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## MEMORANDUM

TO: Planning Commission  
FROM: Rob Zoeller, Associate Planner  
DATE: May 11, 2022  
SUBJECT: Additional Public Testimony Received on May 11, 2022

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Staff has received the following additional public testimony regarding the Housing Options Project hearing (CPA2022-0004, TA2022-0002 and ZMA2022-0004) after the supplemental memorandum dated May 10, 2022, was published.

### Public Testimony (Exhibit 7)

- Exhibit 7.19 Email from Janice Moore, received May 11, 2022
- Exhibit 7.20 Email from Seth Alford, received May 11, 2022
- Exhibit 7.21 Email from David Owen, received May 11, 2022
- Exhibit 7.22 Email from Tracie Gilson, received May 11, 2022
- Exhibit 7.23 Email from Eugene Greer, received May 11, 2022

**Rob Zoeller**

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**From:** Jan Moore <diegonative@hotmail.com>  
**Sent:** Wednesday, May 11, 2022 12:48 PM  
**To:** Rob Zoeller  
**Subject:** [EXTERNAL] Housing Density Hearing

**Categories:** 1\_HOP

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My comments for the housing density hearing tonight are that I am against the proposed high density changes. I have lived in Beaverton for 20 years and it is a special place compared to some of the surrounding communities. Making the suggested changes will ruin that and turn it into a mini Portland. I believe crime will increase and the neighborhoods will deteriorate and be full of cars. You see that now in areas with duplexes and apartments without enough parking. Who will benefit? Developers, investors, and flippers. They won't be building anything affordable. I don't have much hope my voice will matter, but sending this email in case it does.

Janice Moore

Sent from my T-Mobile 4G LTE Device

**Rob Zoeller**

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**From:** Seth Alford <setha45@gmail.com>  
**Sent:** Wednesday, May 11, 2022 2:05 PM  
**To:** Rob Zoeller  
**Subject:** [EXTERNAL] testimony against CPA2022-0004/TA2022-0002/ZMA2022-0004 HOUSING OPTIONS PROJECT (corrected)

**Categories:** 1\_HOP

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(I'm resending this email with the correct SUBJECT.)

I write to you in opposition to CPA2022-0004/TA2022-0002/ZMA2022-0004 HOUSING OPTIONS PROJECT, and in opposition to HB2001 which is forcing you to do these regulatory changes. HB2001 is perhaps the worst land use law the Oregon legislature has passed.

I was a Planning Commissioner for the City of Beaverton in 1988 and 1989. During my tenure, the Beaverton Planning Commission approved many single family subdivisions. There was never a question that a future Legislature would up-end those single family developments with an HB2001 and make it OK to put apartments into the middle of those subdivisions. Make no mistake; a "quadplex" or a "missing middle home" is just rebranding an apartment building with another name.

Yes, if you check my address, you will find that I am currently living outside of the City of Beaverton in unincorporated Washington County, about 3 blocks from Beaverton city limits. I have written to the Washington County Planning Commission in opposition to their ordinances to implement HB2001. I'm writing to you anyway because HB2001 is that bad of an idea.

For some additional background, see Eben Fodor's op-ed in the Eugene weekly from 2019, which sums up the problems HB2001. See <https://www.eugeneweekly.com/2019/12/26/think-again-2/> Some of the points that Fodor raises includes how the policy embodied in HB2001, and CPA2022-0004/TA2022-0002/ZMA2022-0004, will reduce homeownership, force more people to remain renters, put increased pressure to expand infrastructure to accommodate new unplanned population in existing neighborhoods, degrade neighborhoods, and reduce privacy for existing single family homeowners.

Fodor only touches on the infrastructure problem in his op-ed. A bigger issue is who pays for that additional infrastructure, particularly water and sewer, needed to accommodate the added population in existing neighborhoods. That charge will fall on all the taxpayers and ratepayers for those services. Developers will walk away with profits from razing existing single family homes and replacing them with apartments. Existing taxpayers and ratepayers will be left stuck with the bill for the infrastructure to support those apartments. In other words, HB2001 and the proposed regulator changes will result in privatized profits and socialized costs, and will exacerbate the inequities that exist in our economy today.

In addition to the problems Fodor raises, I want to bring up some additional points.

I want to emphasize how implementing HB2001 will not bring about affordable housing. You might think that more housing built from razing existing single family homes means more supply, and therefore lower price. I can't see how

## Exhibit 7.20

that will happen. The sales price of what a builder builds has to cover costs. You won't get affordability when the cost includes the overhead of having to tear down and haul away an existing single family house.

If you recall your introduction to microeconomics course, price is determined by the point at where the supply and demand curves intersect. You might think that increased supply of homes created by demolishing existing single family residences will lower the supply curve, and therefore, lower the price. But, HB2001 will also raise the demand curve, because every single family house that comes up for sale will not just be bid on by potential single family homeowners, but also be bid on by builders looking for raw material on which to build apartments. Some of those builders may be corporations, or from out of state. From what I understand, depreciation provisions in the tax code may allow those developers to make money even if the resulting new apartments remain unoccupied. My prediction is that CPA2022-0004/TA2022-0002/ZMA2022-0004 overall will raise the price point for single family homes and reduce affordability.

Creating more renters and fewer owners means that fewer people will be able to build intergenerational wealth by building equity in a home they own.

A point related to intergenerational wealth, which I've heard raised by misguided supporters of HB2001, is that in the past, redlining was used to limit black people and other people of color from purchasing single family homes. Therefore, single family only neighborhoods are inherently racist. The argument goes something like this:

- \* Racist redlining is an exclusionary zone
- \* Single family only is an exclusionary zone
- \* Therefore, single family only is racist.

This argument is false. This argument is an example of a syllogistic fallacy. An analogous argument is:

- \* All sharks are fish.
- \* All salmon are fish.
- \* Therefore all salmon are sharks.

(See <https://www.logicalfallacies.org/syllogistic-fallacies.html> for more.)

Redlining did exist. But the solution to that historic injustice is to ensure that everyone has equal opportunity for single family home ownership going forward, not to wreck existing single family neighborhoods for everyone.

So if HB2001 was such a bad idea, how did it get passed? In my opinion, House Speaker Tina Kotek pushed for this bill in 2019 because she got campaign contributions from the building industry, who are the primary beneficiaries of HB2001. For a list of all her contributors, see <https://www.followthemoney.org/entity-details?eid=5212761&default=candidate> and click on the "Top Donors" link. Look for groups associated with the building industry, like the PACIFIC NORTHWEST REGIONAL COUNCIL OF CARPENTERS, OREGON COUNCIL OF NECA CHAPTERS (135), or OREGON HOME BUILDERS ASSOCIATION.

I believe that exclusive single family residential is a valid land use and a desired choice for millions of people. The proposed ordinances, and HB 2001 which forces you to do the proposed ordinances, are a betrayal to everyone who has bought a single family home in the City, and in the state of Oregon. You should do your part and vote no on these ordinances. Make the state sue the City if the state wants compliance with HB2001.

Forcing the state to sue to enforce HB2001 may appear to be a drastic step. But, it is an appropriate drastic step in response to the state passing HB2001 and taking the drastic step of eliminating single family only neighborhoods.

If you still don't think you can justify such a drastic step, consider the public outcry which will result when people see the apartment house breaking ground next door to their single family home. As a Planning Commissioner, you should by now be aware of a lesson that I learned 30 years ago when I was a Planning Commissioner: not everyone is a land use

## Exhibit 7.20

expert. People often find out about land use changes when the new, undesirable, development allowed under a land use change starts construction. By that time, it's too late to undo the land use change which allowed the development. During this time of COVID, it's my impression that people are paying even less attention to land use law in Oregon than before. So you cannot assume that HB2001 and CPA2022-0004/TA2022-0002/ZMA2022-0004 are on anyone's radar.

That public outcry will take the form of people saying, "but I bought a single family house in a single family neighborhood. I was promised that it wouldn't change." While there was no explicit contract saying that it wouldn't change, there was most definitely an implicit contract saying so. Breaking implicit social contracts is how we got a wide swath of the US population so dissatisfied and angry that they would vote for Donald Trump. Creating more dissatisfied voters is a good way to guarantee the return of Trump, or another want-to-be autocratic demagogue who is a younger, smarter version of Trump. You should not create more angry, dissatisfied, voters.

If the Planning Commission cannot bring itself to vote against the proposed ordinances outright, the Commission can, and should, raise awareness of what the state is forcing the City to do with HB2001. You should direct staff to send a postcard to every single family address in the City, which explicitly points out that the City is being forced by the state to end exclusive single family neighborhoods, and to allow an apartment next door. If you have already sent out postcards, send out another round of postcards, specifically mentioning apartments. If you need justification for sending out more postcards, consider LCDC goal 1: Citizen Participation. And recall how isolated everyone has been during the COVID pandemic. Then continue the hearing on the proposed ordinances until you've had a chance to receive the negative feedback from those single family neighborhood residents.

In summary, vote no on CPA2022-0004/TA2022-0002/ZMA2022-0004. If you aren't brave enough to vote no, send out (possibly more) postcards.

--Seth Alford  
8915 SW Rosewood Way  
Portland OR 97225

**Rob Zoeller**

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**From:** David Owen <davido.2012@gmail.com>  
**Sent:** Wednesday, May 11, 2022 4:30 PM  
**To:** Rob Zoeller; Mailbox CDD Planning  
**Subject:** [EXTERNAL] Testimony for the May 11 Planning Meeting

Some people who received this message don't often get email from davido.2012@gmail.com. [Learn why this is important](#)

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Attn: Rob Zoeller

Hi Rob,

As a Beaverton homeowner I have a few concerns about the proposed updates to the Beaverton building code. Overall, I agree with much of what was proposed and the reasons behind it, but it feels like the changes will provide significant and disproportionate benefits to developers without providing any concrete protections for Beaverton's existing residents. My two concerns are summarized below.

**Prioritization of developers over new homeowners in Beaverton creates a cycle that traps people in rentals.**

The ease with which developers will now be able to convert lots and properties into for profit developments will drive up the prices of affordable homes in an already highly competitive housing market. Beaverton is already well below the national, state, and local averages in terms of homeownership at 49.4% in 2019. This measure all but guarantees that that number continues to fall as middle housing units are almost universally owned by someone with a separate primary residence. Additionally apartments and other larger developments have no option for ownership at all and are often owned by national or international conglomerates. The ability to purchase a home is one of the safest and most effective ways to build generational wealth and mitigate the impacts of inflation. This project claims to be in part motivated by a desire to create diverse communities in terms of both race and income level, but this measure severely limits the ownership and investment that the community can have in itself.

Additionally, this will disproportionately impact people living in medium to lower income neighborhoods further reducing the supply of reasonably priced homes.

I would recommend adding in significant protections for single homeowners over those purchasing properties as investments. It is a national issue, but Beaverton is already well worse off.

**Seeming lack of protections for existing homeowners:**

Reducing setback distance requirements has the potential to dramatically impact existing properties with larger setbacks. Placing a much larger property (i.e. a quadruplex) 15 feet in front of an existing home (especially with reduced side setbacks) would significantly and negatively impact the aesthetic and privacy of the existing home and neighborhood. This has the potential to hurt the relative value of the existing home by reducing its appeal. Not knowing how my neighborhood will look in a few years makes me highly reluctant to invest significant time and money into projects that may be significantly impacted by something I have little to no control over.

I understand that you can't write code that is fully inclusive of all situations, and I agree that in many cases these changes will be beneficial, but I highly encourage you to add measures to protect the interests of existing and future homeowners.

**Rob Zoeller**

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**From:** Tracie Gilson <traciegilson@gmail.com>  
**Sent:** Wednesday, May 11, 2022 12:44 PM  
**To:** Rob Zoeller  
**Subject:** [EXTERNAL] Housing Density Hearing Tonight 5-11-22

**Categories:** 1\_HOP

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Hello,

I would like to know what safeguards the city is considering to ensure there will not be:

- large amounts of teardowns in residential neighborhoods
- larger single-family homes built in lots where smaller SFHs are torn down
- protection for large old trees in our area
- adequate spacing between homes in established subdivisions
- adequate space for yards, gardens, and sidewalks in established neighborhoods
- a review process that helps ensure new housing matches the character of area
- I would also like to ask if commercial properties will now be able to be used for multifamily developments.

Thank you,

Tracie Gilson

**Rob Zoeller**

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**From:** Gene Greer <gene@blugene.com>  
**Sent:** Wednesday, May 11, 2022 4:41 PM  
**To:** Rob Zoeller  
**Subject:** [EXTERNAL] Testimony - Housing Density Hearing

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From: Eugene Greer  
 Home Owner – 11590 SW Ridgecrest Dr., Beaverton, OR 97008 email: [gene@blugene.com](mailto:gene@blugene.com)  
 Re: Housing Density – Case File CPA2022-0004, TA2022-0002, ZMA2022-0004

When we bought our single-family, residential home in Beaverton, we did not realize that the city would change the nature of the neighborhood.

But CPA2022-0004/TA2022-0002/ZMA2022-0004 does that, and most people are not aware of it.

I, my wife and several nearby residents were planning to attend the public hearing in person - only to find that they're not being held in a physical location. The two notices we were sent said that we can attend virtually - if we have the technology and the knowledge - but does not say that the meeting will not be available in person. The initial note gave a date, time and location for the meeting (city council chambers). Separately, it did say, as Rob Zoeller pointed out, , "Public hearings are being held remotely and can be viewed at the following link..." - but just because one can attend remotely does not mean they also can't attend in person. Why not directly say so?

Exclusive single family residential is a valid land use, the preferred choice for millions of people. My wife and I worked and saved for years to pay for our home. Your proposed plan would degrade it, shifting the land beneath our feet and our home's foundation. It's a betrayal to home owners, both in the city and throughout the state, and you should vote NO on the proposed ordinances. If necessary, make the state sue the city to enforce HB2001.

I showed the initial city notice sent out via postal mail to several neighbors. None of them could figure out what it was saying. I did additional research, and was floored by what it actually would do. But again, people who read that notice could not understand it. An important public notice of this magnitude should be written in plain English, so residents would know what was happening - and how they could actually respond publicly.

This is incredibly radical, and few people know about it. The city's few "attempts" at notifying people have slipped by, mostly unnoticed; at the very least, a decision should be postponed, pending a second hearing which is more widely publicized, with enough clarity of language to inform residents of what's being done to them.

Vote NO.

Eugene P. Greer & Suzanne Greer  
 11590 SW Ridgecrest Dr.  
 Beaverton, OR 97008