

My name is Gary Miniszewski and I live at [8343 SW 57th Ave. Portland, OR](#). I have been a land use planner in this state for 30 years. I have reviewed the latest March 14th 2019 amendments to HB2001, and these amendments have not changed the major intent of HB 2001. As such, I oppose this bill as amended March 14, for the following reasons:

1. HB2001 literally throws Land Planning Goal 1 out the window. Citizen involvement is virtually nil when dealing with state legislation. And since HB2001 creates a mandate, citizens at the local level will have no say once the mandate comes down to their cities/counties to implement. This bill also ignores the fact that all Oregon Cities have addressed Housing Goal 10 which requires that they identify adequate land to accommodate new housing for increased population for a 20 year horizon. It seems that every public official in this state has just woke up and is suddenly panicked about the "affordable housing crisis" thinking that the planning process in their jurisdiction is somehow inadequate. It isn't. Land planning does not control the housing development market. Goal 10 only requires that adequate lands suitable for residential development be identified. Land planning cannot directly provide for built, affordable housing stock. And as such, HB2001, based on the Portland RIP, will not provide for affordable housing stock.

This "affordable housing crisis" has been in the making for decades and the Great Recession of 2008 exacerbated it. New housing wasn't being built for 3 to 4 years after the 2008. Housing affordability is a national, systemic economic problem. More and more persons cannot afford adequate housing (and other basic needs) because their wages are not staying up with housing costs. It is only recently that Portland, Portland Metro and the state of Oregon have recognized the need to address this problem. Portland is just now trying to establish inclusionary zoning to provide for affordable housing; the State of Oregon, Portland and Portland Metro are just now realizing the fact that the construction of affordable housing needs to be publicly subsidized. Lets try and rely on tools like the above that will directly and honestly address the problem, over time. Not make hasty changes to our land use laws, such as HB 2001.

2. To just require a "simplistic" mandate that all cities over 15,000 persons should allow for duplexes, triplexes and four-plexes is an outrageous and irresponsible attempt to address the "housing crisis". This bill ignores the rights of Oregon homeowners in existing residential neighborhoods. Homeowners in existing residential neighborhoods were promised through their respective city zoning ordinances that they could be "certain" that the character of their neighborhoods would not change. This basic land planning concept of providing land owners "certainty" through zoning is a contractual provision. To blatantly ignore this contractual provision will further erode the public's trust in government and surely be litigated by individuals, corporate entities, and possibly municipalities, statewide.

3. Some affordable housing advocates have voiced that Zoning is inherently exclusionary, classist and racist. Zoning was created to separate potentially incompatible uses and to allow for orderly and compatible land use and development intensity transitions. There have been some cases of misuse of zoning standards in the past to promote exclusion, but this has been incidental.

4. Mixing low and medium residential density uses is not going to promote equity or affordability. There's nothing in HB2001 that guarantees developers of new, infill, multi-family structures will make the units affordable in perpetuity. And in a market situation where many prices are artificially inflated,

*more supply does not necessarily guarantee reduced prices. This is not a traditional supply and demand situation.*

*5. The action taken by the City of Minneapolis in December to open up low density residential zoning in that city is touted as something to be followed. The problem is, their project has not been implemented yet and is untested. In addition, they are only including up to triplexes in their proposal, not fourplexes. They also have no provisions to guarantee affordability or equity. And finally, their proposal is only covering the city of Minneapolis, not the entire state of Minnesota. In short, just because they're doing it doesn't mean it will work or should be applied statewide in Oregon.*

*6. What kind of input went into the crafting HB2001 anyway? If this is just a copy of the Portland's Residential Infill Project (RIP), that project has a lot of flaws not yet addressed and is opposed by many Portland citizens, like myself. The Portland RIP project has been in the works for 3 years and hasn't yet been completed. Why would the State of Oregon adopt a "multi-family infill program" now, before Portland has? I thought the tail wags the dog in this State. There are too many assumptions about what this Bill and the Portland RIP are going to accomplish; and too little discussion on their potential negative land use, and legal impacts.*

*7. Some advocates for affordable housing have the mindset that indiscriminately allowing multiple family structures like duplexes, row homes and four-plexes anywhere in existing single family residential zones on standard lots (lots that once had only one dwelling on it) is good planning. It's Not.*

*The careful planning of cities and counties in determining what residential density should go where is based on a number of criteria. A major one is Capacity. Capacity for vehicle traffic volumes on streets, water service capacity, sewer capacity, storm water capacity, and more. Other criteria are proximity to commercial services and land physical suitability. This bill ignores the above planning criteria for residential neighborhoods. Land planning is a complex process. In some residential neighborhoods that have adequate roads, sidewalks, transit, sewer, water and stormwater facilities, and are in walking distance to commercial services, a limited mix of infill residential unit types "could" be possible.*

*The word "could" is based on a number of variables like: density limitations (zone district minimum lot sizes proportionate to the number of building units); building square footage, height and bulk requirements, setbacks; and compatibility standards. Other provisions for keeping the neighborhood character could be: allowing only duplex units to be built on lots of adequate size mid-block; and only allowing triplex and four-plex units on corner lots of adequate size. These types of standards would have to be developed to: prevent a qualitative increase in public facility demands; provide compatibility with existing adjoining dwellings, and sustain the general character of established neighborhoods.*

*Only individual cities and counties should determine which of their residential neighborhoods could possibly accommodate a limited increase in residential density based on: what public facilities exists, their capacity, land physical suitability factors, and the neighborhood proximity to commercial services. And those same jurisdictions, and not the State of Oregon, would need to develop residential infill compatibility standards for suitable neighborhoods with the cooperation of the affected citizenry.*