Housing in Unincorporated Communities Rulemaking Advisory Committee

Fourth Meeting, November 19, 2026
1 PM – 4 PM
Virtual

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)
1:00 – 1:10 PM	**Introductions and Updates**	Sylvia Ciborowski, Facilitator Commissioner Bennett RAC Members
1:10 – 1:15 PM	**Agenda Review**	Sylvia Ciborowski DLCD Staff
1:15 – 1:45 PM	**Case Study: Blue River Redevelopment**	Tabitha Eck, McKenzie Community Land Trust
1:15 – 2:30 PM	**Review and Discuss Draft Rules** Review and seek RAC input on draft rules intended to allow counties to voluntarily increase housing opportunities in unincorporated communities (UCs). Discussion will focus on draft rules and discussion questions posed in the attached *Rule Summary Key Changes* document. Rule changes and discussion questions include: 1. **Expanding for growth capacity: Scope**: Are the proposed planning horizons and qualifications sufficient to allow UCs and RCs to plan for growth capacity? If not, why and what alternative would you proposes? 2. **Expanding for growth capacity: Distance Limits**: Are the distance limitations appropriate to ensure that UC boundaries won't interfere with a nearby UGB? Are the third option's criteria and justification process clearly outlined and workable?	Jon Jinings, DLCD Sylvia Ciborowski RAC Members

	3. **Expanding for growth capacity: Demonstrating long-range growth potential for housing and employment**: Is the rule, including the safe harbor provision, sufficient for a county to demonstrate it has adequately considered infill potential, in order to provide for diverse housing types and housing at all income levels? 4. **County plans and zoning in expansion areas**: Is the safe harbor provision workable, and sufficient for counties to demonstrate that communities will support diverse housing types and housing at all income levels? 5. **Consideration of natural hazards**: Does the language provide for sufficient consideration of natural hazards? Are there any other reasonable precautions that should be identified? 6. **Anything else:** What comments or suggested changes do you have for other rules?	
2:30 – 2:40 PM	**BREAK**	
2:40 – 3:30 PM	**Continue Discussion of Proposed Rule Changes**	RAC Members
3:30 – 3:50 PM	**Rulemaking Process: From Today to Adoption** • Public Process and December 4 Commission Meeting • What is most important to share with LCDC about the RAC process?	Jon Jinings RAC Members
3:50 – 4:00 PM	**Next Steps and Adjourn**	Sylvia Ciborowski Commissioner Bennett

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

Members of the public may watch the meeting live or recorded on the DLCD YouTube channel.

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Housing in Unincorporated Communities Rulemaking: Key Rule Changes

The **overall goal** of the Housing in Unincorporated Communities Rulemaking is to ***create a voluntary process for counties to increase housing in unincorporated communities with appropriate characteristics***. At the November 19 Rulemaking Advisory Committee meeting, members will review and discuss the draft rules that were recently filed with the Secretary of State. Please review this summary along with the proposed draft rules—and consider the discussion questions to prepare for the RAC meeting. We will welcome comments on all aspects of the rules, but we will focus the discussion questions on rules that are new or most significantly changed or were of most interest at past RAC meetings.

The draft rules for OAR 660, Division 22 (Unincorporated Communities) propose these key changes:

Change in Division 22 Rules	**Questions for RAC Discussion**
Planning for growth when a boundary is first set: A county designating an Urban Unincorporated Community (UUC) could include land for up to 20 years of growth when the boundary is first established, without a separate expansion later. 660-022-0020	
All expansion rules in one place: Expansion provisions now in Divisions 4 and 22 would move to Division 22. Meeting them would also satisfy goal exception requirements, and the Goal 14 UGB amendment process would no longer apply.	
New terms: "Long-term need" would be replaced with "long-range growth potential," and new definitions are added for developable land, middle housing, and multi-unit housing. 660-022-0010	
DISCUSSION AREA 1: **Expanding for growth capacity: Scope** • **Longer planning horizons:** UUCs could plan for 10 to 20 years of growth. Any proposal beyond 10 years would be reviewed as a Periodic Review work task. • **Rural Communities could plan for growth:** For the first time, Rural Communities (RCs) could expand for 10 years of growth. They would need at	Are the proposed planning horizons and qualifications sufficient to allow UCs and RCs to plan for growth capacity? If not, why and what alternative would you propose?

least 75 residences, have community sewer and water, a public facilities plan, and meet the distance limits. This option would not apply to Rural Service Centers or Resort Communities. 660-022-0050 (1)	
DISCUSSION AREA 2: **Expanding for growth capacity: Distance Limits** Counties would need to continue to meet distance limits to expand boundaries of UUCs and certain RCs. Today's 10- and 20-mile limits would be replaced with tiers of 20, 15, 10, and 5 road miles. Smaller cities would get more separation and larger cities less, and only UGBs in the same county would count. For UUCs only, a county could also use a **third option** show that an expansion less than these distances won't interfere with a nearby UGB. That option would be reviewed as a Periodic Review work task. The rules outline the reasons and facts a county could use to make this demonstration. 660-022-0050(1)	Are the distance limitations appropriate to ensure that UC boundaries won't interfere with a nearby UGB? Are the third option's criteria and justification process clearly outlined and workable?
DISCUSSION AREA 3: **Expanding for growth capacity: Demonstrating long-range growth potential** To expand for growth capacity, county would need to demonstrate a long-range growth potential for housing and employment in the community based upon: • **Population estimates** based on estimates from a reputable service or safe harbors of 1.0% a year for UUCs and 0.5% a year for RCs, and, • **Plans to extend public facilities and services to existing community land**. For residential areas, this is met with will-serve letters from service providers covering the existing community and financial planning for full build-out in an adopted public facilities plan • **Consideration of the infill potential of existing land**, including (1) an evaluation of existing housing stock and regional/county median income levels and (2) land use efficiency measures. These measures can be met through a housing mix safe harbor: no more than 70% of existing land zoned for single-unit detached; middle housing and duplexes allowed outright on at least 20%; and multi-unit housing allowed on at least 10% 660-022-0050(2)	The rules aim to clarify how a county can demonstrate it has considered infill potential of existing land before seeking expansion. Is the rule, including the safe harbor provision, sufficient for a county to demonstrate it has adequately considered infill potential, in order to provide for diverse housing types and housing at all income levels?

DISCUSSION AREA 4: County plans and zoning in expansion areas County plans and zoning for the added lands must provide for residential uses and densities that support diverse housing types and housing at all income levels. This can be met through a housing mix safe harbor like the one above, plus accessory dwelling units allowed outright in all residential zones and new single-unit lots no larger than 8,000 sq ft. 660-022-0050(3)	Is the safe harbor provision workable, and sufficient for counties to demonstrate that communities will support diverse housing types and housing at all income levels?
DISCUSSION AREA 5: Natural hazards including wildfire Counties could choose to exclude hazard areas. If they are included, development would have to meet locally adopted **home hardening standards** (Oregon Residential Specialty Code section R327) and **defensible space standards** that meet or exceed the state's model code. A county without these standards could adopt them before authorizing development, or apply the fire-siting standards in DLCD rules (OAR 660-006-0035) until it does. For flooding, development in Special Flood Hazard Areas must meet the jurisdiction's adopte**d floodplain ordinance or code**. For other hazards, standards must be in place to protect people and property and reduce risk. 660-022-0050(7)	Does the language provide for sufficient consideration of natural hazards? Are there any other reasonable precautions that should be identified?
Expanding for a specific rural use: A county can continue to expand a UC if needed to accommodate a specific rural use. This would remain separate from expanding for growth and would be available to all unincorporated communities as a stand-alone path. Housing need could be tied to new economic activity, not just existing activity. 660-022-0055	
Stricter land priorities for the new options: Land priorities for certain new unincorporated community expansion opportunities are adjusted. Core sage-grouse habitat, high and very high use wildlife migration corridors, and Category 1 **wildlife** habitat (as identified by ODFW) would be off-limits for RCs and for UUCs planning beyond 10 years. RCs would also be barred from prime, unique, and Class I and II **farm** soils on Goal 3 lands. Lower-priority land could be used to avoid **hazards or historic, cultural, or archaeological resources**. 660-022-0060 and -0065	
Community engagement and Tribal coordination:	

Adds of new community engagement requirements for unincorporated community expansion proposals. Before an expansion, counties would need to hold at least two public meetings in the community, contact service providers, mail notice of the meetings to property owners, renters, Tribes, and cities within 20 miles, and coordinate with Tribes identified by the Legislative Commission on Indian Services (LCIS). After the last public meeting, Tribes would get notice at least 45 days before the first evidentiary hearing; alternatively, county elected officials could meet with tribal councils. 660-022-0090	
Transition: Counties with a Periodic Review work program approved before January 1, 2026, could keep using the current rules. Other counties could apply the new rules through a work task or a plan amendment. 660-022-0100	