



April 6, 2020

City of Beaverton Planning Commission  
12725 SW Millikan Way  
Beaverton, OR 97005

**Re: The City of Beaverton proposes to amend the City Comprehensive Plan Land Use Map and the Zoning Map to apply city land use and zoning designations to three parcels that are currently annexing into the City of Beaverton and right of way abutting the properties and extending west along SW Watershed Lane and north along SW 149th Avenue to connect with SW Farmington Road. The properties are currently designated Washington County R-15.**

**The proposed amendment to the Land Use Map (CPA2020-0003) would apply the city’s Medium Density Neighborhoods land use designation. The proposed amendment to the Zoning Map (ZMA2020-0003) would apply the city’s R2 Residential Urban Medium Density zone. Uses that could be allowed with the Medium Density Neighborhoods designation and R2 zone include Attached and Detached Residential Dwellings, Accessory Dwelling Units, Home Occupations, Manufactured and Mobile Homes, Residential Care Facilities, and Community Gardens.**

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. In addition, the staff report contains no findings addressing the Metro Housing Rule OAR 660-007-0060. *Housing Land Advocates v. Happy Valley*, \_\_\_ Or LUBA \_\_\_, (LUBA Nos. 2016-031/105, March 24, 2017).

The staff report for the proposed Comprehensive Plan, Land Use Map and Zoning Map amendments recommends their approval. However, the report does not include findings for Statewide Goal 10, describing the effects of the changes on the housing supply within the City. The report does contain findings related Statewide Planning Goal 2, Land Use, which illustrates the City's awareness of its Statewide Planning Goal obligations. It is therefore perplexing why the City elected to provide findings for Goal 2, but not Goal 10, when clearly the amendments relate to housing. The required Goal 10 findings must demonstrate that the proposed annexation and corresponding zoning does 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 City's HNA to demonstrate a need for the amendments and the housing they will provide. For example, how will the R2 zone assist the City in meeting its housing obligations? 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 Comprehensive Plan, Land Use Map and Zoning Map amendments.

HLA and FHCO urge the Commission to defer adoption of CPA2020-0003/ZMA2020-0003 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](mailto:ldix@fhco.org) or reach her by phone at (541) 951-0667.

Thank you for your consideration.



*Louise Dix*

Louise Dix  
AFFH Specialist  
Fair Housing Council of Oregon

/s/ Jennifer Bragar

Jennifer Bragar  
President  
Housing Land Advocates

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