



October 23, 2019

Mayor and City Council Members of Myrtle Creek
207 NW Pleasant St
PO Box 940
Myrtle Creek OR 97457

Re: City of Myrtle Creek request a Zone Change from (SD/CS) Special District/Community Services to (R-1) Low Density Residential on a 1.04-acre property located at the end of Fairway Drive in the City of Myrtle Creek (Planning File No. 19-MC024).

Dear Mayor and City Council 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 know, all amendments to the City's Comprehensive Plan 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 Housing Needs Analysis (HNA) and Buildable Land Inventory (BLI) in order 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 zone change recommends its approval. However, the staff report does not include findings for Statewide Goal 10, describing the effects of the zone change to R-1, low density residential, on the housing supply within the City. The report does mention that the zone change is consistent with the City's Comprehensive Plan Chapter 9 being "to provide for the housing needs of all Myrtle Creek Citizens." Yet, the report never states the types



and affordability ranges of the housing needed to provide for all Myrtle Creek citizens, nor states that the zone change will provide this needed housing. Thus, there is no demonstrated adequate factual basis within the staff report supporting the proposed zone change to R-1. Goal 10 findings must demonstrate that the changes 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 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). Further, the report should reference how this change will affect needed housing as dictated by the City's HNA. Only with a complete analysis, utilizing both the HNA and BLI, can housing advocates and planners understand whether the City is achieving its goals through this zone change.

HLA and FHCO urge the Council to defer approval of the proposed Planning File No. 19-MC024 until Goal 10 findings can be made, and the proposal evaluated under the HNA and BLI. 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: Kevin Young (kevin.young@state.or.us)