



## **MEMORANDUM**

### **Community Development Department**

To: Chair Lawler and Planning Commission members  
From: Brian Martin, Long Range Planning Manager  
Date: June 23, 2021  
Subject: History of racist land use and housing practices in Beaverton

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The memo provides background information for the June 30 Planning Commission work session regarding the history of racist land use and housing practices in Beaverton. This relates to the Housing Options Project work because adding housing opportunity and reducing segregation and other obstacles to housing can help promote more equitable outcomes for community members.

The city hired two student interns, Isabella Kjaer (University of Oregon) and Meisha Whyte (Portland State University), to research and document federal, state and local racist and discriminatory laws and practices, with an emphasis on those that involved land use and housing opportunity. Their internships ended earlier this month. This memo documents some of their findings, which will also be incorporated into future Diversity, Equity and Inclusion (DEI) implementation. Jena Hughes, associate planner in the Planning Division, also contributed to the project and provided guidance for the two interns. In some cases, this memo provides edited or paraphrased portions of the intern's draft document.

This line of inquiry is consistent with other city actions to work toward racial equity.

### **Diversity, equity and inclusion plan**

As described in the city's [Diversity, Equity and Inclusion Plan](#) (PDF), Beaverton was proud to be the first jurisdiction to commit funds to help launch the landmark study "Leading with Race: Research Justice in Washington County," released in July 2018. For the first time, the study documents the lived experiences of communities of color in the county through a racial equity lens.

The city's current DEI plan also calls upon the city to work toward dismantling institutional racism: "The City of Beaverton uses race as a primary lens for our diversity, equity, and inclusion work. ... Despite the responsibility of public institutions to serve all, across history

race has been a basis for exclusion and discrimination against communities of color. In order to repair the legacy of institutional racism and dismantle the infrastructure that it was built on, we must face this reality head on.”

The plan also calls for a framework of equity to guide policy decisions and resource allocation and says city planning and policies should take into account the experience of historically underserved communities and be designed to create a livable community for all.

## Intern project

The project was initiated because Beaverton would benefit from knowing and understanding its planning and development history, including racism, segregation, discrimination and fair housing issues, to better inform various projects that aim to reduce inequities for historically marginalized groups. Understanding the past will help guide future actions to address past wrongs and disparities that remain today.

## Findings

The interns’ draft findings provide information about regional, state and national context and provide the most relevant local information uncovered during the research process. These findings do not document the contributions of Black, Indigenous and People of Color to Beaverton and Washington County. These are important, and separate city efforts are under way to document and describe BIPOC joy, resilience and contributions.

### **1840-1899**

The area that is now Oregon was home to Indigenous people long before European settlers colonized the area. In Beaverton, the Kalapuya and Atfalati tribes were the first people to call Washington County home and lived in what is now Beaverton, Hillsboro and Forest Grove and other Washington County areas.<sup>1</sup>

During this time period:

- Starting in 1843, Oregon instituted three Black exclusion laws. This meant Oregon developed as a primarily white state.<sup>2</sup> This included a clause in the Constitution prohibiting Blacks from being in the state, owning property and making contracts.
- The 1850 Oregon Donation Land Act was enacted by the U.S. Congress to promote homestead settlement in the Oregon Territory. This exponentially increased the numbers of emigrants on the Oregon Trail. It granted land stolen

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<sup>1</sup> Coalition of Communities of Color. 2018. Leading with Race: Research Justice in Washington County. Portland, Oregon: Coalition of Communities of Color

<sup>2</sup> Nokes, Greg. “Black Exclusion Laws in Oregon.” The Oregon Encyclopedia, 6 July 2020, [http://www.oregonencyclopedia.org/articles/exclusion\\_laws/](http://www.oregonencyclopedia.org/articles/exclusion_laws/)

- by the U.S. government from Indigenous people and marketed it to white settlers as “free” to “Whites and half-breed Indians” in the Oregon Territory.<sup>3</sup>
- The 1862 The American Homestead Act enabled any white male over the age of 21 and a head of a family to acquire up to 160 acres of land, stealing more than 50 million acres of land from Indigenous people.<sup>4</sup>
  - Beaverton land was deeded to white settler colonizers of European descent, which provided both wealth and power for these families and allowed them to transfer that wealth to future generations.<sup>5</sup>
  - Once the land was owned by white residents, Beaverton’s original charter required land ownership as a prerequisite for voting and holding office.

**Figure 1: Beaverton 1893 charter excerpt**

**Section 6. No person shall be eligible to the office of mayor or councilmen unless he is a resident and has property on which he pays a tax in said town, and has been a resident of said town one year next prior to his election; and before entering upon the duties of his office, shall file with the recorder an oath to well and truly perform the duties required of him by this charter.**

These laws and actions had lasting impact. For example, by 1990 Black residents made up only 0.66 percent (2,058 people) of the population. It was only 1.15 percent by 2000. This meant Black residents (and other people of color) did not acquire land early in Beaverton’s history, depriving them of the ability to acquire wealth and pass wealth onto their families and ensuring that white families reaped the rewards instead.

**1900-1959**

Voting restrictions were common, some of which lasted until the Voting Rights Act of 1965. They were used to deny women, Native Americans and low-income citizens the right to vote.

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<sup>3</sup> Robbins, W. G. (2021, February 2). Oregon donation land law. Retrieved April 29, 2021, from [https://www.oregonencyclopedia.org/articles/oregon\\_donation\\_land\\_act/](https://www.oregonencyclopedia.org/articles/oregon_donation_land_act/)

<sup>4</sup> Robbins, W. G. (2021, February 2). Oregon donation land law. Retrieved April 29, 2021, from [https://www.oregonencyclopedia.org/articles/oregon\\_donation\\_land\\_act/#.YIsRgu2SIhF](https://www.oregonencyclopedia.org/articles/oregon_donation_land_act/#.YIsRgu2SIhF)

<sup>5</sup> Beaverton, 75 Years of Progress, Diamond Jubilee Issue 1893-1968 Traces of the Past [Beaverton, Fanno Creek, Garden Home, Mckay, Progress, Whitford], by Don (Ed) Lien | Jan 1, 1968.

Voting restrictions were also practiced in Beaverton, including in the city's first charter.

**Figure 2: Beaverton 1893 Charter - voter restrictions**

22. To make rules and regulations for conducting elections, excepting as hereinafter provided for; *provided*, that no persons shall be allowed to vote at any municipal election who is not a legal voter of the state, or who has not resided in the corporate limits sixty days next preceding such election, or who has not paid a poll tax, or who has refused to pay a fine or tax legally assessed against him by the town.

The Ku Klux Klan (KKK), a white supremacist and anti-Catholic organization, also was active in Oregon by the mid-1920s. Although research so far has not uncovered a lot of information about the KKK's local activities, it was present in Beaverton according to oral history accounts. The first oral history quote below is from a 1982 interview with Ivy

Livermore Bany that describes Klan membership being common.<sup>6</sup> The second oral history quote describes the fear the Klan inspired in Catholic families.<sup>7</sup>

### Figure 3: Excerpt from Beaverton oral history document

TANZER: Well, the reason I ask is there was an active Klan in Beaverton. Did you know about it?

IVY: Yes, I knew about it.

TANZER: A number of people have told me that their fathers and their husbands belonged. It advertised itself as a service organization.

DAUGHTER: Oh, really?

TANZER: And they joined, but many of them quit then once they found out what it was. It used to meet directly across from where the Commercial Hotel was.

IVY: I remember.

TANZER: Did you ever see them marching, the Klan? Do you remember?

IVY: Yes, I saw that. They marched in Longview or Kelso one time.

TANZER: Do you remember seeing the Klan in Beaverton?

IVY: Oh, maybe once or twice.

TANZER: Do you remember anything about it?

IVY: No, I don't. I didn't know enough about it to really tell you anything about it. But they had it there.

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<sup>6</sup> Tanzer, Shirley. "Interview with Ivy Livermore Bany." Beaverton, OR: Beaverton Oral History Project, 10 October 1982. Scanned PDF.

<sup>7</sup> Tanzer, Shirley, "Interview with Louise Merlo Botteri." Beaverton, OR: Beaverton Oral History Project. 01 November 1982. Scanned PDF.

#### Figure 4: Excerpt from Beaverton Oral History Project

TANZER: Do you remember any of the other Klan activities?

LOUISE: All I remember is when they used to meet in what we called the Manning building, there where Dean's Drug Store is. From the hotel window we could see them meeting up there in the hall, and Mother used to make us kneel down and say the rosary. She'd draw the shades and we'd see them up there parading around in those ... and we kids would of loved to look, but she'd draw the shades and make us all kneel down and say the rosary. She knew what was going on. She used to tell us that those people didn't know what they were doing; they were just very ignorant.

TANZER: Why did she make you kneel down and say the rosary?

LOUISE: She felt the Klans were bad and if we prayed to God maybe He would protect us from them, I imagine, because everybody knew what the Klans did. She was frightened. She just knew some things about what they were doing and that they didn't like certain people.

TANZER: Did you see them?

LOUISE: We did see them. We could see them parading around up there in their room. We saw people with white hoods just walking around that hall and, of course, Mother would take us away from the window and we didn't see any more.

The research also has uncovered local efforts to create segregated, racially exclusive neighborhoods. In 1919, the Portland Realty Board declared it unethical for agents to sell property in white neighborhoods to “Negro or Chinese” people to protect property values in white neighborhoods.<sup>8</sup>

By 1923, the state had passed 1923 Alien Land Bill and Alien Business Restriction Law, which barred immigrants ineligible for citizenship from owning or leasing land and obtaining a business license in Oregon.

Until the U.S. Supreme Court in 1948 declared unconstitutional covenants, conditions and restrictions that excluded people from buying or living in homes based on race, many subdivisions included such provisions. This included a 1946 document for the Cedar Hill homeowners association in unincorporated Washington County near Beaverton that is shown in Figure 5 below.

After World War II, the Federal Housing Administration and the Veterans Administration hired builders to mass-produce suburbs in the United States to ease the post-war housing

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<sup>8</sup> Gibson, Karen. “Bleeding Albina: A History of Community Disinvestment, 1940-2000.” *Transforming Anthropology*. Vol. 15. 01 04 2007. Also available at [http://kingneighborhood.org/wp-content/uploads/2015/03/BLEEDING-ALBINA\\_-A-HISTORY-OF-COMMUNITY-DISINVESTMENT-1940%E2%80%932000.pdf](http://kingneighborhood.org/wp-content/uploads/2015/03/BLEEDING-ALBINA_-A-HISTORY-OF-COMMUNITY-DISINVESTMENT-1940%E2%80%932000.pdf)

shortage. Builders received federal loans on the explicit condition that homes not be sold to Black homebuyers.<sup>9</sup>

In Beaverton, city staff has found three subdivision plats where racist covenants were used to prevent residents “other than those of the Caucasian or White race.” The examples are Third Addition to Benz Park, Copel Park and First Addition to Copel Park. These subdivisions are between Canyon Road and Canyon Lane in northeastern Beaverton. The racist restrictions were put in place in the 1930s and 1940s before the U.S. Supreme Court struck down the use of such covenants in 1948.

**Figure 5: First Addition to Copel Park racist restriction (in what is now West Slope)**

6. No person of any race other than those of the Caucasian or white race shall own any part of said property or use or occupy the same as a residence, except that person of other races may be employed by residents to perform services on the premises and that this covenant shall not prevent occupancy by domestic servants of a different race nationality employed by an owner or tenant.

The above laws and actions also denied BIPOC community members opportunities to live in neighborhoods that met their preferences and build wealth and financial stability through land ownership and home ownership.

**1960-1979**

During this period, Beaverton grew from about 6,000 people to nearly 30,000 people.<sup>10</sup> This population growth coincided with post-war national trends of people moving to the suburbs. This was facilitated by the construction of the interstate highway system (Sunset Highway was completed in 1949<sup>11</sup> and I-5 was completed in 1966<sup>12</sup>), government-subsidized lending (often only for white homeowners) and other policies.

During this 20-year period, Beaverton twice made major changes to which housing types are allowed in the Development Code’s residential districts, in 1960 and 1978. The city’s first zoning code, 1946, allowed housing variety in both its residential districts.

In 1960, Beaverton revised its code to establish four residential districts and began the segregation of housing types. Single-family detached homes were still allowed everywhere, but duplexes were only allowed in three zones (permitted in two zones, allowed by conditional use in the third zone). Multi-family homes were only allowed in one zone. In

<sup>9</sup> <https://www.bloomberg.com/news%2Farticles%2F2015-09-02%2Fhow-the-federal-government-built-white-suburbia> and <https://www.epi.org/blog/from-ferguson-to-baltimore-the-fruits-of-government-sponsored-segregation/>

<sup>10</sup> Population Center. “Official Beaverton Population 1991.” Portland State University, 28 Jan. 1991.

<sup>11</sup> Oregon History Project, [www.oregonhistoryproject.org/articles/historical-records/workmen-battle-mud-wolf-creek-highway/](http://www.oregonhistoryproject.org/articles/historical-records/workmen-battle-mud-wolf-creek-highway/)

<sup>12</sup> Oregon on the Move: A History of Oregon's Transportation System. [www.oregon.gov/odot/About/Documents/oregononmove\\_final.pdf](http://www.oregon.gov/odot/About/Documents/oregononmove_final.pdf).

addition, the new code increased front setbacks, decreased height maximums in some areas, added minimum lot sizes and required off-street parking minimums for all housing types.

In 1978, the city updated the Development Code again, creating exclusively single-family neighborhoods. A movement to separate housing by type was a national trend in the planning community, not a practice unique to the city. Nevertheless, the city again doubled the residential zones from four to eight, reserving five of eight low-density zones for detached single-family homes only. The new regulations also increased minimum lot sizes for all housing types (doubling, tripling and quadrupling in some cases), and front, side and rear setbacks; reduced height maximums again in lower density districts; and created minimum open space requirements that applied to duplex and multifamily zones only. Combined, these new planning tools resulted in lower density neighborhoods, made up of mostly detached single-family homes, with more space between the homes.

In addition to city rules, codes, covenants and restrictions established with subdivisions in Beaverton often restricted development to one house per lot.

In general, requiring large lots sizes where only one home is allowed creates large areas of the city within which significant income and access to capital is required to live there because single-family homes on large lots tend to be more expensive than other housing types.

In 2020, Housing Options Project research has found that many of the areas where only single-family detached homes are allowed are still segregated and mostly owned by white homeowners today. For example, in residential areas with mostly single-family zoning, 84 percent of the population identifies as “white alone.”<sup>13</sup> Of all communities of color, the Latinx community is least likely to live in or own a home in this area. They are four times more likely to live in multifamily than single-family neighborhoods. Other communities of color less likely to live in single-family neighborhoods include people that are Black, multiracial or identify as “some other race” on census forms.

## **1980 -**

Racist laws and practices did not disappear after 1980. City staff are still reviewing the interns’ findings. Single-family-only zoning, which usually has the effect of excluding people

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<sup>13</sup> Source: U.S. Census Bureau, 2010, Washington County, Oregon. Based on census block groups 0305011, 0304023, 0316101, 0310033, 0310035, 0310034, 0318153, 0310042, 0310043, 0310044, 0318072, 0318063, and 0302004. In this set of block groups, at least 90 percent of residential land is zoned for detached single-family homes (R5, R7 and R10). At the census block group level, “white alone” includes Hispanic and non-Hispanic. Data for race and ethnicity are not combined at the census block group level. However, 2010 census block group data for the Hispanic community still confirms that they are significantly less likely to live in single-family neighborhoods and more likely to live in multifamily neighborhoods.



and contributing to segregation, remains widespread in U.S. cities. In Beaverton, it takes up large areas of the city, as described in the Housing Options Project [Residential Development Patterns](#) report.

## Conclusion

The interns' work uncovered additional information as well, but the documentation of the findings is not yet complete. The research the interns were able to complete given their limited time demonstrates that Beaverton was buffeted by racist planning and land use actions on the federal and state levels. Beaverton community members and leaders also acted in racist ways that contributed to Black, Indigenous and People of Color experiencing disparate comes regarding health, wealth, income and other factors.

For example, according to the Leading with Race: Research Justice in Washington County report from 2018:

- Only 17 percent of Native Hawaiian and Pacific Islander workforce is employed in high-wage sectors compared to 44 percent of white workers.
- Less than 50 percent of African Americans own their homes compared to about 66 percent of white homeowners.
- Fully 68 percent of Native American single mothers with children live in poverty compared with 25 percent of white single mothers with children.

This means all levels of government have a responsibility to act to address these disparities and work toward equitable outcomes for all community members. As stated in the city's Diversity, Equity and Inclusion Plan:

“Despite the responsibility of public institutions to serve all, across history race has been a basis for exclusion and discrimination against communities of color. In order to repair the legacy of institutional racism and dismantle the infrastructure that it was built on, we must face this reality head on. ... (R)esearch shows that in the U.S. and in Beaverton specifically, race remains one of the most powerful predictors of well-being and success. Across indicators of health, education, housing, income, poverty, criminal justice and more, people of color face systemic disparities that prevent them from thriving at the same rates as the white community. Good intentions are not enough; we must intervene boldly to change outcomes.”