



April 12, 2021

Wilsonville Planning Commission  
29799 SW Town Center Loop E  
Wilsonville, OR 97070

**Re: Resolution No. 388. Canyon Creek 8-Lot Subdivision: Scott Miller, SAMM-Miller LLC – Applicant for William Z. Spring and Fallbrook, LLC – Owners. (DB20-0039 through 0045, and DB20-0053)**

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 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. Goal 10 findings are also required for code changes affecting residential development feasibility, such as traffic standards and setbacks.

The staff report for the proposed Resolution No. 388 recommends its approval. This conclusion is contingent on findings contained with the report, articulating that since the “City’s Comprehensive Plan complies with the Statewide Planning Goals,” demonstrated compliance with the City’s Comprehensive Plan results in automatic compliance with all Statewide Planning Goals. However, as stated in the previous paragraph citing ORS 197.175(2)(a), Goal 10 findings are required for all amendments to the City’s Comprehensive Plan and Zoning map. These





required 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, because the proposed amendments have the potential to impact the addition of future housing units to the City, the City should reference its HNA and BLI to illustrate a need for these changes. Only with a complete analysis, utilizing both the HNA and BLI, can the public understand whether the City is achieving its goals through Resolution No. 388.

HLA and FHCO urge the Commission to defer adoption of Resolution No. 388 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 Allan Lazo, 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 Allan Lazo at [information@fhco.org](mailto:information@fhco.org) or reach him by phone at (503) 223-8197 ext. 104.

Thank you for your consideration.

A handwritten signature in black ink that reads "Allan Lazo".

Allan Lazo  
Executive Director  
Fair Housing Council of Oregon

/s/ Jennifer Bragar  
Jennifer Bragar  
President  
Housing Land Advocates

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