



January 7, 2020

Mayor and Council Members of the City of Stayton
362 N. Third Avenue
Stayton, OR 97383

**Re: Applications for Annexation and Comprehensive Plan Amendment –
Gene Jones**

Dear Mayor and 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. Since the Planning Commission's decision is only a recommendation, we request this letter be presented to the City Council when the matter reaches the City Council.

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 Annexation and Comprehensive Plan Amendment expresses reservations about its approval. It states that the applicant "has not provided adequate information to make the necessary findings regarding many of the criteria." However, the staff report does not define findings for Statewide Goal 10 as applicable criteria for the Annexation and Comprehensive Plan Amendment. These findings are necessary for describing the effects of the proposed development on the housing supply within the City. For example, how will the



proposed RV park add to needed housing within the City? How will the removal of the zoned residential land via the zone change to commercial effect the ability of this land to provide the most needed housing? 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 staff report expresses some confusion on how “The Code” requires the staff to address the need of the City for the land being annexed. One such way is expressing the need for this development/annexation as dictated by the City’s HNA. Only with a complete Goal 10 analysis, utilizing both the HNA and BLI, can housing advocates and planners understand whether the City is achieving its goals through this Annexation and Comprehensive Plan Amendment.

HLA and FHCO urge the Council to defer approval of the proposed Annexation and Comprehensive Plan Amendment 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 black 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)