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PERMANENT ADMINISTRATIVE ORDER

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CHAPTER 660

LAND CONSERVATION AND DEVELOPMENT DEPARTMENT

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ARCHIVES DIVISION SECRETARY OF STATE & LEGISLATIVE COUNSEL

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RULES:
660-047-0000, 660-047-0010, 660-047-0020, 660-047-0030, 660-047-0040, 660-047-0050

ADOPT: 660-047-0000

NOTICE FILED DATE: 06/30/2026

RULE SUMMARY: This rule establishes the purpose of chapter 660 division 47, the Oregon Homes program.

CHANGES TO RULE:

660-047-0000
Purpose
The purpose of this division is to establish standards under which local governments shall approve development that meets specified residential development types, Oregon Homes Developments, on lots or parcels under specified conditions.
Statutory/Other Authority: ORS 197A.408, ORS 197.040
Statutes/Other Implemented: ORS 197A.408, ORS 197A.400, ORS 197A.420

ADOPT: 660-047-0010

NOTICE FILED DATE: 06/30/2026

RULE SUMMARY: This rule establishes the definitions for Division 660-047, the Oregon Homes program.

CHANGES TO RULE:

660-047-0010
Definitions
As used in this division, the definitions in ORS 197A.420, apply. In addition, the following definitions apply:¶
(1) "Buildable area" means the floor area of an accessory dwelling unit, single unit dwelling; floor area of each unit in a duplex, triplex, quadplex or townhouse; or the average floor area of dwelling units in a cottage cluster or multiunit dwelling. Buildable area excludes the area of a carport or garage, or other non-habitable floor area of a structure.¶
(2) "Building height" as defined in the Oregon Residential Specialty Code or Oregon Structural Specialty Code, whichever is applicable, including the applicable code's definition of "Grade Plane" used to measure height.¶
(3) "DBH" means the diameter of a standing tree at breast height, which is measured as the width of a standing tree at four and one-half feet above the ground on the uphill side, as defined in ORS 90.100.¶
(4) "Design standard" means a standard related to the arrangement, orientation, materials, appearance, articulation, or aesthetic of features on a dwelling unit or accessory elements on a site. Design standards include, but are not limited to, standards that regulate entry and dwelling orientation, fa□ade materials and appearance, window coverage, driveways, parking configuration, pedestrian access, screening, landscaping, and private, open, shared, community, or courtyard spaces.¶
(5) "Environmentally sensitive area" means lands protected or designated pursuant to any one of the following statewide planning goals:¶
(a) Goal 5 Natural Resources, Scenic and Historic Areas, and Open Spaces.¶
(b) Goal 6 Air, Water and Land Resource Quality;¶
(c) Goal 15 Willamette River Greenway;¶
(d) Goal 16 Estuarine Resources;¶
(e) Goal 17 Coastal Shorelands; and¶
(f) Goal 18 Beaches and Dunes.¶
(6) "Final engineering plans" means the detailed engineering plans and reports for the design or construction of public and private infrastructure improvements that require review and approval following tentative plat approval by a local government before issuing site development permits, including plans and reports for the construction of public and private infrastructure improvements such as grading, water, sewer, stormwater, transportation systems, and utilities.¶
(7) "Oregon Homes Development" means a residential development type approved to be placed on an Oregon Homes Lot including:¶
(a) Allowed housing types:¶
(A) Attached or detached housing, including accessory dwelling units or prefabricated or modular housing; or¶
(B) A multiunit dwelling with more than six and fewer than twelve units;¶
(b) Types with a buildable area of:¶
(A) A size of not more than 2,200 square feet per dwelling unit for a single-unit dwelling, accessory dwelling unit, or per dwelling unit for duplex, triplex, quadplex and townhouse; and¶
(B) An average per-unit size of not more than 1,400 square feet for cottage clusters or a multiunit dwelling;¶
(c) Housing that complies with the minimum density requirements of the applicable comprehensive plan or land use regulations for the lot or parcel; and¶
(d) Housing types whose building plans have been approved by Department of Consumer and Business Services pursuant to ORS 455.063.¶
(8) "Oregon Homes Lot" means a lot or parcel that is:¶
(a) A lawfully established unit of land;¶
(b) Within an urban growth boundary;¶
(c) Zoned to allow residential use;¶
(d) At least 1,500 square feet;¶
(e) Not larger than 20,000 square feet;¶
(f) Not covered by slopes averaging more than 15 percent;¶
(g) Not within an area identified in an inventory or map that is part of the local government's comprehensive plan or locally adopted ordinance or resolution as:¶

(A) Environmentally sensitive or containing significant natural resources;¶
(B) Open space or scenic areas; or¶
(C) Natural hazard areas, including floodplains, river greenways, landslide zones, coastal erosion, or wildfire risk areas, including areas identified as one or more of the above referenced areas in DOGAMI Interpretive Map Series (IMS), Open-File Reports (OFR) and Statewide Landslide Information Database (SLIDO) and mapped Areas of Special Flood Hazard identified on adopted FEMA Flood Insurance Rate Maps; and¶
(h) Vacant, including a lot or parcel:¶
(A) Created by any lawful division of land, regardless of when the division occurred, in accordance with ORS chapter 92.¶
(B) On which is sited a nonresidential structure that is nonconforming or not suitable for any lawful use.¶
(C) For which residential units were demolished more than five years prior; or¶
(D) For which residential units were demolished within the previous five years, provided that the approved development would create net additional units and would use a building construction plan approved under Department of Consumer and Business Services pursuant to ORS 455.063.¶
(9) "Public facilities plan or engineering master plan" means a support document or documents to a comprehensive plan. The facility plan describes the water, sewer and transportation facilities which are to support the land uses designated in the appropriate acknowledged comprehensive plans within an urban growth boundary containing a population greater than 2,500.¶
(10) "Public Facilities Requirements" refers to the development requirements applicable to public and private infrastructure improvements such as grading, water, sewer, stormwater, transportation systems, and utilities.¶
(11) "Site plan" means a site or development plan that is drawn accurately to scale and includes the following existing and proposed information at a minimum:¶
(a) All property lines with dimensions and total lot or parcel area;¶
(b) North arrow and scale of drawing;¶
(c) Adjacent streets, access (driveways), curbs, sidewalks, and bicycle routes;¶
(d) Existing goal protected resources, if any are present on the site;¶
(e) Existing and proposed easements and on-site utilities;¶
(f) Existing and proposed development with all dimensions, including floor area and building footprint;¶
(g) Distances of all existing and proposed development to property lines;¶
(h) Types and location of outdoor area(s) and usable open space (if required);¶
(i) Percentage of the site proposed for outdoor area coverage;¶
(j) Motor vehicle and pedestrian access and circulation systems, including connections off-site, and associated dimensions; and¶
(k) Motor vehicle and bicycle parking areas and design, number of spaces, and loading areas.¶
(12) "Siting standards" means a standard related to the position, bulk, scale, or form of a structure. Siting standards include, but are not limited to, standards that regulate perimeter setbacks, dimensions, bulk, scale, lot coverage, parking requirements, utilities, and public facilities.¶
(13) "Traffic impact analysis" means a report prepared by a professional engineer that analyzes existing and future roadway conditions.¶
(14) "Urban unincorporated lands" has the same meaning as provided in ORS 197A.015(12).¶
(15) "Utility easements" means an existing or proposed easement that grants a public utility as defined in ORS 757.005, a telecommunications utility or provider, a cable operator, or a public body as defined in ORS 174.109 the right to use and access specific areas of another's property for constructing or maintaining gas, electric, telecommunication, fiberoptic, water, stormwater, and sewer lines.
Statutory/Other Authority: ORS 197A.408, ORS 197.040
Statutes/Other Implemented: ORS 197A.408, ORS 197A.400, ORS 197A.420

ADOPT: 660-047-0020

NOTICE FILED DATE: 06/30/2026

RULE SUMMARY: This rule creates the local government review process for the development of Oregon Homes Lots.

CHANGES TO RULE:

660-047-0020
Local Government Review Process
A local government must follow the review process as provided below for an Oregon Homes Development proposed on an Oregon Homes Lot.¶
(1) Local governments must issue a decision notwithstanding any comprehensive plan or land use regulations or statewide land use planning goals, approving the development of an Oregon Homes Development on an Oregon Homes Lot if the development proposal meets the applicable standards provided in OAR 660-047-0030 through OAR 660-047-0050.¶
(2) Local governments shall review applications for Oregon Homes Development on an Oregon Homes Lot through a completeness and compliance check and shall be no more rigorous than a ministerial review. Administration of this review shall only be to ensure compliance with standards provided in this division and shall not require the use of discretion, interpretation, or the exercise of policy or legal judgment. ¶
(3) Nothing in this division prohibits an applicant from submitting an application for development on an eligible Oregon Home Lot that utilizes otherwise applicable standards and processes.¶
(4) A local government shall deem an application complete when the applicant provides the following information to the local government:¶
(a) Site plan and exhibits that address definitions and requirements provided in OAR 660-047-0010, 660-047-0030, 660-047-0040, and 660-047-0050;¶
(b) Building plans that are approved by the Building Codes Division as meeting requirements of ORS 445.063; and¶
(c) A tree mitigation plan that meets the standards provided in OAR 660-047-0050, as applicable.¶
(5) A local government shall deem an application submission that does not include information required in this division incomplete.¶
(6) Applicants shall bear the burden of proof to provide information necessary to determine compliance with the applicable provisions of this division.¶
(7) In reviewing or approving an application for Oregon Homes Development, a local government shall not provide public notice or hold a public hearing.¶
(8) Nothing in this rule precludes a local government from applying locally administered public facilities requirements, including, but not limited to public works design standards, final engineering plans, or requirements resulting from a traffic impact analysis during the development review processes for an Oregon Homes Development application. The local government has discretion to determine the order in which it applies these locally administered standards or plans during the application or review period.¶
(9) A local government shall not require public facilities requirements, final engineering plans, or traffic impact analysis requirements uniquely for an Oregon Homes Development that exceeds the process or requirements applied to all other residential development of the same type.¶
(10) Nothing in this rule limits or supersedes the authority of the State Fire Marshal or fire code official to administer and enforce the Oregon Fire Code.¶
(11) Local governments that have adopted the Oregon State Fire Marshal's defensible space model code where applicable according to ORS 476.392, can use defensible space code standards to review an Oregon Homes Development.¶
(12) A local government may charge applications a review fee comparable to similar development applications.¶
(13) If the application submitted under the Oregon Homes program does not meet the definitions of an Oregon Homes Lot and Oregon Homes Development provided in OAR 660-047-0010 and does not meet the requirements provided in OAR 660-047-0020 through OAR 660-047-0050, the local government may deem the application as incomplete or reject the application.¶
(14) A local government is not required to grant a request for adjustment under Oregon Laws 2024, chapter 110, sections 38 to 41, compiled as a note after ORS 197A.395 in approving an application for an Oregon Homes Development.¶
(15) An approved Oregon Homes Development is a conforming development for the purposes of local land use regulations. Nothing in this section prohibits a local government from regulating subsequent alterations, remodels, additions, or changes of use or occupancy in conformance with local regulations, unless a subsequent application for development on that lot is for an Oregon Homes Development.

Statutory/Other Authority: ORS 197A.408, ORS 197.040
Statutes/Other Implemented: ORS 197A.408, ORS 197A.400, ORS 197A.420

ADOPT: 660-047-0030

NOTICE FILED DATE: 06/30/2026

RULE SUMMARY: This rule establishes a set of design standards for an Oregon Homes Lot including entry orientation, garages and driveways, and waste storage facilities.

CHANGES TO RULE:

660-047-0030
Design Standards
The following design standards required for the placement of an Oregon Homes Development on an Oregon Homes Lot address essential safety and functional aspects for residents and people that interact with the right-of-way. A local government shall apply the following design standards in reviewing an application for an Oregon Homes Development on an Oregon Homes Lot.¶
(1) All units within the development, unless an attached or detached accessory dwelling unit, must have their pedestrian entry orientation meet at least one of the following:¶
(a) Face the street;¶
(b) Be at an angle of up to 45 degrees from the street;¶
(c) Face a common open space that is adjacent to the street; or¶
(d) Open onto a covered porch or covered patio that is at least 25 square feet in area and have at least one entrance facing the street.¶
(2) If there is on-street parking on the street frontage adjacent to an Oregon Homes Development, then no parking is required. If there is no on-street parking on the street frontage adjacent to an Oregon Homes Development, then the Oregon Homes Development is required to meet either the local government parking requirement or one garage, carport, or onsite parking space per dwelling unit, whichever is less.¶
(3) If proposed as part of an Oregon Home Development, the combined width of all garages and outdoor on-site parking and vehicle maneuvering areas, as measured at their widest dimension, shall not exceed a total of 50 percent of the street frontage. The following Oregon Homes Development scenarios are excluded from this standard:¶
(a) Accessible and adaptable units;¶
(b) Lots or parcels that receive vehicular access from an alley; and¶
(c) Off-street parking areas that are separated from the street lot line by a dwelling.¶
(4) Storage facilities for trash and recycling receptacles are not required. For developments over four units with common storage areas that are located within 20 feet of a street lot line or a lot line abutting residential property shall meet the following standards:¶
(a) The storage facility shall be screened from street lot lines and abutting residential properties by a wall, solid fence, or evergreen hedge. The screen must be at least four feet in height and located no more than three feet from the storage facility; and¶
(b) The storage facility must be separated from the street lot line by at least five feet.¶
(5) A local government shall approve an Oregon Homes Development application if the proposal varies not more than 10 percent from the numerical standards described in this rule.
Statutory/Other Authority: ORS 197A.408, ORS 197.040
Statutes/Other Implemented: ORS 197A.408, ORS 197A.400, ORS 197A.420

ADOPT: 660-047-0040

NOTICE FILED DATE: 06/30/2026

RULE SUMMARY: This rule establishes a set of siting standards for an Oregon Homes Lot including setbacks, density, and required outdoor areas.

CHANGES TO RULE:

660-047-0040
Siting Standards
A local government shall apply only the following siting standards in reviewing an application for an Oregon Homes Development on an Oregon Homes Lot.¶
(1) Within areas incorporated into a city, Oregon Homes Developments must provide a minimum setback of five feet on all sides of the building, the distance of an existing or proposed utility easement, the minimum defensible space requirements as detailed in Oregon State Fire Marshal's model code for defensible space in ORS 476.392, or the distance of an easement required in traffic impact analyses, whichever is greater. Oregon Homes Developments within urban unincorporated lands must provide a minimum setback of fifteen feet along the street frontage and a minimum of ten feet on all other sides of the building not along the street frontage, the distance of an existing or proposed utility easement, the minimum defensible space requirements as detailed in Oregon State Fire Marshal's model code for defensible space in ORS 476.392, or the distance of an easement required in traffic impact analyses, whichever is greater.¶
(2) For buildings greater than thirty-five feet in building height and within areas incorporated into a city, the setbacks must be a minimum of ten feet along the street frontage and a minimum of five feet on the sides and rear, the distance of an existing or proposed utility easement, the minimum defensible space requirements as detailed in Oregon State Fire Marshal's model code for defensible space in ORS 476.392, or the distance of an easement required in traffic impact analyses, whichever is greater. Building height is defined in OAR 660-047-0010(2). The setback standards for buildings within urban unincorporated lands over thirty-five feet in building height remain the same as in OAR 660-047-0040(1).¶
(3) If an Oregon Homes Development includes a garage, the face of the garage must be setback at least twenty feet from the street frontage.¶
(4) An Oregon Homes Development applicant may opt into the local government setback at the discretion of the applicant.¶
(5) Nothing in this division exempts an Oregon Homes Development from requirements related to hazards to air navigation prohibitions as provided in ORS 836.608(8) and OAR 660-013-0070.¶
(6) To the extent that a local government has an established height limit for residential development due to limits of local aerial firefighting equipment, adopted by ordinance or resolution, an Oregon Homes Development is subject to the established limit.¶
(7) Meet the minimum density requirements of the applicable comprehensive plan or land use regulations for the lot or parcel.¶
(8) Provide outdoor area that is comprised of at least 15 percent of the gross site area, excluding the setback area. The outdoor area must be at least a contiguous 10-foot by 10-foot square or greater, and containing one or more of the following features:¶
(a) Areas planted with vegetation (including natural areas and existing trees);¶
(b) Private open space, including balconies and terraces attached to individual dwelling units;¶
(c) Pedestrian hardscape;¶
(d) Usable open space being one of the following:¶
(A) Outdoor recreation area surfaced with lawn, groundcover, gravel, or hard surface. The area must be at least a contiguous 10-foot by 10-foot square;¶
(B) Balconies, terraces, and rooftop decks with seating areas that are available for use by all residents;¶
(C) Tree groves of existing mature trees;¶
(D)Turf or grass play fields;¶
(E) Children's play structure or play area; ¶
(F) Sports courts;¶
(G) Swimming or wading pool or hot tub;¶
(H) Walking fitness course;¶
(I) Natural area with benches; or¶
(J) Gardening area with at least 50 square feet of planting area.¶
(9) For multi-unit buildings, the required 15 percent outdoor space area may alternatively be met with balconies

attached to individual units and is not required to be a 10-foot by 10-foot square.¶
(10) A local government shall approve an Oregon Homes Development application if the proposal varies not more than 10 percent from the numerical standards described in this rule; however, this section does not apply to standards in sections (1) and (4).
Statutory/Other Authority: ORS 197A.408, ORS 197.040
Statutes/Other Implemented: ORS 197A.408, ORS 197A.400, ORS 197A.420

ADOPT: 660-047-0050

NOTICE FILED DATE: 06/30/2026

RULE SUMMARY: This rule establishes standards to guide the preservation, replanting, or replacement of trees on Oregon Home Lots.

CHANGES TO RULE:

660-047-0050
Tree Standards
A local government must require the applicant to adhere to the following standards to guide the preservation or replacement of trees on an Oregon Homes Lot.¶
(1) Approval of an Oregon Home Development may not result in the removal of trees that are:¶
(a) Designated by the local government as a heritage tree, or¶
(b) 20 inches or greater DBH.¶
(2) An applicant for an Oregon Homes Development on an Oregon Homes Lot may propose to remove eligible tree(s) as part of the development application. The applicant shall take mitigating measures provided in section (3) for each tree proposed to be removed that is:¶
(a) Designated by the local government through an adopted program, regulations, or ordinances as a protected species;¶
(b) Not deemed unhealthy by a certified arborist; and¶
(c) Twelve inches or more DBH.¶
(3) If all of the criteria listed in section (2) are met, the applicant must conduct one of the following mitigation measures for tree removal:¶
(a) The replacement of or replanting of the removed tree on or adjacent to the Oregon Homes Lot; or¶
(b) A payment of a fee-in-lieu as established by local ordinance.
Statutory/Other Authority: ORS 197A.408, ORS 197.040
Statutes/Other Implemented: ORS 197A.408, ORS 197A.400, ORS 197A.420