

Opposition to Comprehensive Plan Amendment  
LU 21-094203 ZP ZC, June 1, 2022, item 485

Mark Griswold Wilson, Friends of Oaks Bottom  
David Schoellhamer, Sellwood-Moreland Improvement League

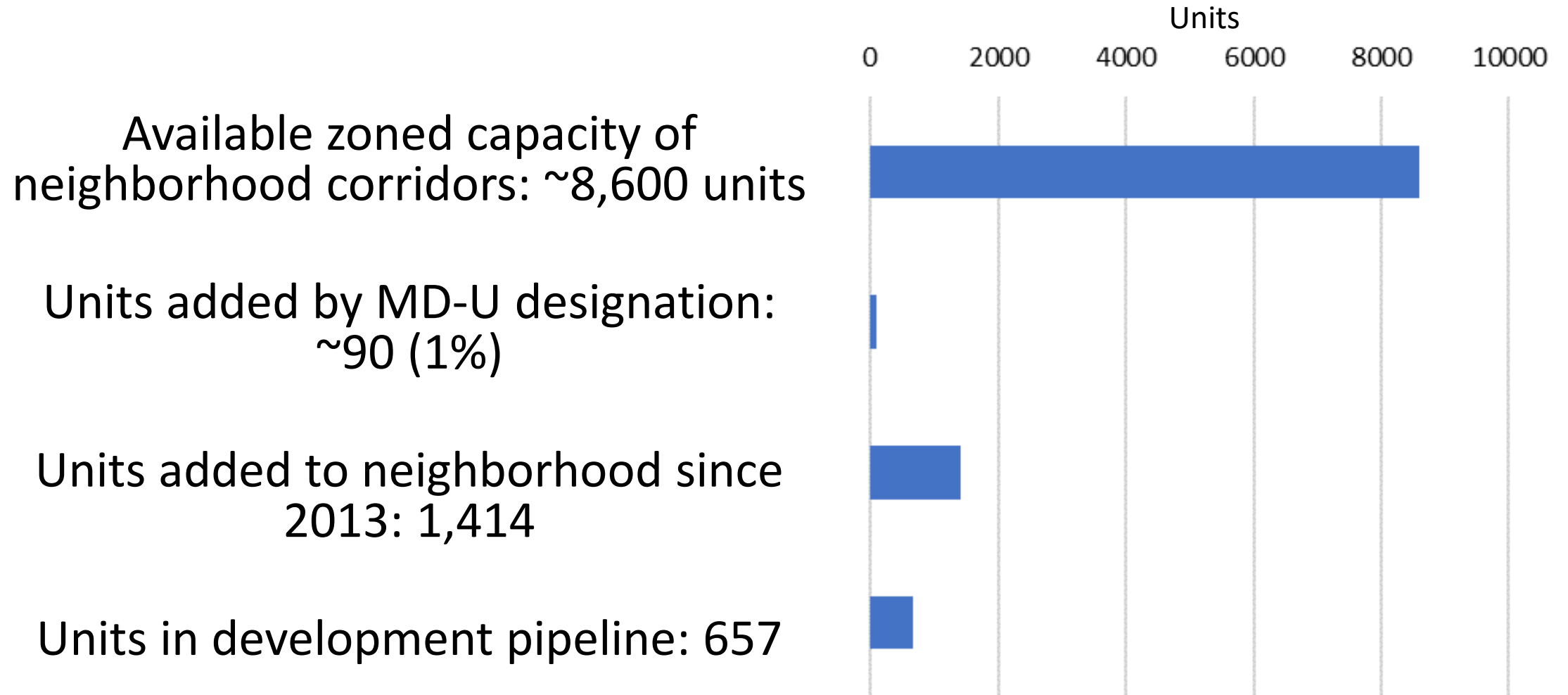
# SMILE opposes because

- Landslide risk decreases the safety of housing
- Degradation of Oaks Bottom Wildlife Refuge, this City's natural gem
- Previous planning by the City and community is ignored

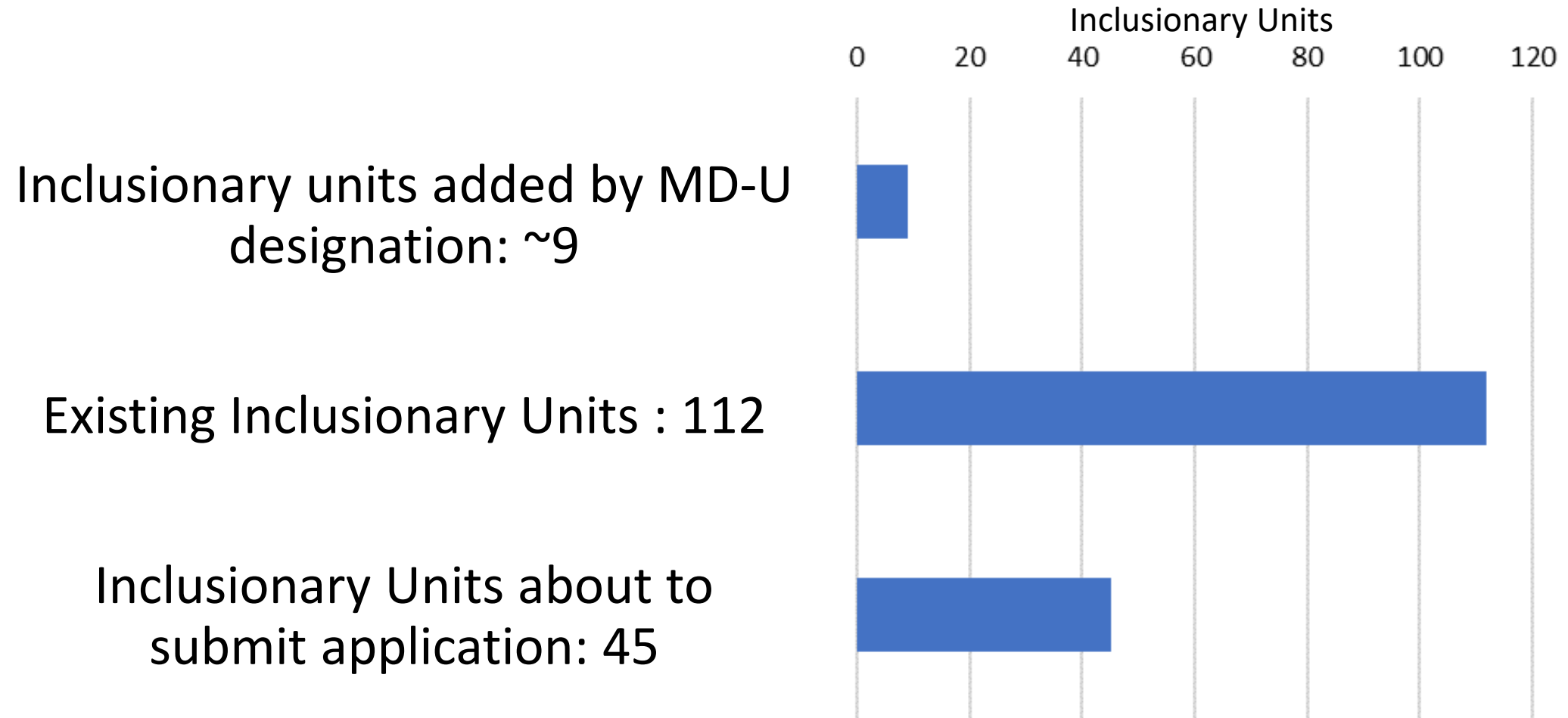
580 people have signed a petition in opposition



# Additional Units are Minor Compared to Sellwood-Moreland Development



# Additional Inclusionary Units are Minor Compared to Sellwood-Moreland Development



# Proposed designation and zone not applicable to this location

Comprehensive Plan policy 10.1.10 defines MD-U:

## *10. Multi-Dwelling — Urban Center*

*This designation is intended for the Central City, Gateway Regional Center, Town Centers, and transit station areas where a residential focus is desired and urban public services including access to high-capacity transit, very frequent bus service, or streetcar service are available or planned. ...*

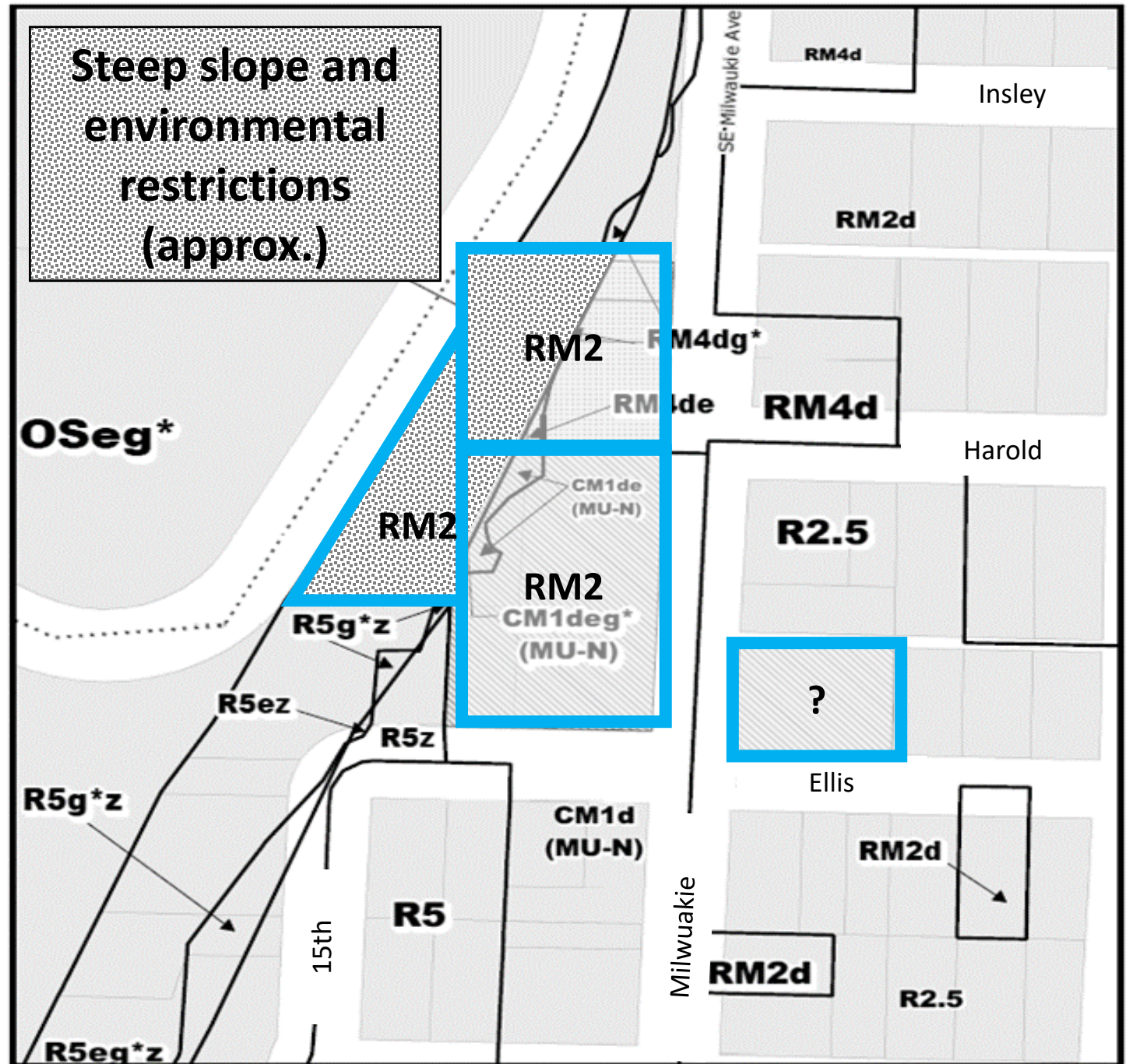
The Portland zoning code (33.120.030.D) defines the RM4 zone:

*The RM4 zone is a high density, urban-scale multi-dwelling zone applied near the Central City, and in town centers, station areas, and along civic corridors that are served by frequent transit and are close to commercial services. ...*

# SMILE proposal (RM2)

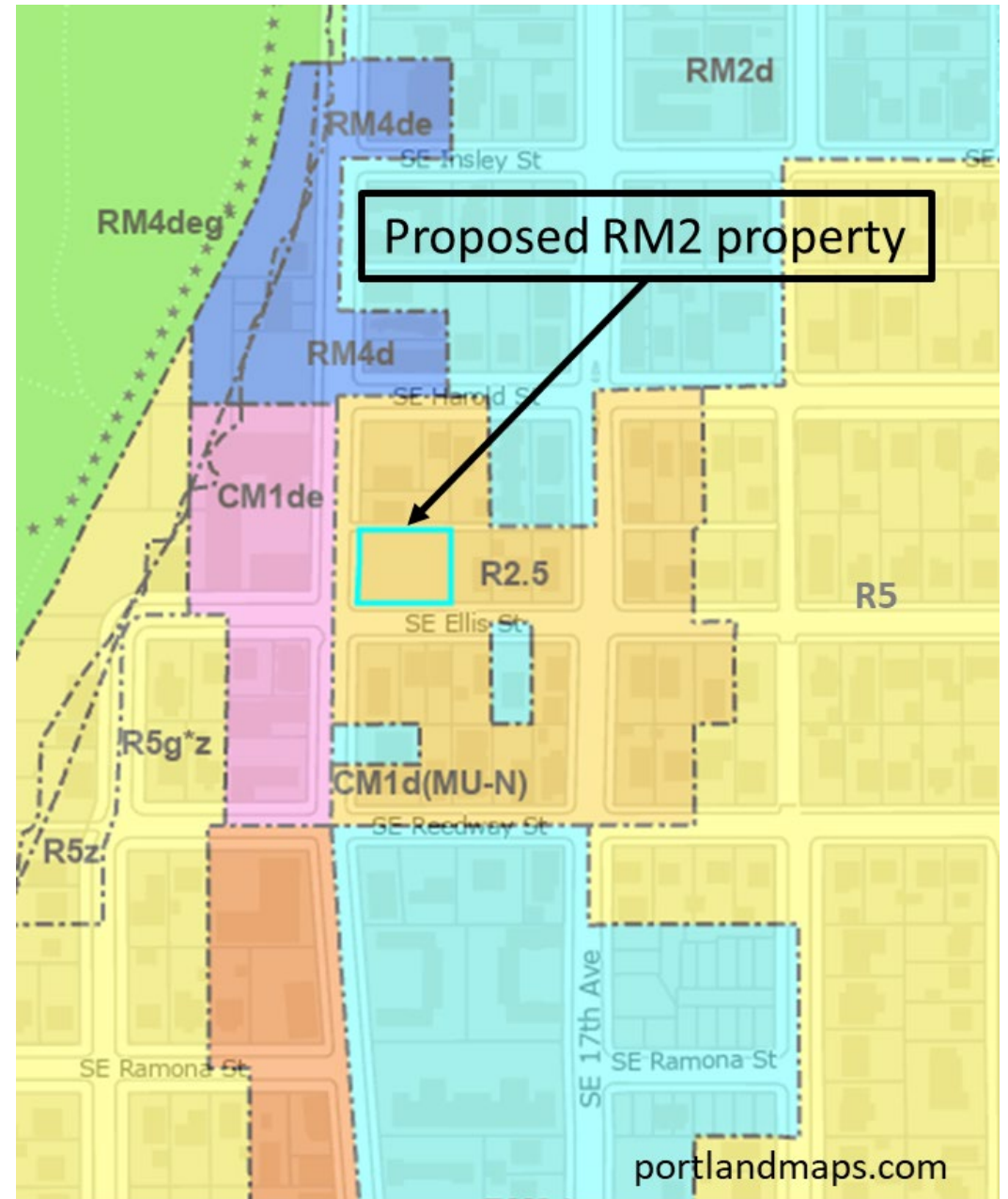
Compared to existing zoning:

- Same housing quantity
- Safer housing
- Development more feasible
- Applicable zoning for location
- Less intrusive on refuge



Proposed RM2 would  
create a zoning  
checkerboard

Not compatible with the land  
use pattern established by the  
Comprehensive Plan Map

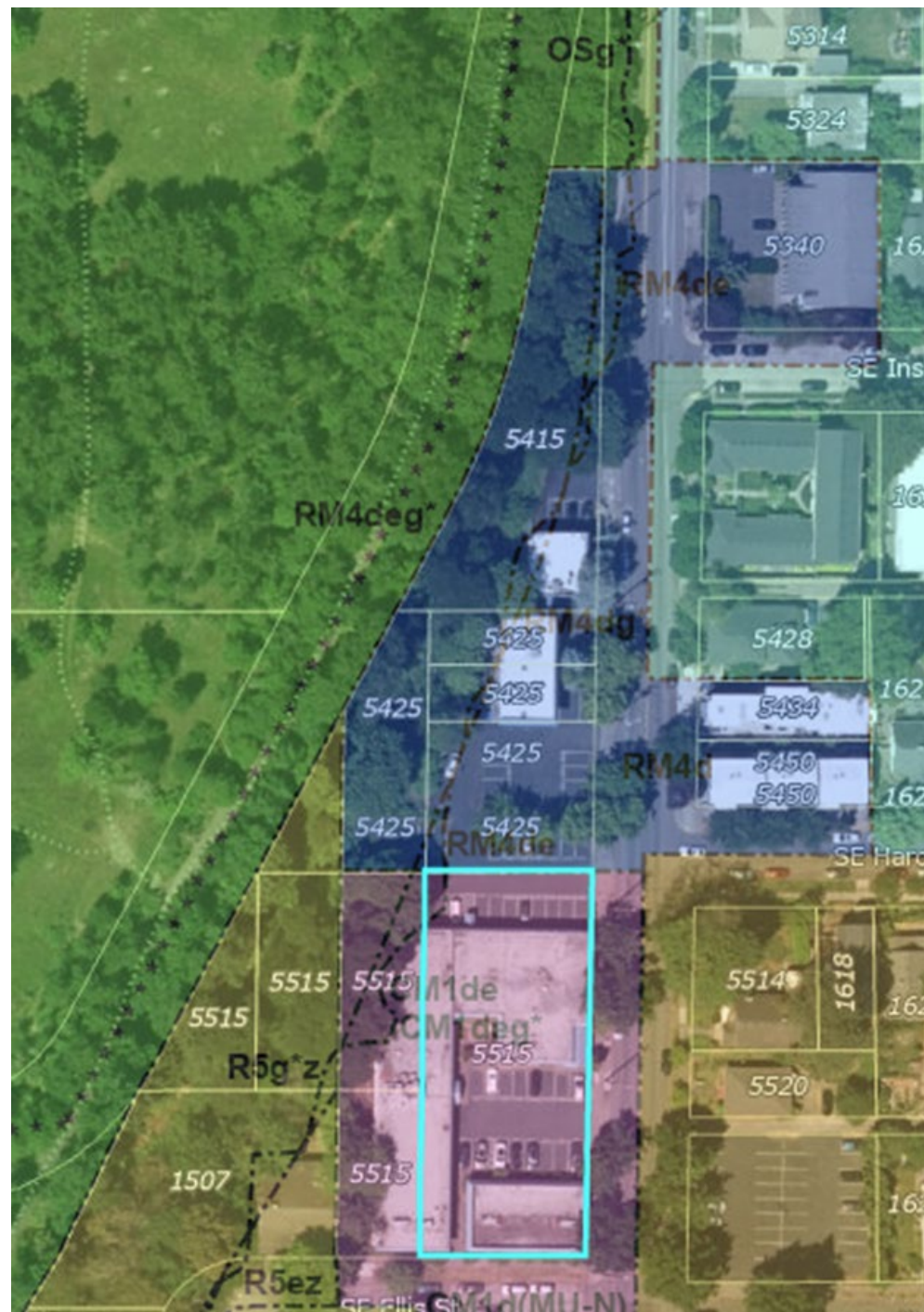






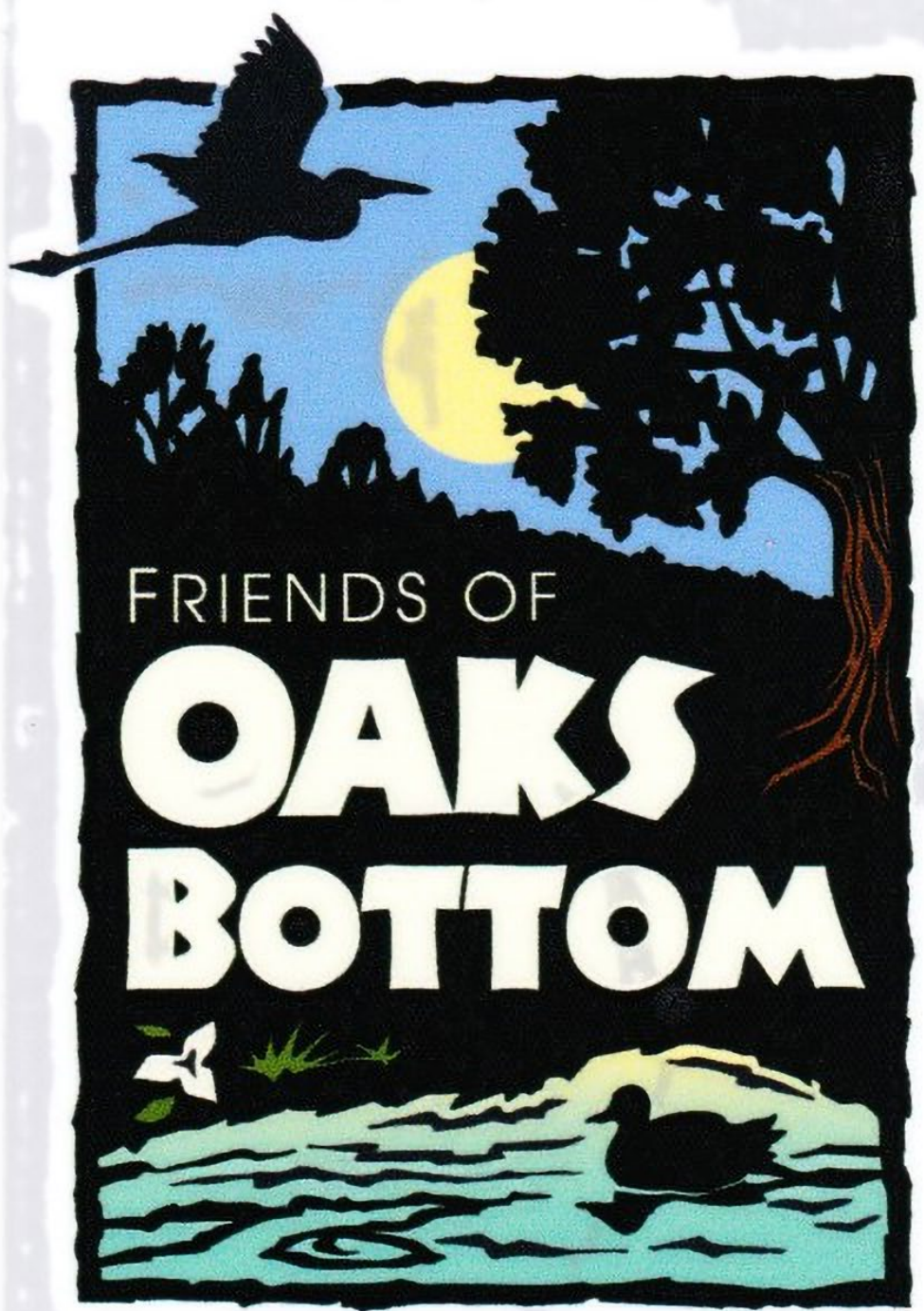
# Opposite findings and factual errors

Site characteristics	Hearings Officer and BDS finding	Previous finding or fact
MD-U and RM4 appropriate	Yes	No (BPS, Comprehensive Plan)
Commercial services	Sufficient	Needed (BPS, Comprehensive Plan)
Height limit along bluff	Seven stories	Three stories (BPS, Comprehensive Plan)
Restrict zoned density to manage landslide risk along bluff	No	Constrained sites overlay zone, 2 unit maximum (BPS, Residential Infill Project)
Allow maximum base zone density along the bluff with a geotechnical report	Yes	No (BPS, Residential Infill Project)
Landslides could result from climate change	No	Yes (Fifth Oregon Climate Assessment)
Frequent transit service	Yes	No (30-minute headway, 2022 TriMet bus 19 schedule)
Proximity to Portland City Center	Close	Closer drive to city hall of Milwaukie (2.7 miles) than Portland (3.3 miles)









FRIENDS OF  
**OAKS**  
**BOTTOM**

# Which Amphibians Call Oaks Bottom Home?

## Pacific Chorus Frog (*Pseudacris regilla*)

Chorus frogs are the most common frog at Oaks Bottom. Despite a variety of skin colors, they can all be identified by their small size and black eye-stripes. Toe pads on their feet are used to climb into small trees and shrubs.

**Fun Fact:** Chorus frogs have strong voices and are easily heard throughout the day and evening. Their familiar croaks are often used during nighttime movie scenes.



## Red-legged Frog (*Rana aurora*)

"Aurora" refers to the reddish undersides of this frog's legs and abdomen. Gold-colored eyes look to the side rather than to the front. The largest native frog in our area, it often spends the cold weather months in the water.

**Fun fact:** The red-legged frog croaks only underwater.



Frogs and salamanders are **amphibians**, animals that need a moist, humid environment to survive. "Amphibian" means "two lives" and refers to how the animals start life in water-filled egg sacs with many species developing as tadpoles before maturing into land-dwelling adults.

An amphibian undergoes changes in order to live in both water and land environments. Can you think of ways their bodies are adapted for breathing, eating, and moving in each habitat?

(amphibians shown approximately life size)

## Long-toed Salamander (*Ambystoma macrodactylum*)

A long fourth toe on its hind foot identifies this salamander. It is the earliest amphibian to breed. Beginning in January, it lays eggs in water and leaves them to hatch on their own.

**Fun fact:** The long fourth toe helps the female hang onto underwater blades of grass when she is depositing her eggs.



## Western Redback Salamander (*Plethodon vehiculum*)

An orang-ish stripe, rounded tail, and short legs identify this terrestrial (land-dwelling) salamander. Occasionally no stripe is seen. Without lungs, these animals breathe through their skin and live in moist underground worm holes.

**Fun facts:** *Plethodon* means "many teeth" and *vehiculum* refers to the male's habit of carrying the female as she holds his tail during courtship.



## Oregon Salamander (*Ensatina eschscholtzii* var. *oregonensis*)

This terrestrial salamander is best identified by the constriction at the base of its tail. Females lay eggs in damp places underground and remain near them until they hatch. The hatchlings look like miniature versions of the adults.

**Fun fact:** *Ensatina* means "sword-like" and refers to the way the salamander raises its tail to protect itself. If the tail is lost, it re-grows in about two years.



## UNWANTED: Bullfrog (*Rana catesbeiana*)

DESCRIPTION OF SUSPECT

Length: 8-10 inches Eye color: gold Skin color: green to brown; spotted  
Distinguishing feature: eardrums are as large as eyes.

Oaks Bottom's largest amphibian, bullfrogs were introduced from the eastern U.S. because of their large, tasty legs. They are invasive pests throughout the West and feed on insects, young water birds, and other amphibians.  
(Last seen eating a duckling.)



**Observing amphibians:** Please watch amphibians without interrupting their normal activities. Their moist skin is used for breathing and is very sensitive. Listed in the Federal Endangered Species Act, Red-legged Frogs are protected and research on them requires a permit. Contact Portland Parks & Recreation at [frogs@ci.portland.or.us](mailto:frogs@ci.portland.or.us) for more information.



PORTLAND PARKS & RECREATION

Healthy Parks. Healthy Portland

Habitat improvements and signage funded by Oregon Watershed Enhancement Board 2006







# Landslide history

- 1996: landslide on property (DOGAMI), another on Ellis street south of property required house to be moved
- Mid 2000's: multiple landslides nearby
- 2011: landslide on Reedway Street south of property required another house move
- This access trail commonly closed by landslides



# Landslide Risk

- *“Three parcels of the West Property are fully or nearly fully within the regulatory landslide hazard area” –Staff report*
- *“The risk of landslide poses an important and valid threat to safety, property, and human life.”  
–Hearings Officer*
- *“The Hearings Officer does not find that this risk is a barrier to approving the application” because  
“The application does not propose any development.”*

*“Where landslides occurred in the past is key to where they'll occur in the future”*

-Bill Burns, Engineering Geologist,  
Oregon Department of Geology and Mineral Industries



# SMILE opposes because

- Rejects years of planning
- Increases landslide risk
- Degrades Oaks Bottom Wildlife Refuge

580+ people have signed a petition in opposition





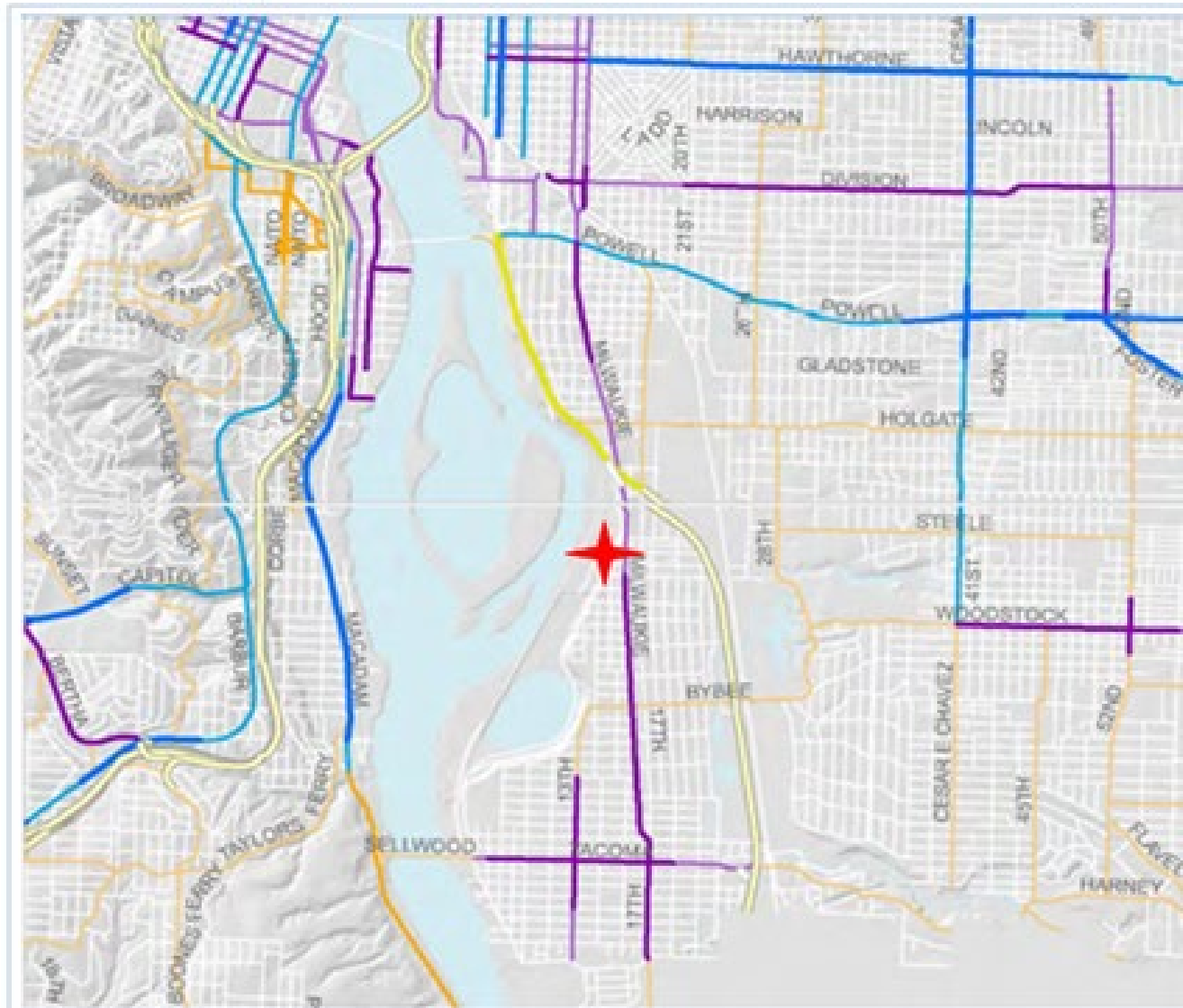
### Opposes RM2, east side of Milwaukie Avenue

- Fails to ensure that new structures complement existing neighborhood.
- Fails to support development of compact, single-family units.

### Opposes RM4, west side of Milwaukie Avenue

- Location is not near the central city, or in a town center or station area.
- Milwaukie Avenue is a Neighborhood Corridor, not a Civic Corridor.
- Fails to uphold many city policies (*such as, access to light and air, privacy and solar; relationship between building height and street width*).

✦ Location of proposed plan/zone changes on SE Milwaukie Avenue, a Neighborhood Corridor



**Street Design Classification**

- Urban Throughway
- Industrial Road
- Civic Main Street
- Neighborhood Main Street
- Civic Corridor
- Neighborhood Corridor
- Regional Corridor
- Community Corridor
- Local Street

**Street Design Classification maps**  
*Portland 2035 Transportation System Plan*