



June 12, 2017

Clackamas County Planning Commission
Development Services Building, 2nd floor
150 Beavercreek Road
Oregon City, OR 97045

Re: Z0067-17-CP, Z0068-17-Z

Dear Clackamas County Planning Commission:

This letter is submitted jointly by Housing Land Advocates (HLA) and the Fair Housing Council of Oregon (FHCO). Both HLA and FHCO are non-profit organizations that advocate for land use policies and practices that ensure an adequate and appropriate supply of affordable housing for all Oregonians. FHCO's interests relate to a jurisdiction's obligation to affirmatively further fair housing. Please include these comments in the record for the above-referenced proposed amendment.

As you may know, all amendments to the Comprehensive Plan Map and Zoning Map must comply with the Statewide Planning Goals. ORS 197.175(2)(a). However, the staff report for this proposal does not contain findings regarding the proposal's impact on the County's Statewide Planning Goal 10 (Goal 10) obligations.

When a decision is made affecting the residential land supply, the County must refer to its Housing Needs Analysis and Buildable Land Inventory to show that an adequate number of needed housing units (both housing type and affordability level) will be supported by the residential land supply after enactment of the proposed change—that analysis was not included in the staff report.

HLA and FHCO appreciate that this change will allow for an increase in housing density. As the staff report describes, the regulations under OAR 660-007 and -008 describe that mix and density of housing must be considered, but merely citing to the standards does not mean the County has made adequate findings under Goal 10. Even when a proposal will increase the



density of the land at issue, the County must show that it is adding needed residential zones (e.g. MR1, HDR). The County must demonstrate that its actions do not leave it with less than adequate residential land supplies in the types, locations, and affordability ranges affected. See *Mulford v. Town of Lakeview*, 36 Or LUBA 715, 731 (1999) (rezoning residential land for industrial uses); *Gresham v. Fairview*, 3 Or LUBA 219 (same); see also, *Home Builders Assn. of Lane County v. City of Eugene*, 41 Or LUBA 370, 422 (2002) (subjecting Goal 10 inventories to tree and waterway protection zones of indefinite quantities and locations).

HLA and FHCO urge the Commission to defer adoption of the proposed amendment until its impact on the County's Goal 10 obligations is adequately documented. Thank you for your consideration. Please provide written notice of your decision to, FHCO, c/o Louise Dix, at 1221 SW Yamhill Street, #305, Portland, OR 97205 and HLA, c/o Jennifer Bragar, at 121 SW Morrison Street, Suite 1850, Portland, OR 97204. Please feel free to email Louise Dix at ldix@fhco.org or reach her by phone at (541) 951-0667.

Thank you for your consideration.

A handwritten signature in blue ink that reads "Louise Dix".

Louise Dix
AFFH Specialist
Fair Housing Council of Oregon

A handwritten signature in blue ink that reads "Jennifer Bragar".

Jennifer Bragar
President
Housing Land Advocates

cc: Gordon Howard (gordon.howard@state.or.us)