



Oregon

Tina Kotek, Governor

Department of Land Conservation and Development

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August 12, 2026



To: Housing in Unincorporated Communities Rulemaking Advisory Committee Members

From: Jon Jinings, Community Services Specialist
Palmer Mason, Inter-Agency Coordinator, J.D.
Angela Williamson, Administrative and Rulemaking Coordinator

Re: Materials for August 19, 2026, Housing in Unincorporated Communities Rulemaking Advisory Committee Meeting 1

We look forward to our first meeting with you next Wednesday, August 19, 2026. Our meeting will be held virtually over zoom and will begin at 9:00 AM. As Rulemaking Advisory Committee (RAC) members you should have received an Outlook invitation to the meeting including a zoom meeting link. Please do not share that link. Others interested in viewing the meeting will be able to via a livestream on [YouTube](https://www.youtube.com).

This first meeting will focus on introducing the RAC members, staff, and facilitator. We will review the charge to this RAC provided by the Land Conservation and Development Commission and review operating guidelines. Materials for this first meeting are included with this memo and are also available on the Department of Land Conservation and Development's (DLCD) [rulemaking webpage](#).

To aid your navigation of this packet of materials, each piece is linked below:

1. [Meeting Agenda](#)
2. [Rulemaking Advisory Committee Membership](#)
3. [DLCD Staff Bios](#)
4. [Rulemaking Charge](#)
5. [Operating Guidelines](#)
6. [LCDC Staff Report dated April 9, 2026](#)
7. [Unincorporated Communities Rule – OAR Chapter 660, Division 22](#)
8. [Relevant Portions of Rural Exceptions Rule – OAR Chapter 660, Division 4](#)

Housing in Unincorporated Communities Rulemaking Advisory Committee

First Meeting, August 19, 2026
9 am – 12 pm
By Zoom Web Conference

To ensure the meeting is accessible, the department will make reasonable accommodations upon request. Please contact us at least 48 hours before the meeting. Contact the DLCD front desk by phone at 503-373-0050, by email at dlcd.info@dlcd.oregon.gov, or by TTY through Oregon Relay Services (800) 735-2900.

Agenda

Time	Description	Speaker(s)
9:00 – 9:10 AM	Opening Remarks and Agenda Review	Director Brenda Bateman, Sylvia Ciborowski, Facilitator
9:10 – 10:05 AM	RAC Member Introductions <i>Each member invited to share:</i> - Name and organization - One word or phrase that describes what you hope the RAC process achieves - One sentence about what you think will be the biggest challenge - What do you hope to learn from others around the table?	Sylvia Ciborowski, Facilitator RAC members
10:05 – 10:20 AM	Overview of Rulemaking Charge & Operating Guidelines - LCDC direction - Scope of the rulemaking - Expectations for participation	Sylvia Ciborowski, Facilitator Jon Jinings, Community Services Specialist Palmer Mason, Inter-agency Coordinator
10:20 – 10:30 AM	BREAK	
10:30 – 10:50 AM	Overview of Existing Rules Related to Unincorporated Communities (UCs) - Different types of UCs - OAR 660 Division 4 (Exception Process) - OAR 660 Division 11 (Public Facilities) - OAR 660 Division 22 (UCs) - Questions?	Jon Jinings, Community Services Specialist Palmer Mason, Inter-agency Coordinator

10:50 – 11:30 AM	Discussion of Key Rulemaking Issues <i>RAC members invited to discuss:</i> • What characteristics of an unincorporated community would make it suitable for more housing? • Under what conditions should counties be provided with additional or revised opportunities to expand UC boundaries? • What else does DLCD need to be thinking about in this rule update?	Jon Jinings, Community Services Specialist Palmer Mason, Inter-agency Coordinator
11:30 – 11:45 AM	Initial Comments and Questions about Rulemaking or Process	RAC members
11:45 – 11:50 AM	Next Steps and Adjourn	Sylvia Ciborowski, Facilitator LCDC Commissioner Bennett

Rulemaking Advisory Committee members should join Zoom using the link provided by DLCD.

Members of the public may watch the meeting live or recorded on the [DLCD YouTube channel](#).

Contact Information

Jon Jinings, Community Services Specialist
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541-325-6928

Palmer Mason, Inter-Agency Coordinator, J.D.
palmer.mason@dlcd.oregon.gov
503-269-2040

Angela Williamson, Administrative and Rulemaking Coordinator
angela.williamson@dlcd.oregon.gov
971-239-2901

Casaria Taylor, Senior Rules Coordinator
Casaria.taylor@dlcd.oregon.gov
971-600-7699

Housing in Unincorporated Communities Rulemaking Advisory Committee Members

Updated: August 11, 2026

Samantha Bayer, Oregon Homebuilders Association

McRae Carmichael, Mid-Willamette Valley Council of Governments

Matt Cyrus, Oregon Farm Bureau

Tabitha Eck, McKenzie Community Land Trust

Briece Edwards, Confederated Tribes of Grand Ronde

Kim Gammond, Habitat for Humanity of La Pine/Sunriver

Dave Hunnicutt, Oregon Property Owners Association

Gail Henrikson, Clatsop County

Mark Landauer, Special Districts Association of Oregon

Michael Martin, League of Oregon Cities

Marcus Luke, Confederated Tribes of Umatilla Indian Reservation

Mary Kyle McCurdy, 1000 Friends of Oregon

Daryn Murphy, North Development Group

Brock Nation, Oregon REALTORS®

Kevin Porter, Polk Soil and Water Conservation District

Branden Pursinger, Association of Oregon Counties

Brandon Reich, Marion County

Megan Tuck, Central Oregon Intergovernmental Council

Eric Walker, Hood River County

Housing in Unincorporated Communities (HUC)

DLCD & Facilitation Team

Land Conservation and Development (LCDC) Liaison

Commissioner Mark Bennett
LCDC



Commissioner Mark Bennett comes from a family of multi-generation ranchers. He and his wife steward their family ranch and timber lands near Unity, Oregon. They have two adult children and five grandchildren. He is a captain with the Baker County Sheriff's Office, former land use planning and emergency management director for Baker County, and a retired Baker County commissioner.

He has an extensive list of community service including participation as:

- Chair and board member, Burnt River School District
- Chair, Oregon Wildfire Policy Advisory Council
- Member, Governor's Sage Grouse Council
- Member, Governor's Wildfire Response Council
- Member, Oregon Agricultural Heritage Commission
- Assistant chief, Unity-Burnt River Fire-EMS Department

He appreciates the 4-H motto: "To make the best better."

DLCD Leadership

Dr. Brenda Ortigoza Bateman
Director



Dr. Bateman is the Director of Oregon's Department of Land Conservation and Development. During her 30-year career, she has served in strategic planning, implementation, and management roles, with a focus on natural resources policy. She is a Governor-appointee to the Oregon Geographic Information Council (OGIC) and Housing Production Advisory Council (HPAC). Previously, she served as the Chief Operating Officer/Assistant Director for Operations at Business Oregon and as Science Chief and Senior Policy Advisor at the Oregon Water Resources Department, co-authoring the 2012 and 2017 versions of Oregon's Integrated Water Resources Strategy. As past president of the American Water Resources Association, she represents the association internationally in venues such as the World Water Forum and World Water Congress. She has a doctorate in public policy from the University of Maryland Baltimore County, and master's and bachelor's degrees from The Johns Hopkins University.

Housing in Unincorporated Communities (HUC)

DLCD & Facilitation Team

Kirstin Greene, AICP
Deputy Director



Kirstin Greene, AICP, serves as DLCD's Deputy Director After working for a range of local, state, and tribal governments in the private sector, Kirstin achieved a lifelong career aspiration in joining DLCD as Economic Development Specialist in 2018. When Director Rue invited her to stand in as interim Deputy Director in 2019, she respectfully accepted. In order to help continue the agency's work in housing, climate friendly and equitable communities, and more equitable engagement practices, she applied for the permanent position in 2020.

Kirstin has fond memories of chatting with Portland Trailblazer legend, Bill Walton, when she was a young person.

Leila Aman
Community Services Division Manager



Leila Aman serves as the Community Services Division Manager at the Oregon Department of Land Conservation and Development, bringing more than two decades of experience in regional planning, community development, and public-sector leadership. Before joining DLCD, she was the City Manager of Manzanita, where she led major initiatives including construction of a new city hall and police station and guided updates to the city's comprehensive and transportation system plans. She previously served as Community Development Director for the City of Milwaukie and worked as a senior project manager with Prosper Portland, Metro, and Fregonese Associates. Leila has also served on regional housing and food systems boards. Born and raised in Southeast Portland, she was inspired to pursue a career in planning by witnessing the transformation of the neighborhood she grew up in. She holds a Master of Regional Planning from Cornell University and a Bachelor of Science from Portland State University.

Housing in Unincorporated Communities (HUC)

DLCD & Facilitation Team

Facilitation	
Sylvia Ciborowski Mosaic Resolutions	Sylvia Ciborowski has been a facilitator and mediator for over 17 years, working on projects from statewide climate change planning efforts, to building plans to manage forests and protect habitat, to paving the way for major transportation projects. She has strong knowledge of state rulemaking efforts. Sylvia facilitated past rulemaking advisory committees as part of DLCD’s efforts to develop implement legislation on middle housing as well as climate friendly and equitable communities. Sylvia is a certified court-connected mediator and earned her J.D. from Lewis & Clark School of Law with a Certificate in Natural Resources and Environmental Law.



Housing in Unincorporated Communities (HUC)

DLCD & Facilitation Team

DLCD RAC Core Team

Angela Williamson
Rulemaking Coordinator



Angela has worked in various positions within the agency. Her current Administrative and Rulemaking Coordinator supports the Housing in Unincorporated Communities rulemaking process. When she's not working she enjoys spending time with her family, gardening, canning, building custom cars and hot rods and racing at the Woodburn Dragstrip. Angela is based out of the Headquarters office in Salem, and her home outside of Dallas.

Casaria Taylor
Rules, Records, & Policy Coordinator



Casaria has over 20 years of experience working with the state with a focus on Oregon Administrative Rulemaking processes. She has been part of the recent Climate-Friendly and Equitable Communities rulemaking project, the 2001 Housing rulemaking project, and several others for both the Department of Land Conservation and Development and the Oregon Department of Fish and Wildlife. Casaria is originally from Washington and has been in Oregon for the last 25 years. When she's not helping DLCD manage rulemaking she enjoys disc golf, outdoor adventures in Central Oregon, and spending time with her family. She is based out of the Headquarters office in Salem.

Palmer Mason
Interagency Policy Coordinator



Palmer Mason began as DLCD's Interagency Policy Coordinator in May of 2024, after serving over five years as DLCD's Senior Policy Advisor. He holds a Bachelor of Science from Florida State University and a Juris Doctorate from the University of Florida. Throughout his career, Palmer has worked for several state, regional and local organizations, including the Oregon Department of Environmental Quality and the Florida Association of Counties.

Housing in Unincorporated Communities (HUC)

DLCD & Facilitation Team

Jon Jinings
Community Services Specialist



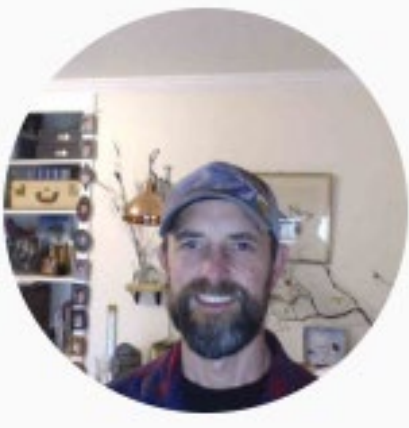
Jon was born in Corvallis and raised in Central and Eastern Oregon. He is a proud alumnus of Redmond High School and Eastern Oregon University. Prior to coming to DLCD in 1997, Jon worked for local governments, breaking in with Wallowa and Union Counties. Jon has worked on many, many administrative rule making projects and enjoys the art of creating productive policy that works for all interested parties. His work for the department primarily focuses on rural land use issues with an occasional dabble in urban affairs, which he enjoys. Jon's favorite thing about being a land use planner is helping to keep Oregon, Oregon – particularly when it is necessary to change with the times.

Kevin Young
Senior Urban Planner



Kevin has lived mostly in Oregon since 1973 and graduated from the University of Oregon before a sojourn to North Carolina for graduate school in 1993. He began his planning career in Eugene in 1996. He also worked as a planner for Tigard, Corvallis, and Benton County before joining DLCD in 2018. Kevin's primary work for the department has focused on housing, infrastructure, urbanization, and urban growth boundaries. He has worked on a variety of rulemaking efforts, including middle housing rules, the climate-friendly and equitable communities rules, and is currently working on the urbanization and wetlands rules. Although a big fan of well-planned cities, Kevin enjoys hiking, biking, and boating in many parts of this beautiful state.

Josh Le Bombard
Southern Oregon Regional Rep



Josh LeBombard is the Southern Oregon Regional Representative for the Department of Land Conservation and Development (DLCD). The region includes Douglas, Jackson, Josephine, Klamath, and Lake counties. He's held the position for the past 15 years. Prior to coming to DLCD Josh worked for various municipalities in Oregon, California, and Rhode Island. Josh has a Bachelor's degree from University of Wisconsin- La Crosse and a Master's degree in City and Regional Planning from California Polytechnic State University, San Luis Obispo. In his free time, he enjoys hobby farming, mountain biking, bikepacking, hiking... basically anything outdoors.

Housing in Unincorporated Communities (HUC)

DLCD & Facilitation Team

Adam Marl Legislative and Policy Coordinator	Adam joined DLCD’s government relations team last fall. Prior to that, he worked six sessions in the Oregon State Legislature, most recently as a caucus policy analyst overseeing the housing, human services, and education portfolio. With over five years of experience serving in local government, Adam brings a unique perspective combining legislative processes with local implementation. He graduated from Willamette University, where he first got involved in state government as a legislative intern. He is a lifelong Oregonian and can often be found at the Arlene Schnitzer Concert Hall enjoying his season tickets to the Oregon Symphony.
	

Housing in Unincorporated Communities Rulemaking Advisory Committee – Operating Guidelines

Purpose and Role of the Rulemaking Advisory Committee

The Rulemaking Advisory Committee (RAC or members) is advisory to Department of Land Conservation and Development (DLCD) staff. The RAC is not a voting body and is not required to reach consensus; rather, the Land Conservation and Development Commission (LCDC or Commission) and DLCD staff are seeking the individual and group guidance of RAC members to inform draft rule language. RAC members are considered volunteers by the State. RAC meetings and records are subject to Oregon's public meetings law, public records law, and government ethics law. More information on Oregon's Public Records and Meeting Law is available at this link: <https://www.doj.state.or.us/oregon-department-of-justice/public-records/attorney-generals-public-records-and-meetings-manual/>

Decision-making and Commitments

Oregon Department of Land Conservation and Development's goal in convening this Rulemaking Advisory Committee (RAC) is to receive individual and group guidance on the draft Oregon Administrative Rules (OAR) to be considered by the Land Conservation and Development Commission for adoption at its February 2027 meeting.

RAC members are encouraged to communicate their guidance at meetings or in writing. If RAC members choose to articulate areas of agreement and disagreement, members representing the different perspectives on specific issues will be invited to prepare language reflecting their views.

Members may request meetings with DLCD to share comments, information or concerns.

Good Faith

All members agree to act in good faith in all aspects of the RAC process, including by considering the viewpoints of other participants and conducting themselves in a manner that promotes respect and collaboration. Acting in good faith also means:

- Specific proposals raised in open, frank problem-solving discussion will not be used against a member in the future;
- Individuals will respect other members by expressing the same views and positions in their external communications as in the RAC process;
- Individuals will not represent their personal or organization's views as the views of the RAC or DLCD; and
- Members with concerns about the process will raise them with the committee or with DLCD staff directly.

Member Expectations for this Process:

RAC members agree to:

- Raise concerns for discussion at the earliest point in the process;
- Share all relevant information that will assist the RAC in achieving its goals;
- Keep their government or organization's leadership informed of recommendations formulated by the RAC;
- Review and comment on draft and revised rules, impact statements and other associated strategies and/or documents;
- Follow through on commitments made to the RAC; and
- Notify DLCD staff in advance of any action outside the RAC process that could affect the proposals, recommendations, or agreements under discussion.

Staff and RAC members agree to apply the following:

- Listen with respect, seeking to understand each other's perspectives;
- Listen to other's points of view without interrupting;
- Allow for a balance of speaking time while respecting time and agenda meeting goals;
- Be tough on issues and questions, rather than on people and organizations;
- As appropriate, discuss topics together rather than in isolation; and
- Seek to resolve differences and reach agreement;
- Speak one at a time, using a raised hand (or the virtual equivalent) to signal a wish to speak;
- Keep concerns at the RAC table and raise them with the committee before public comment periods open; and
- Avoid side conversations during meetings so all members can follow the discussion.

Preparation for RAC Meetings

Members will make a good faith effort to review agendas and meeting materials in advance of each meeting. Members will make a good faith effort to attend all RAC meetings. In those instances where a member was unable to attend, that member will make a good faith effort to review the meeting summary and/or follow up with DLCD.

Members may name an alternate to attend in their stead when needed. Alternates are expected to meet the same participation and engagement expectations as full members and to come up to speed on where the committee is in the process before attending. Alternates will be considered full members of the RAC. DLCD asks that members identify potential alternates as soon as possible.

Meeting Summaries

DLCD staff will prepare summaries of each RAC meeting. Members are asked to submit any corrections within one week of receiving the summary. Summaries will be revised as appropriate and posted on DLCD's Rulemaking webpage. Meetings will be livestreamed and recorded on the DLCD YouTube channel for review in the event of missing a meeting or needing clarification.

Public Records and Public Comment

RAC meetings are public meetings under Oregon law. Written correspondence submitted during the rulemaking becomes public records and is discoverable in public records requests.

Communications Among Members

Members are asked to send information intended for distribution to the full RAC to DLCD staff, rather than emailing other RAC members directly. Routing communications through staff helps the committee avoid inadvertently triggering Oregon's public meetings law.

Facilitator

RAC meetings will be facilitated by a selected contractor or DLCD staff. The facilitator(s) will help ensure a balance of speaking time, support members in sharing their views, identify and communicate common themes, areas of disagreement, and decision points, and support productive, constructive conversations consistent with these operating rules.

Withdrawal

Any member may withdraw from the RAC at any time. Members who withdraw are asked, where related to the process, to communicate their reasons for doing so. The good faith provisions described above continue to apply to members after they withdraw.

Rights in Other Forums

Participation in the RAC does not limit a member's rights to pursue other action outside the process. Members will make a good faith effort to notify DLCD staff and the RAC in advance if they plan to pursue action outside the RAC process that could affect the proposals, recommendations, or agreements under discussion.

Engaging with the Media or Discussing the RAC in Public Forums

Please refer all media inquiries about this process to DLCD staff. If a member does speak to the media or share comments at a public forum, DLCD asks that RAC members identify that their views are their own, and not necessarily of the RAC or DLCD. Further, DLCD requests that members inform DLCD of media inquiries or comments shared at a public forum as soon as possible.

Members agree to refrain from making negative comments about, or mischaracterizing the views of, other RAC members or the rulemaking process in media, social media or other public forums.

Removal from the RAC

RAC members may be removed for willfully violating these guidelines.



April 9, 2026

To: Land Conservation and Development Commission

From: Brenda Ortigoza Bateman, Ph.D., Director
Palmer Mason, Interagency Policy Coordinator
Jon Jinings, Community Services Specialist



Subject: **Agenda Item 5, April 23-24, 2026, LCDC Meeting**

Rulemaking: Housing in Unincorporated Areas Initiation

I. Agenda Item Summary

Department of Land Conservation and Development (DLCD or the department) staff requests to initiate rulemaking identified as an action contributing to the work of the State Housing Interagency Partnership (SHIP). Specifically, staff requests that the Land Conservation and Development Commission (LCDC or commission) initiate a rulemaking focused on housing opportunities in unincorporated communities.

a. Purpose

Staff will provide background on the Housing in Unincorporated Communities action. Staff will outline the draft charge to the department and committee, tentative schedule, and deliverables. Staff asks that the commission consider and approve the rulemaking charge and interests staff recommend serve on the rulemaking advisory committee.

b. Objective

Commission initiate this rulemaking by adopting a rulemaking charge and advising on interests to serve on the rulemaking advisory committee.

For further information about this report, please contact Palmer Mason, Interagency Policy Coordinator, at 503-269-20240 or palmer.mason@dlcd.oregon.gov, or Jon Jinings, Community Services Specialist, at 541-325-6928 or jon.jinings@dlcd.oregon.gov.

II. Background

a. Policy Framework

Over the next 20 years, Oregon needs to produce almost [half a million homes](#) to meet housing needs across the state. State agencies are looking over every possible pathway to meet that need. The state focus on housing includes removing barriers to production, land availability, and streamlining processes at the state and local level. Given the scope and severity of Oregon's

housing challenges, state agencies involved in housing development must work together more closely than ever before to achieve the state's housing production goals. At the Governor's direction, the Housing Accountability and Production Office (HAPO) developed an interagency coordination framework called the State Housing Interagency Partnership (SHIP), which is aimed at addressing housing production across the state.

This partnership moves the state beyond conventional agency coordination to encourage a stronger commitment to joint planning, coordinated implementation, resource sharing, and collective accountability for housing production outcomes. This project was identified as an action within DLCD's authority to increase housing production as part of this partnership.

b. Housing in Unincorporated Communities

A major tenet of Oregon's land use statute and associated program is that urban development should be focused on urban areas within Urban Growth Boundaries (UGBs), where infrastructure and services are positioned to support the development of complete communities. The planning program also recognizes the presence of unincorporated communities outside UGBs. However, for those areas, the statute and rule do not require or encourage counties to conduct urban planning under Goal 14 Urbanization, Goal 10 Housing, or Goal 11 Public Facilities and Services for these areas. While incorporation is an option for urban planning, it is not the universal solution. In some cases, urbanization may not be necessary. Some county representatives have expressed interest in allowing unincorporated communities to provide more housing options as these areas continue to be desirable places to live.

Some unincorporated communities exhibit a settlement pattern resembling small towns or cities with public services capable of serving a higher intensity of development than surrounding rural areas. There are four types of unincorporated communities defined in rule: OAR [660-022-0010](#):

- Resort Communities (defined at OAR 660-022-0010(6) to generally mean developed areas oriented towards recreation or resort activities).
- Rural Communities (defined at OAR 660-022-0010(7) to generally mean developed areas primarily comprised of residential uses with a combination of other activities).
- Rural Service Centers (defined at OAR 660-022-0010(8) to generally mean developed areas primarily comprised of commercial or industrial uses serving the surrounding vicinity and the traveling public with some residential activities).
- Urban Unincorporated Communities (defined at OAR 660-022-0010(9) to generally mean larger developed areas with at least 150 residential units and a combination of other land uses that are supported by public facilities and services).

Current law allows for expansion of the boundaries of unincorporated communities under limited circumstances. Oregon Administrative Rules also restrict boundary expansions of urban unincorporated communities when they are within 10 miles from a UGB with less than 25,000 population and 20 miles from a UGB with over 25,000 population.

The rulemaking scope addresses all unincorporated communities, given the limited number of urban unincorporated communities and the variety of characteristics, circumstances, and landscapes that define the range of other unincorporated communities.

This action will seek input from the Governor's Office, HAPO, RAC members, local planning partners, federally-recognized tribes in Oregon, other state agencies, and community members. RAC members will consider potential impact to housing development on resource lands, adjacent cities, as well as potential effects shifting planning responsibilities of counties for unincorporated communities.

c. Applicable Rules

Participants in the rulemaking process will necessarily evaluate Oregon Administrative Rules [Division 22](#) (Unincorporated Communities), [Division 4](#) (the Exceptions Process), and [Division 11](#) (Public Facilities). Staff will work with RAC members to identify appropriate opportunities and criteria for the safe expansion and upzoning of urban unincorporated communities and other unincorporated areas that are suitable for this work.

Planning and zoning for unincorporated communities is guided by OAR chapter 660, division 22.

Upzoning lands within existing unincorporated communities is subject to the provisions of OAR 660-022-0030.

Expanding the boundary of an acknowledged unincorporated community includes application of OAR 660-022-0040 (urban unincorporated communities), OAR 660-004-0020, and OAR 660-004-0022(5).

Planning and zoning for expanded unincorporated community boundaries is subject to the provisions of OAR 660-004-0018 and OAR 660-022-0030.

III. Rulemaking Advisory Committee and Charge

a. Rulemaking Advisory Committee

Department staff propose convening one Rulemaking Advisory Committee (RAC) to support and inform this rulemaking process by serving in an advisory capacity to DLCD.

1. Recommended Membership

A RAC should represent a broad base of interests, and membership should include representatives from the following:

- County governments
- City governments
- Special Districts
- Market-rate housing developers

- Affordable housing developers
- Housing advocates
- Community based organizations
- Farming, ranching, and other agricultural interests
- Forestry interests
- Land use and environmental advocates
- Property owner and development interests
- Other members as appropriate

Commissioners are welcome to identify additional interests or perspectives that staff should seek for RAC membership.

DLCD has invited tribal consultation on this topic. Staff also invite tribal representatives to participate in the rule development process, either as members of the RAC or in government-to-government consultation.

Though RAC members will be advisory to staff, DLCD will consider the meetings public meetings with regular notice and agendas published in advance.

The department also plans to form a technical advisory committee of state agencies representatives to support this rulemaking. This committee will be charged with collecting relevant information and providing technical input to the RAC and DLCD. State agency partners include the Oregon Department of State Lands (DSL), Oregon Department of Environmental Quality (DEQ), Oregon Department of Transportation (ODOT), Oregon Department of Agriculture (ODA), Oregon Department of Forestry (ODF), the Oregon Department of Fish and Wildlife (ODFW), and other state agency partners as appropriate.

2. Draft Charge

Staff ask that the commission initiate this rulemaking process titled “Housing in Unincorporated Communities.” A rulemaking charge guides and directs staff and the advisory committees in recommending rules that fulfill commission intent. The following is a draft charge for the commission to consider. Staff have also included this in Attachment A.

RAC members are charged with advising DLCD staff on revisions to Oregon Administrative Rules for LCDC consideration that:

- Provide a voluntary option whereby counties may increase housing opportunities within existing urban unincorporated communities and other unincorporated communities with appropriate characteristics (e.g., population size, urban form and uses, availability of public facilities, community support, etc.).
- Allow counties to expand the boundaries of these communities where appropriate to provide improved housing opportunities.
- Minimize legal uncertainty and remove unnecessary regulatory barriers to county decisions to increase housing density or allow more intense urban uses in these areas.

- To protect public health and safety, ensure that any expansion, increased densities or greater intensity of use will be adequately supported by available or planned public facilities, including consideration for impacts to adjacent communities.
- Require participating counties to plan and zone for an appropriate mix of housing types to provide options for a range of incomes and household characteristics.
- Require participating counties to plan and zone for community needs to support these areas, including but not limited to, appropriate commercial and light industrial uses, transportation, public safety, public facilities and urban services, which may also be provided by special districts.
- Maintain meaningful protection for rural and working lands, natural resources, and natural hazard safety.
- Reflect input from counties, cities, the development community, housing advocates, natural resource interests, advocacy and community organizations, special districts, state agencies and the broader public; and
- Ensure that incorporation of the community is not precluded as an alternative path to development and growth.

Upon adoption, the department and commission will monitor implementation by local governments and amend the rules or take other actions as needed.

IV. Recommended Action

The department recommends that the commission initiate rulemaking directing the department to review the provisions of OAR chapter 660, Divisions 4, 11 and 22 as outlined in the draft charge.

The department recommends the commission delegate to the director the appointment of a RAC to assist the department in developing well-informed recommendations. The committee will be advisory to staff. Staff have prepared the following recommended and optional motion for commission consideration. Commissioners are also welcome to identify additional interests or perspectives that staff should solicit for the RAC.

Recommended motion: I move the commission initiate rulemaking on Housing in Unincorporated Communities as described in this report and authorize the director to appoint a rulemaking advisory committee consistent with the charge as drafted in the staff report for Agenda Item 4.

Optional motion: I move the commission initiate rulemaking on Housing in Unincorporated Communities as described in this report and authorize the director to appoint a rulemaking advisory committee consistent with the charge amended to include [specific amendments to the charge provided in the staff report for Agenda Item 4].

V. Attachments

- a. Rulemaking Advisory Committee Charge and List of Interests
- b. Unincorporated Communities in Oregon
- c. Map of Oregon Urban Unincorporated Communities

Housing in Unincorporated Communities Rulemaking

Rules Advisory Committee (RAC)

Charge and List of Interests

Updated March 19, 2026

Charge to the Rules Advisory Committee

The Land Conservation and Development Commission (LCDC or the commission) initiates this rulemaking to implement one of the items on the 2026 State Housing Interagency Partnership (SHIP) Work Plan. This charge directs DLCD and the Rules Advisory Committee (RAC) throughout the process.

RAC members are charged to advise DLCD staff on revisions to Administrative Rules for LCDC consideration that:

- Provide a voluntary option whereby counties may increase housing opportunities within existing urban unincorporated communities or other unincorporated communities with appropriate characteristics (e.g., population size, urban form and uses, availability of public facilities, community support, etc.);
- Allow counties to expand the boundaries of these communities where appropriate to provide improved housing opportunities while continuing to minimize impacts to natural resources and working lands;
- Minimize legal uncertainty and remove unnecessary regulatory barriers to county decisions to increase housing density or allow more intense urban uses in these areas;
- To protect public health and safety, ensure that any expansion, increased density or greater intensity of use will be adequately supported by available or planned public facilities, including consideration for impacts to adjacent communities;
- Require participating counties to plan and zone for an appropriate mix of housing types to provide options for a range of incomes and household characteristics;
- Require participating counties to plan and zone for community needs to support these areas, including but not limited to appropriate commercial and light industrial uses, transportation, public safety, public facilities and urban services;
- Maintain meaningful protection for rural and working lands, natural resources, and natural hazard safety;
- Reflect input from counties, cities, natural resource interests, advocacy and community organizations, the development community, housing advocates, special districts, state agencies and the broader public; and
- Ensure that incorporation of the community is not precluded as an alternative path to development and growth.

Recommended Membership

The commission authorizes DLCD staff to assemble a RAC that represents a broad base of interests. Membership should include representatives from the following:

- City governments
- Community based organizations

- County governments
- Farming, ranching and other agricultural interests
- Forestry interests
- Housing advocates and housing developers
- Land use and environmental advocates
- Property owner and development interests
- Other members as appropriate

Commissioners are welcome to identify additional interests or perspectives that staff should seek for RAC membership.

DLCD has invited tribal consultation on this rulemaking. Staff also invite tribal representatives to participate in the rule development process, either as members of the RAC or in government-to-government consultation.

DLCD will form a technical advisory committee of state agencies representatives to support this rulemaking. This committee will be charged with collecting relevant information and providing technical input to the RAC and DLCD.

TRACKING OF UNINCORPORATED COMMUNITIES IN OREGON

LAST REVISED: 10/6/14

“Type”: Means the Unincorporated Community (UC) was designated as RC, RSC, UUC or Resort Community pursuant to the definitions at OAR [660-022-0010](#)

“Apply...”: Means the county applied the provisions of the Rule (OAR 660, Division 22) to the UC.

“Rural”: Means the county determined the settlement was currently planned and zoned to allow only “rural uses” consistent with Goal 14 and rule.

“Zoned to Rural”: Means the county revised the comprehensive plan and rezoned the settlement to allow only “rural uses” consistent with Goal 14 and rule.

“Goal 14 Exception Taken”: Means the county adopted an exception to Goal 14 to allow an intensity of use(s) not otherwise allowed under Goal 14 and the rule.

“Date of Ack.../Status”: Means the date DLCD or LCDC approved the UC Plan, Order #, Periodic Review Work Task #, and current due date of any UC work underway.

County	Name of Community	Type	Apply UC Rules 070(1)	Rural 070(2)	Zone to Rural 070(3)	Goal 14 excep. taken 070(4)	Date of Acknowledgment/Status
Benton	Alpine	RC					Approved 3/18/14 (001846) Task 11
	Alsea	RC					Approved 4/24/14 (001849) Task 14
	Bellfountain	RC					Approved 3/18/14 (001846) Task 11
	Greenberry	RC					Approved 3/18/14 (001846) Task 11
	Wren	RC					Approved 4/24/14 (001849) Task 13
	Bruce	-					Approved 4/1/10 (001779) Task 10
	Blodgett	-			X		Approved 4/1/10 (001779) Task 10

TRACKING OF UNINCORPORATED COMMUNITIES IN OREGON

County	Name of Community	Type	Apply UC Rules 070(1)	Rural 070(2)	Zone to Rural 070(3)	Goal 14 excep. taken 070(4)	Date of Acknowledgment/Status
	Hoskins	-			X		Approved 4/1/10 (001779) Task 10
	Summit	-			X		Approved 4/1/10 (001779) Task 10
Clackamas	Government Camp	UUC	X				Approved 4/11/01 (01303) Task 16
	Redland	RC	X				Approved 10/23/97 (00844) Task 8
	Beavercreek	RC	X				Approved 10/23/97 (00844) Task 8
	Boring	RC	X				Approved 2/10/98 (00880) Task 8
	Colton	RC	X				Approved 4/8/98 (00913) Task 15
	Wildwood/Timberline	RC	X				Approved 8/13/97 (00820) Task 14
	Zig Zag Village	RC	X				Approved 8/13/97 (00820) Task 14
	Mulino	RSC	X				Approved 2/10/98 (00880) Task 8
	Rhododendron	RSC	X				Approved 8/13/97 (00820) Task 14
	Wemme/Welches	Resort	X				Approved 8/13/97 (00820) Task 14
Crook	East Powell Butte	RSC	Pre-rule			X	Approved 12/19/95 (00544) Task 2
	Paulina	RSC	Pre-rule			X	Approved 12/19/95 (00544) Task 2
	Post	RSC	Pre-rule			X	Approved 12/19/95 (00544) Task 2
	West Powell Butte	RSC	Pre-rule			X	Approved 12/19/95 (00544) Task 2
Clatsop	Arch Cape	RC	X				Approved 10/15/03(001555) Task 3
	Knappa	RC	X				Approved 10/15/03 (001555) Task 3
	Miles Crossing-Jeffers Garden	RC	X				Approved 10/15/03 (001555) Subtask 3A
	Svensen	RC	X				Approved 10/15/03(001555) Task 3
	West Port	RC	X				Approved 10/15/03 (001555) Task 3
Columbia	Alston Corner	RC	X				Approved 3/13/00 (001174) Task 2
	Birkenfeld	RC	X				Approved 3/13/00 (001174) Task 2
	Deer Island	RC	X				Approved 3/13/00 (001174) Task 2

TRACKING OF UNINCORPORATED COMMUNITIES IN OREGON

County	Name of Community	Type	Apply UC Rules 070(1)	Rural 070(2)	Zone to Rural 070(3)	Goal 14 excep. taken 070(4)	Date of Acknowledgment/Status
	Goble	RC	X				Approved 3/13/00 (001174) Task 2
	Mist	RC	X				Approved 3/13/00 (001174) Task 2
	Quincy	RC	X				Approved 3/13/00 (001174) Task 2
Coos	Barview	UUC	X				Approved 4/27/00 (001194) Task 10
	Bunker Hill	UUC	X				Approved 4/27/00 (001194) Task 10
	Charleston	UUC	X				Approved 4/27/00 (001194) Task 10
	Allegany	RC	X				Approved 4/27/00 & 2/9/01 (001195 & 001286) Task 11 and 12
	Arago	RC	X				Approved 4/27/00 (001195) Task 11
	Bridge	RC	X				Approved 4/27/00 (001195) Task 11
	Broadbent	RC	X				Approved 4/27/00 (001195) Task 11
	Dora	RC	X				Approved 4/27/00 (001195) Task 11
	Fairview	RC	X				Approved 4/27/00 (001195) Task 11
	Glasgow	RC	X				Approved 4/27/00 (001195) Task 11
	Greenacres	RC	X				Approved 4/27/00 (001195) Task 11
	Hauser	RC	X				Approved 4/27/00 (001195) Task 11
	Laurel Grove	RC	X				Approved 4/27/00 (001195) Task 11
	Millington	RC	X				Approved 4/27/00 (001195) Task 11
	Norway	RC	X				Approved 4/27/00 (001195) Task 11
Coos	Riverton	RC	X				Approved 4/27/00 (001195) Task 11
	Sumner	RC	X				Approved 4/27/00 (001195) Task 11
	Sunnyhill	RC	X				Approved 4/27/00 (001195) Task 11
Deschutes	Sunriver	UUC	X				Approved 5/15/98 (00920) Task 16
	Terrebonne	RC	X				Approved 10/31/97 (00846). LCDC affirmed (98-WKTASK-00975) Task 15
	Tumalo	RC	X				Approved 8/26/96 (00829) Task 12
	Alfalfa	RSC	X				Approved as PAPA 7/17/02 (018-01)
	Brothers	RSC	X				Approved as PAPA 7/17/02 (018-01).

TRACKING OF UNINCORPORATED COMMUNITIES IN OREGON

County	Name of Community	Type	Apply UC Rules 070(1)	Rural 070(2)	Zone to Rural 070(3)	Goal 14 excep. taken 070(4)	Date of Acknowledgment/Status
	Hampton	RSC	X				Approved as PAPA 7/17/02 (018-01).
	Millican	RSC	X				Approved as PAPA 7/17/02 (018-01).
	Whistle Stop	RSC	X				Approved as PAPA 7/24/02 (005-02)
	Wickiup Junction	RSC	X				Approved 5/17/96 (00612) Task 9
	Wild Hunt	RSC	X				Approved as PAPA 7/24/02 (005-02)
	Black Butte	Resort	X				Approved as PAPA 1/17/02 (017-01)
	Inn of 7th Mtn	Resort	X				Approved 1/17/02. PAPA 17-01
	Deschutes Junction	-			X		Approved 9/11/02 (001429) Task14
	Deschutes River Woods Store	-			X		Approved 9/11/02 (001429) Task 14
	Spring River	-			X		Approved 9/11/02 (001429) Task 14
Douglas	Azalea	RC	X				Approved 11/13/95 (00518) Task 1
	Camas Valley	RC	X				Approved 11/13/95 (00518) Task 1
	Clarks Branch	RC	X				Approved 4/1/97 (00749) Task 1
	Curtin	RC	X				Approved 11/13/95 (00518) Task 1
Douglas	Dillard	UUC	Pre-rule			X	Approved 11/4/93 (93-TERM-902)
	Gardiner	UUC	Pre-rule			X	Approved 11/4/93 (93-TERM-902)
	Glide	UUC	Pre-rule			X	Approved 11/4/93 (93-TERM-902)
	Green	UUC	Pre-rule			X	Approved 11/4/93 (93-TERM-902)
	Shady	UUC				X	Approved 6/28/96 (00641) Task 3
	Winchester Bay	UUC	Pre-rule			X	Approved 11/4/93 (93-TERM-902)
	Days Creek	RC	X				Approved 11/13/95 (00518) Task 1
	Dixonville	RC	X				Approved 11/13/95 (00518) Task 1

TRACKING OF UNINCORPORATED COMMUNITIES IN OREGON

County	Name of Community	Type	Apply UC Rules 070(1)	Rural 070(2)	Zone to Rural 070(3)	Goal 14 excep. taken 070(4)	Date of Acknowledgment/Status
	Glendale Junction	RC	X				Approved 11/13/95 (00518) Task 1
	Lookingglass	RC	X				Approved 11/13/95 (00518) Task 1
	Melrose	RC	X				Approved 11/13/95 (00518) Task 1
	Milo	RC	X				Approved 11/13/95 (00518) Task 1
	Quines Creek	RC	X				Approved 4/1/97 (00749) Task 1
	Rice Hill	RC	X				Approved 11/13/95 (00518) Task 1
	Riversdale	RC	X				Approved 11/13/95 (00518) Task 1
	Scottsburg/Wells Cr	RC	X				Approved 11/13/95 (00518) Task 1
	Tenmile/Porter Cr	RC	X				Approved 11/13/95 (00518) Task 1
	Tiller	RC	X				Approved 11/13/95 (00518) Task 1
	Dry Creek	RSC	X				Approved 11/13/95 (00518) Task 1
	Fortune Branch	RSC	X				Approved 11/13/95 (00518) Task 1
	Jackson Creek	RSC	X				Approved 11/13/95 (00518) Task 1
	Nonpariel	RSC	X				Approved 11/13/95 (00518) Task 1
	North Fork	RSC	X				Approved 11/13/95 (00518) Task 1
	North Umpqua V.	RSC	X				Approved 11/13/95 (00518) Task 1
Douglas	Oak Valley	RSC	X				Approved 4/1/97 (00749) Task 1
	Steamboat	RSC	X				Approved 11/13/95 (00518) Task 1
	Umpqua	RSC	X				Approved 11/13/95 (00518) Task 1
Harney	Crane	RC	X				Approved 9/15/00 (001255). Task 1
	Drewsey	RC	X				Approved 9/15/00 (001255). Task 1
	Andrews	RSC	X				Approved 9/15/00 (001255). Task 1
	Diamond	RSC	X				Approved 9/15/00 (001255). Task 1
	Fields	RSC	X				Approved 9/15/00 (001255). Task 1

TRACKING OF UNINCORPORATED COMMUNITIES IN OREGON

County	Name of Community	Type	Apply UC Rules 070(1)	Rural 070(2)	Zone to Rural 070(3)	Goal 14 excep. taken 070(4)	Date of Acknowledgment/Status
	Frenchglen	RSC	X				Approved 9/15/00 (001255). Task 1
	Buchanan	-			X		Approved 9/15/00 (001255). Task 1
	Lawen	-			X		Approved 9/15/00 (001255). Task 1
	Princeton	-			X		Approved 9/15/00 (001255). Task 1
	Riley	-			X		Approved 9/15/00 (001255). Task 1
	Wagontire	-			X		Approved 9/15/00 (001255) Task 1
Hood River	Mt. Hood	RC	X				Approved 10/20/06 (001710) Task 2
	Oak Grove	RC	X				Approved 9/9/05 (001678) Task 2
	Rockford	RC	X				Approved 1/26/06 (001689) Task 2
	Pine Grove	-					Approved 9/9/05 (001679) Task 2
	Van Horn	-					Approved 9/9/05 (001679) Task 2
	Windmaster Corner	-					Approved 9/9/05 (001679) Task 2
	Odell						Due 12/31/04 Task 1
	Parkdale						Due 12/31/04 Task 1
Jefferson	Camp Sherman	RC			X		Approved 8/13/97 00821 Task 4
	Crooked River Ranch	RC			X		Approved 2/16/98 (00878) Task 8
Jefferson	Ashwood	-			X		Approved 6/6/03 (1526) Task 6
	Chinook Airport	-			X		Approved 6/6/03 (1526) Task 6
	Gateway	-			X		Approved 6/6/03 (1526) Task 6
	High Chaparal	-			X		Approved 6/6/03 (1526) Task 6
Klamath	Beatty	RC	X				Approved 4/28/03(001499) Task 20
	Bly	RC	X				Approved 4/28/03 (001497) Task 18
	Chemult	RC	X				PAPA Acknowledged 1/6/97. DLCD File 013-96
	Crescent	RC	X				Approved 4/28/03(001497) Task 18

TRACKING OF UNINCORPORATED COMMUNITIES IN OREGON

County	Name of Community	Type	Apply UC Rules 070(1)	Rural 070(2)	Zone to Rural 070(3)	Goal 14 excep. taken 070(4)	Date of Acknowledgment/Status
	Crescent Lake	RC	X				Approved 4/28/03(001500) Task 21
	Dairy	RC	X				Approved 8/23/02 (001427) Task 17
	Fort Klamath	RC	X				Approved 8/23/02 (001427) Task 17
	Gilchrist	RC	X				Approved 4/28/03(001497) Task 18
	Henley	RC	X				Approved 8/23/02 (001427) Task 17
	Keno	RC	X				Approved 4/28/03(001498) Task 18
	Midland	RC					Approved 4/28/03 (001498) Task 18
	Rocky Point	RC	X				Approved 4/28/03(001500) Task 21
	Sprague River	RC	X				Approved 4/28/03(001499) Task 20
	Beaver Marsh	RSC	X				Approved 8/23/02 (001427) Task 17
	Diamond Lake Jct.	RSC	X				Approved 8/23/02 (001427) Task 17
	Olene	RSC	X				Approved as PAPA 12/28/01 (DLCD File 013-01)
Jackson	White City	UUC	X			Yes, to allow uses to exceed rule's SSLI standard.	Approved 10/22/98 (00992) Task 29
	Applegate	RC	X				Approved 5/26/00 (001116) Task 22.
	Ruch	RC	X				Approved 9/29/00 (001257). Task 22
	Foots Creek	RSC	X				PAPA Acknowledged 8/22/97. DLCD File 008-97
	Savage Creek	RSC	X				PAPA Acknowledged 8/22/97. DLCD File 007-97
	Trail	RSC	X				PAPA Acknowledged 8/22/97. DLCD File 006-97
	Sams Valley (Four Corners)	RSC	X				Approved 10/14/99 (001102) Task 22

TRACKING OF UNINCORPORATED COMMUNITIES IN OREGON

County	Name of Community	Type	Apply UC Rules 070(1)	Rural 070(2)	Zone to Rural 070(3)	Goal 14 excep. taken 070(4)	Date of Acknowledgment/Status
	Lake Creek	-			X		Any future UC planning will be done as PAPA
	Lincoln-Pinehurst	-			X		Any future UC planning will be done as PAPA
	Prospect/Cascade Gorge	-			X		Any future UC planning will be done as PAPA
	Wimer	-			X		Any future UC planning will be done as PAPA
Josephine	Merlin/North Valley	RC	X				Approved 1/20/05(001652) Task 5.a
	Kerby	-			X		Approved 3/7/05 (001656) Tasks 5.b & 5.c
	Murphy	-			X		Approved 3/7/05 (001656) Tasks 5.b & 5.c
	O'Brien	-			X		Approved 3/7/05 (001656) Tasks 5.b & 5.c
	Pottsville	-			X		Approved 3/7/05 (001656) Tasks 5.b & 5.c
	Shan Creek	-			X		Approved 3/7/05 (001656) Tasks 5.b & 5.c
	Selma	-			X		Approved 3/7/05 (001656) Tasks 5.b & 5.c
	Sunny Valley	-			X		Approved 3/7/05 (001656) Tasks 5.b & 5.c
	Wilderville	-			X		Approved 3/7/05 (001656) Tasks 5.b & 5.c
	Williams	-			X		Approved 3/7/05 (001656) Tasks 5.b & 5.c
	Wolf Creek	-			X		Approved 3/7/05 (001656) Tasks 5.b & 5.c
	Wonder	-			X		Approved 3/7/05 (001656) Tasks 5.b & 5.c
Lane	Dexter	UUC	X				Approved 7/19/05 (001672) Task 5
	Alvadore	RC	X				Approved 3/30/04 (001620) Task 4
	Blachly	RC	X				Approved 3/30/04 (001620) Task 3
	Blue River	RC	X				Approved 10/31/02 (01431) Task 1
	Cheshire	RC	X				Approved 3/30/04 (001620) Task 4
	Crow	RC	X				Approved 3/30/04 (001620) Task 4
	Culp Creek	RC	X				Approved 7/19/05 (001672) Task 5
	Cushman	RC	X				Approved 3/30/04 (001620) Task 3

TRACKING OF UNINCORPORATED COMMUNITIES IN OREGON

County	Name of Community	Type	Apply UC Rules 070(1)	Rural 070(2)	Zone to Rural 070(3)	Goal 14 excep. taken 070(4)	Date of Acknowledgment/Status
	Deadwood	RC	X				Approved 3/30/04 (001620) Task 3
	Dorena	RC	X				Approved 7/19/05 (001672) Task 5
	Elmira	RC	X				Approved 3/30/04 (001620) Task 4
	Fall Creek	RC	X				Approved 7/19/05 (001672) Task 5
	Franklin	RC	X				Approved 3/30/04 (001620) Task 3
	Glenada	RC	X				Approved 3/30/04 (001620) Task 3
	Goshen	RC	X				Approved 7/19/05 (001672) Task 5
	Greenleaf	RC	X				Approved 3/30/04 (001620) Task 3
	Jasper	RC	X				Approved 7/19/05 (001672) Task 55
	Lancaster	RC	X				Approved 3/30/04 (001620) Task 3
	Leaburg	RC	X				Approved 10/31/02 (01431). Task 1.
	London	RC	X				Approved 7/19/05 (001672) Task 5
Lane	Lorane	RC	X				Approved 3/30/04 (001620) Task 3
	Mapleton	RC	X				Approved 3/30/04 (001620) Task 3
	Marcola	RC	X				Approved 10/31/02 (01431). Task 1.
	Nimrod	RC	X				Approved 10/31/02 (01431). Task 1.
	Noti	RC	X				Approved 3/30/04 (001620) Task 3
	Pleasant Hill	RC	X				Approved 7/19/05 (001672) Task 5
	Saginaw	RC	X				Approved 7/19/05 (001672) Task 5
	Swishhome	RC	X				Approved 3/30/04 (001620) Task 3
	Trent	RC	X				Approved 7/19/05 (001672) Task 5
	Triangle Lake	RC	X				Approved 3/30/04 (001620) Task 3
	Vida	RC	X				Approved 10/31/02 (01431). Task 1.
	Walterville	RC	X				Approved 10/31/02 (01431). Task 1.

TRACKING OF UNINCORPORATED COMMUNITIES IN OREGON

County	Name of Community	Type	Apply UC Rules 070(1)	Rural 070(2)	Zone to Rural 070(3)	Goal 14 excep. taken 070(4)	Date of Acknowledgment/Status
	Walton	RC	X				Approved 3/30/04 (001620) Task 3
	McKenzie Bridge	Resort	X				Approved 10/31/02 (01431). Task 1.
	Rainbow	Resort	X				Approved 10/31/02 (01431). Task 1.
Lincoln	Beverly Beach	RC	X				Approved 9/8/04 (001656) Task 5
	Eddyville	RC	X				Approved 9/8/04 (001656) Task 5
	Elk City	RC	X				Approved 9/8/04 (001656) Task 5
	Kernville	RC	X				Approved 9/8/04 (001656) Task 5
	Otter Rock	RC	X			Goal 14 except'n taken for the Inn at Otter Crest	Approved 9/8/04 (001656) Task 5
	Rose Lodge	RC	X				Approved 9/8/04 (001656) Task 5
Lincoln	San Marine	RC	X				Approved 9/8/04 (001656) Task 5
	Seal Rock	RC	X				Approved 9/8/04 (001656) Task 5
	Starr Creek	RC	X				Approved 9/8/04 (001656) Task 5
	Tidewater	RC	X				Approved 9/8/04 (001656) Task 5
	Harlen	RSC	X				Approved 9/8/04 (001656) Task 5
	Lincoln-Gleneden Beach					Goal 14 except'n taken for entire UC	Approved 9/8/04 (001656) Task 5
	Burnt Wood	-			X		Approved 9/8/04 (001656) Task 5
	Losgden	-			X		Approved 9/8/04 (001656) Task 5
	Otis Junction	-			X		Approved 9/8/04 (001656) Task 5

TRACKING OF UNINCORPORATED COMMUNITIES IN OREGON

County	Name of Community	Type	Apply UC Rules 070(1)	Rural 070(2)	Zone to Rural 070(3)	Goal 14 excep. taken 070(4)	Date of Acknowledgment/Status
Marion	Brooks/Hopmere	UUC	X				Approved 11/21/00 (001274) Task 4
	Butteville	RC	X				Approved 2/12/01 (001287) Task 3
	Labish Village	RC	X				Approved 2/12/01 (001287) Task 3
	Macleay	RC	X				Approved 2/12/01 (001287) Task 3
	Marion	RC	X				Approved 2/12/01 (001287) Task 3
	Mehama	RC	X				Approved 2/12/01 (001287) Task 3
	Monitor	RC	X				Approved 2/12/01 (001287) Task 3
	Quinaby	RC	X				Approved 2/12/01 (001287) Task 3
	Shaw	RC	X				Approved 2/12/01 (001287) Task 3
	Fargo Interchange	RSC	X				Referred to LCDC who Approved UC & Remanded OL Zone. LCDC decision appealed to Court of Appeals. Appeal dismissed. Due date to be determined.
	Turner Interchange	RSC	X				Approved 2/12/01 (001287) Task 3
Multnomah	Orient	RC	X				PAPA Acknowledged 1/903 DLCD File 001-02
	Bridal Veil						?
	Burlington						?
	Springdale						?
Polk	Airlie	RC	X				Approved 11/22/02 (001438) Task 10
	Ballston	RC	X				Approved 11/22/02 (001438) Task 10
	Buell	RC	X				Approved 11/22/02 (001438) Task 10
	Buena Vista	RC	X				Approved 11/22/02 (001438) Task 10
	Eola	RC	X				Approved 11/22/02 (001438) Task 10
	Grand Ronde	RC	X				Approved 4/25/08 (001743) Task 3
	Lincoln	RC	X				Approved 11/22/02 (001438) Task 10
	McCoy	RC	X				Approved 11/22/02 (001438) Task 10

TRACKING OF UNINCORPORATED COMMUNITIES IN OREGON

County	Name of Community	Type	Apply UC Rules 070(1)	Rural 070(2)	Zone to Rural 070(3)	Goal 14 excep. taken 070(4)	Date of Acknowledgment/Status
	Pedee	RC	X				Approved 11/22/02 (001438) Task 10
	Perrydale	RC	X				Approved 11/22/02 (001438) Task 10
	Rickreall-Derry	RC	X				Approved 11/22/02 (001438) Task 10
	Suver	RC	X				Approved 11/22/02 (001438) Task 10
	Suver Jct.	RC	X				Approved 11/22/02 (001438) Task 10
	Fort Hill	RSC	X				Approved 4/25/08 (001743) Task 3
	Valley Jct.	RSC	X				Approved 4/25/08 (001743) Task 3
Sherman	Kent	RC	X				Approved 5/9/03 (001511) Task 2.B
	Biggs	RSC	X				Approved 5/9/03 (001511) Task 2.B
Tillamook	Barview/Twin Rocks/Watseco	UUC	X				Approved 1/29/03 (001465) Task 9
Tillamook	Oceanside	UUC	X				Partial Approval Issued 5/26/00 (001212). CO Zone Remanded 3/2/01 (001289). CO Zone Approved 7/9/01 (001317) Task 5
	Pacific City/Woods	UUC	X				Partial Approval and Remand for commercial zones issued 3/2/01 (001288) Commercial Zones Approved 1/29/03 (001463) Task 6
	Beaver	RC	X				Approved 1/29/03 (001465) Task 9
	Cloverdale	RC	X				Approved 1/29/03 (001465) Task 9
	Hebo	RC	X				Approved 1/29/03 (001464) Task 8
	Idaville	RC	X				Approved 1/29/03 (001465) Task 9
	Mohler	RC	X				Approved 1/29/03 (001465) Task 9
	Neahkahnie	RC	X				Approved 5/26/00 (001212) Task 6A
	Neskowin	RC	X				Approved 3/2/01 (001288) Task 6B
	Netarts	RC	X				Approved 5/26/00 (001212). Task 6A
	Syskeyville	RC	X				Approved 1/29/03 (001465) Task 9

TRACKING OF UNINCORPORATED COMMUNITIES IN OREGON

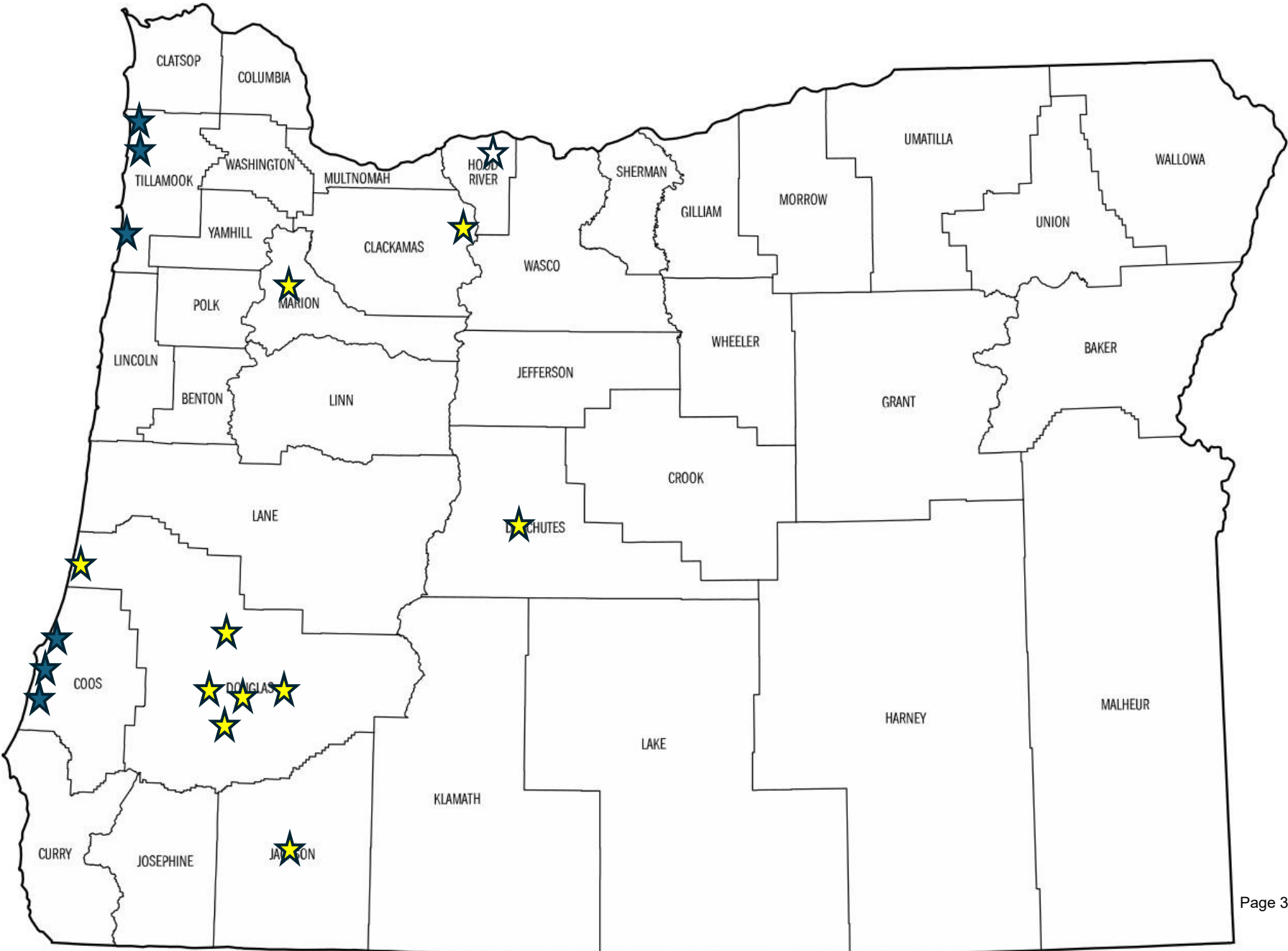
County	Name of Community	Type	Apply UC Rules 070(1)	Rural 070(2)	Zone to Rural 070(3)	Goal 14 excep. taken 070(4)	Date of Acknowledgment/Status
	Cape Meares	-			X		Approved 1/29/03 (001466) Task 11
	Falcon Cove	-			X		Approved 1/29/03 (001466) Task 11
	Tierra Del Mar	-			X		Approved 1/29/03(001466) Task 11
Umatilla	Meacham	RC	X				Approved 12/8/03 (001574) Task 11
	Reith	RC	X				Approved 12/8/03 (001574) Task 11
	Umapine	RC	X				Approved 12/8/03 (001574) Task 11
Wallowa	Imnaha	RC	X				Approved 11/26/02 (001439) Task 3
	Troy	RC	X				Approved 11/26/02 (001439) Task 3
	Flora	RSC	X				Approved 11/26/02 (001439) Task 3
	Minam	Resort	X				Approved 11/26/02 (001439)Task 3
	Wallowa Lake	Resort	X				Partial Approval & Remand 12/31/04 Task 4 Appealed to LCDC. LCDC affirmed prior decision (04-WKTASK-001619). 3/25/04. LCDC decision appealed to Court of Appeals.
Wasco	Tygh Valley	RC	X				Approved. 3/21/01 (001297) Task 8
	Wamic	RC	X				Approved 2/9/00 (001138) Task 9
	Pine Hollow	-			X		Approved 1/26/05 (001654) Task 7. Any future UC Planning will be done as PAPA.
	Pine Grove	-			X		Approved 1/26/05 (001654) Task 7. Any future UC Planning will be done as PAPA.
	Walter's Corner	-			X		Approved 1/26/05 (001654) Task 7

Missing counties: Baker, Curry, Gilliam, Grant, Lake, Linn, Malheur, Morrow, Union, Washington, Wheeler, and Yamhill
Curry and Linn counties were acknowledged after the Supreme Court decision on Goal 14 in Curry County.

Map of Urban Unincorporated Communities

Other categories of Unincorporated
Communities not included

- ★ = Acknowledged
- ★ = Acknowledged and Part of On-Going Project
- ★ = Not Acknowledged



OAR Chapter 660, Division 22
UNINCORPORATED COMMUNITIES

660-022-0000

Purpose

(1) The purpose of this division is to establish a statewide policy for the planning and zoning of unincorporated communities that recognizes the importance of communities in rural Oregon. It is intended to expedite the planning process for counties by reducing their need to take exceptions to statewide planning goals when planning and zoning unincorporated communities.

(2) This division interprets Goals 11 and 14 concerning urban and rural development outside urban growth boundaries and applies only to unincorporated communities defined in OAR 660-022-0010.

(3) This division does not apply to areas approved as destination resorts under the destination resort statute, ORS 197.435 through 197.467.

Statutory/Other Authority: ORS 197.040 & 197.245

Statutes/Other Implemented: ORS 197.040

History:

LCDC 8-1994, f. & cert. ef. 12-5-94

660-022-0010

Definitions

For purposes of this division, the definitions contained in ORS 197.015 and the statewide planning goals (OAR chapter 660, division 15) apply. In addition, the following definitions apply:

(1) “Commercial Use” means the use of land primarily for the retail sale of products or services, including offices. It does not include factories, warehouses, freight terminals, or wholesale distribution centers.

(2) “Community Sewer System” means a sewage disposal system which has service connections to at least 15 permanent dwelling units, including manufactured homes, within the unincorporated community.

(3) “Community Water System” means a system that distributes potable water through pipes to at least 15 permanent dwelling units, including manufactured homes within the unincorporated community.

- (4) “Industrial Use” means the use of land primarily for the manufacture, processing, storage, or wholesale distribution of products, goods, or materials. It does not include commercial uses.
- (5) “Permanent residential dwellings” includes manufactured homes, but does not include dwellings primarily intended for a caretaker of an industrial use, commercial use, recreational vehicle park or campground.
- (6) “Resort Community” is an unincorporated community that was established primarily for and continues to be used primarily for recreation or resort purposes; and
- (a) Includes residential and commercial uses; and
- (b) Provides for both temporary and permanent residential occupancy, including overnight lodging and accommodations.
- (7) “Rural Community” is an unincorporated community which consists primarily of permanent residential dwellings but also has at least two other land uses that provide commercial, industrial, or public uses (including but not limited to schools, churches, grange halls, post offices) to the community, the surrounding rural area, or to persons traveling through the area.
- (8) “Rural Service Center” is an unincorporated community consisting primarily of commercial or industrial uses providing goods and services to the surrounding rural area or to persons traveling through the area, but which also includes some permanent residential dwellings.
- (9) “Urban Unincorporated Community” is an unincorporated community which has the following characteristics:
- (a) Include at least 150 permanent residential dwellings units;
- (b) Contains a mixture of land uses, including three or more public, commercial or industrial land uses;
- (c) Includes areas served by a community sewer system; and
- (d) Includes areas served by a community water system.
- (10) “Unincorporated Community” means a settlement with all of the following characteristics:
- (a) It is made up primarily of lands subject to an exception to Statewide Planning Goal 3, Goal 4 or both;

(b) It was either identified in a county’s acknowledged comprehensive plan as a “rural community,” “service center,” “rural center,” “resort community,” or similar term before this division was adopted (October 28, 1994), or it is listed in the Department of Land Conservation and Development’s January 30, 1997, “Survey of Oregon’s Unincorporated Communities”;

(c) It lies outside the urban growth boundary of any city;

(d) It is not incorporated as a city; and

(e) It met the definition of one of the four types of unincorporated communities in sections (6) through (9) of this rule, and included the uses described in those definitions, prior to the adoption of this division (October 28, 1994).

Statutory/Other Authority: ORS 197.040 & 197.245

Statutes/Other Implemented: ORS 197.040

History:

[LCDD 15-2020, temporary amend filed 11/10/2020, effective 11/10/2020 through 05/08/2021](#)

LCDC 1-1997, f. & cert. ef. 2-27-97

LCDC 8-1994, f. & cert. ef. 12-5-94

[660-022-0020](#)

Designation of Community Areas

(1) Except as provided in OAR 660-022-0070, county comprehensive plans shall designate and identify unincorporated communities in accordance with the definitions in OAR 660-022-0010. Counties may amend these designations as circumstances change over time.

(2) Counties shall establish boundaries of unincorporated communities in order to distinguish lands within the community from exception areas, resource lands and other rural lands. The boundaries of unincorporated communities shall be shown on the county comprehensive plan map at a scale sufficient to determine accurately which properties are included.

(3) Only land meeting the following criteria may be included within an unincorporated community boundary:

(a) Land which has been acknowledged as a Goal 3 or 4 exception area and historically considered to be part of the community provided the land only includes existing, contiguous concentrations of:

(A) Commercial, industrial, or public uses; and/or

(B) Dwelling units and associated residential lots at a greater density than exception lands outside rural communities.

(b) Land planned and zoned for farm or forest use provided such land meets the criteria in section (4) of this rule.

(4) Community boundaries may include land that is designated for farm or forest use pursuant to Goals 3 and 4 if all the following criteria is met:

(a) The land is contiguous to Goal 3 or 4 exception lands included in the community boundary;

(b) The land was occupied on the date of this division (October 28, 1994) by one or more of the following uses considered to be part of the community: Church, cemetery, school, park, playground, community center, fire station, museum, golf course, or utility facility;

(c) Only the portion of the lot or parcel that is occupied by the use(s) in subsection (b) of this section is included within the boundary; and

(d) The land remains planned and zoned under Goals 3 or 4.

(5) Site specific unincorporated community boundaries that are shown on an acknowledged plan map on October 28, 1994, are deemed to comply with subsections (2) and (3) of this rule unless the boundary includes land designated for farm or forest use that does not meet the criteria in section (4) of this rule.

(6) Communities which meet the definitions in both OAR 660-022-0010(6) and (9) shall be classified and planned as either resort communities or urban unincorporated communities.

Statutory/Other Authority: ORS 197.040 & 197.245

Statutes/Other Implemented: ORS 197.040

History:

LCDC 1-1997, f. & cert. ef. 2-27-97

LCDC 8-1994, f. & cert. ef. 12-5-94

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.

(3) County plans and land use regulations may authorize only the following new or expanded industrial uses in unincorporated communities:

(a) Uses authorized under Goals 3 and 4;

(b) Expansion of a use existing on the date of this rule;

(c) Small-scale, low impact uses;

(d) Uses that require proximity to rural resource, as defined in OAR 660-004-0022(3)(a);

(e) New uses that will not exceed the capacity of water and sewer service available to the site on the effective date of this rule, or, if such services are not available to the site, the capacity of the site itself to provide water and absorb sewage;

(f) New uses more intensive than those allowed under subsection (a) through (e) of this section, provided an analysis set forth in the comprehensive plan demonstrates, and land use regulations ensure:

(A) That such uses are necessary to provide employment that does not exceed the total projected work force within the community and the surrounding rural area;

(B) That such uses would not rely upon a work force employed by uses within urban growth boundaries; and

(C) That the determination of the work force of the community and surrounding rural area considers the total industrial and commercial employment in the community and is coordinated with employment projections for nearby urban growth boundaries.;

(g) Industrial uses, including accessory uses subordinate to industrial development, as provided under either paragraph (A) or (B) of this subsection:

(A) Industrial developments sited on an abandoned or diminished industrial mill site, as defined in ORS 197.719 that was engaged in the processing or manufacturing of wood products, provided the uses will be located only on the portion of the mill site that is zoned for industrial uses; or

(B) Industrial development, and accessory uses subordinate to the industrial development, in buildings of any size and type, in an area planned and zoned for industrial use on January 1, 2004, subject to the territorial limits and other requirements of ORS 197.713 and 197.714.

- (4) County plans and land use regulations may authorize only the following new commercial uses in unincorporated communities:
- (a) Uses authorized under Goals 3 and 4;
 - (b) Small-scale, low impact uses;
 - (c) Uses intended to serve the community and surrounding rural area or the travel needs of people passing through the area.
- (5) County plans and land use regulations may authorize hotels and motels in unincorporated communities only if served by a community sewer system and only as provided in subsections (a) through (c) of this section:
- (a) Any number of new motel and hotel units may be allowed in resort communities;
 - (b) New motels and hotels up to 35 units may be allowed in an urban unincorporated community, rural service center, or rural community if the unincorporated community is at least 10 miles from the urban growth boundary of any city adjacent to Interstate Highway 5, regardless of its proximity to any other UGB;
 - (c) New motels and hotels up to 100 units may be allowed in any urban unincorporated community that is at least 10 mile from any urban growth boundary.
- (6) County plans and land use regulations shall ensure that new or expanded uses authorized within unincorporated communities do not adversely affect agricultural or forestry uses.
- (7) County plans and land use regulations shall allow only those uses which are consistent with the identified function, capacity and level of service of transportation facilities serving the community, pursuant to OAR 660-012-0060(1)(a) through (c).
- (8) Zoning applied to lands within unincorporated communities shall ensure that the cumulative development:
- (A) Will not result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations; and
 - (B) Will not exceed the carrying capacity of the soil or of existing water supply resources and sewer services.
- (9) County plans and land use regulations for lands within unincorporated communities shall be consistent with acknowledged metropolitan regional goals and objectives, applicable regional functional plans and regional framework plan components of metropolitan service districts.

1 (10) For purposes of subsection (b) of section (4) of this rule, a small-scale, low impact
2 commercial use is one which takes place in an urban unincorporated community in a
3 building or building not exceeding 8,000 square feet of floor space, or in any other type of
4 unincorporated community in a building or buildings not exceeding 4,000 square feet of
5 floor space.

6 (11) For purposes of subsection (c) of section (3) of this rule, a small-scale, low impact
7 industrial use is one which takes place in an urban unincorporated community in a building
8 or buildings not exceeding 60,000 square feet of floor space, or in any other type of
9 unincorporated community in a building or buildings not exceeding 40,000 square feet of
10 floor space.

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

21 (a) Temporary residential uses in conjunction with a dwelling that either existed or had
22 received land use approval to be constructed on July 5, 2020. Such uses must be removed
23 or converted to an allowed use within 120 months from the date of the Governor's
24 emergency declaration. Temporary residential uses approved under this subsection are
25 limited to the following;

26 (A) A single manufactured dwelling;

27 (B) Use of an existing building or buildings;

28 (C) Up to two yurts;

29 (D) Up to five recreational vehicles; or

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

31 (b) Transitional housing accommodations as described at ORS 197A.452(2) and (4) when
32 homes and other private property on lands within the county or an adjacent county have
33 received damage from a wildfire identified in an Executive Order issued by the Governor in
34 accordance with the Emergency Conflagration Act, ORS 476.510 through 476.610.

Statutory/Other Authority: ORS 197.040 & ORS 197.245

Statutes/Other Implemented: ORS 197.040

History:

[LCDD 8-2026, amend filed 07/13/2026, effective 07/13/2026](#)

[LCDD 4-2021, amend filed 08/16/2021, effective 08/16/2021](#)

[LCDD 15-2020, temporary amend filed 11/10/2020, effective 11/10/2020 through 05/08/2021](#)

LCDD 8-2005, f. & cert. ef. 12-13-05

LCDD 4-2003, f. & cert. ef. 9-26-03

LCDD 3-2003, f. 9-23-03, cert. ef. 9-24-03

LCDD 2-2003(Temp), f. & cert. ef. 3-28-03 thru 9-23-03

LCDC 8-1994, f. & cert. ef. 12-5-94

660-022-0040

Urban Unincorporated Communities

(1) Counties with qualifying communities shall adopt plans and land use regulations for urban unincorporated communities (UUC's). All statewide planning goals applicable to cities shall also apply to UUC's, except for those goals provisions relating to urban growth boundaries and related requirements regarding the accommodation of long-term need for housing and employment growth.

(2) Counties may expand the boundaries of those UUC's with the following characteristics in order to include developable land to meet a demonstrated long-term need for housing and employment:

(a) The UUC is at least 20 road miles from an urban growth boundary with a population over 25,000; and

(b) The UUC is at least 10 road miles from an urban growth boundary with a population of 25,000 or less.

(3) To expand the boundary of a UUC, a county shall demonstrate a long-term need for housing and employment in the community. The county shall base its demonstration upon population growth estimates from a reputable forecast service (such as Portland State University). The county shall coordinate its estimates with those for other cities and communities in the county. The county shall consider:

(a) Plans to extend facilities and services to existing community land; and

(b) The infill potential of existing land in the community.

(4) If a county determines that it must expand the boundary of a UUC to accommodate a long-term need for housing and employment, it shall follow the criteria for amendment of an urban growth boundary in statewide planning Goal 14 and shall select land using the following priorities:

(a) First priority goes to that developable land nearest to the UUC which is identified in an acknowledged comprehensive plan as exception area or nonresource land;

(b) If land described in subsection (a) of this section is not adequate to accommodate the need demonstrated pursuant to section (3) of this rule, second priority goes to land designated in a comprehensive plan for agriculture or forestry, or both. Higher priority shall be given to land of lower capability as measured by the capability classification system or by cubic foot site class, whichever is appropriate for the current use, with designated marginal land considered the lowest capability (highest priority for selection);

(c) Land described in subsection (4)(b) of this section may be included if land of higher priority is inadequate to accommodate the need projected according to section (3) of this rule for any one of the following reasons:

(A) Specific types of identified land needs cannot be reasonably accommodated on higher priority land; or

(B) Public facilities and services cannot reasonably be provided to the higher priority area due to topographic or other physical constraints; or

(C) Maximum efficiency of land use within the UUC requires inclusion of lower priority land in order to provide public facilities and services to higher priority land.

(5) Counties shall apply plans and land use regulations to ensure that land added to a UUC:

(a) Is used only to satisfy needs identified pursuant to section (3) of this rule; and

(b) Is provided with sewer and water services at the time of development; and

(c) Is planned and zoned according to the requirements of this division; and

(d) If designated for residential use, meets the requirements of statewide planning Goal 10 and ORS 197.314; and

(6) Counties shall not rely upon the use of land included within a UUC as the basis for determining that nearby land designated in compliance with goals relating to agriculture or forestry is committed to nonresource use as defined in OAR 660-004-0005(3).

(7) Counties shall include findings of fact and conclusions of law demonstrating compliance with the provisions of this rule in their comprehensive plans.

(8) For purposes of this rule, “developable land” shall have the meaning given that term in OAR 660-021-0010(5).

(9) For purposes of this rule, “long-term need” means needs for the UUC anticipated for the next 10 years.

Statutory/Other Authority: ORS 197.040 & 197.245

Statutes/Other Implemented: ORS 197.040

History:

LCDD 4-2006, f. & cert. ef. 5-15-06

LCDC 8-1994, f. & cert. ef. 12-5-94

660-022-0050

Community Public Facility Plans

(1) In coordination with special districts, counties shall adopt public facility plans meeting the requirements of OAR 660, division 11, and include them in the comprehensive plan for unincorporated communities over 2,500 in population. A community public facility plan addressing sewer and water is required if the unincorporated community is designated as an urban unincorporated community under OAR 660-022-0010 and 660-022-0020. For all communities, a sewer and water community public facility plan is required if:

(a) Existing sewer or water facilities are insufficient for current needs, or are projected to become insufficient due to physical conditions, financial circumstances or changing state or federal standards; or

(b) The plan for the unincorporated community provides for an amount, type or density of additional growth or infill that cannot be adequately served with individual water or sanitary systems or by existing community facilities and services; or

(c) The community relies on groundwater and is within a groundwater limited or groundwater critical area as identified by the Oregon Department of Water Resources; or

(d) Land in the community has been declared a health hazard or has a history of failing septic systems or wells.

(2) A community public facility plan shall include inventories, projected needs, policies and regulations for the water and sewerage facilities which are existing or needed to serve the unincorporated community, including:

(a) An inventory of the condition and capacity of existing public facilities and services;

(b) An assessment of the level of facilities and services needed to adequately serve the planned buildout within the community area boundary; and

(c) Coordination agreements consistent with ORS chapter 195.

(3) If existing community facilities and services are not currently adequate to serve the development allowed in the plan and zoning ordinance, the community public facility plan shall contain either:

(a) Development restrictions to ensure development will not exceed the capacity of the land to absorb waste and provide potable water and will not exceed the capacity of public facilities; or

(b) A list of new facilities, and improvements for existing public facilities, necessary to adequately serve the planned buildout in the unincorporated community, including the projected costs of these improvements and an identification of the provider or providers of these improvements; and

(c) A discussion of the provider's funding mechanisms and the ability of these and possibly new mechanisms to fund the development of each community public facility project; and

(d) A requirement that development not occur until the necessary public facilities are available for that development.

Statutory/Other Authority: ORS 197.040 & 197.245

Statutes/Other Implemented: ORS 197.040

History:

LCDD 4-2006, f. & cert. ef. 5-15-06

LCDC 8-1994, f. & cert. ef. 12-5-94

660-022-0060

Coordination and Citizen Involvement

(1) Counties shall ensure that residents of unincorporated communities have adequate opportunities to participate in all phases of the planning process. Counties shall provide such opportunities in accordance with their acknowledged citizen involvement programs.

(2) When a county proposes to designate an unincorporated community or to amend plan provisions or land use regulations that apply to such a community, the county shall specify the following:

(a) How residents of the community and surrounding area will be informed about the proposal;

(b) How far in advance of the final decision residents of the community and the surrounding area will be informed about the proposal;

(c) Which citizen advisory committees will be notified of the proposal.

(3) The information on these three points shall be included in the appropriate plan amendment proposals or periodic review work task.

(4) When a county proposes to designate an urban unincorporated community, the county shall adopt a citizen involvement program for that community in accordance with the provisions of Goal 1, Citizen Involvement.

(5) Proposals to designate, plan, or zone unincorporated communities shall be coordinated with all special districts, metropolitan service districts, and cities likely to be affected by such actions. For any unincorporated community, such coordination shall include a minimum of 45-day mailed notice to all cities and special districts (including metropolitan service districts) located within the distance described in OAR 660-022-0040(2).

Statutory/Other Authority: ORS 197.040 & 197.245

Statutes/Other Implemented: ORS 197.040

History:

LCDC 8-1994, f. & cert. ef. 12-5-94

660-022-0070

Applicability

For each unincorporated community in the county, by January 1, 1998, or a date specified in a periodic review work program, all counties shall:

(1) Plan for unincorporated communities under the requirements of this division; or

(2) Demonstrate that all uses authorized by acknowledged comprehensive plans and land use regulations for unincorporated communities are rural, in compliance with statewide planning Goals 11 and 14; or

(3) Amend acknowledged comprehensive plans and land use regulations to limit uses to those which are rural in compliance with statewide planning Goals 11 and 14; or

(4) Adopt exceptions to statewide planning Goal 14, and Goal 11 if necessary, to allow urban uses on rural land.

Statutory/Other Authority: ORS 197.040 & 197.245

Statutes/Other Implemented: ORS 197.040

Division 4

INTERPRETATION OF GOAL 2 EXCEPTION PROCESS

660-004-0000

Purpose

(1) The purpose of this division is to interpret the requirements of Goal 2 and ORS 197.732 regarding exceptions. This division explains the three types of exceptions set forth in Goal 2 “Land Use Planning, Part II, Exceptions.” Rules in other divisions of OAR 660 provide substantive standards for some specific types of goal exceptions. Where this is the case, the specific substantive standards in the other divisions control over the more general standards of this division. However, the definitions, notice, and planning and zoning requirements of this division apply to all types of exceptions. The types of exceptions that are subject to specific standards in other divisions are:

(a) Standards for a demonstration of reasons for sanitary sewer service to rural lands are provided in OAR 660-011-0060(9);

(b) Standards for a demonstration of reasons for urban transportation improvements on rural land are provided in OAR 660-012-0070;

(c) Standards to determine irrevocably committed exceptions pertaining to urban development on rural land are provided in OAR 660-014-0030, and standards for demonstration of reasons for urban development on rural land are provided in OAR 660-014-0040.

660-004-0020

Goal 2, Part II(c), Exception Requirements

(1) If a jurisdiction determines there are reasons consistent with OAR 660-004-0022 to use resource lands for uses not allowed by the applicable Goal or to allow public facilities or services not allowed by the applicable Goal, the justification shall be set forth in the comprehensive plan as an exception. As provided in OAR 660-004-0000(1), rules in other divisions may also apply.

Black text is generally applicable to all exceptions subject to Division 4, including expanding an Unincorporated Community Boundary.

Green text is specific to expanding an Unincorporated Community Boundary.

(2) The four standards in Goal 2 Part II(c) required to be addressed when taking an exception to a goal are described in subsections (a) through (d) of this section, including general requirements applicable to each of the factors:

(a) "Reasons justify why the state policy embodied in the applicable goals should not apply." The exception shall set forth the facts and assumptions used as the basis for determining that a state policy embodied in a goal should not apply to specific properties or situations, including the amount of land for the use being planned and why the use requires a location on resource land;

(b) "Areas that do not require a new exception cannot reasonably accommodate the use". The exception must meet the following requirements:

(A) The exception shall indicate on a map or otherwise describe the location of possible alternative areas considered for the use that do not require a new exception. The area for which the exception is taken shall be identified;

(B) To show why the particular site is justified, it is necessary to discuss why other areas that do not require a new exception cannot reasonably accommodate the proposed use. Economic factors may be considered along with other relevant factors in determining that the use cannot reasonably be accommodated in other areas. Under this test the following questions shall be addressed:

(i) Can the proposed use be reasonably accommodated on nonresource land that would not require an exception, including increasing the density of uses on nonresource land? If not, why not?

(ii) Can the proposed use be reasonably accommodated on resource land that is already irrevocably committed to nonresource uses not allowed by the applicable Goal, including resource land in existing unincorporated communities, or by increasing the density of uses on committed lands? If not, why not?

(iii) Can the proposed use be reasonably accommodated inside an urban growth boundary? If not, why not?

(iv) Can the proposed use be reasonably accommodated without the provision of a proposed public facility or service? If not, why not?

(C) The "alternative areas" standard in paragraph B may be met by a broad review of similar types of areas rather than a review of specific alternative sites. Initially, a local government

Black text is generally applicable to all exceptions subject to Division 4, including expanding an Unincorporated Community Boundary.

Green text is specific to expanding an Unincorporated Community Boundary.

1 adopting an exception need assess only whether those similar types of areas in the vicinity
2 could not reasonably accommodate the proposed use. Site specific comparisons are not
3 required of a local government taking an exception unless another party to the local
4 proceeding describes specific sites that can more reasonably accommodate the proposed
5 use. A detailed evaluation of specific alternative sites is thus not required unless such sites
6 are specifically described, with facts to support the assertion that the sites are more
7 reasonable, by another party during the local exceptions proceeding.

8 (c) "The long-term environmental, economic, social and energy consequences resulting
9 from the use at the proposed site with measures designed to reduce adverse impacts are
10 not significantly more adverse than would typically result from the same proposal being
11 located in areas requiring a goal exception other than the proposed site." The exception
12 shall describe: the characteristics of each alternative area considered by the jurisdiction in
13 which an exception might be taken, the typical advantages and disadvantages of using the
14 area for a use not allowed by the Goal, and the typical positive and negative consequences
15 resulting from the use at the proposed site with measures designed to reduce adverse
16 impacts. A detailed evaluation of specific alternative sites is not required unless such sites
17 are specifically described with facts to support the assertion that the sites have
18 significantly fewer adverse impacts during the local exceptions proceeding. The exception
19 shall include the reasons why the consequences of the use at the chosen site are not
20 significantly more adverse than would typically result from the same proposal being
21 located in areas requiring a goal exception other than the proposed site. Such reasons shall
22 include but are not limited to a description of: the facts used to determine which resource
23 land is least productive, the ability to sustain resource uses near the proposed use, and the
24 long-term economic impact on the general area caused by irreversible removal of the land
25 from the resource base. Other possible impacts to be addressed include the effects of the
26 proposed use on the water table, on the costs of improving roads and on the costs to
27 special service districts;

28 (d) "The proposed uses are compatible with other adjacent uses or will be so rendered
29 through measures designed to reduce adverse impacts." The exception shall describe how
30 the proposed use will be rendered compatible with adjacent land uses. The exception shall
31 demonstrate that the proposed use is situated in such a manner as to be compatible with
32 surrounding natural resources and resource management or production practices.
33 "Compatible" is not intended as an absolute term meaning no interference or adverse
34 impacts of any type with adjacent uses.

Black text is generally applicable to all exceptions subject to Division 4, including
expanding an Unincorporated Community Boundary.

Green text is specific to expanding an Unincorporated Community Boundary.

(3) If the exception involves more than one area for which the reasons and circumstances are the same, the areas may be considered as a group. Each of the areas shall be identified on a map, or their location otherwise described, and keyed to the appropriate findings.

(4) For the expansion of an unincorporated community described under OAR 660-022-0010, including an urban unincorporated community pursuant to OAR 660-022-0040(2), the reasons exception requirements necessary to address standards 2 through 4 of Goal 2, Part II(c), as described in of subsections (2)(b), (c) and (d) of this rule, are modified to also include the following:

(a) Prioritize land for expansion: First priority goes to exceptions lands in proximity to an unincorporated community boundary. Second priority goes to land designated as marginal land. Third priority goes to land designated in an acknowledged comprehensive plan for agriculture or forestry, or both. Higher priority is given to land of lower capability site class for agricultural land, or lower cubic foot site class for forest land; and

(b) Land of lower priority described in subsection (a) of this section may be included if land of higher priority is inadequate to accommodate the use for any one of the following reasons:

(A) Specific types of identified land needs cannot be reasonably accommodated on higher priority land;

(B) Public facilities and services cannot reasonably be provided to the higher priority area due to topographic or other physical constraints; or

(C) Maximum efficiency of land uses with the unincorporated community requires inclusion of lower priority land in order to provide public facilities and services to higher priority land.

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

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1 transportation facilities and improvements that do not meet the requirements of OAR 660-
2 012-0065 are provided in OAR 660-012-0070. Reasons that rural lands are irrevocably
3 committed to urban levels of development are provided in OAR 660-014-0030. Reasons
4 that may justify the establishment of new urban development on undeveloped rural land
5 are provided in OAR 660-014-0040. Reasons that may justify the establishment of
6 temporary natural disaster related housing on undeveloped rural lands are provided in OAR
7 660-014-0090.

8 (1) For uses not specifically provided for in this division, or in OAR 660-011-0060, 660-012-
9 0070, 660-014-0030 or 660-014-0040, the reasons shall justify why the state policy
10 embodied in the applicable goals should not apply. Such reasons include but are not
11 limited to the following: There is a demonstrated need for the proposed use or activity,
12 based on one or more of the requirements of Goals 3 to 19; and either:

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

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

21 (2) Rural Residential Development: For rural residential development the reasons cannot
22 be based on market demand for housing except as provided for in this section of this rule,
23 assumed continuation of past urban and rural population distributions, or housing types
24 and cost characteristics. A county must show why, based on the economic analysis in the
25 plan, there are reasons for the type and density of housing planned that require this
26 particular location on resource lands. A jurisdiction could justify an exception to allow
27 residential development on resource land outside an urban growth boundary by
28 determining that the rural location of the proposed residential development is necessary to
29 satisfy the market demand for housing generated by existing or planned rural industrial,
30 commercial, or other economic activity in the area.

31 (3) Rural Industrial Development: A local government may consider a photovoltaic solar
32 power generation facility as defined in OAR 660-033-0130(38)(f) to be a rural industrial use.

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For the siting of rural industrial development on resource land outside an urban growth boundary, appropriate reasons and facts may include, but are not limited to, the following:

(a) The use is significantly dependent upon a unique resource located on agricultural or forest land. Examples of such resources and resource sites include geothermal wells, mineral or aggregate deposits, water reservoirs, natural features, or river or ocean ports;

(b) The use cannot be located inside an urban growth boundary due to impacts that are hazardous or incompatible in densely populated areas; or

(c) The use would have a significant comparative advantage due to its location (e.g., near existing industrial activity, an energy facility, or products available from other rural activities), which would benefit the county economy and cause only minimal loss of productive resource lands. Reasons for such a decision should include a discussion of the lost resource productivity and values in relation to the county's gain from the industrial use, and the specific transportation and resource advantages that support the decision.

(4) A site justified for a photovoltaic solar power generation facility under section (3) and is also found to satisfy OAR 660-004-0020 shall remain zoned for exclusive farm use, forest use or mixed farm and forest; whichever is applicable. A county shall also continue to apply the relevant approval criteria at OAR 660-033-0130(38), OAR 660-033-0130(44) or OAR 660-006-0025(4)(k).

(5) Expansion of Unincorporated Communities: For the expansion of an Unincorporated Community defined under OAR 660-022-0010(10) the requirements of subsections (a) through (c) of this section apply:

(a) Appropriate reasons and facts may include findings that there is a demonstrated need for additional land in the community to accommodate a specific rural use based on Goals 3-19 and a demonstration that either:

(A) The use requires a location near a resource located on rural land; or

(B) The use has special features necessitating its location in an expanded area of an existing unincorporated community, including:

(i) For industrial use, it would have a significant comparative advantage due to its location such as, for example, that it must be near a rural energy facility, or near products available from other activities only in the surrounding area, or that it is reliant on an existing work force in an existing unincorporated community;

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(ii) For residential use, the additional land is necessary to satisfy the need for additional housing in the community generated by existing industrial, commercial, or other economic activity in the surrounding area. The plan must include an economic analysis showing why the type and density of planned housing cannot be accommodated in an existing exception area or urban growth boundary, and is most appropriate at the particular proposed location. The reasons cannot be based on market demand for housing, nor on a projected continuation of past rural population distributions.

(b) The findings of need must be coordinated and consistent with the comprehensive plan for other exception areas, unincorporated communities, and urban growth boundaries in the area. For purposes of this subsection, “area” includes those communities, exception areas, and urban growth boundaries that may be affected by an expansion of a community boundary, taking into account market, economic, and other relevant factors.

(c) Expansion of the unincorporated community boundary requires a demonstrated ability to serve both the expanded area and any remaining infill development potential in the community, at the time of development, with the level of facilities determined to be appropriate for the existing unincorporated community.

(6) Expansion of Urban Unincorporated Communities: In addition to the requirements of section (4) of this rule, the expansion of an urban unincorporated community defined under OAR 660-022-0010(9) shall comply with OAR 660-022-0040.

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