



October 10th, 2019

City of John Day Planning Commission
450 East Main Street
John Day, Oregon 97845

Re: STAFF REPORT FOR AMD-19-03

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.

The staff report for the proposed changes to the John Day Development Code does not include findings for Statewide Goal 10, describing these changes on the housing supply within the City. Allowing residential uses within downtown and commercial zones, as well as the temporary use of Recreational Vehicles (RVs) for housing purposes, has great potential for adding housing to the City. However, without additional information, this potential cannot be quantified and therefore there has been no factual basis provided to justify this decision. 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 the need for these code amendments by utilizing the City's HNA. For example, how much of the most needed housing types will allowing residential uses in the downtown zones generate? Only with a complete analysis showing any gain in needed housing as dictated by the HNA and compared to the BLI, can housing advocates and planners understand whether the City is achieving its goals through these Development Code amendments.

Need to ID
the six
affected
properties

HLA and FHCO urge the Commission to defer approval of AMD-19-03 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 black ink that reads "Mary Kyle McCurdy".

Mary Kyle McCurdy
Board Member
Housing Land Advocates

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

TO: CITY MANAGER--NICHOLAS GREEN
CITY PLANNING COMMISSION
CITY COUNCIL MEMBERS
RE: RV USAGE WITHIN CITY LIMITS
DATE: OCTOBER 21, 2019

THANK YOU FOR THE OPPORTUNITY TO EXPRESS HOW THE ORDINANCE REGARDING RV USAGE ON PRIVATE PROPERTY WITHIN CITY LIMITS WOULD IMPACT OUR PARTICULAR SITUATION. I AM REFERRING TO THE SPECIFIC ADDRESS OF 124 S.E. ELM ST. THERE IS AN RV ON THE JOB SITE WHICH IS USED ONLY WHILE WORK IS BEING DONE ON THE JOB SITE. THE WORK IS DONE DURING THE SUMMER AS WEATHER PERMITS. THE WATER AND SEWER HAVE BEEN CUT OFF TO THE RV SINCE SEPTEMBER. WE LIVE IN KLAMATH FALLS, OREGON. WE ARE CREATING SOMETHING THAT THE CITY OF JOHN DAY DESPERATELY NEEDS. INSTEAD OF A NONUSABLE HILL WHICH INVOLVES ABOUT FOUR LOTS, THERE WILL BE ROOM FOR A RESIDENTIAL SINGLE DWELLING HOME ON THE UPPER PROPERTY AND ROOM

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FOR AN APARTMENT COMPLEX OR
CONDOMINIUMS OR OFFICE BUILDINGS ON
THE LOWER BUILDING SITE. THE
DEVELOPMENT WILL BE FINISHED AFTER WE
RETURN TO JOHN DAY NEXT SUMMER. AFTER
IT IS FINISHED THE PROPERTY WILL BE LISTED
FOR SALE. THE RV WILL BE MOVED BACK TO
KLAMATH FALLS AT THAT TIME. WE
RESPECTFULLY ASK THAT YOU CONSIDER OUR
UNIQUE CIRCUMSTANCES REGARDING THIS
MATTER.

THANKING YOU,
Hubert Thompson
Nancy Thompson

RECEIVED

OCT 23 2019

CITY OF JOHN DAY