



City of
PORTLAND, OREGON

Development Review Advisory Committee

Development Review Advisory Committee
MINUTES
Thursday, July 17, 2014

DRAC Members Present:

Claire Carder	Hermann Colas	Jeff Fish
Steve Heiteen	Dave Humber	Rob Humphrey
Keith Jones	Maryhelen Kincaid	Chris Kopca
Kirk Olsen	Michelle Rudd	

City Staff Present:

Fred Deis, BDS	Cindy Dietz, Water	Rebecca Esau, BDS
Mark Fetters, BDS	Marguerite Feuersanger, BDS	Tim Heron, BDS
Kareen Perkins, BDS	Dora Perry, Commissioner Fritz's Office	
Andy Peterson, BDS	Deborah Sievert Morris, BDS	Morgan Tracy, BPS
Sue Williams, BES		

DRAC Members Absent:

Phil Damiano	Maxine Fitzpatrick	Dana Krawczuk
Joe Schneider		

Guests Present:

Nick Danigan, Portland Development Group
David Martin, Bridlemile Neighborhood Association
Steve Bloomquist, Port of Portland
Kimberly Kohler, Eastmoreland Neighborhood Association
John Hasenberg, Oregon Remodelers Association

Handouts

- DRAC Meeting Minutes 6/19/14
- Inter-Bureau Code Change List
- Code Guide for Accessibility Upgrade Requirements in Existing Buildings (Draft)
- BDS Major Workload Parameters
- Regulatory Improvement Workplan
- RICAP 7 – Summary of Amendments Under Consideration (Draft)
- BDS Review Process for Demolition or Relocation of Historic Resources
- 2014-15 DRAC WorkPlan

Convene Meeting

DRAC Chair Jeff Fish convened the meeting and welcomed DRAC members and guests. DRAC members reviewed the June 2014 meeting minutes. A question was raised regarding a statement attributed to Robert McCullough (Eastmoreland Neighborhood Association) near the bottom of page 5 of the minutes: "In other cases, demolitions are taking place without appropriate permits." After discussion, members voted to revise the minutes to clarify that the statement reflected Mr. McCullough's opinion. With this modification, the minutes were approved.

Director's Report

BDS Director Paul Scarlett was not present, so BDS Administrative Services Manager Deborah Sievert Morris provided the Director's Report and referred DRAC members to the handout *BDS Major Workload Parameters*. The usual monthly *Non-Cumulative Cost Recovery Report* handout was not available, as the financial books were still being closed for the end of the City's fiscal year.

Ms. Sievert Morris gave an update on the BDS Customer & Community Surveys. BDS conducted large-scale customer telephone surveys from 2004-2008, but stopped due to the recession. This year's survey process will differ significantly from previous years. First, the bureau will conduct separate surveys of customers and community members; second, BDS will rely more heavily on online survey tools, with telephone surveys as a back-up. The bureau has contracted with DHM Research to administer the surveys and provide data analysis. Ms. Sievert Morris noted the ties between the surveys, the BDS Strategic Plan, and the Bureau Assessment contract.

Kurt Krueger (PBOT) suggested that questions be added to the survey related to public works permitting. Ms. Sievert Morris said she will check on the status of the survey questions to see if this is possible.

BDS Permitting Services & Plan Review Manager Andy Peterson referenced the increases in permit applications received and permit valuation documented in the *Monthly Workload Parameters*. This leads the bureau to anticipate an increase in workload for the BDS Inspections Division in the coming months. There was also an increase in larger projects at the end of the fiscal year that staff is still working through.

Ms. Sievert Morris noted that BDS has added 33 staff since January, and 40 vacant positions are in the process of being filled.

DRAC Member Hermann Colas mentioned that he recently went to the DSC to get an over-the-counter permit, and waited 3 hours to be seen by a staff person. Mr. Peterson said that he would investigate and follow-up with Mr. Colas directly.

Regulatory Improvement Code Amendment Projects (RICAP) Update

Sandra Wood, Morgan Tracy, and Phil Nameny (BPS) gave an update on the status of RICAP 6 and a preview of RICAP 7.

City Council approved most of RICAP 6, except for Short-Term Rentals. The remainder of the changes are already in effect. The Council made several small amendments to

the Planning & Sustainability Commission's proposal for Short-Term Rentals. A second reading will take place on July 30th, and if approved, the changes will go into effect on August 29th. BPS intends to go back to City Council within 90 days with a proposal for short-term rentals in multi-dwelling structures (apartments, condos, etc.).

The City's desire is for RICAP to be an ongoing process of making minor, technical updates to the Zoning Code. The current plan is to have RICAPs 7-9 take place during the next three fiscal years, with 1.0 FTE (staff) assigned to support the work. BPS also wants to schedule two 18-month projects to focus on accessory structures and Community Design Standards, with 1.5 FTE assigned. This proposal will be taken to the Planning & Sustainability Commission at the end of August.

DRAC Member Maryhelen Kincaid asked about the process of identifying items to be included in RICAP; will there be opportunities for public input? There is an impression that decisions are made about what to focus on without public input, and that some major issues (like short-term rentals) are being classified as minor code changes. She asked if there standards BPS uses in determining what qualifies as a minor code change.

Mr. Nameny said that there have been times in the past where BPS thought a change was minor, but it ended up becoming a major issue. The Planning & Sustainability Commission does have the authority to hold up on specific changes if they feel more discussion is needed; they could have done that for short-term rentals, but chose not to.

Mr. Fish said that in previous RICAP processes, there wasn't sufficient time to review proposed changes before they were to go before Council. He advocated for a stakeholder group to meet with BPS staff during the RICAP process. Ms. Wood said that the recent unstable funding for RICAP has made supporting a stakeholder group difficult, but they had a stakeholder group in the past.

Mr. Nameny distributed and reviewed the handout *Regulatory Improvement Workplan*. He said the number of items in the database has grown by about 60 in the last year, but over half of the items have been completed.

Mr. Tracy distributed and reviewed the handout *RICAP 7 – Summary of Amendments Under Consideration (Draft)*. He highlighted the first section of the handout summarizing minor policy changes. He also noted the tentative project timeline on the 2nd page of the handout, which includes public comment opportunities. DRAC members asked clarifying questions on several items in the handout; staff addressed those questions and said that more detailed descriptions will be available soon. Current RICAP 7 information is available at: <http://www.portlandoregon.gov/bps/62882>.

Mr. Heiteen asked that BPS provide a list of items that will be addressed in the 18-month projects regarding accessory structures and community design standards. Ms. Wood said lists aren't currently available, but will be provided to the DRAC once items are identified.

Historic Resources

Mr. Fish said that he asked for City staff to address the City's Historic Resources regulations and processes, particularly in relation to demolitions. Marguerite Feuersanger and Tim Heron (BDS) distributed and reviewed the handout *BDS Review Process for Demolition or Relocation of Historic Resources*. For the "No Review" category, Ms. Feuersanger clarified that a property may be in the Historic Resources Inventory (HRI), but not ranked. She said the zoning maps indicate where Residential Comprehensive Plan Designations exist.

Ms. Feuersanger said that properties in the HRI are grouped into ranks based on historic significance, and less significant properties are unranked. Property owners can have their properties removed from the Inventory simply by asking the City. Removing a property from the HRI will not affect its identification as a Historic Landmark or Contributing Structure.

DRAC Member Claire Carder noted that the HRI is now 30 years old and has not been updated since it was created. There are structures that should be added to the list, and structures on the list that have been demolished. The City should invest resources to update the HRI.

DRAC Member Hermann Colas asked about the situation where a buyer purchases a historic building that needs seismic upgrades, and where it may make more sense to demolish and rebuild rather than invest in expensive upgrades. Ms. Feuersanger said that if the building is not on the National Register or in an Historic District, the City cannot require that the building be preserved.

Ms. Kincaid asked whether the various demolition review processes provided opportunities for public input. Ms. Feuersanger replied that for the 120-day review, notice is sent to the Neighborhood Associations. If the owner asks to be removed from the HRI and there's no other designation, no public notice is provided. Ms. Kincaid asked whether properties in a conservation district but not on the HRI can avoid the 120-day requirement. Ms. Feuersanger said they can if the structure is not "contributing".

Ms. Carder suggested that clarification be provided regarding the difference between an Historic District and a Conservation District.

DRAC Workplan

Due to limited time, this item was not discussed.

Pulse of the Industry

Due to limited time, this item was not discussed.

August DRAC Meeting

DRAC members agreed to skip the scheduled August meeting. The Demolition Subcommittee will meet on July 29th.

Next DRAC Meeting: Thursday, September 18, 2014, 8:00 a.m. - 9:30 a.m.

Minutes prepared by Mark Feters, BDS