

Date: December 20, 2013

**To: John Cole, Interim Liaison, Southeast Neighborhoods
Bureau of Planning and Sustainability
Planning and Sustainability Commission
Mayor Charlie Hales**

From: Eastmoreland Neighborhood Association Board of Directors

Subject: Request for Land Use Zone Change from R5 to R7 for areas within the Eastmoreland Neighborhood Association Boundary¹

The definition of the R5 zone, in effect in 2013, neither reflects the qualities of our neighborhood nor protects its historic character. For this reason, we are requesting a zone change to R7 and the elimination of recognition of substandard historic lots of record. Based upon the research of current lot sizes together with land use goals adopted by the Eastmoreland Neighborhood Association (ENA) documented below, we find that the current R7 designation more accurately represents the reality of existing conditions and desired future for the neighborhood.

Please consider the following supporting documentation²:

According to Chapter 33.611 of the Zoning Code, in the R7 zone, the minimum lot size permitted is 4,200 square feet – in fact, there were only 35 lots that were smaller, or 2 percent of the lots in the Eastmoreland neighborhood. The maximum lot area in the R7 zone is 12,000 square feet; there were 59 residential lots that were 12,000 square feet and greater, or 4 percent of the lots in Eastmoreland. In the R7 zone, the maximum density is 1 unit per 7,000 square feet. In the Eastmoreland neighborhood, the average lot size, in 2011, was 6,928 square feet. With one house per tax lot, this is just short of the maximum density permitted in the R7 zone.

In 2011, 37 percent of the lots in Eastmoreland were 7,000 square feet or more and 54 percent were 6,000 square feet or more. Thirty-eight percent were between approximately 5,000 and 6,000 square feet (due to the lack of precision in the GIS database, lots that are 4,990 and over are classified with the lots 5,000 square feet and over); 6 percent were between 4,200 and 4,989 square feet; and 2 percent were under 4,200 square feet (figure 1).

¹ See map on page 4.

² The statistics were generated from 2011 data prior to the recent upswing of lot divisions and new infill home construction but after a period of skinny house development in the southeast quadrant of the neighborhood. We believe that these statistics still reflect the conditions in the neighborhood but that current trends, if continued, will fundamentally alter them.

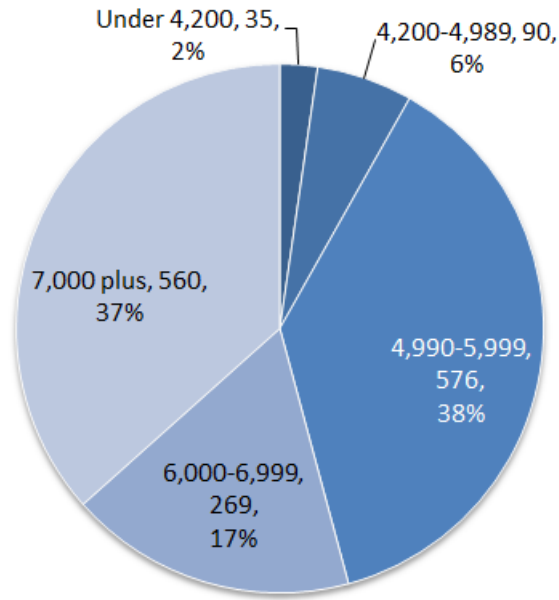


Figure 1. Distribution of lot sizes (in square feet) of Eastmoreland Tax Lots in 2011

Another way of looking at the lot sizes is the frequency with which they occur (figure 2). The histogram in figure 2 also indicates a clear tendency toward lots of 5,000 square feet and greater.

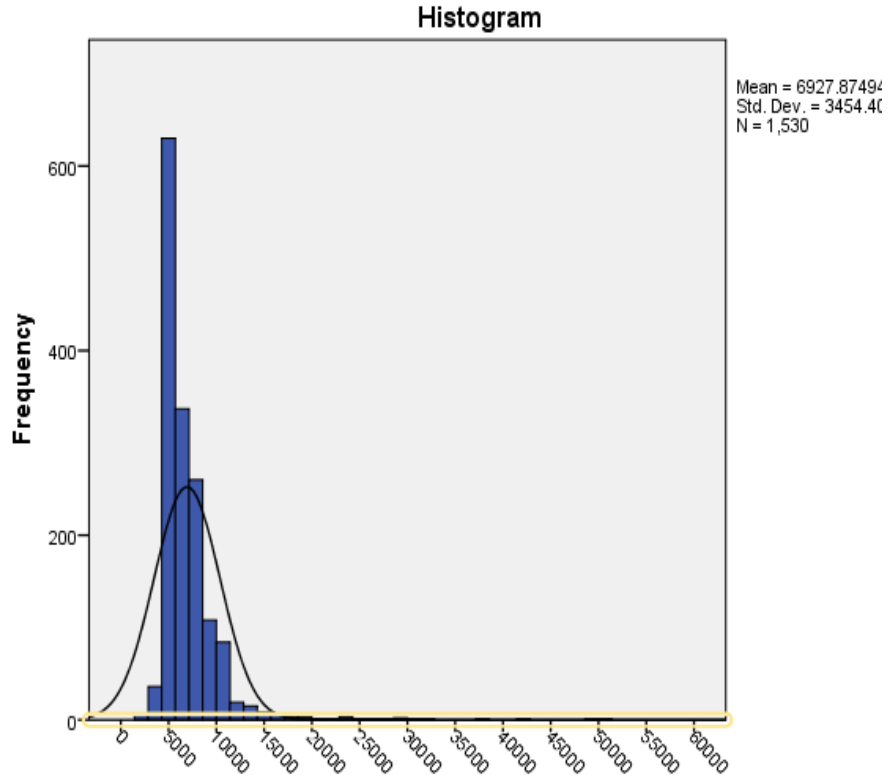


Figure 2. Frequency of lot sizes in Eastmoreland in 2011

Eastmoreland was developed to be a neighborhood with a diverse housing stock in terms of size and affordability and one characterized by larger lots and a garden feel. The neighborhood was originally zoned R5 meaning that the minimum lot size for the neighborhood was 5,000 square feet. While there are a few lots less than 4,200 square feet, these are primarily the result of development on 25' x 100' lots of record in the southeast quadrant of the neighborhood east of SE 36th that are clearly incompatible with the scale, streetscape, and character of the neighborhood and have replaced lower priced housing stock with higher priced housing. This anomaly is acknowledged in the Comprehensive Plan Map App's working map "Future Study" incorrectly labeled "Brentwood Darlington" (figure 3).

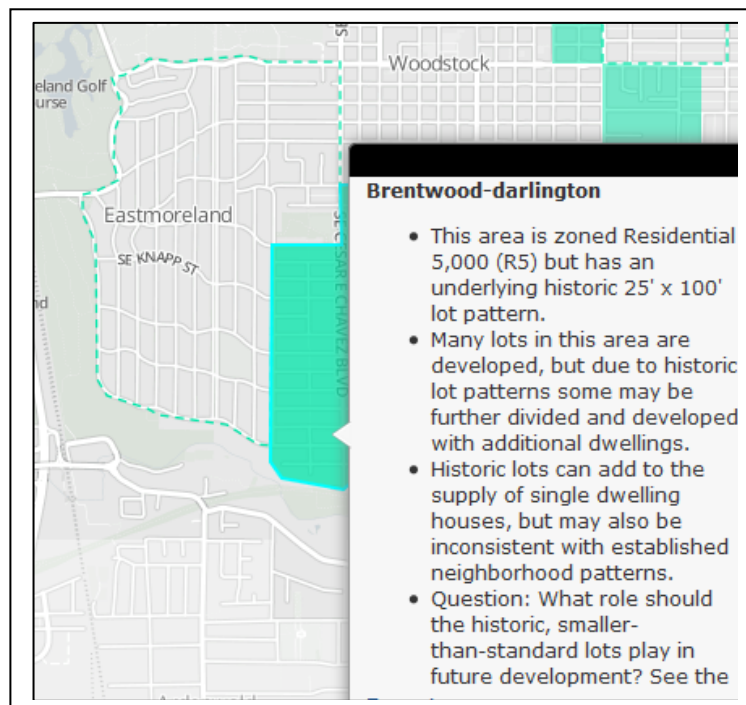


Figure 3. ENA SE Quadrant's underlying lots of record (Map App).

Note: the pop-up window misidentifies the area as Brendwood –Darlington.

Note also that the remaining area of the Eastmoreland neighborhood (outlined in the dashed green line) is identified, in the Map App, as having underlying lots of record of a "variable pattern."

Changes to the definition of the R5 zone to allow development on lots as small as 3,000 square feet, on historic lots of record of 2,500 square feet, and as small as 1,600 square feet on corner lots, have fundamentally changed what is permitted in our neighborhood. These changes, combined with the high interest speculative developers have shown in the inner eastside neighborhoods, and the upswing of the local economy, have resulted in an alarming number of lot subdivisions and demolitions in Eastmoreland. Single more modest homes are replaced with two overscaled, poorly designed, and far less affordable houses. And, while the original houses had generous gardens and green spaces surrounding them, the large replacement houses leave little room for either. Given the provisions of the

current R5 zone, the presence of numerous historic lots of record, as well as the abundance of corner lots in Eastmoreland, it is clear that the code encourages this type of undesirable redevelopment thereby destroying the affordability, quality, and character of the neighborhood.

Conclusion. The ENA Board of Directors has voted in its regular meeting of December 19, 2013 to request inclusion of the ENA Neighborhood as a study area for rezoning to R7 as part of the comprehensive plan update and simultaneous elimination of recognition of substandard historic lots of record. In addition, we request that two neighborhood commercial parcels³ be grandfathered as conditional uses that support convenience and vitality.

This zone change request is complementary to the proposed special Plan District described in a separate letter and consistent with adopted neighborhood land use goals.

Robert McCullough, President
Eastmoreland Neighborhood Association Board of Directors

Eastmoreland Neighborhood Boundary



³ The historic neighborhood grocery store, at 3616 SE Knapp, that is currently vacant but has served the neighborhood for many years, and the service station at 7223 SE Cesar Chavez Boulevard.

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**To: John Cole, Interim Liaison, Southeast Neighborhoods Bureau of Planning and Sustainability
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Mayor Charlie Hales**

From: Eastmoreland Neighborhood Association Board of Directors

Subject: Request for Inclusion: Special Plan District to Meet Eastmoreland Neighborhood Association Land Use Goals.

The purpose of this letter is to request recognition of the Eastmoreland neighborhood Plan District goals in the Comprehensive Plan, *and* to provide, in the City of Portland Bureau of Planning and Sustainability 2014 work plan, assistance in refining the implementation plan for the proposed Plan District.

In April of 2012, The Eastmoreland Neighborhood Association (ENA) adopted draft neighborhood land use goals that will expand and supersede the current ENA Plan District in order to achieve the goals. The ENA is actively involved in developing an implementation plan to achieve these goals. The adopted goals are as follows:

Whereas a century of history and character of the street-scape and architecture within ENA boundary is being damaged and is under threat of unchecked demolition as a result of City land use policies and development pressures, and

Whereas the ENA Board finds that the compromised R5 zoning standards undermine the current Eastmoreland-Laurelhurst Plan District regulations, fail to respect the purpose of the Plan District, and contradict numerous purpose statements in the zoning code and comprehensive plan that support sustainability, historic continuity, affordability, and livability goals, and

Whereas the Eastmoreland Neighborhood Association (ENA) Board authorized the Land Use Committee to develop policies to expand the current Plan District standards and to recommend specific criteria for implementation for the purpose of adjusting provisions in Title 33 (the land use code) applicable to areas within the expanded Plan District boundaries.

Be it resolved that the ENA Board endorses the following Neighborhood Goals and further authorizes the ENA Land Use Committee to develop specific recommendations for implementing the goals in an expedient fashion including dissemination to our neighbors for comment in public forum and in other media.

Neighborhood Land Use Goals for ENA Special/Plan District

1. Maintain Distinctive Neighborhood Character consistent with the following significant characteristic themes.

- **A garden setting for individual structures emphasizing continuity of this setting along the street and for private yards as well.** The scale of the houses (height, width, and above grade floor area) with respect to the size of the lots assures that front, side, and/or rear yards provide light, privacy, and ample space for public as well as private gardens.
- **Garages and driveways are visually suppressed.** Consistent with the garden setting theme, the walking scale of neighborhood, public safety, and the revival architectural styles, the garages and driveways are minimized.
- **An architecture of street trees.** Plantings of a consistent pattern of large canopy deciduous street trees provides a unifying architecture to the variety of architectural styles from the 20th century represented in the neighborhood. Generous front yard setbacks provide adequate space for such street trees. The large canopy deciduous tree pattern provides shading in summer (reducing cooling loads and evaporation) absorbs storm water runoff, provides access to available light in winter (promoting solar electric and mental health).

2. Minimize Demolition of Existing Housing

- Remove zoning code provisions encouraging narrow-lot houses on substandard lots of record and dividing corner lots into substandard 2,500 square foot lots. Tax assessments and land valuations are based on higher density redevelopment potential. This incentivizes speculation and reduces affordability.
- Maintain housing stock with a variety of sizes and price ranges consistent with neighborhood character as new housing is consistently more expensive than existing stock.
- Maintain historically significant structures and the general patterns and characteristics of existing development as important links to the history and culture of the neighborhood.
- Prohibit development of “skinny houses” on 25 foot wide “historic lots of record”. This code provision encourages concentrated density in random patterns incompatible with important characteristic themes of the neighborhood, produces a form that is energy inefficient in shape, encourages driveways and garages to dominate the street, and is wasteful of side lot landscape areas where little can grow.
- Minimize the stream of wasted building materials to the landfill and wasted energy embodied in the materials in constructed houses resulting from speculative teardowns.

3. Encourage new, remodeled or replacement housing to respond to the context of the architecture of neighboring houses. This will take the form of a neighborhood design review process informed by the Historic Preservation League of Oregon white paper “Compatible Infill Design” that, among other

examples, will guide the work of the ENA in seeking to balance guidance with regulation.

<http://www.historicpreservationleague.org/FieldNotes/HPLOSpecialReport-CompatibleInfillDevel.pdf>

4. Expand the Special/Plan District to include areas within the ENA boundaries

- The plan district will be expanded to be consistent with neighborhood boundaries bounded on the east by SE Cesar Chavez Blvd. (39th Ave), on the south by properties on the south side of SE Crystal Springs, on the north by SE Woodstock Boulevard and on the west by the streets bordering the east side of the Eastmoreland Golf Course.
- The northeast quadrant sub-area bounded on the south by the south boundary of Berkeley Park, on the east by SE Cesar Chavez Blvd. (39th Ave), on the west by the rear lot lines of properties facing SE 36th Ave., and on the north by SE Woodstock Blvd will be added.
- The southeast quadrant sub-area bounded on the north by the south boundary of Berkeley Park, on the east by SE Cesar Chavez Blvd. (39th Ave), on the west by the rear lot lines of properties facing SE 36th Ave., and on the south to the south property lines of properties facing SE Crystal Springs will be added.

Conclusion

On December 19, 2013 during its regularly scheduled meeting, the ENA Board of Directors voted to request the inclusion of these neighborhood Plan District goals into the City of Portland's Comprehensive Plan update.

Robert McCullough, President
Eastmoreland Neighborhood Association Board of Directors

