



August 2, 2018

City of The Dalles Planning Commission
313 Court Street
The Dalles, Oregon 97058

Re: Amendments to the Municipal Code, Title 10; ZOA 97-18

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). When a decision is made affecting the residential land supply, the City must refer to its Buildable Land Inventory (BLI), in addition to its Housing Needs Analysis (HNA), 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 refers to its intent to create more housing—a need revealed by the City's recent HNA. The report, however, does not include findings for Statewide Goal 10 to demonstrate that the amendment's effects do not leave the City 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). Only with a complete



analysis showing any gain in needed housing as compared to the BLI can housing advocates and planners understand whether the County is achieving its goals through code amendments.

In particular, this is an opportunity to dig back into the HNA and make findings showing that the goals and information are being applied through the proposed code amendments. In this way, the City will start to meaningfully track the goals in the HNA with its subsequent land use actions. For example, increasing density within zones by lowering minimum lot sizes might accomplish some of the goals in the HNA, but on reading the staff report, all we can observe is that more housing is better and that is enough to meet Goal 10. Instead, the findings should explain in words that rely on the HNA how these changes will result in increased density and achieve the goals of the HNA. To do otherwise is the start of allowing the HNA to gather dust when it has only just been written.

As such, HLA and FHCO urge the Commission to defer adoption of the proposed amendment until Goal 10 findings include reference to the Buildable Land Inventory. 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.

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)