

OAR Chapter 660

Division 4

INTERPRETATION OF GOAL 2 EXCEPTION PROCESS

660-004-0018

Planning and Zoning for Exception Areas

(1) Purpose. This rule explains the requirements for adoption of plan and zone designations for exceptions. Exceptions to one goal or a portion of one goal do not relieve a jurisdiction from remaining goal requirements and do not authorize uses, densities, public facilities and services, or activities other than those recognized or justified by the applicable exception. Physically developed or irrevocably committed exceptions under OAR 660-004-0025 and 660-004-0028 and 660-014-0030 are intended to recognize and allow continuation of existing types of development in the exception area. Adoption of plan and zoning provisions that would allow changes in existing types of uses, densities, or services requires the application of the standards outlined in this rule.

(3) Uses, density, and public facilities and services not meeting section (2) of this rule may be approved on rural land only under provisions for a reasons exception as outlined in section (4) of this rule and applicable requirements of OAR 660-004-0020 through 660-004-0022, 660-011-0060 with regard to sewer service on rural lands, OAR 660-012-0070 with regard to transportation improvements on rural land, or OAR 660-014-0030, ~~or~~ 660-014-0040, or 660-014-0080 with regard to urban development on rural land.

(4) "Reasons" Exceptions:

(a) When a local government takes an exception under the "Reasons" section of ORS 197.732(1)(c) and OAR 660-004-0020 through 660-004-0022, OAR 660-014-0040, or OAR 660-014-0080, plan and zone designations must limit the uses, density, public facilities and services, and activities to only those that are justified in the exception.

660-004-0022

Reasons Necessary to Justify an Exception Under Goal 2, Part II(c)

An exception under Goal 2, Part II(c) may be taken for any use not allowed by the applicable goal(s) or for a use authorized by a statewide planning goal that cannot comply with the approval standards for that type of use. The types of reasons that may or may not be used to justify certain types of uses not allowed on resource lands are set forth in the following sections of this rule. Reasons that may allow an exception to Goal 11 to provide sewer service to rural lands are described in OAR 660-011-0060. Reasons that may allow transportation facilities and improvements that do not meet the requirements of OAR 660-012-0065 are provided in OAR 660-012-0070. Reasons that rural lands are irrevocably committed to urban levels of development are provided in OAR 660-014-0030. Reasons that may justify the establishment of new urban development on undeveloped rural land are provided in OAR 660-014-0040. Reasons that may justify the establishment of temporary natural disaster related housing on undeveloped rural lands are provided in OAR 660-014-0080.

(1) For uses not specifically provided for in this division, or in OAR 660-011-0060, 660-012-0070, 660-014-0030 or 660-014-0040, the reasons shall justify why the state policy embodied in the applicable goals should not apply. Such reasons include but are not limited to the following:

(a) There is a demonstrated need for the proposed use or activity, based on one or more of the requirements of Goals 3 to 19; and either

(b) Either:

(A) A resource upon which the proposed use or activity is dependent can be reasonably obtained only at the proposed exception site and the use or activity requires a location near the resource. An exception based on this paragraph must include an analysis of the market area to be served by the proposed use or activity. That analysis must demonstrate that the proposed exception site is the only one within that market area at which the resource depended upon can reasonably be obtained; or

(B) The proposed use or activity has special features or qualities that necessitate its location on or near the proposed exception site.

660-004-0040

Application of Goal 14 to Rural Residential Areas

(1) The purpose of this rule is to specify how Goal 14 "Urbanization" applies to rural lands in acknowledged exception areas planned for residential uses.

(14) A county may approve the uses listed in subsections (a), (b), and (c) without amendments to the county plan or land use regulations when a wildfire identified in an Executive Order issued by the Governor in accordance with the Emergency Conflagration Act, ORS 476.510 through 476.610, has destroyed homes or caused residential evacuations, or both within the county or an adjacent county. and, furthermore, has resulted in an Executive Order issued by the Governor declaring an emergency for all or parts of Oregon pursuant to ORS 401.165, et seq. A county must process applications filed pursuant to this section in the manner identified at ORS 215.416(11).

(a) Temporary residential uses in conjunction with a dwelling that either existed or had received land use approval to be constructed on July 5, 2020 provided that such uses are located outside of flood, geological, or wildfire hazard areas identified in adopted comprehensive plans and land use regulations to the extent possible and are limited to:

(A) A single manufactured dwelling;

(B) Use of an existing building or buildings;

(C) A single yurt;

1 (D) Up to three recreational vehicles; or

2 (E) Up to three fabric structure, tents and similar accommodations.

3 (b) Temporary campgrounds provided that:

4 (A) A wildfire identified in an Executive Order issued by the Governor in accordance with the
 5 Emergency Conflagration Act, ORS 476.510 through 476.610, has destroyed homes or caused
 6 residential evacuations, or both within the county or an adjacent county.

7 (B) Commercial activities in temporary campgrounds shall be limited to small-scale, low-impact uses
 8 designed to provide basic food and grocery services for park occupants.

9 (C) Campsites in temporary campgrounds may be occupied by a tent, travel trailer, yurt, recreational
 10 vehicle or similar accommodations.

11 (D) Temporary campgrounds are located outside of flood, geological, or wildfire hazard areas
 12 identified in adopted comprehensive plans and land use regulations to the extent possible.

13 (E) A plan for removing or converting the temporary campground to an allowed use at the end of the
 14 time-frame specified in paragraph (14)(d)(B) shall be included in the application materials and, upon
 15 meeting the county's satisfaction, be attached to the decision as a condition of approval. A county
 16 may require that a removal plan developed pursuant to this paragraph include a specific financial
 17 agreement in the form of a performance bond, letter of credit or other assurance acceptable to the
 18 county that is furnished by the applicant in an amount necessary to ensure that there are adequate
 19 funds available for removal or conversion activities to be completed.

20 (c) Temporary storage site for nonhazardous debris, construction materials and equipment, logs or
 21 other materials resulting from recovery efforts or otherwise associated with damage caused by a
 22 wildfire identified in an Executive Order issued by the Governor in accordance with the Emergency
 23 Conflagration Act, ORS 476.510 through 476.610 subject to Department of Environmental Quality
 24 requirements and all other applicable provisions of law.

25 (d) Uses approved under this section:

26 (A) Shall be consistent with all applicable provisions of law including, but not limited to adopted
 27 comprehensive plan provisions and land use regulations adopted to protect people and property from
 28 flood, geologic, and wildfire hazards; and

29 (B) Are to be removed or converted to an allowed use within 36 months from the date of the
 30 Governor's emergency declaration. A county may grant two additional 12-month extensions upon a
 31 demonstration by the applicant that uses approved pursuant to subsections (a) and (b) remain
 32 necessary because permanent housing units replacing those lost to the natural hazard event are not
 33 available in sufficient quantities, or for uses approved pursuant to subsection (c), that the use remains
 34 necessary because debris removal or other recovery activities remain ongoing.

1 **660-004-0050**

2 **Wildfire Recovery Efforts on Industrial and Commercial Lands.**

3
4 **(1) The purpose of this rule is to specify how counties may approve uses on rural lands in**
5 **acknowledged exception areas planned for industrial or commercial to assist with wildfire recovery**
6 **efforts.**

7
8 **(2) For purposes of this rule, in addition to the definitions in ORS 197.015, the Statewide Planning**
9 **Goals and OAR 660-004-0005, the following definitions apply:**

10
11 **(a) "Industrial areas" means lands that are not within an urban growth boundary or unincorporated**
12 **community, that are planned and zoned primarily for industrial uses, and for which an exception to**
13 **Goal 3 "Agricultural Lands", Goal 4 "Forest Lands", or both has been taken.**

14 **(b) "Commercial areas" means lands that are not within an urban growth boundary or unincorporated**
15 **community, that are planned and zoned primarily for commercial uses, and for which an exception to**
16 **Goal 3 "Agricultural Lands", Goal 4 "Forest Lands", or both has been taken.**

17 **(3) Within industrial and commercial areas a county may allow the uses identified at OAR 660-004-**
18 **004(14) following the process and other required provisions identified therein.**

OAR Chapter 660

Division 6

GOAL 4 FOREST LANDS

660-006-0025

Uses Authorized in Forest Zones

(3) The following uses may be allowed outright on forest lands:

- (a) Uses to conserve soil, air and water quality and to provide for wildlife and fisheries resources;
- (b) Farm use as defined in ORS 215.203;
- (c) Local distribution lines (e.g., electric, telephone, natural gas) and accessory equipment (e.g., electric distribution transformers, poles, meter cabinets, terminal boxes, pedestals), or equipment that provides service hookups, including water service hookups;
- (d) Temporary portable facility for the primary processing of forest products;
- (e) Exploration for mineral and aggregate resources as defined in ORS chapter 517;
- (f) Private hunting and fishing operations without any lodging accommodations;
- (g) Towers and fire stations for forest fire protection;
- (h) Widening of roads within existing rights-of-way in conformance with the transportation element of acknowledged comprehensive plans and public road and highway projects as described in ORS 215.213(1) and 215.283(1);
- (i) Water intake facilities, canals and distribution lines for farm irrigation and ponds;
- (j) Caretaker residences for public parks and public fish hatcheries;
- (k) Uninhabitable structures accessory to fish and wildlife enhancement;
- (l) Temporary forest labor camps;
- (m) Exploration for and production of geothermal, gas, oil, and other associated hydrocarbons, including the placement and operation of compressors, separators and other customary production equipment for an individual well adjacent to the well head;
- (n) Destination resorts reviewed and approved pursuant to ORS 197.435 to 197.467 and Goal 8;
- (o) Alteration, restoration or replacement of a lawfully established dwelling that:
 - (A) Has intact exterior walls and roof structures;
 - (B) Has indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system;

(C) Has interior wiring for interior lights;

(D) Has a heating system; and

(E) In the case of replacement, is removed, demolished or converted to an allowable nonresidential use within three months of the completion of the replacement dwelling;

(p) A lawfully established dwelling that is destroyed by wildfire may be replaced within 60 months when the county finds, based on substantial evidence, that the dwelling to be replaced contained those items listed at subsection (o)(A) through (E). For purposes of this subsection, substantial evidence includes, but is not limited to, county assessor data. The property owner of record at the time of the wildfire may reside on the subject property in an existing building, tent, travel trailer, yurt, recreational vehicle, or similar accommodation until replacement has been completed or the time for replacement has expired.

(q) An outdoor mass gathering as defined in ORS 433.735, subject to the provisions of ORS 433.735 to 433.770;

(r) Dump truck parking as provided in ORS 215.311; and

(s) An agricultural building, as defined in ORS 455.315, customarily provided in conjunction with farm use or forest use. A person may not convert an agricultural building authorized by this section to another use.

(t) Temporary storage site for nonhazardous debris resulting from recovery efforts associated with damage caused by a wildfire identified in an Executive Order issued by the Governor in accordance with the Emergency Conflagration Act, ORS 476.510 through 476.610 subject to Department of Environmental Quality requirements and all other applicable provisions of law.

(4) The following uses may be allowed on forest lands subject to the review standards in section (5) of this rule:

(a) Permanent facility for the primary processing of forest products that is:

(A) Located in a building or buildings that do not exceed 10,000 square feet in total floor area, or an outdoor area that does not exceed one acre excluding laydown and storage yards, or a proportionate combination of indoor and outdoor areas; and

(B) Adequately separated from surrounding properties to reasonably mitigate noise, odor and other impacts generated by the facility that adversely affect forest management and other existing uses, as determined by the governing body;

(b) Permanent logging equipment repair and storage;

(c) Log scaling and weigh stations;

(d) Disposal site for solid waste approved by the governing body of a city or county or both and for which the Oregon Department of Environmental Quality has granted a permit under ORS 459.245, together with equipment, facilities or buildings necessary for its operation;

(e) Private parks and campgrounds. A campground is an area devoted to overnight temporary use for vacation, recreational or emergency purposes, but not for residential purposes. Campgrounds authorized by this rule shall not include intensively developed recreational uses such as swimming pools, tennis courts, retail stores or gas stations.

(A) Vacation or recreational purposes. Except on a lot or parcel contiguous to a lake or reservoir, private campgrounds devoted to vacation or recreational purposes shall not be allowed within three miles of an urban growth boundary unless an exception is approved pursuant to ORS 197.732 and OAR chapter 660, division 4. Campgrounds approved under this subsection must be found to be established on a site or is contiguous to lands with a park or other outdoor natural amenity that is accessible for recreational use by the occupants of the campground and designed and integrated into the rural agricultural and forest environment in a manner that protects the natural amenities of the site and provides buffers of existing native trees and vegetation or other natural features between campsites. Overnight temporary use in the same campground by a camper or camper's vehicle shall not exceed a total of 30 days during any consecutive six-month period.

(i) Campsites may be occupied by a tent, travel trailer, yurt or recreational vehicle. Separate sewer, water or electric service hook-ups shall not be provided to individual camp sites except that electrical service may be provided to yurts allowed for by paragraph (4)(e)(C) of this rule.

(ii) Overnight temporary use in the same campground by a camper or camper's vehicle shall not exceed a total of 30 days during any consecutive six-month period.

(B) Emergency purposes. Emergency campgrounds may be authorized when a wildfire identified in an Executive Order issued by the Governor in accordance with the Emergency Conflagration Act, ORS 476.510 through 476.610, has destroyed homes or caused residential evacuations, or both within the county or an adjacent county. Commercial activities shall be limited to mobile commissary services scaled to meet the needs of campground occupants. Campgrounds approved under this section must be removed or converted to an allowed use within 36 months from the date of the Governor's Executive Order. The county may grant two additional 12-month extensions upon demonstration by the applicant that the campground continues to be necessary to support the natural hazard event recovery efforts because permanent housing units replacing those lost to the natural hazard event are not available in sufficient quantities. A county must process applications filed pursuant to this section in the manner identified at ORS 215.416(11).

(i) Campsites may be occupied by a tent, travel trailer, yurt or recreational vehicle. Separate sewer hook-ups shall not be provided to individual camp sites.

(ii) Campgrounds shall be located outside of flood, geological, or wildfire hazard areas identified in adopted comprehensive plans and land use regulations to the extent possible.

(iii) A plan for removing or converting the temporary campground to an allowed use at the end of the time-frame specified in paragraph (4)(e)(B) shall be included in the application materials and, upon meeting the county's satisfaction, be attached to the decision as a condition of approval. A county may require that a removal plan developed pursuant to this subparagraph include a specific financial agreement in the form of a performance bond, letter of credit or other assurance acceptable to the

1 county that is furnished by the applicant in an amount necessary to ensure that there are adequate
 2 funds available for removal or conversion activities to be completed.

3 (C) Subject to the approval of the county governing body or its designee, a private campground may
 4 provide yurts for overnight camping. No more than one-third or a maximum of 10 campsites,
 5 whichever is smaller, may include a yurt. The yurt shall be located on the ground or on a wood floor
 6 with no permanent foundation. Upon request of a county governing body, the Commission may
 7 provide by rule for an increase in the number of yurts allowed on all or a portion of the campgrounds
 8 in a county if the Commission determines that the increase will comply with the standards described
 9 in ORS 215.296(1). As used in this rule, "yurt" means a round, domed shelter of cloth or canvas on a
 10 collapsible frame with no plumbing, sewage disposal hook-up or internal cooking appliance.

11 (D) For applications submitted under paragraph (B) of this rule, the county may find the criteria of
 12 section (5) to be satisfied when:

13 (i) The Governor has issued an Executive Order declaring an emergency for all or parts of Oregon
 14 pursuant to ORS 401.165, et seq.

15 (ii) The number of proposed campsites does not exceed 12; or

16 (iii) The number of proposed campsites does not exceed 36; and

17 (iv) Campsites and other campground facilities are located at least 660 feet from adjacent lands
 18 planned and zoned for resource use under Goals 3, 4, or both.

19 (f) Public parks including only those uses specified under OAR 660-034-0035 or 660-034-0040, whichever
 20 is applicable;

21 (g) Mining and processing of oil, gas, or other subsurface resources, as defined in ORS chapter 520, and
 22 not otherwise permitted under subsection (3)(m) of this rule (e.g., compressors, separators and storage
 23 serving multiple wells), and mining and processing of aggregate and mineral resources as defined in ORS
 24 chapter 517;

25 (h) Television, microwave and radio communication facilities and transmission towers;

26 (i) Fire stations for rural fire protection;

27 (j) Commercial utility facilities for the purpose of generating power. A power generation facility shall not
 28 preclude more than 10 acres from use as a commercial forest operation unless an exception is taken
 29 pursuant to OAR chapter 660, division 4;

30 (k) Aids to navigation and aviation;

31 (l) Water intake facilities, related treatment facilities, pumping stations, and distribution lines;

32 (m) Reservoirs and water impoundments;

33 (n) Firearms training facility as provided in ORS 197.770(2);

34 (o) Cemeteries;

(p) Private seasonal accommodations for fee hunting operations may be allowed subject to section (5) of this rule, OAR 660-006-0029, and 660-006-0035 and the following requirements:

(A) Accommodations are limited to no more than 15 guest rooms as that term is defined in the Oregon Structural Specialty Code;

(B) Only minor incidental and accessory retail sales are permitted;

(C) Accommodations are occupied temporarily for the purpose of hunting during either or both game bird or big game hunting seasons authorized by the Oregon Fish and Wildlife Commission; and

(D) A governing body may impose other appropriate conditions.

(q) New electric transmission lines with right of way widths of up to 100 feet as specified in ORS 772.210. New distribution lines (e.g., gas, oil, geothermal, telephone, fiber optic cable) with rights-of-way 50 feet or less in width;

(r) Temporary asphalt and concrete batch plants as accessory uses to specific highway projects;

(s) Home occupations as defined in ORS 215.448;

(t) Temporary hardship residence in conjunction with an existing dwelling. As used in this section, "hardship" means a medical hardship or hardship for the care of an aged or infirm person or persons experienced by the existing resident or relative as defined in ORS chapter 215. "Hardship" also includes situations where a natural hazard event has destroyed homes, caused residential evacuations, or both, and resulted in an Executive Order issued by the Governor declaring an emergency for all or parts of Oregon pursuant to ORS 401.165, et seq. A temporary residence approved under this section is not eligible for replacement under ORS 215.213(1)(q) or 215.283(1)(p).

(A) For a medical hardship or hardship for the care of an aged or infirm person or persons experienced by the existing resident or relative as defined in ORS chapter 215 the temporary residence may include a manufactured dwelling, or recreational vehicle, or the temporary residential use of an existing building. A manufactured dwelling shall use the same subsurface sewage disposal system used by the existing dwelling, if that disposal system is adequate to accommodate the additional dwelling. If the manufactured home will use a public sanitary sewer system, such condition will not be required. Governing bodies shall review the permit authorizing such manufactured homes every two years. Within three months of the end of the hardship, the manufactured dwelling or recreational vehicle shall be removed or demolished or, in the case of an existing building, the building shall be removed, demolished or returned to an allowed nonresidential use. Department of Environmental Quality review and removal requirements also apply.

(B) For hardships based on a natural hazard event described in this subsection, the temporary residence may include a recreational vehicle or the temporary residential use of an existing building. Governing bodies shall review the permit authorizing such temporary residences every two years. Within three months of the temporary residence no longer being necessary, the recreational vehicle shall be removed or demolished or, in the case of an existing building, the building shall be removed, demolished or returned to an allowed nonresidential use. Department of Environmental Quality review and removal requirements also apply.

(C) For applications submitted under paragraph (B), the county may find that the criteria of section (5) are satisfied when:

(i) The temporary residence is established within an existing building or, if a recreational vehicle, is located within 100 feet of the primary residence; or

(ii) The temporary residence is located further than 250 feet from adjacent lands planned and zoned for resource use under Goals 3, 4, or both.

OAR Chapter 660

Division 11

PUBLIC FACILITIES PLANNING

660-011-0060

Sewer Service to Rural Lands

(2) Except as provided in sections (3), (4), (8), and (9) of this rule, and consistent with Goal 11, a local government shall not allow:

(a) The establishment of new sewer systems outside urban growth boundaries or unincorporated community boundaries;

(b) The extension of sewer lines from within urban growth boundaries or unincorporated community boundaries in order to serve uses on land outside those boundaries;

(c) The extension of sewer systems that currently serve land outside urban growth boundaries and unincorporated community boundaries in order to serve uses that are outside such boundaries and are not served by the system on July 28, 1998.

(3) Components of a sewer system that serve lands inside an urban growth boundary (UGB) may be placed on lands outside the boundary provided that the conditions in subsections (a) and (b) of this section are met, as follows:

(a) Such placement is necessary to:

(A) Serve lands inside the UGB more efficiently by traversing lands outside the boundary;

(B) Serve lands inside a nearby UGB or unincorporated community;

(C) Serve lands subject to a Goal 14 exception approved pursuant to OAR 660-014-0080;

(D) Connect to components of the sewer system lawfully located on rural lands, such as outfall or treatment facilities; or

(E) Transport leachate from a landfill on rural land to a sewer system inside a UGB;

(b) The local government:

(A) Adopts land use regulations to ensure the sewer system shall not serve land outside urban growth boundaries or unincorporated community boundaries, except as authorized under section (4) of this rule; and

(B) Determines that the system satisfies ORS 215.296(1) or (2) to protect farm and forest practices, except for systems located in the subsurface of public roads and highways along the public right of way.

OAR Chapter 660

Division 22

UNINCORPORATED COMMUNITIES

660-022-0030

Planning and Zoning of Unincorporated Communities

(1) For rural communities, resort communities and urban unincorporated communities, counties shall adopt individual plan and zone designations reflecting the projected use for each property (e.g., residential, commercial, industrial, public) for all land in each community. Changes in plan or zone designation shall follow the requirements to the applicable post-acknowledgment provisions of ORS 197.610 through 197.625.

(2) County plans and land use regulations may authorize any residential use and density in unincorporated communities, subject to the requirements of this division.

(12) Notwithstanding sections (1) and (2), a county may approve the uses in subsections (a) and (b) without amendments to the county plan or land use regulations when a wildfire identified in an Executive Order issued by the Governor in accordance with the Emergency Conflagration Act, ORS 476.510 through 476.610, has destroyed homes or caused residential evacuations, or both within the county or an adjacent county and, furthermore, has resulted in an Executive Order issued by the Governor declaring an emergency for all or parts of Oregon pursuant to ORS 401.165, et seq. Uses approved under this section shall be consistent with all applicable provisions of law including adopted comprehensive plan provisions and land use regulations to protect people and property from flood, geologic, and wildfire hazards.

(a) Temporary residential uses in conjunction with a dwelling that either existed or had received land use approval to be constructed on July 5, 2020. Such uses must be removed or converted to an allowed use within 36 months from the date of the Governor's emergency declaration. A county may grant two additional 12-month extensions upon demonstration by the applicant that the temporary residential use remains necessary because permanent housing units replacing those lost to the natural hazard event are not available in sufficient quantities. Temporary residential uses approved under this subsection are limited to the following;

(A) A single manufactured dwelling;

(B) Use of an existing building or buildings;

(C) Up to two yurts;

(D) Up to five recreational vehicles; or

(E) Up to five fabric structures, tents or similar accommodations.

(b) Transitional housing accommodations as described at ORS 446.265(2) and (4) when homes and other private property on lands within the county or an adjacent county have received damage from a

wildfire identified in an Executive Order issued by the Governor in accordance with the Emergency Conflagration Act, ORS 476.510 through 476.610.

OAR Chapter 660

Division 33

AGRICULTURAL LAND

660-033-0130

Minimum Standards Applicable to the Schedule of Permitted and Conditional Uses

The following requirements apply to uses specified, and as listed in the table adopted by OAR 660-033-0120. For each section of this rule, the corresponding section number is shown in the table. Where no numerical reference is indicated on the table, this rule does not specify any minimum review or approval criteria. Counties may include procedures and conditions in addition to those listed in the table, as authorized by law.

(5) Approval requires review by the governing body or its designate under ORS 215.296. Uses may be approved only where such uses:

(a) Will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; and

(b) Will not significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use.

(10) Temporary residence for the term of the hardship suffered by the existing resident or relative as defined in ORS chapter 215. As used in this section "hardship" means a medical hardship or hardship for the care of an aged or infirm person or persons. "Hardship" also includes a natural hazard event that has destroyed homes, caused residential evacuations, or both, and resulted in an Executive Order issued by the Governor declaring an emergency for all or parts of Oregon pursuant to ORS 401.165, et seq. A temporary residence approved under this section is not eligible for replacement under ORS 215.213(1)(q) or 215.283(1)(p).

(a) For a medical hardship or hardship for the care of an aged or infirm person or persons the temporary residence may include a manufactured dwelling, or recreational vehicle, or the temporary residential use of an existing building. A manufactured dwelling shall use the same subsurface sewage disposal system used by the existing dwelling, if that disposal system is adequate to accommodate the additional dwelling. If the manufactured home will use a public sanitary sewer system, such condition will not be required. Governing bodies shall review the permit authorizing such manufactured homes every two years. Within three months of the end of the hardship, the manufactured dwelling or recreational vehicle shall be removed or demolished, or, in the case of an existing building, the building shall be removed, demolished, or returned to an allowed nonresidential use. Department of Environmental Quality review and removal requirements also apply.

(b) For hardships based on a natural hazard event described in this section, the temporary residence may include a recreational vehicle or the temporary residential use of an existing building. Governing

bodies shall review the permit authorizing such temporary residences every two years. Within three months of the end of the hardship, the recreational vehicle shall be removed or demolished, or, in the case of an existing building, the building shall be removed, demolished, or returned to an allowed nonresidential use. Department of Environmental Quality review and removal requirements also apply.

(c) For applications submitted under subsection (b) of this section, the county may find that the criteria of section (5) are satisfied when:

(A) The temporary residence is established within an existing building or, if a recreational vehicle, is located within 100 feet of the primary residence; or

(B) The temporary residence is located further than 250 feet from adjacent lands planned and zoned for resource use under Goal 3, Goal 4, or both.

(19)(a) A campground is an area devoted to overnight temporary use for vacation, recreational or emergency purposes, but not for residential purposes. Campgrounds authorized by this rule shall not include intensively developed recreational uses such as swimming pools, tennis courts, retail stores or gas stations.

(b) Vacation or recreational purposes. Except on a lot or parcel contiguous to a lake or reservoir, private campgrounds devoted to vacation or recreational purposes shall not be allowed within three miles of an urban growth boundary unless an exception is approved pursuant to ORS 197.732 and OAR chapter 660, division 4. Campgrounds approved under this provision must be found to be established on a site or is contiguous to lands with a park or other outdoor natural amenity that is accessible for recreational use by the occupants of the campground and designed and integrated into the rural agricultural and forest environment in a manner that protects the natural amenities of the site and provides buffers of existing native trees and vegetation or other natural features between campsites. Overnight temporary use in the same campground by a camper or camper's vehicle shall not exceed a total of 30 days during any consecutive six-month period. Campsites may be occupied by a tent, travel trailer, yurt or recreational vehicle. Separate sewer, water or electric service hook-ups shall not be provided to individual camp sites except that electrical service may be provided to yurts allowed for by subsection (19)(d) of this rule.

(c) Emergency purposes. Emergency campgrounds may be authorized when a wildfire identified in an Executive Order issued by the Governor in accordance with the Emergency Conflagration Act, ORS 476.510 through 476.610, has destroyed homes or caused residential evacuations, or both within the county or an adjacent county. Commercial activities shall be limited to mobile commissary services scaled to meet the needs of campground occupants. Campgrounds approved under this section must be removed or converted to an allowed use within 36 months from the date of the Governor's Executive Order. The county may grant two additional 12-month extensions upon demonstration by the applicant that the campground continues to be necessary to support the natural hazard event recovery efforts because adequate amounts of permanent housing is not reasonably available. A county must process applications filed pursuant to this section in the manner identified at ORS 215.416(11).

(A) Campsites may be occupied by a tent, travel trailer, yurt or recreational vehicle. Separate sewer hook-ups shall not be provided to individual camp sites.

(B) Campgrounds shall be located outside of flood, geological, or wildfire hazard areas identified in adopted comprehensive plans and land use regulations to the extent possible.

(C) A plan for removing or converting the temporary campground to an allowed use at the end of the time-frame specified in paragraph (19)(c) shall be included in the application materials and, upon meeting the county's satisfaction, be attached to the decision as a condition of approval. A county may require that a removal plan developed pursuant to this paragraph include a specific financial agreement in the form of a performance bond, letter of credit or other assurance acceptable to the county that is furnished by the applicant in an amount necessary to ensure that there are adequate funds available for removal or conversion activities to be completed.

(d) Subject to the approval of the county governing body or its designee, a private campground may provide yurts for overnight camping. No more than one-third or a maximum of 10 campsites, whichever is smaller, may include a yurt. The yurt shall be located on the ground or on a wood floor with no permanent foundation. Upon request of a county governing body, the commission may provide by rule for an increase in the number of yurts allowed on all or a portion of the campgrounds in a county if the commission determines that the increase will comply with the standards described in ORS 215.296(1). As used in this section, "yurt" means a round, domed shelter of cloth or canvas on a collapsible frame with no plumbing, sewage disposal hook-up or internal cooking appliance.

(e) For applications submitted under subsection (c) of this section, the criteria of section (5) can be found to be satisfied when:

(A) The Governor has issued an Executive Order declaring an emergency for all or parts of Oregon pursuant to ORS 401.165, et seq.

(B) The subject property is not irrigated.

(C) The subject property is not high-value farmland.

(D) The number of proposed campsites does not exceed 12; or

(E) The number of proposed campsites does not exceed 36; and

(F) Campsites and other campground facilities are located at least 660 feet from adjacent lands planned and zoned for resource use under Goal 3, Goal 4, or both.

(24) Accessory farm dwellings as defined by subsection (e) of this section may be considered customarily provided in conjunction with farm use if:

(a) Each accessory farm dwelling meets all the following requirements:

(g) Accessory farm dwellings destroyed by a wildfire identified in an Executive Order issued by the Governor in accordance with the Emergency Conflagration Act, ORS 476.510 through 476.610 may be

- 1 replaced. The temporary use of modular structures, manufactured housing, fabric structures, tents
- 2 and similar accommodations is allowed until replacement under this subsection occurs.