



May 22, 2018

Klamath County Planning Commission
305 Main Street
Klamath Falls, OR 97601

Re: CLUP/ZC 4-18

Dear Planning Commission Members:

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). When a decision is made affecting the residential land supply, the County must refer to its Housing Needs Analysis ("HNA") and Buildable Land Inventory ("BLI") 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 staff report for the proposed amendment asserts that the zone change will establish the lot's zone as it was originally intended, as the lot is best suited for residential use. The staff report does not refer to the County's BLI, however, to support the current state of residential zone needs. We observed online that in 2017 the County sought technical assistance from DLCD to prepare a HNA and BLI. If that work was funded, we encourage the County adapt those reports to reflect the outcome of the application under consideration here.

Even when a proposal is likely to increase the residential land supply, or establish a more appropriate zone for the lot, the County must show that it is adding needed residential zones. 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 Ass'n. of Lane Cty. 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 zone change until findings regarding the amendment's effect in context of the County's BLI. 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.

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: Kevin Young (kevin.young@state.or.us)