



THE PEARL OF TILLAMOOK BAY

July 29, 2026

Land Conservation & Development Commission
635 Capitol St., Ste. 150
Salem, Oregon 97301

Re: Oregon Homes Draft Rules

Chair Lazo, Members of the Commission,

The League of Oregon Cities (LOC) represents all 241 cities across Oregon, from our small frontier communities to our large urban centers. The LOC and our members remain concerned with the Oregon Homes Rules, though we appreciate DLCD staff's ongoing efforts to understand the perspective of cities working on the ground.

We appreciate the opportunity to provide comments and participate in the rulemaking process. The League and our members understand and appreciate efforts to spur housing development; however, we remain concerned that the rules lack nuance needed to serve our shared goals for Oregon. We aren't going to relitigate the policy passed by the Legislature, what we will do is advocate for changes that make this program useable and less frustrating for developers.

This letter addresses two major over-arching concerns, and then the subsequent overall rule comments speak to specific section issues and includes a redline of the rules themselves, with additional LOC comments inserted in bold.

“May” vs “Shall”

There is an inherent conflict between these rules and the legislation. The legislation says “may” in many cases and the rules have interpreted this as a “shall,” contrary to the legislative intent and what was conveyed to cities during the legislative process. The legislation gives LCDC the option to decide if you want to regulate all siting standards; LCDC is not being given that option in this rulemaking process, and we encourage you to reclaim your statutory authority.

The “shall” option presented to you does not make sense on the ground, because there is such a high level of variation in infrastructure and public utilities in individual communities across the state. A statewide mandate of a uniform system will fail Oregonians; it will limit transportation options for Oregonians in smaller communities, disadvantage those living communities that don’t have existing sidewalk, and more.

We would suggest that LCDC adopt significant changes to OARs 660-047-0020, 660-047-0030 and 660-047-0040. Attached, we have provided comments and suggestions on the full breadth of the rules.

Like state government, local governments are asked to balance all things and hold all things equally. We must balance public safety, development, efficient land use, infrastructure, community interests, and more. The draft Oregon Homes rules do not strike that balance. They place housing development over all others needs local governments must manage for, ignoring local regulations that are aimed at public safety and community wellbeing.

Why not create a completely standardized statewide framework?

While the rules attempt to clear a big landing pad for potential Oregon Homes by removing nearly all local siting standards, this introduces new challenges to the development review process. Setbacks, building coverage, access and driveway requirements have been crafted in close coordination with each jurisdiction’s public works, emergency service, and franchise utility providers.

These rules assert that those standards are whims and that there should be a set statewide standard with exceptions for public utilities, emergency services and more. On the ground, this will simply make the exception the rule. A confusing variety of unclear regulations for a developer to follow, the published Oregon Homes standards versus what they will actually

have to do. Additionally, a developer could meet all the Oregon Homes standards and still not be approved because their plan didn't correctly account for fire access or public utilities. We don't want to create a process that is hard to navigate for developers, leading to costly delays and frustrations for all involved.

We strongly recommend you adopt significant changes to OARs 660-047-0020, 660-047-0030 and 660-047-0040 for this reason, as detailed below.

The Third Path

The legislation explicitly mentions two paths for building plan review through the Building Codes Division (BCD), either by selecting a pre-approved plan by BCD or by submitting your own plan to BCD as a developer. It is clear that the first two paths were intended by the legislation in HB 2258 Section 5 (1), but it is unclear as to whether a third path was originally articulated to the legislature or by the legislature.

A third path is created in the rules, allowing a developer to go to their local building department to get a plan pre-approved and get the benefits of the Oregon Homes program in that jurisdiction only. The third path represents a wholesale overturning of jurisdictions local zoning codes, not tied to the actual programmatic requirements of Oregon Homes of the pre-approved building plan. **We would advocate its removal due to its large-scale impact on local development codes and lack of statutory support.**

Thank you for your consideration!

Best,

Alexandra Ring
Housing and Land Use Lobbyist
League of Oregon Cities

Overall Rules Comments

660-047-0010 Definitions

As used in this division, the definitions in ORS 197A.420, apply. In addition, the following definitions apply:

- (1) "Building Height" means the vertical distance from grade plane (measured from the lowest ground surface a maximum of five feet from the building wall) to the average

height of the highest roof surface (measured to the tallest point of the roof of the building).

(2) “Grade plane”

LOC Comment: We are thankful for the additional clarity in this section, however there remain issues as this new definition is inconsistent with building code definitions and uses “grade plane” which is undefined. Building height remains one of the more common sources of LUBA appeal so it remains important that if rule is going to govern it, which it should not, that the language is at minimum clear.

(2) "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.

(3) "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, facade materials and appearance, window coverage, driveways, parking configuration, pedestrian access, screening, landscaping, and private, open, shared, community, or courtyard spaces.

(4) "Developable area" means the space on the lot not including setbacks, public utility easements, right of way, and any required open space.

(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.

LOC Comment: We appreciate and need to the definition of final engineering plans, however, this definition is incorrect as it includes “tentative plat approval” and this program is not associated with the land division process.

(7) "Oregon Homes Development" means a residential development type that would be approved to be placed on an Oregon Homes Lot including:

(a) Attached or detached housing, including accessory dwelling units or prefabricated or modular housing;

(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 including garages and driveways; and

(B) An average per-unit size of not more than 1,400 square feet for cottage clusters or a multiunit dwelling including garages and driveways;

LOC Comment: Because the (b) says buildable area, our members have questions about whether the square footage in the (A) and (B) refer to the lot or building square footage. The language needs clarification to be implemented across jurisdictions.

If alterations are going to be made to what exists in statute, then it needs to be made clear. The definition needs to cover if garages and driveways or utilities count towards this limit as well.

(c) A multiunit dwelling with more than six and fewer than twelve units;

(d) Housing that complies with the minimum density requirements of the applicable comprehensive plan or land use regulations for the lot or parcel; and

(e) Housing types whose building plans have been approved by Department of Consumer and Business Services pursuant to ORS 455.062, ORS 455.685, or housing types that meet the criteria as provided in subsections (a)–(d) and approved through local building code review.

LOC Comment: Regarding this section it is clear that the first two paths were intended by the legislation, but it is unclear as to whether the third path was originally articulated to the legislature or by the legislature. The third path

represents a wholesale overturning of jurisdiction's local zoning codes, not tied to the actual programmatic requirements of Oregon Homes. We would advocate its removal.

(8) "Oregon Homes Lot" means a lot or parcel that is:

- (a) A lawfully established units 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; and
- (g) Not within an area identified in an inventory or map that is part of the local government's comprehensive plan 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, or wildfire risk areas;

- ~~(D) If a lot or parcel is otherwise eligible for an Oregon Home's Development, but within an area identified in paragraphs (A-C), development of an Oregon Home is still allowed so long as the developable area is wholly outside of the inventoried area, and its subject protections.~~

LOC Comment: This section was not contemplated by the original legislation; in fact, the original legislation explicitly does not allow this. In negotiations and legislative conversations, the idea was that any lots to have any of the (A-C) characteristics would be wholly prohibited from the program. This is because of the curtailed review period required by the program and lots with these characteristics necessitate greater review to ensure the safety and durability of the building.

Additionally, hazard overlays are typically not mapped at a scale precise enough to reliably determine whether a proposed development is wholly

inside or outside the overlay boundary. In order to avoid issues with we advocate removal of this section.

(h) Vacant, including a lot or parcel:

(A) Created by any lawful division of land, regardless of when the division occurred.

(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 455.062, ORS 455.685, or housing types that meet the criteria in section (5) and approved through local building code review.

(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) Franchise utility easements

LOC Comment: Franchise utility easements also need to be included, as they are not always incorporated into the public utility easement.

(10) "Site plan" means a site or development plan that is drawn accurately to scale and include but are not limited to the following existing and proposed information:

(a) All property lines with dimensions and total lot 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.

(11) "Siting standards" means standards regulating placement of structures on a lot or parcel including setbacks, height, bulk, scale, and lot coverage. Siting standards include, but are not limited to, standards that regulate perimeter setbacks, dimensions, bulk, scale, coverage, minimum and maximum parking requirements, utilities, and public facilities.

LOC Comment: This is a similar but oddly different definition from the siting standard definition found in Division 46. We advise revising the definition of siting standard in division 47 to match division 46.

(12) "Traffic impact analysis" means a report prepared by a professional engineer that analyzes existing and future roadway conditions.

(13) "Usable outdoor space" means one of the following:

- (a) Outdoor recreation area surfaced with lawn, groundcover, gravel, or hard surface. The area must be 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.

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

ADOPT: 660-047-0020 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 outlined below for an Oregon Homes Development proposed on an Oregon Homes Lot.

(1) Local governments must issue a land use 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.

LOC Comment: This section continues to cause issues, as many jurisdictions do not require a land use decision for middle housing. And this gets to a core issue with this new program, that a land use decision of some kind has to be issued in a case where just using the local zoning would not require that step. This adds process and barriers to development.

Additionally, there is a problem with the bill's statutory language that call for "the Land Conservation and Development Commission [to] adopt rules requiring local governments to issue a land use decision [approving an Oregon Home]". While we support using a ministerial, non-discretionary process as the rules propose, this is not prescribed by HB 2258 and LCDC cannot adopt rules that directly conflict with existing statute. The proposed rules specify that "this process...shall not require the use of discretion, interpretation, or the exercise of policy or legal judgment." ORS 197.015 (10) defines a land use decision as one that "(b) Does not include a decision of a local government: (A) That is made under land use standards that do not require interpretation or the exercise of policy or legal judgment; (B) That approves or denies a building permit issued under clear and objective land use standards".

- (3) Local governments shall review applications for Oregon Homes ~~Development~~ on an Oregon Homes Lot through a completeness check, being no more rigorous than a ministerial review. Administration of this review shall only be to ensure compliance with standards provided in OAR 660-047-0020 through OAR 660-047-0050 and shall not require the use of discretion, interpretation, or the exercise of policy or legal judgment.

LOC Comment: The turn of phrase “Oregon Homes Development” is not used in other places throughout the rules, we would suggest the removal of the word “development” to make it clearer that it is not referencing something new.

- (3) A local government shall deem an application for an Oregon Homes Development complete when the applicant provides the following information to the local government:

(a) Site plan and exhibits that address requirements provided in 660-047-0010, 660-047-0030, 660-047-0040, and 660-047-0050;

(b) Building plans that are:

(A) Approved by the Building Codes Division as meeting applicable building code standards; or

~~(B) Building plans that meet the requirements of an Oregon Homes Development provided in OAR 660-047-0010 (5); and~~

(c) A tree mitigation plan that meets the standards outlined in OAR 660-047-0050, as applicable.

- (4) A local government shall deem an application submission that does not include information required in this division incomplete.

(5) Applicants shall bear the burden of proof to provide information necessary to determine compliance with the applicable provisions of this division.

(6) A local government shall not require a public notice or hearing in reviewing or approving an application for Oregon Homes Development.

(7) Nothing in this section precludes a local government from applying locally administered public facilities plans, 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 order in which a local government applies these locally administered standards or plans during the application or review period is determined by the local government at their discretion. A local government shall not establish public facilities plans, final engineering plans, or

traffic impact analysis requirements uniquely for an Oregon Homes Development that exceeds the process applied to all other residential development of the same type.

(8) A local government may charge applications a review fee compatible to similar development applications.

(9) A local government shall deny an Oregon Homes Development application if the application 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 660-047-0030 through OAR 660-047-0050.

(10) 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.

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

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 may apply only the following design standards outlined in this section in reviewing an application for an Oregon Homes Development on an Oregon Homes Lot:

LOC Comment: Many of these standards would be better governed within building plan review if there is a true intent to create streamlining. Any standard adopted by DLCD should not apply to the building approved by BCD, it should only apply to lot specific conditions. Rules should be adopted by BCD to govern maximum floor area (total, not a ratio), maximum height, maximum garage width (or some relationship of the garage to the dwelling unit width), and a “front door” or porch that can be oriented to a street. These can all be verified and measured independent of any specific lot, enabling that plan to be utilized on any qualifying Oregon Homes Lot, subject to the siting requirements that are described in section 0040. We agree that many are essential safety aspects but they are fundamentally part of building plan review not land use review.

~~(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.~~

LOC Comment: Many of these standards would be better governed within building plan review if there is a true intent to create streamlining. Any standard adopted by DLCD should not apply to the building approved by BCD, it should only apply to lot specific conditions. Rules should be adopted by BCD to govern maximum floor area (total, not a ratio), maximum height, maximum garage width (or some relationship of the garage to the dwelling unit width), and a “front door” or porch that can be oriented to a street. These can all be verified and measured independent of any specific lot, enabling that plan to be utilized on any qualifying Oregon Homes Lot, subject to the siting requirements that are described in section 0040. We agree that many are essential safety aspects, but they are fundamentally part of building plan review not land use review.

~~(2) Garages, carports, or on-site parking or vehicle maneuvering areas are not required, in cities over 25,000. In jurisdictions under 25,000 the city may require onsite parking of no more than one space per unit. However, 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:

LOC Comment: This is a statewide program, it is unreasonable to prohibit small jurisdictions that lack the public infrastructure, both on-street parking and public transportation, from requiring on-site parking. There is no requirement legislatively that this program create a single approach statewide with no variation to account for local infrastructure and needs.

(a) Accessible and adaptable units;

(b) Lots that receive vehicular access from an alley; and

(c) Off-street parking areas that are separated from the street lot line by a dwelling.

(3) Storage facilities for trash and recycling receptacles 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 4 feet in height, except as specified in subsection (c) and located no more than 3 feet from the storage facility.

(b) The storage facility must be separated from the street lot line by at least 5 feet.

(c) For lot lines abutting residential properties, the storage facility must either be setback from the lot line by at least 5 feet, or the screen facing the lot line must be at least 6 feet in height.

LOC Comment: The trash storage section further emphasizes why this kind of single standard statewide program doesn't work. We appreciate the effort to allow waste collectors access to these homes easily. However, this requirement goes above and beyond what many jurisdictions require for some types of development. We aren't requesting this section's removal, because we do have to address waste collection in these rules, however it will increase costs unnecessarily for developers in some jurisdictions. Alternatively, include "solid waste collection" as a type of public facility that is subject to independent review outside of these rules.

(4) A local government shall approve an Oregon Homes Development application if the proposed site plan varies not more than 10 percent from the numerical design standards described in this section.

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

ADOPT: 660-047-0040 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 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. A local government may apply only the following siting standards in reviewing an application for an Oregon Homes Development on an Oregon Homes Lot as outlined in this section. An Oregon Homes development must:

(1) Provide a setback of 5 feet on the sides and back and 15 feet on the front of the building or the distance required for a proposed or existing utility easement or franchise utility easement or local ordinance setback whichever is less. For buildings greater than 35 feet in building height, the setbacks must be 10 feet on all sides non-street front sides. For garages the setback must be 20 feet if facing the street. Building height is defined in OAR 660-047-0010.

LOC Comment: We understand the desire to standardize setbacks. However, 5 feet on all sides will rarely be what is implemented on the ground, front setbacks are set higher due to public utility easements or fire access, so in most cases the exception, “or the distance required for a proposed or existing utility easement,” would be the rule, rendering the standardization moot. We suggest language to create a clearer, more viable standard, based off common front setbacks used by jurisdictions, while allowing for variation that unlocks more buildable area on parcels where the front set back doesn’t need to be as high.

There needs to be a separate setback requirement for garages. The reasoning isn’t one of aesthetics, it’s one of safety. Larger setbacks are needed for garages both to ensure sidewalk accessibility and pedestrian visibility and safety. Cities require garage setbacks anywhere from 20 ft to 25 ft to account for line of sight and pedestrian safety, we have proposed 20 ft as it is on the smaller end but still allows of increased line of site.

(2) Meet the minimum density requirements of the applicable comprehensive plan or land use regulations for the lot or parcel.

(3) Provide outdoor area that is beyond lot area counted towards setbacks comprised of at least 15 percent of the gross site area 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 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;
 - (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.

(4) A local government shall approve an Oregon Homes Development application if the proposed site plan varies not more than 10 percent from the setbacks or ~~outdoor area characteristics~~ **numerical** requirements within this section.

LOC Comment: Many of the things in this section are not defined numerically, presenting a challenge to a 10% variance. The cleanest solution is to clarify that variances of 10% only apply to numerically defined requirements, as one cannot issue a 10% variance on a characteristic.

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

ADOPT: 660-047-0050 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.

LOC Comment: This section originates in the legislation and cannot be changed, however it once again highlights the issue with creating a statewide system in a state so diverse. Many cities do not have tree codes or have very minimal regulations, so this places a new burden in fact on development that comes out of this program, an additional cost for developers. In jurisdictions where the Oregon Homes code is more restrictive than the local code this will require a Measure 56 notice, which will require significant staff time and accrue significant cost across jurisdictions.

(1) Approval of an Oregon Homes 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 outlined in this section 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) 12 inches or more DBH.

(3) If all of the criteria listed in OAR 660-047-0050

(2) are met, the applicant must conduct one of the following mitigation measures for tree removal:

(a) The replanting of the removed tree on or adjacent to the Oregon Homes Lot;

(b) The replacement of the removed tree with a tree of the same protected species;
or

(c) A payment of a fee-in-lieu as established by local ordinance.

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