

June 5, 2019

Oregon State Legislature
900 Court St. NE
Salem, OR 97301

RE: **HB 2001**

To: Co-Chairs Manning Jr. and Gomberg – and all members of the Joint Committee On Ways and Means Subcommittee on Transportation and Economic Development

I write to you in support of HB2001 to allow ‘missing middle’ housing options in single dwelling zones within urban growth boundaries.

Single family zoning, which started gaining broad traction in the 1950s, has roots in economic segregation. Intentionally or not, minimum lot sizes and bans on small plexes across large portions of Oregon cities (often over 50% of the land area) make these places out-of-reach for less affluent households and/or drive the creation of homes much larger than most of today’s smaller households want or need.

This is not consistent with Oregon Housing Goal 10 which, according to a 1970s administrative law decision by Al Johnson, means that cities “are not going to be able to pass the housing buck to their neighbors on the assumption that some other community will open wide its doors and take in the teachers, police, firemen, clerks, secretaries and other ordinary folk who can’t afford homes in the towns where they work.”

That, unfortunately, is exactly what single family zoning does – at the neighborhood level.

HB2001 is just one of many complementary tools to address rising housing costs. Tenant protection and funds for affordable housing are also essential.

What would this bill do on the ground?

- When people hear “duplex”, “triplex” or “fourplex”, they often assume each would be bigger than the next. That needn’t be the case. Cities can adopt reason restrictions on the height, bulk, floor area, setbacks... of homes so any of these housing types fits within the context of traditional neighborhoods. In fact, they might use this as an opportunity to trim down the allowed size of new single family homes, as Portland is considering through the RIP zoning code update.
- For communities focused on protecting trees, they can leave existing lot coverage caps in place. For those focused on solar shading, they can leave height restrictions un-touched.
- Note that in many traditional neighborhoods, people-density has been decreasing as households have shrunk. Meanwhile, houses and the lots they sit on have stubbornly remained the same size. So streets, parks and other public amenities in older neighborhoods likely already have room for a few more people - to bring them up to historic population levels.

Communities can still build SF homes under HB2001

- I don't question surveys saying that most people want to live in a detached single family home. If people want a single family home and can afford one, they have that option – and will continue to have it under HB2001.
- But if someone expects that single family zoning means that less affluent residents will be prevented from living in their neighborhood, that's not a reasonable expectation. Every one of us interacts with people on a daily basis who teach our children, serve our coffee, bag our groceries, work at non-profits, tend our gardens... We should be able to share our neighborhoods too.
- We need to re-think single dwelling zones based on residential scale of development more so than number of dwellings per lot. I don't think the intention of this zoning was to create a mono-crop of large SF homes – but that's exactly what it's doing.

The sky won't fall

- Even with missing middle options allowed, that doesn't mean it'll get used all that much. Consider that...
 - 75+ years ago, before the proliferation of SF zoning, builders could construct single-family homes or courtyard plexes on most neighborhood lots. Although on 'missing middle' walking tours, we like to highlight examples of middle housing. But most lots were developed as single-family detached homes, even where the builder could have opted to create a plex instead.
 - More recently... For the past 15 years, Portland has allowed an ADU with every new home, duplexes on every corner lot (doubling the density), and hasn't required off-street parking on homes within 500' of transit. Yet the vast majority of new homes are single family detached with off-street parking – even as zoning allowed other options.

I look forward to tracking HB2001 as it goes through the rest of the legislative process.

Thank you for your consideration,



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From: [Eli Spevak](#)
To: [JWMTR Exhibits](#)
Subject: Support HB2001, Oppose -22 amendments
Date: Wednesday, June 12, 2019 10:54:22 AM

I recently learned of a last-minute amendment (-22) for HB2001 that would link an affordability requirement to additional housing choices in residential zones.

Although perhaps well-intentioned, this amendment would act as a poison pill to the bill - ensuring that all of the policy benefits (climate, equity, smaller & less expensive housing options, walkable neighborhoods, ...) wouldn't materialize.

This amendment is incompatible with Oregon's largest homeownership subsidy program. It provides insufficient guidance on a range of question (e.g. duration of affordability requirement, enforcement mechanism, implications for rental/sale turnover...). And most importantly, it would functionally exclude the private market from creating these less expensive housing types.

Please pass HB2001 - without amendment -22.

Thank you for your consideration,

- Eli

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