

**From:** Gary Miniszewski  
**To:** [JWMNR Exhibits](#)  
**Subject:** Duplexes and ADUs in Single Family Residential Zones proposed as part of HB 2007  
**Date:** Wednesday, June 21, 2017 10:35:12 PM

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I am a Southwest Portland homeowner and I have been a land planner in this state for more than 35 years.

I attended two Portland planning department 2016 summer open houses addressing residential infill. I thought that the City would only be addressing how to mitigate impacts caused by infill construction of new and oversized single-family dwellings in existing established neighborhoods. However, I was surprised that the City is also entertaining the idea of allowing other housing types in single family residential zones to address a so called "housing crisis" and need for "neighborhood diversity". Moreover, I noted that the City planners have been strongly influenced by the "Portland for Everyone" consortium. This consortium is led by 1,000 Friends of Oregon, and includes affordable housing groups and land development companies.

They are lobbying to have people who own existing homes in low density residential zones respond to the "problem-crisis" of housing supply and cost. Part of this response in Portland would be to essentially ignore density limitations while allowing duplexes, triplexes "middle housing", and ADUs in R-5, R-7, and R-10 zones.

As a planner, I agree that housing-unit types such as duplexes and triplexes can be somewhat more affordable than single-family dwellings. And, I think these housing types "theoretically" can be made compatible with single family dwellings utilizing adequate site area, site design, and sensitive building design measures. However, I do not agree that density limitations should be ignored in low-density residential zones to accommodate those housing types. To make this point clear, if a duplex is to be allowed in an R-7 zone (1 dwelling unit allowed per 7,000 sq ft), the site should be at least 14,000 sq ft. For a triplex, 21,000 sq ft. And, only one well-regulated ADU of minimum size 500 sq. ft. should be allowed on lots in low density residential zones to minimize any negative impact to a residential neighborhood.

In late 2016 I testified at the [Portland City](#) Council comprehensive plan hearings stating that over the last 10 years of the comp plan development process, the City planners, the planning commission and the City council have had more than enough time to address land supply and housing needs; and subsequently designate underdeveloped land with appropriate zone districts to better accommodate a whole array of housing types. Because the City planning staff and officials did not address the need for more "middle housing" through the comp plan process, they are now playing catch-up in the name of a "Housing Crisis". This urgent need to address the "Housing Crisis" is a political scare tactic in Portland, as well as in the rest of the State. There is an adequate supply of land zoned for a variety of housing types in Portland and urban jurisdictions throughout the State. All the cities in Oregon are required to plan for and provide adequate land to accommodate a 20 year supply of new housing of all

types within their urban growth boundaries. Portland city planners, through a thorough and extensive analysis process, established that the present “zoned capacity in Portland is sufficient to meet projected housing need” for the next 20 years. This is stated in the Portland Comprehensive Plan “Residential Development Capacity Summary” adopted October 2012. This type of planning analysis is required of all cities in Oregon.

The present cost of housing in Portland and other Oregon cities is very high for a number of reasons. New housing construction almost came to a halt during the Great Recession between 2008 and 2012 and the housing construction industry is slowly trying to catch up with the post-recession demand. Also, there is a temporary high rate of incoming residents to Portland and many other Oregon cities. With the above lack of supply and a temporary spike in population, overpricing of homes has occurred. This overpricing practice is causing a housing market price bubble similar to that of 2001- 2007. We now know that was a price bubble, once it burst and home prices plunged.

Over the past 20 years the Oregon State legislature, Portland and other Oregon cities have not had the political will to better provide for affordable housing, especially needed now with such high housing demand and subsequent overpricing. Portland and other urban jurisdictions now have the ability to develop a 21st Century mix of economic inducements, incentives and requirements to engage the housing development industry in providing for affordable housing. Instead, 1000 Friends, housing advocates and the building industry representatives claim that simple supply/demand economics is an appropriate approach to the housing supply and cost problem.

Part of this proposed "more supply than needed now" approach is to allow multiple family housing structures and ADUs in single-family residential zones with no regard for "density limitations" requirements. Any intelligent person knows that housing in this country is a laissez-faire market commodity with no city or state boundaries. In Portland and Bend, like many desirable U.S. cities, if "you" build it, they will come; and "you" (the land developer) will be able to price whatever you build at your will - for big time profits. As such, indiscriminately located and accelerated multiple housing and ADU construction will not appreciably address the need for "affordable" housing.

For the City of Portland and 1,000 Friends to be suggesting that density increases possibly be allowed in low density residential neighborhoods is an affront to those of us residents who have bought homes here and have been paying taxes to the Portland City government. The owners of homes here in Portland and in existing low density neighborhoods of other cities throughout this state bought their residential properties with the understanding that their neighborhoods would not appreciably change. This understanding is based on a basic planning principal explained for low density residential zone designations in the Portland Land Development Code.

The principle is residential zone designations provide homeowners in existing neighborhoods "certainty" in how intensely land can be developed adjacent to or adjoining their property. Most other cities in Oregon have similar low density residential zone designations explained above in the first paragraph. City adopted Comp Plan and Zoning Districts provide landowners this form of certainty which

is a major principle in the practice of Land Use Planning. I am disappointed that the Portland City professional planning staff and City officials seem to have lost sight of this important legal, planning principle. I'm not sure anyone at 1,000 Friends has even heard of this principle.

Now in the name of the Oregon "Housing Crisis", HB 2007 is being proposed to indiscriminately allow ADUs and multiple family structures in low density residential zones in cities throughout our State. I object to [Portland City](#) officials, and now possibly state legislators recklessly playing land planning politics that can negatively affect my neighborhood and other low-density residentially zoned property in cities throughout the State. The Oregon Statewide land planning goals and guidelines presently address the need for adequate and timely accommodation of various housing types in urban areas. There is no need for State legislators to be tinkering with local land planning law in the name of a "Housing Crisis". This is a planning function that is presently the responsibility of local government - local urban jurisdictions that are guided by the "existing" and "adequate" statewide land planning law.

Thank you for your consideration of the above testimony.

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Sent from my iPad