

Housing in Unincorporated Communities (UCs) Rulemaking Advisory Committee

RAC Meeting 1 Summary

The first meeting of the Rulemaking Advisory Committee was held virtually on August 19, 2026 from 9am to 12pm. Video of this meeting is available on the [DLCD YouTube channel](#).

Attendees

RAC Members

Brandon Reich, Briece Edwards, Daryn Murphy, Eric Walker, Gail Henrikson, Marcus Luke, Mary Kyle McCurdy, Matt Cyrus, Megan Tuck, Brock Nation, Kevin Porter, McRae Carmichael, Michael Martin, Tabitha Eck

Land Conservation and Development Commission (LCDC)

Commissioner Mark Bennett

Department of Land Conservation and Development (DLCD)

Dr. Brenda Bateman, Jon Jinings, Palmer Mason, Angela Williamson, Casaria Taylor, Leila Aman, Kristin Greene, Joel Madsen, Emily Anderson, Josh LeBombard, Kevin Young, Brett Estes, Adam Marl, Madeline Phillips, Alexis Hammer, Meg Reed

Facilitation

Sylvia Ciborowski, Mosaic Resolutions

Opening Remarks and Agenda Review

Sylvia Ciborowski, facilitator, opened the meeting and welcomed meeting participants. DLCD Director Dr. Brenda Bateman provided opening remarks and thanked members for their time. In the face of urgent housing needs, DLCD is considering how to bring opportunities for housing production to places that need it. She noted that Divisions 4 and 22 of existing rules already allow zoning and planning to happen in unincorporated communities (UCs) and lay out provisions to expand boundaries of UCs. The rulemaking process will explore what additional residential development in those areas might look like. Any changes are voluntary, and any changes to community programs must include local community involvement. Additionally, development in UCs must be supported by adequate facilities and services.

Sylvia reviewed the meeting agenda.

Core DLCD staff introduced themselves, including Jon Jinings, Community Services Specialist, Palmer Mason, Inter-Agency Coordinator, Angela Williamson, Administrative and Rulemaking Coordinator, and Casaria Taylor, Senior Rules Coordinator. A full set of staff supports the core rulemaking team.

LCDC Commissioner Mark Bennett is the liaison for this effort. Commissioner Bennett thanked members for committing their time. He noted his experience representing eastern and central Oregon and has served as county and city administrator in past work. He encouraged members to reach out and share their experiences.

RAC Member Introductions

Members introduced themselves and described what they hope to achieve through the RAC process, what they see as the biggest challenge, and what they hope to learn from others at the table. They shared:

Hopes for the rules and RAC process:

- Many hope to create opportunities and tools to build thriving rural and UCs with a strong and vibrant future.
- Several hope to shed more light on differences between different UCs.
- Other expressed hopes include:
 - Strong consideration of cultural resources.
 - Achieve opportunities to grow efficiently within UCs, while maintaining lands with the highest resource value.
 - Good common-sense recommendations that will be easy to implement and result in housing production in UCs.
 - Learn more about how the development process works in Oregon and how it translates to development in tribal communities.
 - Start with fundamental information about the housing needed in rural UCs, their buildable land, and infrastructure status.
 - Increase housing production.
 - Openness and flexibility to listen to each other and consider changes.
 - Gain insight into different perspectives and be good partners.
 - Gain clarity on what can be done within the confines of these rules.

Anticipated challenges:

- Many noted that a challenge will be making sure recommendations and rules fit different communities, rather than a one size fits all solution.
- Many noted infrastructure limitations and lack of funding for infrastructure that is needed to support development.
- Several noted that it will be difficult to consider how to bring change after decades of doing things the same way.
- Other challenges include:
 - Limited land capacity and timelines.
 - Making resources complementary rather than in competition.
 - Finding reasonable solutions, while holding principles of the statewide program.
 - Potentially opening up areas for housing where it is not appropriate and creating housing that is only accessible to those of higher incomes.
 - Perpetual appeals on development.

- Complexity and layering involved in land use and public process.
- How to address deferred maintenance that many UCs face.

Hope to learn:

- Many RAC members hope to learn more about the experiences, challenges and successes of the various communities.
- Several are looking forward to learning about other people's perspectives and working together to find solutions.
- Others hope to learn:
 - What the process looks like, and how to set the stage for the next generation.
 - Different resources and tools to support rural communities.

Overview of Rulemaking Charge & Operating Guidelines

Sylvia reviewed the rulemaking purpose and charge that was approved by LCDC. The RAC is charged with advising staff on rule revisions that create a voluntary process for counties to review and potentially increase housing options in UCs with appropriate characteristics. Any additions or expansions must be supported by public facilities, maintain protection for rural and working lands, and consider natural hazard safety.

The rules can allow for but not require UC expansion if certain conditions are met.

Counties that do choose expansion or increased densities would need to plan for a diverse mix of housing types to serve people of various incomes and household types and consider local public input.

Sylvia reviewed the rulemaking schedule, which includes five RAC meetings, a public comment period from November 1 through December 13, an LCDC Hearing on December 3-4, and anticipated LCDC adoption of rules in February 2027.

She then reviewed key portions of the [RAC Operating Guidelines](#) including:

- Roles of RAC members, DLCD staff, and the facilitator
- RAC member expectations
- Meeting guidelines
- RAC alternates
- Public meetings and communications

RAC member questions and comments included:

- Discussion on how often DLCD conducts rulemaking processes, and how it relates to the tribal development process.
- Members had no major concerns or questions about the operating guidelines.

Overview of Existing Rules Related to UCs

Jon Jinings provided an overview of the UC context and Divisions 4 and 22 that contain the existing rules related to UCs.

Key points of the presentation included:

- **Definition of unincorporated communities** under Statewide Planning Goal 14.
- The rules were originally adopted in 1994 and then revised several times over the following decades to elevate employment uses and address temporary sheltering as a result of wildfires.
- This rulemaking will touch on both **form and substance**. There will be updates to how rules are organized to make them more usable, as well as looking at whether policy choices made 30 years ago should be revisited.
- The rulemaking process will look at options to expand housing both within existing UC boundaries and through UC boundary expansion.
- Definition of the four types of UCs under Division 22.
- Review of **current planning and zoning requirements** as outlined in 660-022-0030: UCs (other than Rural Service Centers) must do planning and zoning to reflect projected uses. UCs may authorize any residential use and density, as well as small scale and low-impact industrial and commercial uses and hotels and motels in certain cases. Planning and zoning must be done in a way that: does not adversely affect agricultural or forestry uses; is consistent with existing transportation level of service and facilities; does not result in public health hazards or adverse environmental impacts; and is consistent with regional goals and plans.
- Review of Division 4 rules that explain what is required to **expand a UC**. Under the existing rule, a UC can seek to expand its boundaries if there is a demonstrated need for additional land to accommodate a specific rural use, the finding of need is consistent with other land use plans, and the applicant shows the ability to serve the expanded area and any remaining infill development potential in the community.
- Division 4 also lays out other **requirements for expansion**, including what land should be prioritized. There is opportunity through this rulemaking to reorganize this section and make the process clearer.
- Review of **additional rules for expansion of Urban Unincorporated Communities (UUCs)**:
 - Counties may expand the boundaries of UUCs only if the community is a certain distance away from a nearby Urban Growth Boundary (UGB), in order to not interfere with the functioning of the urban area. There is an opportunity to revisit this restriction in this rulemaking.
 - The county must show a long-term need for housing and employment. “Long-term need” means land that the UUC anticipates needing for the next 10 years. This rulemaking could consider changes here; for example, consider whether to allow UUCs to conduct land inventories, redefine “long-term need” to consider the next 20 years, or treat UUC expansion more like the UGB expansion process.
- Division 11 covers **public facilities planning**. This Division may or may not be discussed through the RAC process.

RAC member questions and comments included:

- Clarification that 660-022-0030 is different from the farm impacts test which is outlined in other rules. It is a lighter touch.

- Will this rulemaking consider incorporating statewide production targets from recent legislation, which assume 12% of increased housing production would occur outside of UGBs? Staff tabled this topic for later discussion.
- How does environmental review play a role? Staff noted that DLCD coordinates with other state departments to consider things like natural resource protection and protection against wildfire.
- Members discussed how the Housing Needs Analysis (HNA) factors into the rules.
 - Staff noted that the HNA methodology does determine housing production outside of UGBs, but the allocations are for within UGBs. It is not clear how the HNA methodology could be used to define housing needs in UCs. DLCD will explore this further, including looking at the population research center forecast for unincorporated places.
 - A member noted that the housing allocations within UGBs are separated into income categories. Housing in UCs should also consider these income categories to ensure housing for those who need it.
 - The DLCD team noted they will look into what the methodology assumes for growth in UCs.
 - A member noted that changing demographics within a community may also change the need for housing, even if the population is not growing (for example: a community that has more families versus singles needs a different type of housing).

Discussion of Key Rulemaking Issues

RAC members were invited to respond to a set of discussion questions:

1. What characteristics of an UC would make it suitable for more housing?

DLCD framed up this topic by noting that the rules speak to planning and zoning and already include provisions that require that expanded housing consider infrastructure, carrying capacity, and community support. The rules are not anticipated to directly speak to builder costs, builder availability, market demand, and interest rates.

Member discussion included:

- Discussion on infrastructure constraints and needs. Comments included:
 - In many UCs, the desire to live near farms is strong because homes there are close to work and are more affordable. The challenge is counties do not have control over their own infrastructure. There should be more flexibility and options to establish community systems or connect to city services, beyond what Goal 11 allows.
 - There may be difficulty in hooking up to nearby city infrastructure.
 - To expand housing, the county should be required to assess current infrastructure capacity (sewer, septic, roads) as well as need for housing to serve the needs of the rural area.
 - DLCD noted that Division 11 allows community septic systems and extension of urban services to serve UCs, but they are very strict about extending services to

abutting properties. The cost of extending services to an UC from a UGB can be significant, but it is an option. The City of Coos Bay is looking at potentially expanding its UGB to incorporate some UCs because that service provision is available.

- The infrastructure conversation is not just about bringing infrastructure to communities—but also the cost of long-term operations and maintenance, staffing costs, regulatory and compliance obligations, and governance.
- Before expanding housing, there should also be consideration of whether the community is in a wildfire or consistent drought area.
- Discussion on market demand, which can be interpreted to mean future housing need or people that need housing. DLCD noted that there may be room to consider whether market demand should contribute to the opportunity to expand boundaries of non-urban UCs.

2. Under what conditions should counties be provided with additional or revised opportunities to expand UC boundaries?

DLCD framed up this topic by reviewing where the rules could be revised to clarify or make it easier to expand UC boundaries to accommodate increased housing.

Member discussion included:

- Discussion on infrastructure and public facilities:
 - Adequate public facilities should be required in any expansion.
 - Avoid restricting housing opportunities just to communities with sewer and water systems in place. That would rule out a lot of communities.
 - Bringing in water infrastructure is costly, as is the continued maintenance of that infrastructure.
 - A member asked counties whether their rural UCs have public facilities plans in place. Representatives of Hood River, Clatsop, Baker, and Malheur counties noted that their rural UCs do not have public facilities plans, though in some cases there is cooperation with Special Districts. Marion County has public facilities for some rural UCs but not all.
- The type of housing is important: for example, expansion could be allowed if there is a need for workforce housing to support the rural economy. There should also be allowance for different types of housing (multifamily, ADUs, elderly housing, etc.).
- A couple of members noted that the current distance prohibition is too restrictive. For example, the distance prohibition is making it difficult to finalize a plan for a community that happens to fall within ten miles of Hood River. Consider updating the rules to allow expansion that contravenes the distance prohibition if certain conditions are met.
- Caution against laying on more restrictions based on fire danger, as many rural areas by nature live in forested areas.
- Climate change has led to increased flooding in some areas. This means changes to where we should develop and increases in insurance costs.
- A member asked how many UC boundary expansion requests DLCD receives. Staff noted that there are hardly any. The community of Kent in Sherman County did go through the process. Not many UCs know that the opportunity exists.

3. What else does DLCD need to be thinking about in this rule update?

Sylvia opened the conversation to any additional comments. Member discussion included:

- It would be helpful for DLCD to gather data on existing buildable lands and infrastructure, at least in UUCs. For example, a 2024 Deschutes County report lays out the residential potential outside of UGBs. DLCD staff noted they would try to pull together data and case studies.
- It may be useful to have a discussion on the criteria or parameters for how counties should demonstrate housing need.
- Lane County did a special exemption following a fire in Blue River which allowed for a 2-mile stretch of highway to have greatly increased multi-use density. This could be a case study to look at.
- It is important to consider cultural and natural resources and have early conversations on how to build around them to both accommodate housing need while also protecting valuable resources.

Next Steps and Adjourn

Sylvia reviewed next steps which include a second RAC meeting in September and one-on-one conversations with members to learn more about their interests.

DLCD staff encouraged members to reach out to Jon Jinings or Palmer Mason if they have any questions or want to discuss anything that comes out of these RAC meetings.

Commissioner Bennett provided closing remarks and appreciated members' interest in learning from one another. He encouraged members to do their homework to meet the aggressive rulemaking timeline, and to share the purpose and goals of the RAC within their organizations and communities to reduce confusion about what this rulemaking intends to do. There is a lot of complexity to these rules and how to ensure that new housing remains for rural housing needs once built. It is important to plan for now just now, but for seven generations into the future.