

HB 2001

*Miracle or Monster?*

# The “miracle” of upzoning for “middle housing”



# The “charm” of a “middle housing” fourplex



# The reality of upzoning for 4-plexes in JWN



West 11<sup>th</sup> Ave.

# Affordable housing ... Scraped off two lots



West 11<sup>th</sup> Ave.

# The “charm” viewed from an adjacent backyard



HB 2001 is about “choice” ... for real estate investors.  
HB 2001 affords adjacent homeowners and residents no choice, at all.

# A “charming” middle-housing triplex in JWN



West 11<sup>th</sup> Alley.  
In rear yard of  
house on W. 11<sup>th</sup>.  
Four dwellings  
jammed on a  
single-family lot.

The wall that  
faces the  
small house’s  
dining room



- Shuts out morning sunlight
- Eliminates privacy
- Increased noise and dust from cars on the alley
- Mid-block traffic increases pedestrian risk
- Worsens storm runoff

*"Those who cannot remember the  
past are condemned to repeat it."  
-- George Santayana*



# Remember JWN's past under R-2 zoning

- **1948:** R-2 Two-Family Residential District. Duplexes and ADUs allowed. Apartments allowed abutting a commercial district.
- **1962:** R-2 Limited Multi-Family District. Apartments allowed. Max density 14.5 dwelling units per net acre (du/na).
- **1982:** R-2 Density increased to 19.3 du/na.
- **2000:** R-2 Medium-Density Residential District: **28 du/na.**
- *The 4-plexes & triplex examples created under R-2 zoning.*
- **2009:** R-2 max height over **40'** & interior setbacks only **5'**.
- **2010:** S-JW Jefferson-Westside Special Area Zone.

# S-JW Jefferson-Westside Special Area Zone

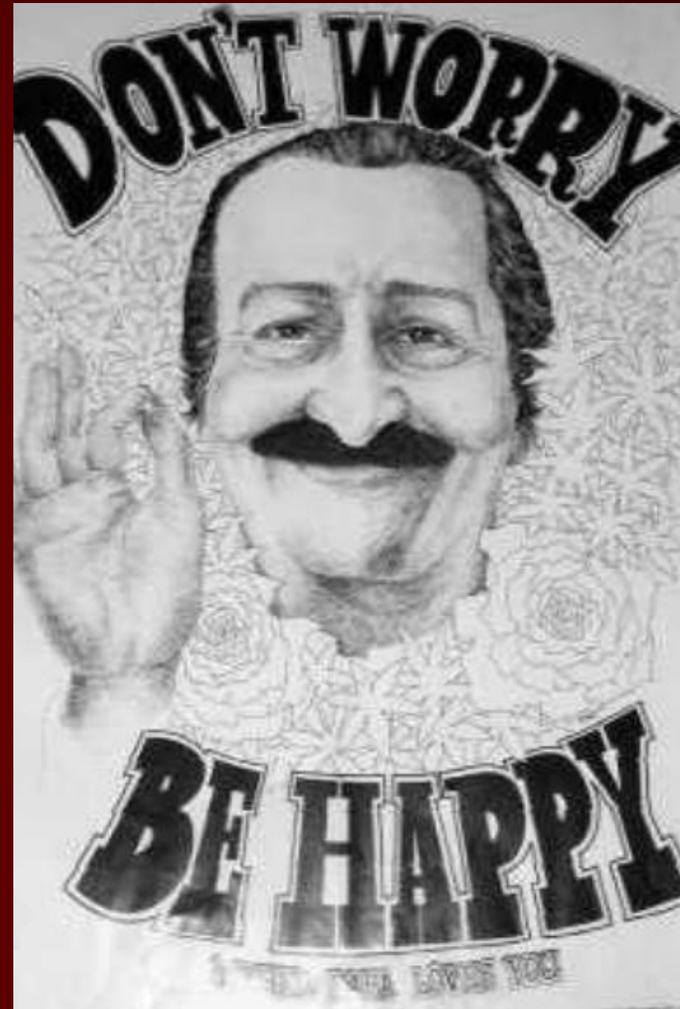
- The 4-plexes & triplex examples would not be allowed in S-JW.
- However, S-JW does allow all HB 2001 housing types.
- S-JW is a medium density zone with max density 19 du/na.
- S-JW limits structure height & mass and impervious lot coverage as primary protections against negative impacts on adjacent property owners and demolition of low-cost housing.
- The Planning Commission and City Council unanimously approved S-JW.
- S-JW was the only zone that was not recently remanded by LUBA!





What - Me Worry?

Alfred E. Neuman



Meher Baba

# The City Council may reimpose R-2 standards

- Local individuals and organizations are working hard to replace R-1 and S-JW zoning criteria with standards like the R-2 zone.
- **Much higher density & much more intensive development.**
- For example: WECAN supported an appeal to LUBA to overturn S-JW development regulations. (LUBA *rejected* that baseless challenge.)
- WECAN and Better Housing Together (BHT) supported the most extreme provisions of HB 2001 (e.g., Eugene can no longer require that an owner to live on the same property as an ADU in the R-1 zone).
  - So ... if you want to see the kinds of development in your area of the JWN that were, *and still are*, allowed under the R-2 zone ...  
Don't get engaged!

Does he have your attention?



# Make up your own mind. ... Then get engaged!

- Check out the actual facts, research and analysis.

TrustTheNeighbors.org provides many links to research

- Look for real-world examples - Where has a city (if any) done a massive upzone of their established single-family neighborhoods? What were the results?
- Ask pointed questions from proponents and opponents.
- Demand to be meaningful involved by the City Council and State Legislature and DLCD.
- Voice your opinions early, often and forcefully to Eugene Planning Division staff, Planning Commissioners and City Councilors.
- **VOTE!** Hold candidates for Ward 1 and the Legislature accountable

**NEXT: A “lightning round” of facts and analysis**





# Impacts of HB 2001

An analysis based on evidence and research

*Lightning*  *Round*

# Impactful HB 2001 Dictates

- Eugene must amend its zoning code for the following zones in the JWN that have been largely built-out with single-family, detached houses plus some accessory dwelling units (ADUs) and duplexes.
  - **R-1 Low-Density Residential Zone** (east and west of the Lane County Fairgrounds)
  - **S-J Jefferson-Westside Special Area Zone** (medium density, all housing types)
  - **S-C Chambers Special Area Zone** (medium density, all housing types)
- Amended code must allow:
  - A **duplex** on every lot, no matter how small or lacking code-compliant vehicle access
  - **Triplexes** and **fourplexes** (in up-down or side-by-side form), as well as “**cottage clusters**”
  - A **second detached dwelling** (with no owner-occupancy)
  - HB 2001 appears to allow the City to adopt some **siting and design criteria** for all the dictated housing types, except any code that would prohibit a duplex while allowing a single-family dwelling.

# JWN Zoning

Chambers  
SAZ

Jefferson-  
Westside  
SAZ

R-1

Jefferson-  
Westside  
SAZ

R-1



# HB 2001 Reality Check

- ⚡ HB 2001 **upzones** land for **more intensive residential development**.
- ⚡ **HB 2001** does not create any new housing at all.
- ⚡ The **real estate market** – investors & developers – will determine:
  - ▶ How many new dwellings are built
  - ▶ The type and design of dwellings
  - ▶ The purchase price or rent of new dwellings
  - ▶ The location of new dwellings

⚡ Exposing the false narrative:

***HB 2001 does not have a single direct or indirect provision that will require or encourage investors and developers to create housing that is affordable to households that are “housing-cost burdened.”***



# Only *very low-income* households lack adequate supply of affordable housing

► From the latest Census data for Eugene ...



There is a **surplus** of affordable housing for all households with **income over \$25,000**.



There is a **large deficit** of affordable housing for households with **incomes below \$25,000** (“Very Low Income” – “VLI”)



**90% of these households have incomes below \$15,000**  
 (“Extremely Low Income” – “ELI”)

- **FACT:** Market rate housing cannot produce housing that VLI and ELI households can afford to purchase or rent. (**National Low Income Housing Coalition** research)
- **FACT: Subsidized housing**, specifically apartments with access to good **public transportation**, is the only viable solution to the real “housing crisis” in Eugene.
- **FACT:** Eugene could use the **Multiple-Unit Property Tax Exemption (MUPTEx)** for subsidized apartments on the W. 6<sup>th</sup> & 7<sup>th</sup> Aves. **EmX route**.



# Increasing the supply of market-rate housing will not lower the price/rent for housing that VLI and ELI households can afford

- ▶ HB 2001 **upzones land** and leaves the price/rent of housing that is built up to the market.
- ▶ The market cannot support “affordable housing” for VLI and ELI households.
- ▶ Research and local Eugene developments make clear: The market will produce mid- to high-cost housing for multi-dwelling condos and rentals.
- ▶ Research is clear: The housing market is **location-dependent** and **segmented**, and adding supply creates downward pressure on prices only on adjacent cost categories.



**More supply of mid- to high cost dwellings will not lower the rental rates for ELI and VLI households.**

- ▶ In contrast, under conditions where all the deficit is in the VLI and ELI categories, adding supply (subsidized housing) in these categories has a “trickle up” effect. (Because households that have been forced to “buy up” move out of the market for more expensive housing.)



# Upzoning land increases price/rent and causes displacement

- ▶ HB 2001 upzones land without restrictions or affordable housing requirements
- ▶ The land becomes more valuable and thus, more expensive.

 **In upzoned, single-family neighborhoods of color and poorer neighborhoods, the land is more valuable, but the homes are not.**

- ▶ In such areas that are close to amenities, investors buy lots that have low improvement (home) value, but high investment return potential for redevelopment with multiple, mid- to high-price/rent condos and rentals.

 **This selective redevelopment potential leads to increased rents for lower range of rentals and increased purchase price for lower-cost houses, which forces lower-income households to move.**

- ▶ SUPPORTING FACTS: Northeast Portland and major research in Chicago.



## Who benefits from HB 2001?

-  HB 2001 benefits “**commodity**” real estate investors
-  HB 2001 does not benefit households that are “housing cost burdened”

# Debunking the false narratives





# Eugene's R-1 Zone is not “exclusionary”

- No structural elements that exclude buyers or renters based on race or economic.
- Eugene has large areas of R-1 zoning with relatively low-price housing
- ⚡ **The #1 “exclusionary” factor in Eugene is private “CC&Rs” – Covenants, Conditions & Restrictions” that are recorded when land is platted into individual lots.**
- ⚡ **Many CC&Rs prohibit more than one dwelling on a lot. Such lots are *exempt* from HB 2001 dictates.**
- Who is protected: Julie Fahey – the Eugene Representative who sponsored HB 2001. Jennifer Yeh, a Eugene City Councilor pushing for upzoning.

# Opponents of HB 2001 are not “NIMBYs”

- ▶ Most JWN homeowners, as well as renters, care about their neighborhood and are welcoming to diverse households and housing types.
- ⚡ **Referring to one’s neighbors as “NIMBYs” simply shows that a person both lacks respect for his or her neighbors and has no sound evidence or arguments.**
- ⚡ **The *Jefferson-Westside Special Area Zone* demonstrates how a neighborhood can handle higher density, a variety of housing types and maintain a high degree of livability.**



# Upzoning is not just “more choices.”



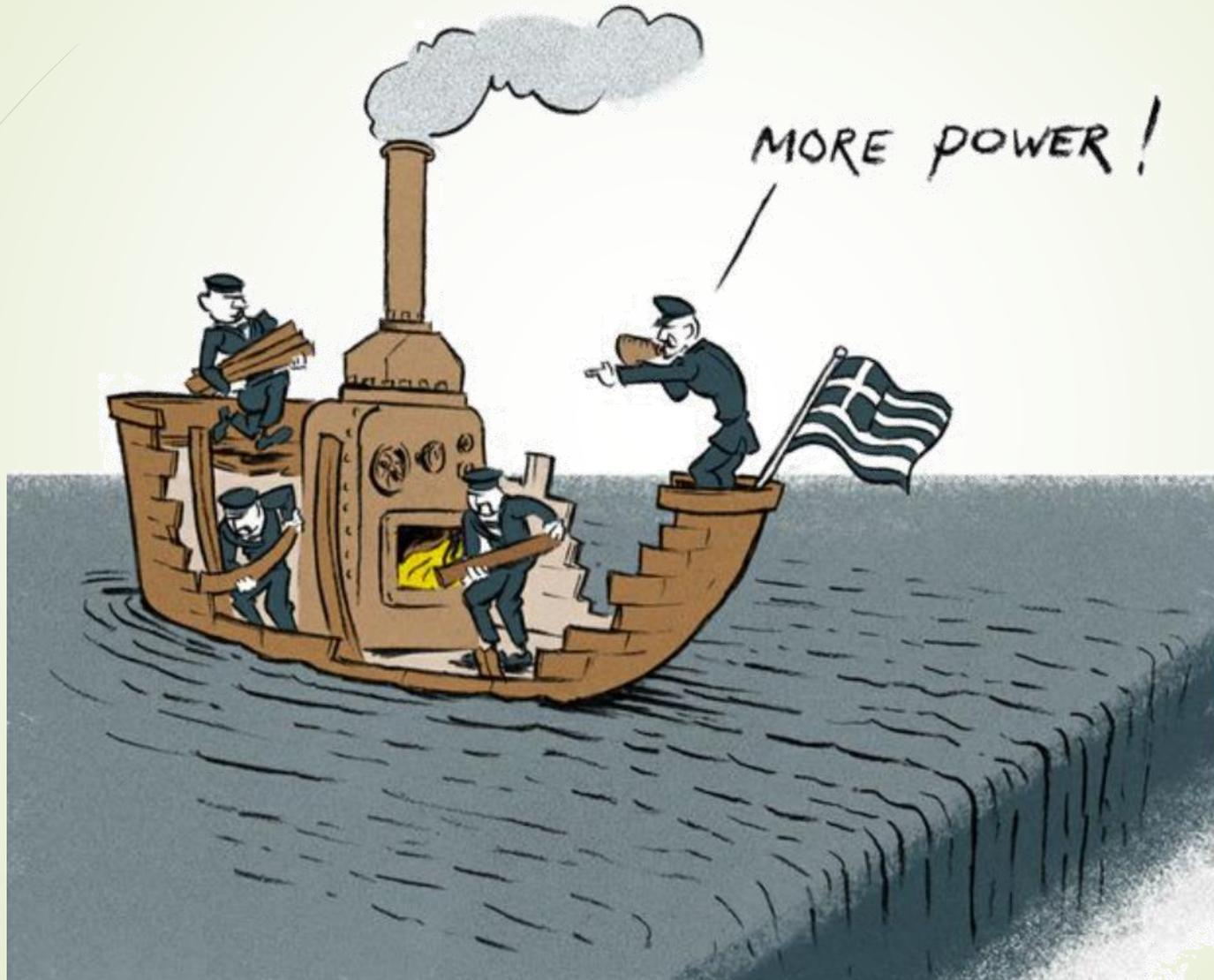
HB 2001 provides investors a lot more choices, but it tramples on the choices that many homeowners made when they purchased their homes in an area that was developed mainly as single-family homes and authentic ADUs.



The Oregon Legislators rammed HB 2001 through without any credible engagement of homeowners or local elected officials.

Why? Because they didn't want citizens to have a choice

# What could possibly go wrong with HB 2001?





# A partial list of HB 2001 negative impacts

## Already touched on in this presentation:

- Degraded the livability and stability of neighborhoods
- Increases housing cost for low-income households
- Displaces residents in neighborhoods of color and poorer neighborhoods

## Additional harmful outcomes:

- Investment funds replace local home owners
- Throw local infrastructure and services into chaos
- Worsene climate change
- Impedes government investment in public mass transit
- Increases sprawl to Junction City, Creswell and other towns



# Investment funds replace local residents as the owners of homes in formerly single-family neighborhoods

- Healthy neighborhoods depend on the right mix and balance of housing types and ownership.

 Investors – including commodity real estate funds, Zillow, Trulia, Expedia, Travelocity, etc. are making huge purchases of single-family properties for both rental and AirBnBs.

 HB 2001 makes such corporate ownership for redevelopment as multi-unit short- and long-term rentals much more financially attractive.

# Throws local infrastructure & services into chaos

- ▶ HB 2001 takes away cities' ability to plan in which areas new housing is concentrated.

**⚡ Without knowing where residential density is going to increase and how much (e.g., from none to four times), cities can't predict where new infrastructure or substantial infrastructure replacement will be necessary.**

**⚡ Similarly, it will be impossible to plan where new police, fire and emergency medical stations will be necessary for public safety.**

*\*\*\* show city zoning map*



# Increases sprawl to Junction City, Creswell and other commuter towns

 The following nearby commuter towns are exempt from HB 2001

- Junction City
- Creswell
- Veneta
- Coburg
- Harrisburg
- Monroe
- Brownsville
- Pleasant Hill
- Lowell
- Oakridge



# Impedes government investment in public mass transit

- ▶ EmX and other transit depends on higher density housing and concentrations of businesses.
- ▶ Lower-income households need affordable apartments near frequent and extensive public transportation.
- ⚡ **By promoting future housing as low-density plexes, diffused across huge areas that aren't near transit routes, HB 2001 will greatly undermine "Transit-Oriented Development."**



# Worsens climate change

- ▶ The most important action Eugene (and other towns) can take is to reduce the use of cars and trucks.
- ▶ That requires two main things:
  - ▶ Providing viable alternative transportation, mainly through public mass transit; and
  - ▶ Minimizing the additional delivery truck miles in neighborhoods arising from on-line purchasing.
- ▶ Perhaps even worse, HB 2001 will increase automobile use by commuters who chose to live in an outlying commuter town.
- ▶ In addition, significantly increasing the number of car-owning residents in neighborhoods with inadequate street and/or off-street parking will create congestion, which generates more GHG per mile travelled



**By promoting future housing as low-density plexes, diffused across huge areas that aren't near transit routes, HB 2001 will substantially worsen the per capita production of green house gasses and exacerbate climate change.**

Time to Get in the Game!



Thank you!  
Paul Conte  
[paul.t.conte@gmail.com](mailto:paul.t.conte@gmail.com)