

S·M·I·L·E

SELLWOOD MORELAND IMPROVEMENT LEAGUE
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February 20, 2023

To:

Representative Mark Gamba
Senator Kathleen Taylor
Ruarrri Day-Stirrat, Director, Oregon Department of Geology and Mineral Industries
Oregon Secretary of State Shemia Fagan
Governor Tina Kotek

Re: Landslide risk along Sellwood bluff

The Sellwood bluff in Southeast Portland poses a significant landslide risk and is adjacent to the Oaks Bottom Wildlife Refuge, the largest remaining natural area within the Lower Willamette River floodplain¹. In 2011, a landslide at 1433 SE Reedway Street² closed trails in the Refuge below for months and the house had to be moved 15 feet back from the bluff in 2014³. The City of Portland zoning code includes a provision to limit development where there is a landslide risk or environmentally sensitive area, but it is not applied to this property or to most of the approximately three dozen properties along the Sellwood bluff.



¹ U.S. Army Corps of Engineers, <https://www.nwp.usace.army.mil/environment/oaks-bottom/>

² Oregon Department of Geology and Mineral Industries, Landslide inventory, PDX_1490, <https://www.oregongeology.org/pubs/ims/IMS-57/storymap/index.html>

³ https://www.portlandmaps.com/detail/permit/2012-149958-000-00-RS/3188372_did/?p=R122521

Climate change is increasing the likelihood of landslides⁴. It is absurd that the City of Portland does not consider a property that has recently had a landslide to be in a landslide area. The State of Oregon should take the following actions to protect current and future residents and the Oaks Bottom Wildlife Refuge.

1) Update landslide risk maps that are more than 20 years old and obsolete.

The State of Oregon Department of Geology and Mineral Industries (DOGAMI) has documented 7 landslides on the bluff since 2002⁵ when the most recent maps were published⁶. Since the landslide risk maps were made, the bluff has slid to the west and the landside hazard has moved east.

2) Clarify HB2001 administrative rules, if necessary

Clarify that the City of Portland River Environmental (e) overlay zone satisfies HB2001 administrative rule 660-046-0010(3)(a)(A)(ii) “Medium and Large Cities may limit the development of Middle Housing other than Duplexes in significant resource sites identified and protected pursuant to Goal 5”⁷ where Statewide Land Use Planning Goal 5 is for natural resources, scenic, and historic areas.

The appendix provides additional background information about this request. In addition, we have asked the City of Portland to decrease the buffer applied by the City to reduce the footprint of landslide hazards and include the River Environmental (e) overlay zone in the definition of an “environmentally sensitive area”. Please let me know if you have any questions.

Sincerely,



Elaine O'Keefe
President
president@sellwood.org

⁴ Dalton, M., and E. Fleishman, editors. 2021. Fifth Oregon Climate Assessment. Oregon Climate Change Research Institute, Oregon State University, Corvallis, Oregon, p. 114. <https://blogs.oregonstate.edu/occri/oregon-climate-assessments/>

⁵ DOGAMI, IMS-57, Landslide Hazard and risk study of central and western Multnomah County, Oregon, <https://www.oregongeology.org/pubs/ims/IMS-57/storymap/index.html>

⁶ DOGAMI, 2002, IMS-22, GIS overview map of potential rapidly moving landslide hazards in western Oregon, <https://www.oregongeology.org/pubs/ims/p-ims-022.htm>

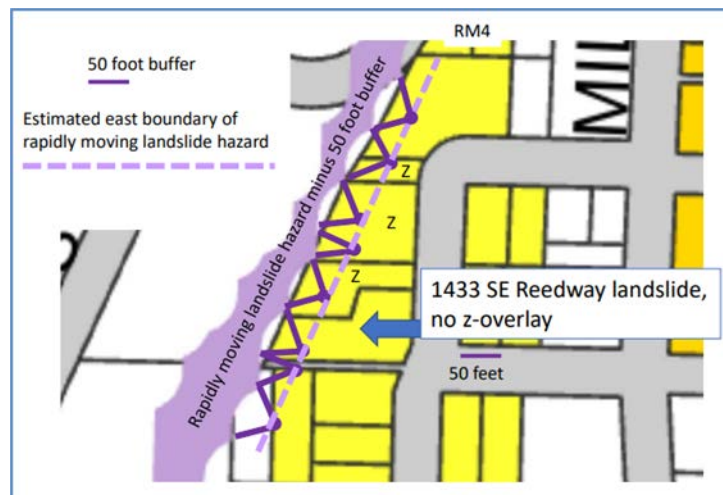
⁷ https://secure.sos.state.or.us/oard/displayDivisionRules.action;JSESSIONID_OARD=e2xkdSg3dOoK9hRIZePRss854WfcYAL0WNnROulk4-wYI0uWnGdu!437984856?selectedDivision=5988

Landslide Risk along Sellwood Bluff Appendix: Background

In 2017, the city passed the first Residential Infill Project, RIP1, which increased maximum density on most land zoned for single-dwelling development from 2 to 4 housing units. The additional density was not allowed on properties that were environmentally sensitive or susceptible to a natural disaster. The zoning code included a constrained sites (z) overlay for these properties.

Along the Sellwood bluff the (z) overlay was applied because it was considered environmentally sensitive. The city used its "Natural Resource Inventory" as the basis for applying the (z) overlay.

The process the City used to identify properties in a landslide zone did not identify most properties along the bluff, including 1433 SE Reedway Street, as being in a landslide area. The City considered areas in a "potentially rapidly moving landslide hazard zone" as mapped by the DOGAMI¹. Many properties along the bluff have some area inside this hazard zone, but the City established a 50-foot buffer into the zone, effectively reducing the size of the hazard area and removing parcels from the hazard zone. The 50-foot reduction in the landslide footprint was applied to eliminate small areas the City did not believe were a significant landslide threat. Any property with any overlap with the reduced landslide footprint received the (z) overlay. This procedure is shown in the map of the area at SE Reedway and SE Ellis Streets. The map shows the landslide hazard zone boundary (dashed purple line) and the 50-foot buffer set by the City



Rapidly moving landslide hazard areas used by the City (purple shading) and mapped by DOGAMI (estimated, dashed purple line) on part of the Sellwood bluff. Unannotated image courtesy of Morgan Tracy, City of Portland Bureau of Planning and Sustainability.

(buffer area marked with dark purple lines). The reduced landslide footprint used by the City (purple shading) just barely misses overlapping with most bluff properties. Thus, the City/RIP1

¹ DOGAMI, 2002, IMS-22, GIS overview map of potential rapidly moving landslide hazards in western Oregon, <https://www.oregongeology.org/pubs/ims/p-ims-022.htm>

did not apply the (z) overlay because of landslide risk to most of the Sellwood bluff, it was applied because of environmental sensitivity.

In 2019, the state passed HB2001 that set requirements for more types of housing in residential zones, such as allowing duplex, triplex, fourplex, cottage clusters, and townhouses. The criteria for identifying constrained sites in HB2001 excluded the Natural Resources Inventory used for RIP1. The city decided that it would apply the (z) overlay to properties that had the c, p, or v Environmental Protection overlays. Because the bluff has a different environmental protection overlay, the River environmental (e) overlay, the (z) overlay was not applied.

In 2022, the City amended its Comprehensive Plan to increase the area along the bluff zoned for multi-family residential development². That controversial proposal³ spurred SMILE to investigate zoning along the bluff and recommend the following actions to protect current and future residents and the Oaks Bottom Wildlife Refuge.

City of Portland

- 1) Decrease the buffer applied by the City to reduce the footprint of landslide hazards.
- 2) Include the River Environmental (e) overlay zone in the definition of an “environmentally sensitive area”.

State of Oregon:

- 1) Update landslide risk maps that are more than 20 years old and obsolete.
- 2) Clarify HB2001 administrative rules, if necessary

² <https://www.portland.gov/council/documents/ordinance/passed/190982>

³ <https://sellwood.org/wp-content/uploads/2022/05/SMILE-written-testimony-for-City-Council.pdf>