based on estimated staff time and pass-through costs associated with division 23 review;

NOW, THEREFORE, BE IT RESOLVED by the [City/County] Council/Board of _____ that the fee schedule is amended to include the Cultural Landscape Feature designation application fee shown in Exhibit A.

BE IT FURTHER RESOLVED that this resolution is effective on _____.

[Signature blocks]

Resolution Exhibit A — Fee Schedule Amendment

Planning Division Fees

The following fees apply to applications for designation of a Cultural Landscape Feature under OAR 6600230210 and division 23.

A. Consolidated Filing Fee (Nonrefundable)

Amount: \$ _____ (insert the total baseline cost from Workbook Section 2.)

B. Review Deposit (Refundable)

Amount: \$ _____ (insert the total division 23 deposit from Workbook Section 5.)

The review deposit will be billed against actual staff and consultant time required to complete division 23 review, including:

- Inventory and significance determination
- Economic, Social, Environmental, and Energy / conflicting use analysis
- Development of protection measures
- Preparation of staff reports, findings, and ordinances
- Hearing preparation and attendance
- Tribal coordination
- Confidential records handling
- Consultant review, if applicable

C. Hourly Billing Rates

Staff hourly rate for billing: \$ _____ (insert the blended fully burdened rate calculated in Workbook Section 6.)

Consultant billing rate: Actual cost + _____% administrative charge (insert the admin % used in Workbook Section 5.)

Pass-through costs: Actual cost (e.g., mailing, publication, secure storage)

D. Deposit Replenishment

When the deposit balance falls below 25% of the original deposit, the applicant must replenish the deposit to the full amount within 14 days of invoice. Work may be suspended until replenishment occurs.

E. Refunds

Unused deposit balances will be refunded within 30 days of final billing.

F. Annual Adjustment

Fee amounts may be adjusted annually based on the CPI-U (Western Region).

CULTURAL LANDSCAPE FEATURE APPLICATION FEE CALCULATION WORKSHEET
Template for Oregon Cities and Counties

SECTION 1 — STAFF HOURLY RATES

Position / Classification	Rate (\$/hr.)

Notes:

1. List fully burdened hourly rates for staff who will work on Cultural Landscape Feature designation applications.
2. Fully burdened rates should include salary, benefits, payroll taxes, paid leave allocation, and overhead.

SECTION 2 — BASELINE TASKS (FLAT FILING FEE)

Task	Staff Position	Hours	Rate	Cost
Intake & completeness review				\$ -
Tribal notice preparation				\$ -
Owner/public notice				\$ -
DLCD notice				\$ -
Initial staff review				\$ -
Administrative processing				\$ -
Subtotal (Baseline Cost)				\$ -

Recommended Flat Filing Fee: \$ - (Rounded to nearest \$50 or \$100)

Notes:

1. Estimate the time required for predictable, non-variable tasks, including intake and completeness review.

SECTION 3 — DIVISION 23 WORKLOAD (REVIEW DEPOSIT)

Step 1 — Inventory & Significance Determination (OAR 660-023-0030)

Task	Staff Position	Hours	Rate	Cost
Review archaeological materials				\$ -
Evaluate significance criteria				\$ -
Prepare findings				\$ -
GIS				\$ -
Tribal coordination follow up				\$ -

Subtotal Step 1:	\$ -
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Step 2 — Conflicting Use / Economic, Social, Environmental, and Energy Analysis (OAR 6600230040)

Task	Staff Position	Hours	Rate	Cost
Identify conflicting uses				\$ -
Evaluate consequences				\$ -
Draft ESEE findings				\$ -
Legal review (if applicable)				\$ -
Subtotal Step 2				\$ -

Step 3 — Program Adoption (Protection Measures) (OAR 660-023-0050)

Task	Staff Position	Hours	Rate	Cost
Draft protection measures				\$ -
Draft code amendments / CAPP				\$ -
Prepare staff report & ordinance				\$ -
Hearing preparation & attendance				\$ -
Post hearing revisions				\$ -
Subtotal Step 3				\$ -

Notes:

1. Estimate the time required for each division 23 step.

SECTION 4 — CONSULTANT CONTINGENCY

Consultant Type	Estimated Cost	Admin %	Total
Archaeologist			
Goal 5 / ESEE consultant			
Other (specify):			
Consultant Contingency Total:			\$ -

Notes:

1. Local governments may need outside assistance for archaeological peer review, technical Economic, Social, Environmental, and Energy analysis, cultural landscape evaluation, etc.
2. Admin % represents the local government’s adopted administrative overhead rate applied to consultant invoices. Typical Oregon practice ranges from 5–15%.

SECTION 5 — TOTAL REVIEW DEPOSIT

Cost Category	Subtotal
Step 1 — Inventory & Significance Determination	\$ -
Step 2 — Conflicting Use / ESEE Analysis	\$ -
Step 3 — Program Adoption (Protection Measures)	\$ -
Consultant contingency	\$ -
Subtotal (Steps and Contingency)	\$ -

Recommended Review Deposit: \$ - (Rounded to nearest \$50 or \$100)

SECTION 6 — FINAL FEE SUMMARY (FOR RESOLUTION EXHIBIT A)

Fee Component	Amount
Flat Filing Fee (nonrefundable)	\$ -
Review Deposit (refundable)	\$ -
Staff hourly rate for billing	
Consultant billing rate (Actual cost + _____% admin)	\$ -

SECTION 7 — OPTIONAL NOTES FOR LOCAL USE

1. *Deposit replenishment threshold: 25% of original deposit*
2. *Refund timeline: 30 days after final billing*
3. *Annual adjustment: CPI-U (Western Region)*
4. *Confidential records handling: actual cost*

February Review Draft