

From: [Jamin Giersbach](#)
To: [DLCD Housing](#) * [DLCD](#)
Subject: Comment on proposed OAR chapter 660, Division 47 (Middle Housing Oregon Homes, permit-ready plans)
Date: Monday, September 7, 2026 12:13:56 PM

Re: Proposed OAR chapter 660, Division 47, Middle Housing Oregon Homes, permit-ready plans

Rogue Advocates is a land use watchdog working in Jackson and Josephine Counties. We have one question about Division 47, and we ask that the rule text answer it rather than leave it to be argued lot by lot.

Can a state-approved permit-ready plan override a locally adopted wildfire, hillside, riparian, or floodplain standard?

In southern Oregon those standards do real work. The Almeda Fire started inside Ashland's city limits in September 2020 and burned through Talent and Phoenix. Ashland's hillside lots sit in the wildland-urban interface, and the city has spent this entire summer on one question, how steep a driveway can be before a fire engine cannot climb it. Jackson County's riparian and floodplain rules keep houses out of creek corridors that flood in winter and burn in summer. A permit-ready plan is a set of building drawings. It does not change the slope, the setback from the creek, or the grade of the driveway.

We ask that Division 47 say plainly that a permit-ready plan is a building design and not a site approval, and that local siting, access, and hazard-overlay standards adopted under Goals 5 and 7 continue to apply to the lot where the plan is placed. We ask that a city or county be allowed to require site-specific engineering, fire access review, or geotechnical review where those overlays apply, without that being treated as a barrier to the plan. And we ask that the division state that no jurisdiction is required to accept a permit-ready plan on a lot where those standards cannot be met.

If DLCD's answer is that permit-ready plans already leave those standards intact, please put that sentence in the rule. If the answer is that they do not, that is a decision the Commission should make with its eyes open, and we ask that the staff report say so.

Thank you for extending the comment period.

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