



July 9, 2017

Planning Commission
Community Development Building
458 SW 3rd Street
Ontario, OR 97914

Re: Action 2017-04-04AZ Annex from UGA Residential to RD-40 City Residential for two properties: 1936 Brady Circle and 18S4705AC Thomas circle 18S4705AC

Dear Commissioners:

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 reference the proposal's impact on the City's Statewide Planning Goal 10 (Goal 10) obligations.

HLA and FHCO applaud the City's aim to increase its residential supply. However, when a decision is made affecting the residential land supply, the City 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. The record in support of the proposed amendment does not make clear how many residential units are permitted before and after the adoption of the proposed amendment.

Even when a proposal increases the residential land supply, the City must show that it is adding needed residential zones (e.g. RD-40). The City 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 the change in residential units permitted by the proposed amendment is made clear in the record. 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)