



City of
PORTLAND, OREGON

Development Review Advisory Committee

Development Review Advisory Committee
MINUTES
Thursday, July 16, 2015

DRAC Members Present:

Claire Carder
Maryhelen Kincaid
Jennifer Marsicek

Maxine Fitzpatrick
Chris Kopca
Kirk Olsen

Rob Humphrey
Dana Krawczuk
Joe Schneider

City Staff Present:

Fred Deis, BDS
Matt Grumm, Commissioner Saltzman's Office
Mitch Nickolds, BDS
Deborah Sievert Morris, BDS

Cindy Dietz, Water
Dora Perry, BDS
Riley Whitcomb, Parks

Mark Feters, BDS
Kurt Krueger, PBOT
Andy Peterson, BDS
Sue Williams, BES

DRAC Members Absent:

Hermann Colas
Keith Jones

Phil Damiano
Justin Wood

David Humber

Guests Present:

Margaret Davis, Beaumont-Wilshire Neighborhood Association / United Neighborhoods for Reform
Jeff Fish, Fish Construction NW
John Hasenberg, Oregon Remodelers Association
Joshua Klyber, Code Unlimited

Handouts

- Draft DRAC Meeting Minutes 6/18/15
- Inter-Bureau Code Change List
- City Code Title 3.30.030 – Development Review Advisory Committee
- DRAC Mission, Role, & Activities
- BDS Major Workload Parameters
- Discussion Questions

Convene Meeting

DRAC Chair Maryhelen Kincaid convened the meeting and welcomed DRAC members and guests.

DRAC Role/Purpose/Work (Discussion)

Ms. Kincaid began the discussion by asking attendees (DRAC members, City staff, and guests) to share one item they felt would be the most important for the DRAC to address in the coming year.

Items shared by DRAC members included:

- Development fee increases and their impact on development, particularly low-income housing
- Finding ways to make improvements to the development review process without adversely affecting development projects and the City
- Earlier DRAC review and comment on fee changes
- Making the permitting process and timeframe more predictable
- Creating more of a feedback loop from the private sector to public agencies
- Upcoming substantive code changes and the timing of those changes
- Better coordination between bureaus in the permitting process
- Finding ways to encourage low-income homeowners to correct code violations in a way that won't burden or intimidate them

Items shared by City staff included:

- Continued honest, direct feedback into BDS operations/policy
- Helping BDS distribute the benefits and burdens of its work in a fair and equitable way
- Informing development bureau decision makers regarding the DRAC's concerns
- Providing a reality check for City bureaus on how policies impact development
- Working closely with the BDS Information Technology Advancement Project (ITAP) team
- Providing a sounding board for City Commissioners and bureaus
- Strengthening the two-way flow of information between City staff and the DRAC

Items shared by guests included:

- Focusing on its mission –development review, the environment and livability
- Working with the private sector more closely to streamline the permitting process
- Addressing the silos inside BDS and between the development bureaus
- Earlier DRAC involvement in issues

A series of thought questions were sent to DRAC members prior to the meeting, and Ms. Kincaid said that the responses she received from members showed general agreement in three areas:

1. The DRAC needs to be informed and involved in City processes related to development prior to decisions being made, rather than hearing reports from City staff after decisions have already been made.
2. The DRAC should be more involved in substantial policy issues, such as the City Comprehensive Plan.

3. The DRAC should spend more time addressing issues prioritized by the stakeholder groups the DRAC members represent.

DRAC Member Chris Kopca said he is frustrated about the DRAC not functioning as an advisory body – it is not advising anyone; the City Council doesn't listen when the DRAC forwards recommendations; and there isn't time in DRAC meetings for members to take in information and give meaningful input. He said the DRAC is taking on too much and needs to decide what to focus on. Significant issues like the Comp Plan, SDCs, and development fees can't be meaningfully addressed in a 1 ½ hour monthly meeting.

Mr. Kopca said he wants to see the DRAC advise at a policy level and not be involved in drafting code. He also suggested that the DRAC find out the issues on which the City Council wants the DRAC's advice.

DRAC Vice Chair Rob Humphrey said that he has heard recurring themes: City staff values DRAC input, and the DRAC wants to be a more involved resource for the City. Each month, he, Ms. Kincaid, and BDS Director Paul Scarlett sort through multiple requests from bureaus to bring items to the DRAC. He said that there is no additional vetting of the requests, and he raised the question of whether DRAC agendas should be driven by City bureaus or DRAC members. He added that while briefings from City staff are helpful, the DRAC needs more than briefings if it is going to advise bureaus. Ms. Kincaid concurred, adding that the DRAC needs to move away from a model of hearing bureau reports to one of determining what issues to address and moving forward with those.

Guest John Hasenberg (Oregon Remodelers' Association) said he attends DRAC meetings to pick up information, but that real work on substantive issues can only get done in subcommittees.

Ms. Kincaid asked Mr. Scarlett for his perspective. He said that at the last agenda-planning meeting with Ms. Kincaid and Mr. Humphrey they discussed tailoring DRAC agendas to meet desired outcomes, with time for some staff presentations and opportunities for DRAC member input. The intent of the DRAC was to streamline and improve the development review process. The DRAC can be instrumental in helping BDS set directions, but the DRAC needs to be involved earlier in the process – the timing is critical. He suggested establishing requirements for when issues are brought to the DRAC. He also said it is important that the City reports back to the DRAC on what happened with their recommendations. He agreed with others that DRAC agendas have been overloaded with too many items and there hasn't been enough time to address things meaningfully.

DRAC members discussed the DRAC's general role as an advisory board, as opposed to a policy-making body. Guest Margaret Davis (Beaumont-Wilshire NA/UNR) said that the DRAC Demolition Subcommittee did craft policy. She added that if the DRAC sticks to its stated focus on the development review process, then the make-up of DRAC members is sufficiently representative; but if the DRAC broadens its focus, then broader representation is needed in the membership, including more representation from the neighborhoods. Guest Jeff Fish (Fish Construction NW) replied that the DRAC is the only City advisory body where the development community is represented; the neighborhoods are represented on other City advisory bodies.

DRAC Member Kirk Olsen said that in his view, the DRAC is about the development review process. The questions in his mind are how far upstream in the process and how far into the bureaus the DRAC should go. He said he sees the DRAC as an advisory board for BDS, not for the other development bureaus.

DRAC Member Maxine Fitzpatrick read from City Code Title 3.30.030 that the DRAC's mission is to "foster a timely, predictable and accountable development review process that implements the City's goals for land use, transportation, housing, economic development, neighborhood livability and the environment." She said that in order to accomplish this, the DRAC needs to know what the City's goals are for these areas.

DRAC members and City staff discussed the focus of the DRAC, and whether the DRAC's work goes beyond its stated mission. Mr. Scarlett said that the DRAC is addressing things that go beyond its mission statement because of the nature of BDS's work. The bureau's operations include planning functions, permitting, inspections, etc., but also City Code enforcement work such as zoning and property maintenance.

Mr. Kopca reiterated that the DRAC needs to know what the City Council would like to see the DRAC address, The DRAC can't just set its own agenda in a vacuum. Mr. Scarlett said that there are times where the City will ask for the DRAC's input on specific issues, and there are other priorities that the DRAC can set. DRAC Member Claire Carder said that the DRAC should have considerable input into what BDS should be prioritizing and addressing.

Riley Whitcomb (Parks) suggested a model for DRAC involvement in City policy development that he has used for several years regarding Parks SDC fees: he asks a DRAC member to serve on the Parks SDC Committee, and then relies on that person to take information back to the DRAC. Ms. Kincaid agreed that this is a good model, but that DRAC members serving on other committees have had challenges in reporting back to the full DRAC because DRAC meeting agendas have been too packed.

Matt Grumm (Commissioner Saltzman's Office) said that he sees the DRAC playing two roles: first, the DRAC is a sounding board for what City bureaus are doing; second, the DRAC can get deeper into work in the bureaus. He suggested updating the DRAC Workplan to identify a few meaty subjects to dig deeper into, such as the Comprehensive Plan or design review.

Mr. Humphrey said that the DRAC Workplan isn't being updated because the DRAC has spent its time on what the bureaus want to present, and there hasn't been time to dig deeper into issues.

Mr. Scarlett said that for City bureaus, being able to say that they've vetted proposed policy changes with the DRAC is important in getting those changes passed by the City Council. Bureaus feel they have to check that box. He said it may be time for him to revisit this with Commissioner Saltzman. Mr. Humphrey said that if City bureaus continue to bring so many policy proposals to the DRAC, then the DRAC needs to meet more frequently or longer, and/or have active subcommittees to work on priority issues.

Mr. Humphrey added that City policy will be more effective if the DRAC and other stakeholders are involved earlier in the process. Mr. Kopca replied that earlier involvement works with BDS, but is challenging with the other development bureaus since they report to different Commissioners.

Ms. Carder said that it seemed to her that the DRAC needs longer monthly meetings and active subcommittees, along with a Workplan that includes input on priorities from DRAC members, the City Council, and City staff.

Mr. Olsen said that it would be important to get input from City Commissioners on what their priorities are, then go to bureau heads and let them know which ones the DRAC wants to participate with. Andy Peterson (BDS) said that there are some items with short timeframes that the DRAC will be interested in working on, and these should take priority in the Workplan. Mr. Scarlett said that the first step is to revisit the current Workplan; he said he will discuss it with Commissioner Saltzman and Mr. Grumm this afternoon.

Recap/Next Steps

Several action steps were identified and assigned, including:

1. Identify other City advisory committees where DRAC members could participate and act as liaisons back to the DRAC. (Ms. Kincaid)
2. Invite Ms. Kincaid and Mr. Humphrey to sit in on one of Mr. Scarlett's regular briefings with Commissioner Saltzman, in order to get his feedback. Mr. Scarlett suggested taking this information forward to the Council Executives meeting. (Mr. Scarlett)
3. Send a memo to absent DRAC members asking for their one important thing, to add to the discussion. (Mr. Feters)
4. Beginning with the August 20th DRAC meeting, meetings will be extended by 30 minutes; meetings will run from 8:00 – 10:00 a.m. (Mr. Feters)
5. Send the current DRAC Workplan to all members and ask for their feedback on what it should include. (Mr. Feters)
6. Create an "Agenda Item Request Form" for people to use when asking for time in a DRAC meeting. (Ms. Kincaid / Mr. Humphrey)

Mr. Scarlett expressed appreciation for DRAC members' participation in the discussion and their thoughtful input.

June 2015 DRAC Meeting Minutes

By this time, a quorum was not present to approve the June 2015 DRAC meeting minutes. The June and July meeting minutes will be reviewed at the August DRAC meeting.

Next DRAC Meeting:
Thursday, August 20, 2015
Minutes prepared by Mark Feters, BDS