

Housing Land Advocates Conference 2018

1000 Friends of Oregon- Fulfilling the Promise of Goal 10



1000 Friends of Oregon - Who we Are

- Founded in 1975 by Gov. Tom McCall and Henry Richmond
- Non-profit, statewide organization
- Focused on implementing and improving Oregon's land use planning program
- Research, advocacy, outreach, education, litigation



Mission of 1000 Friends of Oregon

- We work with Oregonians across the state, rural and urban
- Livable towns and cities that are walkable with housing and transportation choices
- Economically healthy rural areas with working farms, ranches, and forests and iconic landscapes



Statewide Planning Goals

- **Goal 1: Citizen Involvement (1974)**
- **Goal 2: Land Use Planning (1974)**
- **Goal 3: Agricultural Lands (1974)**
- **Goal 4: Forest Lands (1974)**
- **Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces (1974)**
- **Goal 6: Air, Water, and Land Resources Quality (1974)**
- **Goal 7: Areas Subject to Natural Hazards (1974)**
- **Goal 8: Recreational Needs (1974)**
- **Goal 9: Economic Development (1974)**
- **Goal 10: Housing (1974)**
- **Goal 11: Public Facilities and Services (1974)**
- **Goal 12: Transportation (1974)**
- **Goal 13: Energy Conservation (1974)**
- **Goal 14: Urbanization (1974)**
- **Goal 15: Willamette River Greenway (1975)**
- **Goal 16: Estuarine Resources (1976)**
- **Goal 17: Coastal Shorelands (1976)**
- **Goal 18: Beaches and Dunes (1976)**
- **Goal 19: Ocean Resources (1976)**

Goal 10 - Housing

“To provide for the housing needs of citizens of the state.”

“... plans shall encourage the availability of adequate numbers of needed housing units at **price ranges and rent levels** which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing **location, type and density.**”

Betty Niven, Chair of State Housing Council, 1975:

*“Goal 10-required reforms in local zoning policies can make housing more affordable to more Oregonians. This is achieved by requiring local bodies to change their zoning and subdivision procedures so that local land use policy is sensitive to what people can afford to pay for a house...Hence, local practices which drive up housing costs – such as **large lots, shortages of multi-family zoning, higher fees, delays in approval, vague standards, lack of buildable land inventories and the like – must be eliminated or modified.**”*

Statutes implementing Goal 10

ORS 197.307:

*(1) The availability of **affordable, decent, safe and sanitary housing** opportunities for persons of lower, middle and fixed income, including housing for farmworkers, **is a matter of statewide concern.***

*(3) When a need has been shown for housing within an urban growth boundary at particular price ranges and rent levels, **needed housing** shall be permitted in one or more zoning districts or in zones described by some comprehensive plans as overlay zones with sufficient buildable land to satisfy that need*

Needed Housing: What does it mean?

'All housing on land zoned for residential use or mixed...use that is determined to meet the need shown for housing within a UGB at price ranges and rent levels that are affordable to households within the county with a variety of incomes, including but not limited to households with low incomes, very low incomes and extremely low incomes.'

This includes:

- attached and detached single-family housing
- multiple family housing
- manufactured homes and mobile home parks
- government assisted housing
- farmworker housing
- whether occupied by owners or renters

What are local governments suppose to do?

- Housing Needs Analysis
- Plan & zone lands inside UGBs to meet housing need
- Use clear & objective standards in permit application process

Betty Niven: No exclusionary zoning

*“Oregon is the **only** state in America to have recognized its responsibility by establishing by establishing state-level policies and a review process which are necessary to chop needlessly higher housing costs out of the local land development process.”*

The Numbers, from the Oregon Office of Economic Analysis:

Oregon needs:

- 100,000+ more housing units for middle-income households, and
- 110,000 + more for housing units lower income households
- Need to build 30,000 new housing units per year

Save the Date!

Richard Rothstein in Portland

with Dr. Karen Gibson



FAIR HOUSING ACT

1968 • 2018

Thursday, April 19, 2018

7:00 pm – 8:30 pm, doors at 6:30

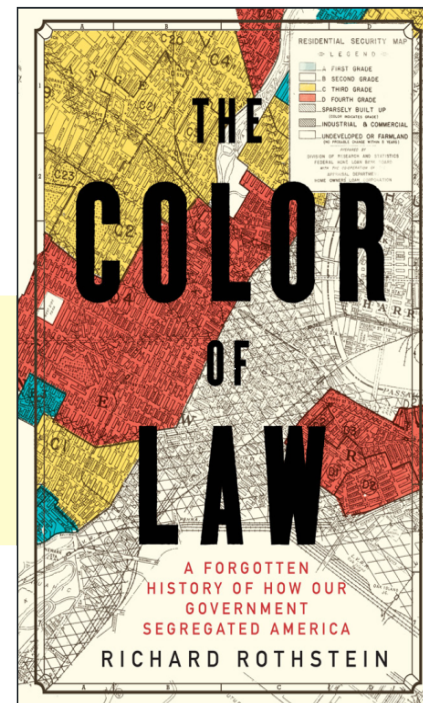
The Alberta Abbey

\$10 per ticket, on sale in February

visit http://ohs.org/f_a50 for more information

“Rothstein is brilliant and has the kind of fine understanding of the machinery of government policy as it relates to housing that I deeply envy.”

—Ta-Nehisi Coates



THE OREGON
HISTORICAL
SOCIETY
FOUNDED 1898



FAIR
HOUSING
COUNCIL
OF OREGON

Richard Rothstein:

*“[S]egregation in every metropolitan area was imposed by racially explicit federal, state and local policy, without which private actions of prejudice or discrimination would not have been very effective. And if we understand that our segregation is a governmentally sponsored system... only then can we **begin to remedy it.**”*

Rothstein:

“During the 1930's the Roosevelt administration created maps of every metropolitan area, divided into zones of foreclosure risk based in part on the race of their occupants. The administration then insured white homeowners' mortgages if they lived in all-white neighborhoods into which there was little danger of African Americans moving.

After WWII the federal government went further and spurred the suburbanization of every metropolitan area by guaranteeing bank loans to mass-production builders who would create the all-white suburbs that came to ring American cities.”

Federal home financing from 1930s resulted in --

- **Segregation** of public housing in urban areas
- **Subsidization** of white families to leave urban areas and to the suburbs

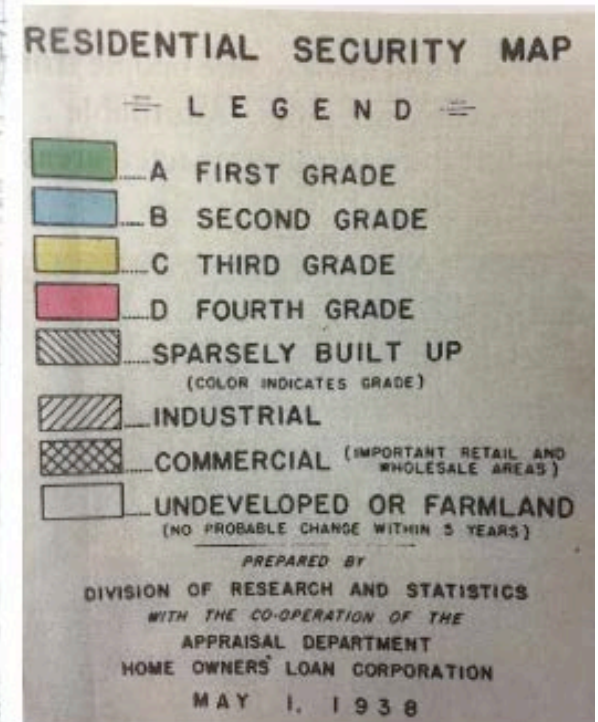
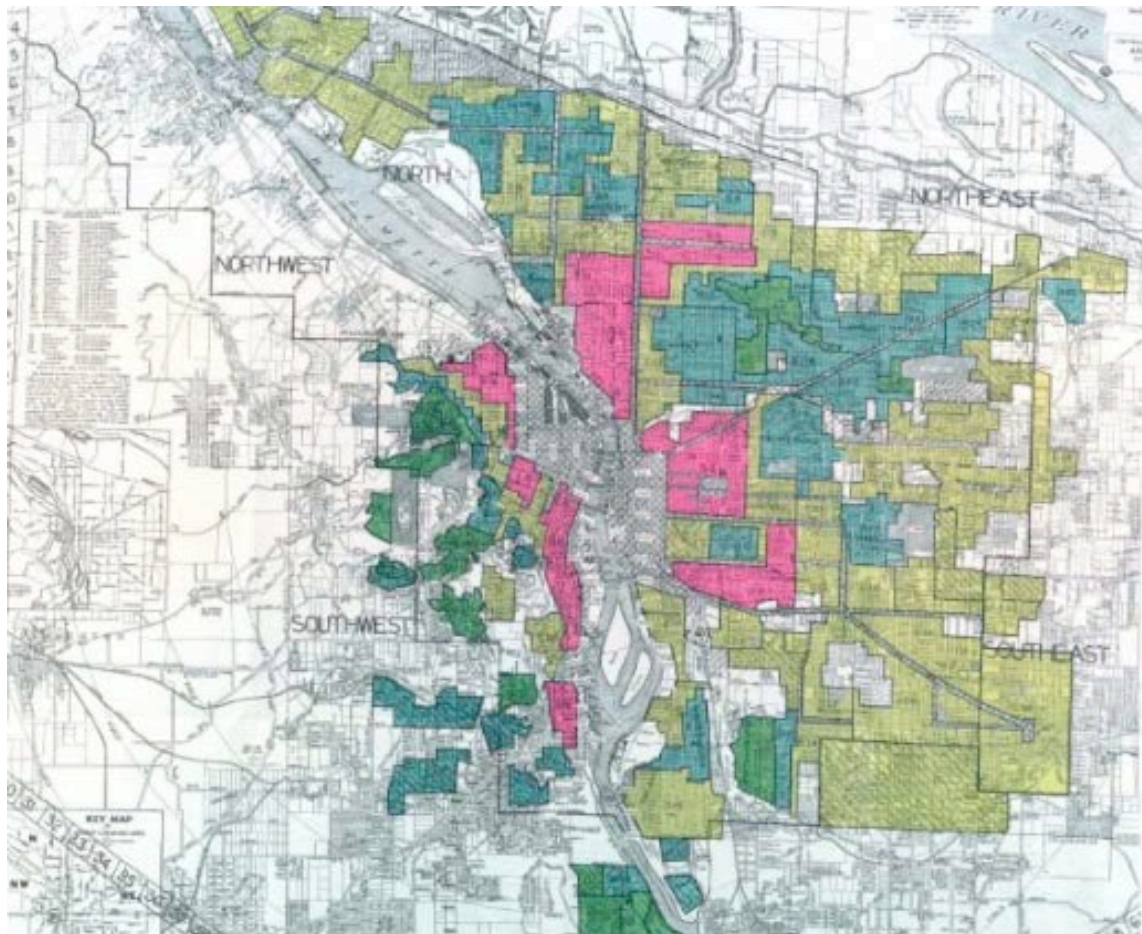
US Commission on Civil Rights, 1973:

“The property value argument is veiled and couched in terms of the effect low income families will have upon property values in a neighborhood. In many communities, particularly white suburbia, measures are taken to exclude these families. Ordinances are enacted to require the zoning of large lots. Minimum square footage requirements are stepped up. Building codes that unnecessarily increase the cost of construction are tightened. ... These measures are enacted to prevent the construction of low- and moderate-income housing, some of which minority families could occupy. The communities argue that their opposition to low- and moderate-income housing has nothing to do with race, only with economics.”

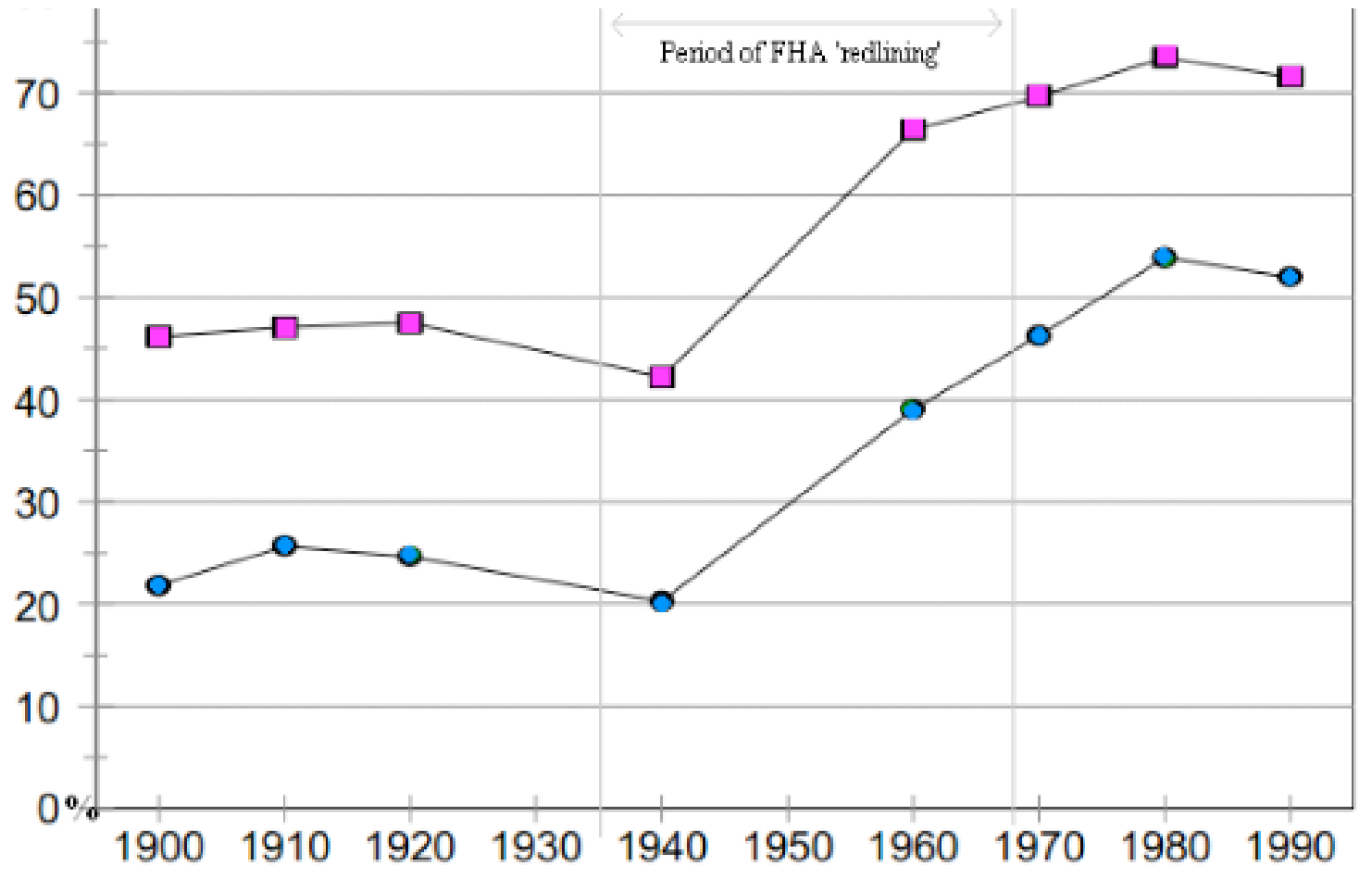
National Association of Real Estate Brokers' code of ethics, 1950:

“The realtor should not be instrumental in introducing into a neighborhood a character of property or occupancy, members of any race or nationality or any individual whose presence will clearly be detrimental to property values in the neighborhood.”

Portland's Redlining



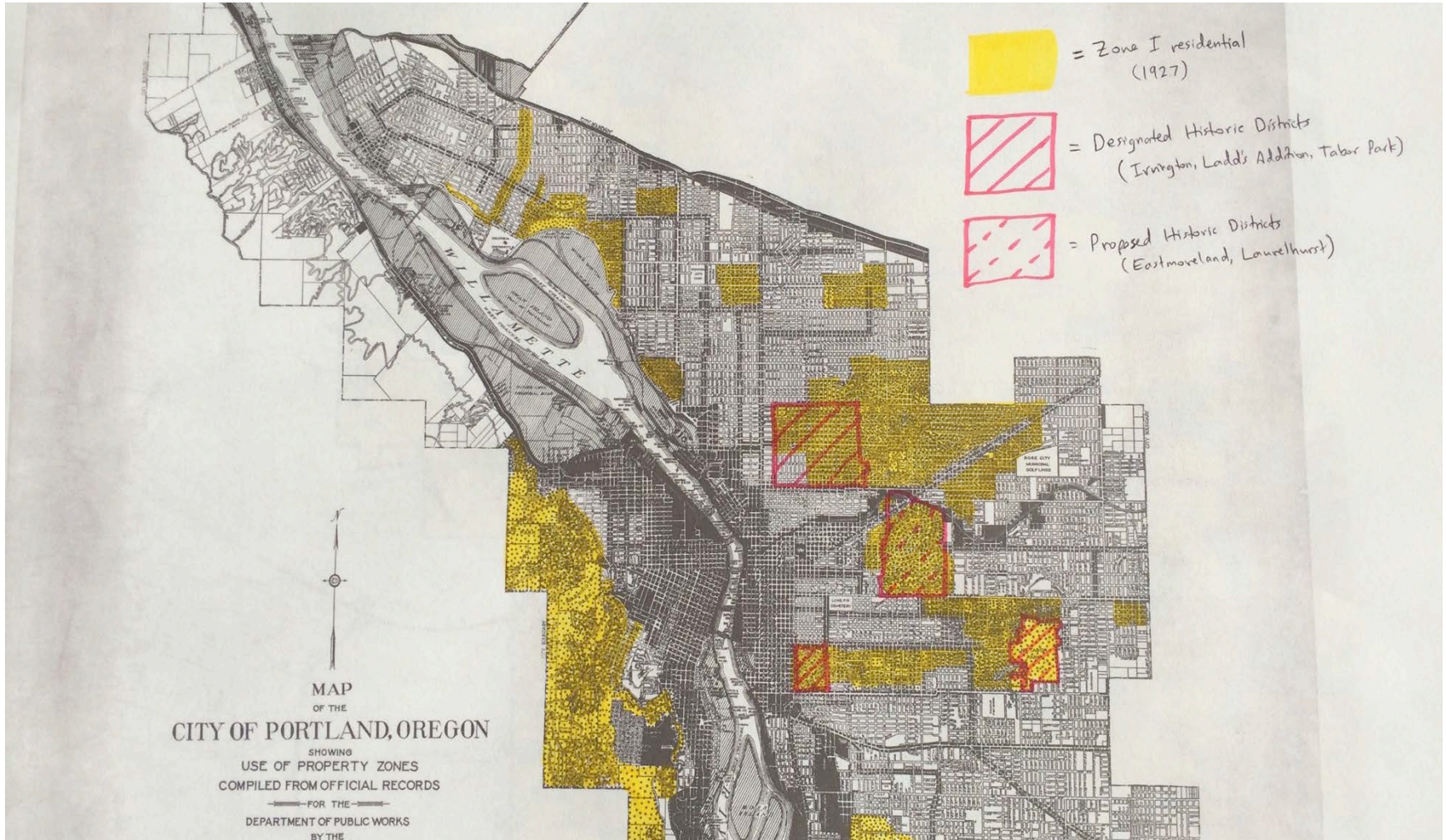
US Home ownership rates for whites v. blacks



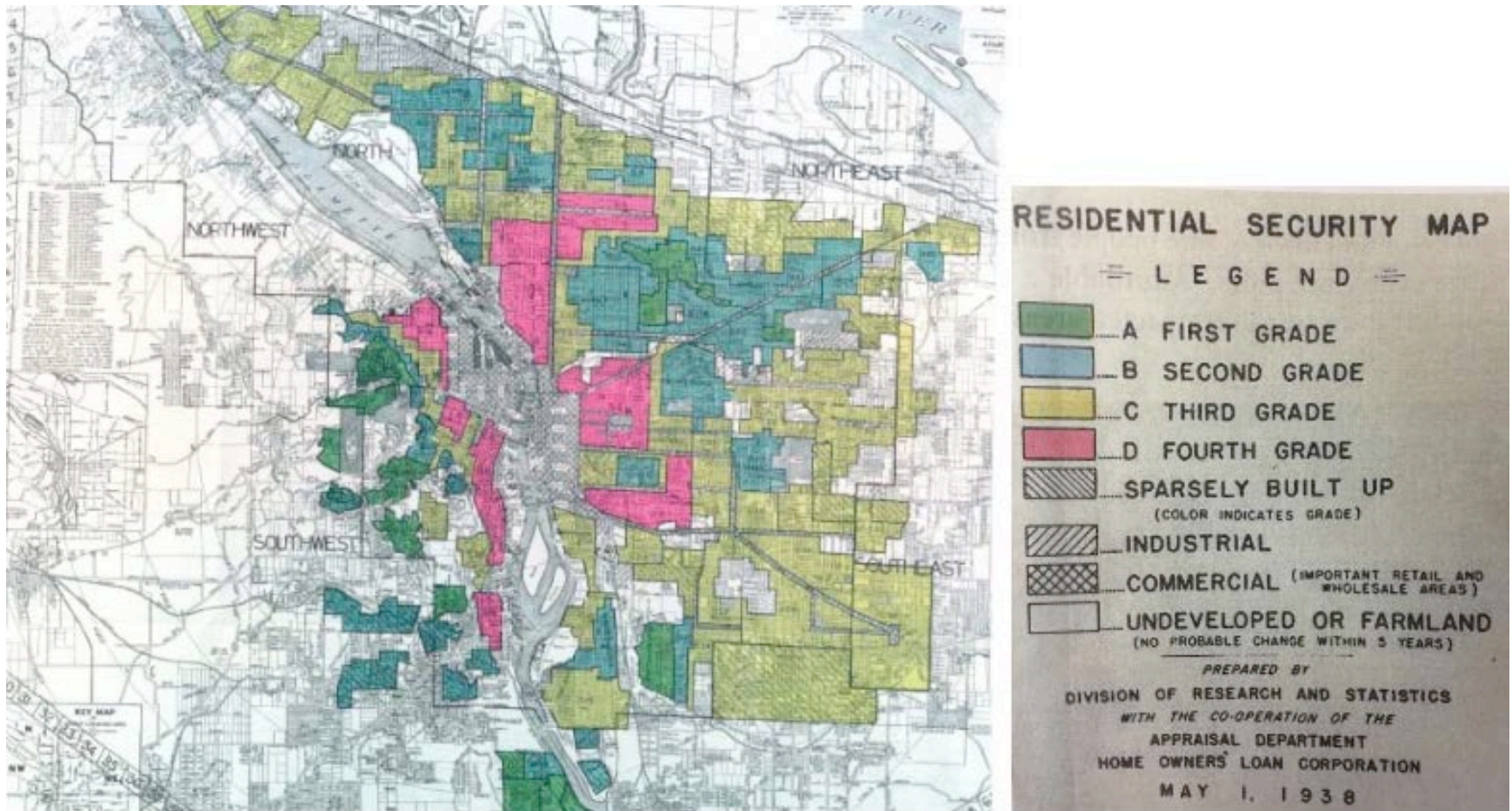
Oregon

- 1857: Oregon territory constitution
 - Prohibits slavery
 - Excludes African Americans
 - Denies right to own land to “Chinamen”
- 1859: Oregon gains statehood with these in Constitution
- 1927: Oregon voters finally remove provisions, more than fifty years after after 13th, 14th & 15th amendments to US Constitution
- “Sundown” towns
- Ku Klux Klan

Portland early zoning



Portland's Redlining – the Home Owners' Loan Corporation map of 1938



Home Owners Loan Corp. Security Map

Eastmoreland Neighborhood Portland : "Grade: medium green"

AREA DESCRIPTION - SECURITY MAP OF _____

1. AREA CHARACTERISTICS:

a. Description of Terrain. Fairly level with gradual slope from east to west and a distinct rolling tendency in northern portion.

b. Favorable Influences. Convenience to grade schools, churches, transportation, recreational and trading centers. Presence of all utilities and conveniences. Harmonious population and improvements.

c. Detrimental Influences. Distance from high school facilities.

d. Percentage of land improved 60%; e. Trend of Desirability next 10-15 yrs. Upward

2. INHABITANTS: Business and professional

a. Occupation non, executives, etc.; b. Estimated annual family income \$ 3000-10,000

c. Foreign-born families Few; None subversive predominating; d. Negro None; 1

e. Infiltration of Remote; f. Relief families None

g. Population is increasing Rapidly; decreasing _____; static _____

3. BUILDINGS-

The area is accorded a medium green grade.

1931 Deed from Ladd Development Co. Eastmoreland development

“[This property shall not be] in any manner, form or way used or occupied by Chinese, Japanese or negroes, except that Chinese, Japanese or negroes may be employed by residents thereon as servants.”

Oregon Home Ownership by Race/Ethnicity

2010 US Census and Oregon Housing & Community Services

All Households	62%
White Alone	63%
Black	33%
Latino	40%

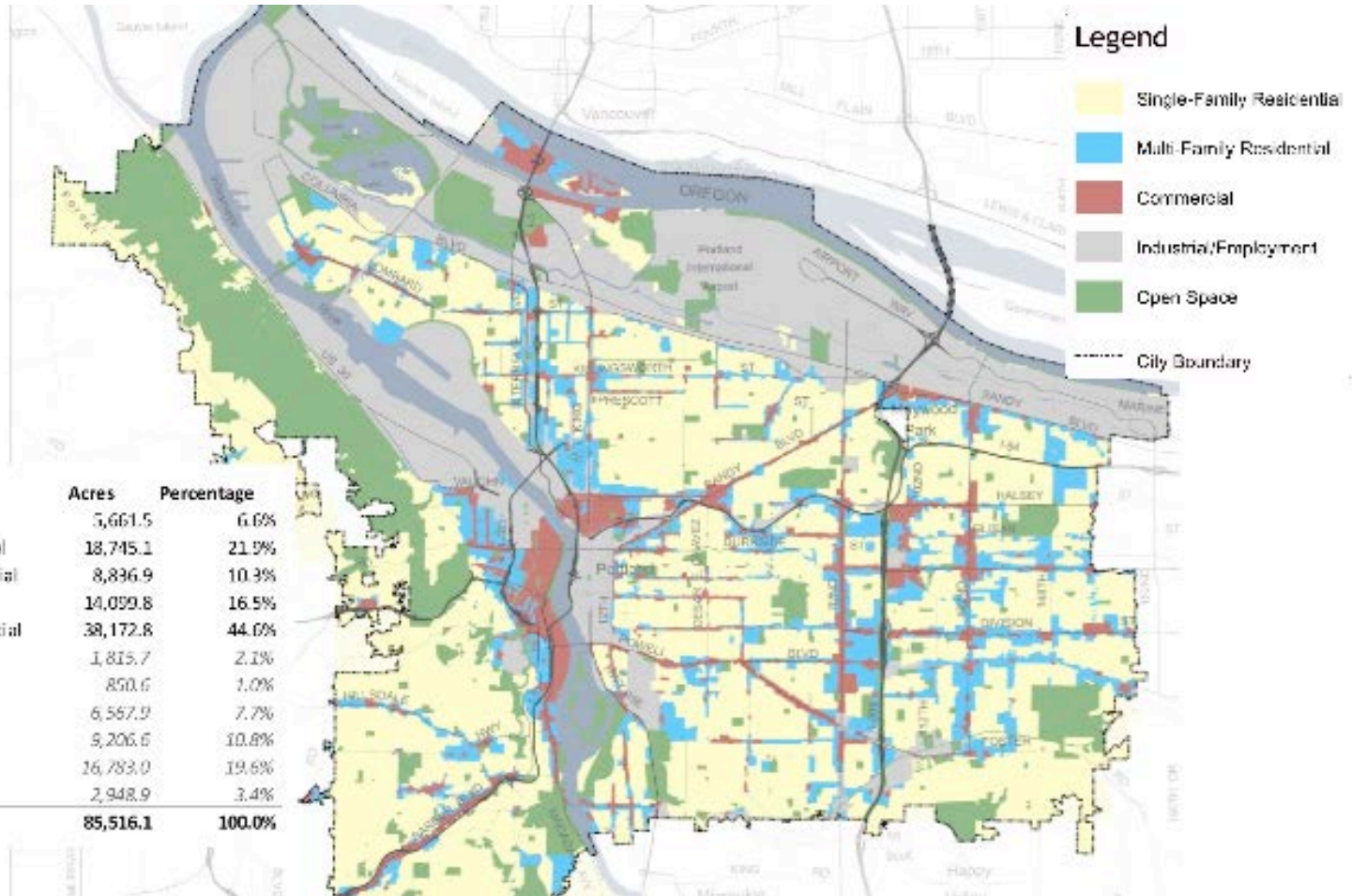
What are local governments suppose to be doing?

- Housing Needs Analysis
- Plan & zone lands inside UGBs to meet housing need
- Use clear & objective standards in permit application process

Oregon's Families v. Local Zoning

- **Statewide:** 2/3 of all households consists of 1-2 persons
 - Yet 72% of housing stock is SF
- **Medford:** 63% of HH are 1-2 persons
 - 67% of residential land is zoned SF detached
- **Bend:** 68% of HH are 1-2 persons
 - 70% of housing stock is SF detached
- **Hood River:** 35% of all households re 1 person
 - 62% of housing stock is SF detached
- **Salem:** projects a 2000 acre surplus of SF zoned land
 - Yet deficit of over 200 acres for 2900 multifamily homes
- **Portland:** 2/3 of HH 1-2 persons
 - 90% of residential land is SF detached

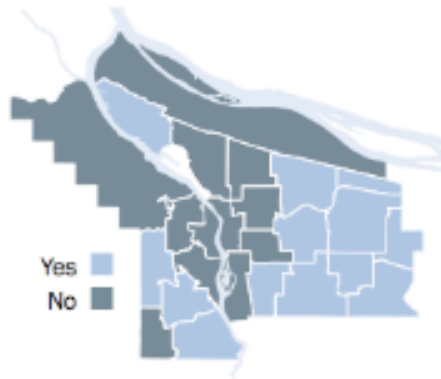
Portland's Zoning Today



Ability to own a home in Portland, 2016

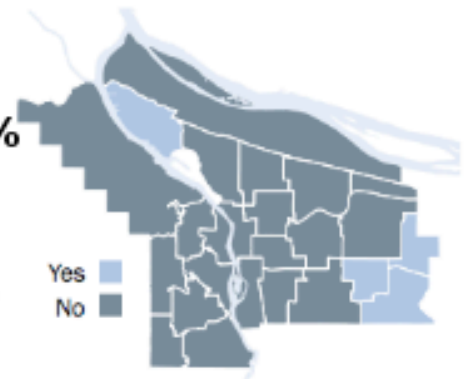
Average Portland Household

2-Bedroom Affordability



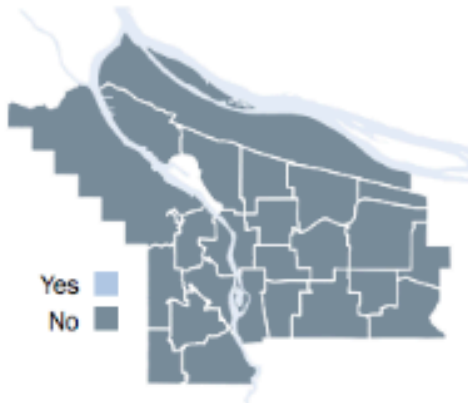
3-Person Low-Income (<60% MFI)

2-Bedroom Affordability



Average Latino Household

2-Bedroom Affordability



Average Black Household

2-Bedroom Affordability

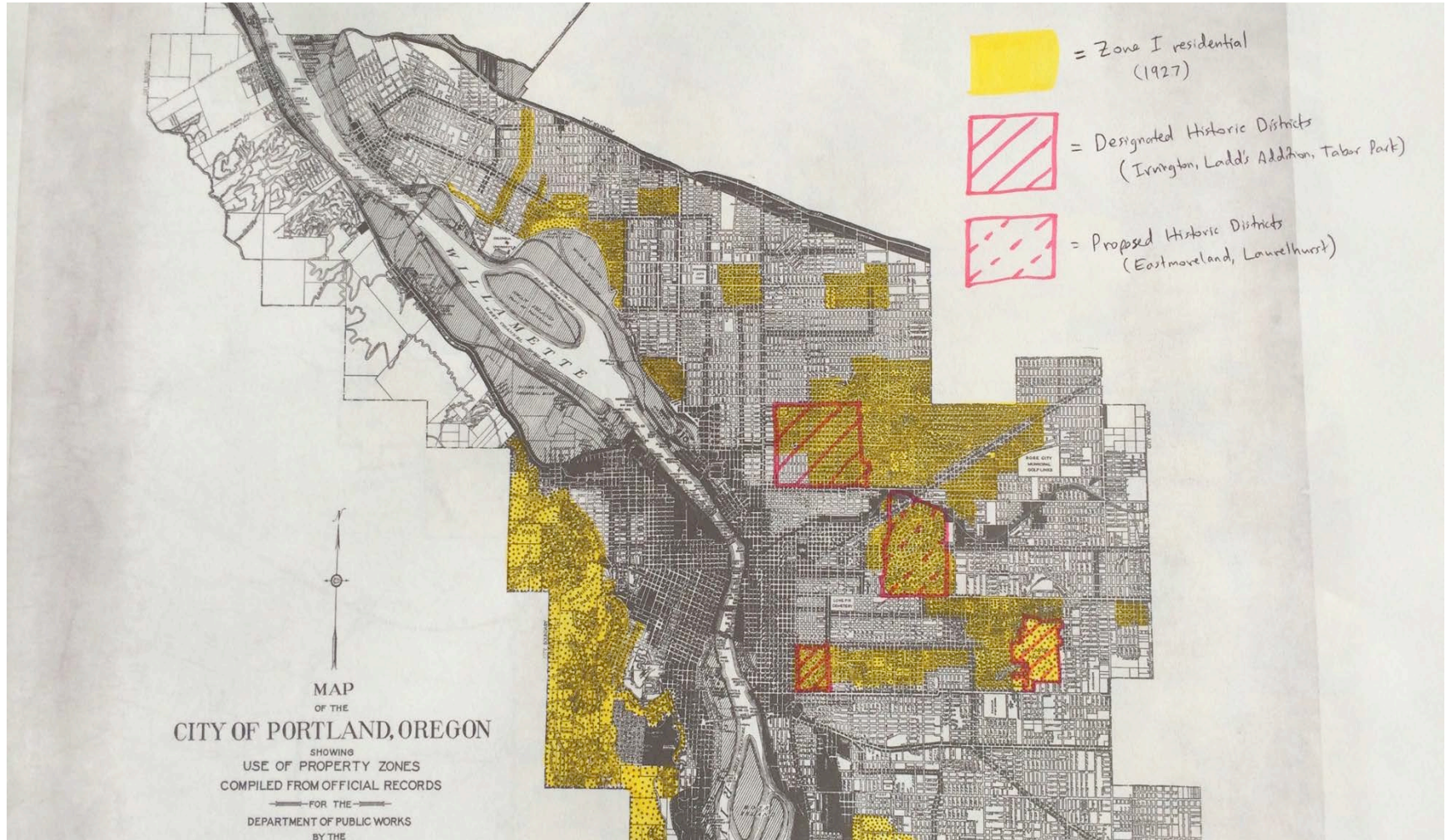


- 2016 Portland State of Housing Report

Other exclusionary housing tools

- **Restrictive covenants in subdivisions:** private contracts prohibiting residential densities that would – or could – otherwise be permitted by the city; often restricting use to one SF house on a larger lot.
- **Mis-use of historic district designation:** especially when applied to entire neighborhoods

Portland early zoning



From *The New Exclusionary Zoning*

Stanford Law & Policy Review, 2014

"The advent of historic preservation in the 1960s is also part of this trend. Historic preservation districts effectively remove parts of the city from the stock of developable land and impose additional approvals for development within them. This makes development more expensive or prevents it outright, both of which raise housing prices in high-demand areas ."

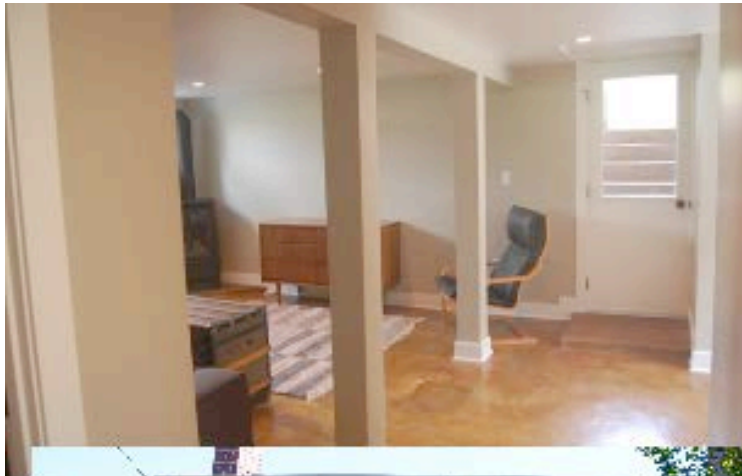
Some Solutions – State Level

- Update all HNAs, require cities to implement them within a set time frame
- Require minimum average density (80%)
- Allow effective inclusionary zoning by all cities
- All cities should enact construction excise tax for affordable housing
- Disallow CCRs that prohibit densities otherwise required by Goal 10
- Disconnect historic district designation from development restrictions
- Prohibit cities from banning section 8 housing
- California solution

Re-Think the Single Family Zone – Local Level

- Building form & scale should count, not # of units
- Allow 2-,3-, 4- plexes in all SF zones
- Allow cottage clusters
- Allow ADUs by right
- Reduce lot sizes in SF zones
- Allow townhouses, rowhouses, other attached SF housing in all residential zones
- Density bonuses for affordable housing
- Reduce off-street parking requirements
- Allow internal conversion of SF homes

Plexes, ADUs, Cottage Clusters



- Identify public property that could be used for affordable housing
- Right of 1st sale of public & tax delinquent properties to a nonprofit affordable housing providers
- Tax abatement programs: e.g., multiple-unit limited tax exemption program
- Land trusts for permanently affordable housing, including public/private partnerships
- Identify tools to preserve existing affordable housing
- Understand impact of short term rentals and regulate as needed

1000 Friends of Oregon

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