

From: [Rep.KenyGuyer](#)
To: [HHS Exhibits](#)
Subject: FW: Testimony in Opposition to HB 2001
Date: Monday, February 18, 2019 5:29:03 PM

Kathy Wai
Legislative Director, Rep. Alissa Keny-Guyer
House District 46
C: 971-269-7595
O: 503-986-1446
E: Rep.alissakenyguyer@state.or.us
www.leg.state.or.us/keny-guyer

From: Rod Merrick <merrick_map@yahoo.com>
Sent: Monday, February 18, 2019 4:24 PM
To: Rep KenyGuyer <Rep.AlissaKenyGuyer@oregonlegislature.gov>
Subject: Re: Testimony in Opposition to HB 2001

Good morning Kathy and thanks for your response.

If my testimony was not posted in the HHP record please include and let me know if additional testimony is being accepted. Portland's BPS has published a displacement risk study - an indication of what might result from the Portland RIP and the HB2001. When our critical analysis is done, we would like to add this testimony to the record if that is possible.

It is clear that the grand bargain between 1K Friends and the Homebuilders Association has resulted in a good deal of pork ladled onto the bill as suggested by comments from Joe Zender's City of Portland letter of testimony. Even with that lard removed, unless HB 2001 avoids taking over local Comprehensive Plans and locally adopted zoning it will be irreconcilable with Oregon's half century of progressive land use planning.

Regards, Rod

Rod Merrick, AIA NCARB
Merrick Architecture Planning
Portland, OR 503.771.7762

From: Rep KenyGuyer <Rep.AlissaKenyGuyer@oregonlegislature.gov>
To: Rod Merrick <merrick_map@yahoo.com>
Sent: Monday, February 18, 2019 12:17 PM
Subject: RE: Testimony in Opposition to HB 2001

Good afternoon Rod,

Thank you very much for your e-mail. Would you like your testimony to be submitted to our committee account for the official record? If so, I can forward it on.

I support the general intent of HB 2001 but believe that we need much more emphasis on giving cities the tools and capacity to increase density within a comprehensive plan that takes into consideration existing and needed infrastructure, equity (mixed income housing and mixed housing types in various parts of the city), adequate time to learn from what other cities are doing, and other factors.

Chief sponsor Kotek and our committee are working on incorporating feedback from you and many others, and will be sure to get public input on amendments under consideration.

If you haven't already, subscribe to the bill at <https://olis.leg.state.or.us/liz/2019R1/Measures/Overview/HB2001> so you can see the amendments when the bill is posted for another hearing, and don't hesitate to reach out again!

Kathy Wai
Legislative Director, Rep. Alissa Keny-Guyer
House District 46
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O: 503-986-1446
E: Rep.alissakenyguyer@state.or.us
www.leg.state.or.us/keny-guyer

From: Rod Merrick <merrick_map@yahoo.com>
Sent: Sunday, February 10, 2019 12:53 PM
To: Rep KenyGuyer <Rep.AlissaKenyGuyer@oregonlegislature.gov>; Rep Noble <Rep.RonNoble@oregonlegislature.gov>; Rep Sanchez <Rep.TawnaSanchez@oregonlegislature.gov>; Rep Helt <Rep.CheriHelt@oregonlegislature.gov>; Rep Meek <Rep.MarkMeek@oregonlegislature.gov>; Rep Mitchell <Rep.TiffanyMitchell@oregonlegislature.gov>; Rep Schouten <Rep.SheriSchouten@oregonlegislature.gov>; Rep Williams <Rep.AnnaWilliams@oregonlegislature.gov>; Rep Zika <Rep.JackZika@oregonlegislature.gov>; FenderSosa Amie <Amie.FenderSosa@oregonlegislature.gov>; Buell Adam <Adam.Buell@oregonlegislature.gov>
Subject: Testimony in Opposition to HB 2001

Dear Legislator,
Speaker Tina Kotek is holding what may be the only hearing for draconian land use bill –**HB 2001**- on Monday February 11 and closing the record for public comment *at the end of that day!*
HB 2001 categorically removes the option now and in future for single family house

zoning densities. Consider that this is the overwhelmingly preferred housing type and density in cities across the state be it a manufactured home site, row house, or any of the diverse single house forms.

HB 2001 encourages densities of approximately 1 dwelling unit per 1000 SF of ground area for all single family land parcels. These comprise *most* of our urbanized land. While this is an appropriate density near centers and high amenity streets it is not appropriate when applied everywhere and at random.

HB 2001 encourages planning for residential uses shaped by the most profitable use of each parcel. By removing the guardrails intended to provide predictable underlying land values based on limited density and scale, the anticipated results will be displacement of owners and renters until over time the density of dwellings approaches the allowed ceiling.

HB 2001 removes opportunities for ownership by establishing multi-family units as a highest and best use of each parcel in what are now single family zones with a mixture of owners and renters. Such multi-units are characteristically owned by non-resident landlords or investors.

HB 2001 violates the intent and purpose of Oregon's Land use planning law. Cities are currently required in their Comprehensive Plans and zoning codes to provide for a 20 year supply of a variety of housing types and densities that meet community needs and use financial incentives to stimulate rehabilitation, not demolition, of existing housing.

"Housing takes many forms, and should be built to serve people at a variety of incomes levels. A housing supply that meets community needs is one that offers people a range of different places to live, different community densities to choose from, and does not overburden the financial resources of any group living there." Oregon Housing Goal 10.

"Plans should take into account the effects of utilizing financial incentives and resources to (a) stimulate the rehabilitation of substandard housing without regard to the financial capacity of the owner so long as benefits accrue to the occupants; and (b) bring into compliance with codes adopted to assure safe and sanitary housing the dwellings of individuals who cannot on their own afford to meet such codes." Oregon Housing Goal 10.

Presuming that state agencies (LCDC) and local governments are failing to enforce laws mandating a variety of housing types, is this justification to override and thus violate the intent, process, and procedures of those laws?

HB 2001 overrides civic engagement requirements under **Goal 1 Citizen Involvement** by short-circuiting the public process for determining community needs and removing local discretion in providing a variety of housing densities.

HB 2001 and the Portland **RIP** have two primary sponsors - Portland homebuilders associations and 1000 Friends. For 1000 Friends, elimination of single family zoning has apparently been a long term sub rosa agenda at least for chief lobbyist and now Deputy Director Mary Kyle McCurdy. She argues that aside from Portland, "many other jurisdictions around the state are not in compliance with Oregon Land Use Goal 10 Housing requirement to plan for "Needed Housing*" and that is why HB 2001 must be passed."

HB 2001 is a continuation of the failed 2017 Tina Kotek –Mary Kyle McCurdy-1000 Friends proposed legislation HB 2007 titled "Housing Affordability". That bill attempted to eliminate single family zoning and eliminate all forms of design review

except in downtown Portland.

HB 2001 is a statewide application of the 1000 Friends-Portland Mayor's RIP proposal that is based on unfounded** and speculative assumptions. It is a model of scattershot density, unsupported by analysis, and misleadingly promising "needed housing*", social justice, and affordability.

[**Relative to RIP in Portland, data shows that there are approximately 3700 lots in the existing R1 ("middle housing") zones occupied by single family homes with an average size of 1475 square feet. R1 zone is designed for up to 5 units on 5000 square foot lots. These properties are almost entirely outside of historic districts or are NON-contributing properties IN historic districts. If development of "middle housing" were confined to areas zoned R1, the projected production of dwellings for the next 20 years anticipated by the Johnson economic study for the Portland under RIP would be accommodated entirely in these existing R1 zones.

In addition to the R1 zone, there is the R2 zone and the R2.5 zone, the latter explicitly zoned for duplexes. There are 7,840 single family homes in the R2 zone having an average size of 1433 square feet. These are not in historic districts or are NON-contributing properties in historic districts.

Considering only the R1 and R2 zones, Portland is already zoned to *replace* 11,500 single family homes with middle housing (and this doesn't count the 30,000+ lots on corners where single family houses can be replaced with duplexes, land already zoned R2.5, or accessory dwelling units allowed for every house).]

HB 2001 is a Trojan Horse for developer/interests posing as a solution for a housing "crisis". That crisis is one of affordability and the result of numerous market forces. It is not the result of zoning regulations, at least not in Portland. The affordability gap will not be resolved by eliminating single family zoning. HB 2001 will, however, result in displacement of residents of every income especially the poor and disadvantaged. HB 2001 fails to consider the negative environmental, financial, and social impacts on existing residents and violates the spirit and letter of Oregon's proud history of sensible land use planning.

HB2001 may result in some needed if rarely affordable housing. On the other hand it may be the greatest land grab for housing investors in Oregon's history. It will not support transit, address climate change, mitigate social injustice. It will be legally and socially disruptive. Ending single family zoning and confusing it with multi-family middle housing is a formula for increased demolitions, displacement, and speculative redevelopment. The big question is who benefits?

As a thoughtful legislator please oppose this misguided and irresponsible approach to land use planning.

Respectfully, Rod Merrick

***As defined in Oregon, "Needed Housing Units -- means housing types determined to meet the need shown for housing within an urban growth boundary at particular price ranges and rent levels. On and after the beginning of the first periodic review of a local government's acknowledged comprehensive plan, "needed housing**

units" also includes government-assisted housing. For cities having populations larger than 2,500 people and counties having populations larger than 15,000 people, "needed housing units" also includes (but is not limited to) attached and detached single-family housing, multiple-family housing, and manufactured homes, whether occupied by owners or renters." With the housing "crisis", all housing at whatever price is now considered "needed housing" with the idea that at some time all housing will be needed and presumably affordable.

Rod Merrick, AIA NCARB
Merrick Architecture Planning
Portland, OR 503.771.7762