



City of  
**PORTLAND, OREGON**

Development Review Advisory Committee

**Development Review Advisory Committee**  
**MINUTES**  
**Thursday, October 16, 2014**

**DRAC Members Present:**

Claire Carder  
Jeff Fish  
Dave Humber  
Maryhelen Kincaid  
Michelle Rudd

Hermann Colas  
Maxine Fitzpatrick  
Rob Humphrey  
Chris Kopca  
Joe Schneider

Phil Damiano  
Steve Heiteen  
Keith Jones  
Dana Krawczuk

**City Staff Present:**

Fred Deis, BDS  
Kareen Perkins, BDS  
Greg Supriano, BDS  
Sue Williams, BES

Mark Feters, BDS  
Elizabeth Reese Cadigan, BES  
Nancy Thorington, BDS  
Shawn Wood, BPS

Mitch Nickolds, BDS  
Paul Scarlett, BDS  
Morgan Tracy, BPS

**DRAC Members Absent:**

Kirk Olsen

**Guests Present:**

John Hasenberg, ORA      Nick Danigan, Portland Development Group  
Kimberly Koehler, Eastmoreland Neighborhood Association  
Sara Long      Paul Dunlap      Elliot Njus, The Oregonian  
Ben Gates, Redside      Rick Michaelson, Inner City Properties

**Handouts**

- DRAC Meeting Minutes 9/18/14
- Inter-Bureau Code Change List
- Non-Cumulative Cost Recovery Report
- BDS Major Workload Parameters
- BDS Fall 2014 BuMP Request

## **Convene Meeting**

DRAC Chair Jeff Fish convened the meeting and welcomed DRAC members and guests.

Mr. Fish introduced and welcomed new DRAC member Kristin Wells, from Portland Public Schools. Ms. Wells is filling the Major Facilities Landowners position on the DRAC.

DRAC members reviewed and approved the September 2014 DRAC meeting minutes.

Mr. Fish said that DRAC members were needed for the Citywide Tree Code Implementation Committee. Mr. Fish and Phil Damiano volunteered to represent the DRAC on the committee.

## **Director's Report**

BDS Director Paul Scarlett reviewed the handouts *Non-Cumulative Cost Recovery Report* and *BDS Major Workload Parameters* and provided an update on the bureau. BDS cost recovery continues to be well over 100% and workload measures remain high. The bureau is filling vacant positions and is working with the City Bureau of Human Resources to streamline the hiring process.

BDS also just requested additional staff positions through the City's Fall Budget Monitoring Process (BuMP). Mr. Scarlett reviewed the handout *BDS Fall 2014 BuMP Request*. The bureau is hopeful that the General Fund-supported requests will be approved, though they are less certain than the fee-funded positions. Mr. Scarlett noted that BDS managers had requested more positions beyond is in the BuMP request; the positions being added are the highest priority positions.

DRAC member Steve Heiteen asked whether there is an upper limit to the size of the bureau. Mr. Scarlett said that the bureau's size is a concern and he is acting prudently in adding staff. Current economic conditions and future projections indicate that staff should be added in order to address the incoming work. Based on our projections and feedback from the BDS Finance Committee, there is confidence that there will be work to support these positions over the long term. The growth in work has outpaced staff levels and the ability to add staff.

Mr. Fish asked about the additional Sr. Building Inspector position that is being requested in order to address expired permits; is there a backlog of expired permits? What will this person do in the long-term? BDS Inspections Manager Mitch Nickolds said that initially this person will work on expired permits, but will eventually will take on other senior-level responsibilities. Mr. Scarlett said that the addition of this position is partly in response to the City Auditor's recent Inspections Audit, which cited the need to address expired permits. The Site Development Inspector position will do erosion control inspections, but will not be connected with the upcoming Citywide Tree Code.

DRAC member Hermann Colas said that during the recession, BDS commercial inspectors looked at multiple disciplines while in the field, and he asked whether that practice would continue. Mr. Scarlett said the bureau is having discussions with the unions and the State about this.

Guest Sara Long asked about the drop in enforcement inspections. Mr. Scarlett said that because BDS wasn't able to respond to a lot of complaints during and after the recession, people stopped calling to complain.

DRAC member Rob Humphrey said that he is worried that permit applicants won't be ready for the Citywide Tree Code implementation on January 1<sup>st</sup>. Mr. Scarlett said that bureau is bringing on a consultant to help with outreach between now and January. Mr. Heiteen said that new tree inspectors should be committed to working with applicants to reach solutions, and not just say no.

DRAC members discussed plan review processes related to the new Tree Code. Mr. Nickolds said there may not be anyone in the Permit Center (DSC) to do tree review for over-the-counter permits, and that some may have to be taken in for review. Mr. Scarlett said that Tree Code staff will be at the next DRAC meeting to answer specific questions.

Mr. Scarlett requested a letter of support from the DRAC for the bureau's Fall BuMP request. Mr. Fish asked Mark Feters (BDS) to draft a letter for his review.

### **BDS Surveys Update**

Mr. Scarlett and Greg Supriano (BDS) gave a brief update on the bureau's recent customer and community surveys. Survey results are being analyzed by DHM Research, and the bureau should have more information to share at next month's DRAC meeting.

DRAC member Maryhelen Kincaid said that some neighborhood association people had indicated to her that they missed the surveys. Mr. Supriano said the bureau had contacted the neighborhood associations by email (over 300 addresses), but didn't attend any meetings.

Mr. Scarlett added that BDS is currently surveying its employees regarding the organizational climate and how they feel about their jobs. The survey will close next week.

### **DRAC Member Announcements / Check-In**

Mr. Humphrey asked about adding customer workspace on the 2<sup>nd</sup> floor of the 1900 Building, a request he initially made at the September DRAC meeting. Mr. Scarlett said he had spoken with BDS Plan Review/Permitting Services Manager Andy Peterson. Currently BDS is restacking its space on other floors, and will be looking at customer workspaces on the 1<sup>st</sup> and 2<sup>nd</sup> floors. He has also noticed that some customers are using spaces for a long time, which impacts the available space. Mr. Humphrey said that restricting the time customers are allowed to use the space would not be productive for customers or revenue-enhancing for BDS. Kareen Perkins (BDS) said that Permitting Services has added a table for customers and is working on ideas to make improvements in the short term.

Ms. Kincaid said she was glad to see that RICAP 7 information had been added to the *Inter-Bureau Code Change List* handout. She asked whether a report could be brought

to the DRAC in December, before it goes public. Morgan Tracy (BPS) said they will be circulating a draft report to staff in November/December, so they should be ready to report to the DRAC in December.

Mr. Fish mentioned the need for a new DRAC Chair in January.

### **Demolition Subcommittee Report**

Nancy Thorington (BDS) gave an update on the DRAC Demolition Subcommittee. They have reached consensus on the K1 exemption, 35-day delay, and voluntary notice. Ms. Thorington said she has visited several neighborhood association meetings to discuss demolitions and the subcommittee's work.

The subcommittee is now looking at how demolitions and major alterations should be differentiated and defined. The goal is to take a demolition proposal to the City Council in December. The next subcommittee meeting on October 24<sup>th</sup> will focus on fleshing out issues that won't be in the code – administrative rules, policies, and procedures. There is still a lot of work to do, but significant progress has been made because everyone has been at the table and participating.

Ben Gates (Rebuilding Center) asked whether the subcommittee had addressed deconstruction. Ms. Thorington said the City Council was clear that they wanted deconstruction to be addressed, but it's been challenging to figure out how deconstruction fits into the code rewrite. It's very much on the table and being actively discussed.

Ms. Kincaid said that it's been good for the neighborhood associations to be involved in the discussion. It appears that the subcommittee has addressed the neighborhood associations' concerns, though there may not be agreement on all the policies or fine points. She said the process has progressed from contentious meetings with the neighborhoods to a collaborative environment.

### **Open Discussion**

DRAC member Chris Kopca asked about the relationship between recommendations in the City's Comprehensive Plan and the work of the Demolition Subcommittee. Mr. Scarlett said the bureau is working closely with BPS on this. Rick Michaelson (Inner City Properties) said that the last demolition task force in 1989 made recommendations for changes to both Title 33 & Title 24; the codes have to work together.

Ms. Long asked what is happening to legalize small houses. Mr. Scarlett said there is a task force in the Mayor's Office working on this, and there are issues with local, state, and federal codes that need to be addressed.

Mr. Heiteen expressed concern that Metro and the City's Comprehensive Plan are not lining up well. Metro wants increased density, while Portland wants less density in certain scenarios. DRAC member Michelle Rudd suggested that he let the Planning & Sustainability Commission know about specific issues, and that the Commission needs to hear more from the development community.

Mr. Heiteen also expressed continuing concern about the aggregate effect of new/increased fees that are increasing the cost of development and impacting affordable housing.

John Hasenberg (Oregon Remodelers Association) said that with so many new staff at BDS, the plan review process is being impacted. Plan reviews take longer and the quality of some checksheets isn't very good. He said he would like to arrange meetings between remodelers and plans reviewers. Mr. Scarlett said this can be done, and that staff will get back to him.

Mr. Scarlett said that since the DSC (permit center) re-opened on Mondays, there has been an impact on the ability of staff to do back office work, such as plan review, returning calls, etc. The bureau has been looking at solutions and is considering reducing DSC hours on Thursdays, since the DSC already closes early at 2:00 that day for a staff meeting. Additional back desk time could help speed up reviews. The change may be for just a few months, until more staff are added. They hope to make this change soon.

**Next DRAC Meeting: Thursday, November 20, 2014, 8:00 a.m. - 9:30 a.m.**

Minutes prepared by Mark Feters, BDS