



City of
PORTLAND, OREGON

Development Review Advisory Committee

Development Review Advisory Committee
MINUTES
Thursday, May 15, 2014

DRAC Members Present:

Claire Carder	Hermann Colas	Jeff Fish
Maxine Fitzpatrick	Rob Humphrey	Keith Jones
Maryhelen Kincaid	Chris Kopca	Dana Krawczuk
Joe Schneider		

City Staff Present:

Ross Caron, BDS	Fred Deis, BDS	Cindy Dietz, Water
Rebecca Esau, BDS	Alisa Kane, BPS	Kurt Krueger, PBOT
Mitch Nickolds, BDS	Kareen Perkins, BDS	
Dora Perry, Commissioner Fritz's Office		Andy Peterson, BDS
Paul Scarlett, BDS	Deborah Sievert Morris, BDS	
Maija Spencer, Parks	Rebecca Sponsel, BDS	Nancy Thorington, BDS
Christopher Wier, PBOT	Sue Williams, BES	Shawn Wood, BPS

Guests Present:

Janet Baker, Beaumont Wilshire Neigh. Assoc.
John Hasenberg, ORA Kim Koehler, Eastmoreland Neigh. Assoc.

DRAC Members Absent:

Phil Damiano	Steve Heiteen	Dave Humber
Kirk Olsen	Michelle Rudd	

Handouts

- DRAC Meeting Minutes 4/17/14
- Inter-Bureau Code Change List
- BDS Major Workload Parameters
- Non-Cumulative Cost Recovery Report
- BDS Budget/Financial Update
- ITAP Customer Advisory Committee Members
- Draft Courtesy Demolition Notice
- Demolitions, Major Remodels, & Minor Remodels
- DRAC Letter re: PBOT Funding Request
- Service Level Update re: Demolition Delay Exception
- Demolition Summary (BPS)
- Demolition Memo from Jeff Fish
- Demolition Comments

Convene Meeting

DRAC Chair Jeff Fish convened the meeting and welcomed DRAC members and guests. A quorum was not yet present to review the April 2014 meeting minutes.

Director's Report

BDS Budget

BDS Director Paul Scarlett reviewed the handout *BDS Budget/Financial Update*. He referred DRAC members to the handouts *BDS Major Workload Parameters* and *Non-Cumulative Cost Recovery Report* for more financial and workload details.

DRAC member Chris Kopca asked whether the 140% cost recovery rate precedes hiring and staffing up for the Development Services Center (DSC), and how much the recovery rate will go down after all the hiring. Mr. Scarlett said the recovery rate may decrease to about 125%. BDS seeks to achieve cost recovery and has reserve goals to tide the bureau over during lean times.

DRAC member Maryhelen Kincaid mentioned that the Mayor's Proposed Budget is going before City Council this evening at 6:30 at City Hall.

Information Technology Advancement Project (ITAP) Customer Advisory Committee

Mr. Scarlett mentioned that the ITAP Customer Advisory Committee (CAC) is being re-activated after a lengthy break. He reviewed the handout *ITAP Customer Advisory Committee*. The CAC met yesterday and will continue meeting for the remainder of the project.

Ross Caron (BDS) said that additional participants are still needed on the CAC. He said that interested DRAC members should contact Mark Feters. DRAC member Rob Humphrey is a member of the CAC and gave a brief review of yesterday's meeting. He said the CAC will meet quarterly, and will meet more frequently later in the process. He emphasized that the CAC needs members who will be using the system hands-on.

Meeting Minutes

A member quorum was reached, and DRAC members reviewed and approved the April 17, 2014 meeting minutes.

PBOT Development Fee Proposal

Mr. Fish referenced the handout *Draft DRAC Support Letter re: PBOT Funding Request* and introduced Kurt Krueger (PBOT). Mr. Krueger presented a slide show explaining the issues regarding infill and infrastructure development and PBOT's proposal to address them. He said that he spoke with Ed McNamara (Mayor Hales' Office), who said that a letter from the DRAC will be of help in moving the proposal forward, and he asked for DRAC members' approval of the draft letter.

Ms. Kincaid said there should be a bullet point in the letter that says the proposal will enhance pedestrian access or build the capacity for such access. DRAC member Maxine Fitzpatrick asked whether there are safety concerns about the lack of sidewalks. Mr. Krueger said there are concerns, but the proposal isn't so much about forgoing

sidewalks as it is about streamlining the process. He said there is also an affordability issue; putting in sidewalks isn't cheap.

Mr. Humphrey expressed support for the draft letter and asked whether it would help for individual DRAC members to send their own letters as well. Mr. Krueger and Dora Perry (Commissioner Fritz's Office) encouraged members so inclined to send letters.

After discussion, DRAC members approved the letter.

Demolitions

Mr. Fish opened a discussion (continued from the April DRAC meeting) regarding demolition notice.

Door-Hanger Courtesy Notice

Mr. Humphrey led a review of the handout *Draft Courtesy Demolition Notice*. He noted that there had been changes since the original draft. He felt the language on the back of the form placed an obligation on the contractor, when providing notice is really optional, and he recommended removing the entire back side of the form. Ms. Kincaid said that the front of the form should clearly state that it is a courtesy notice, posted voluntarily by the developer/contractor and not required by City Code. John Hasenberg (ORA) suggested that space be included for the builder's contact information; DRAC members said that was discussed in April and they agreed that it should not be included. Mr. Hasenberg contended that it would be better for concerned neighbors to go directly to the builder, rather than going to the City first. Ms. Kincaid said there is sufficient space for the builder to attach their business card if they choose.

DRAC member Hermann Colas clarified that the notice is entirely voluntary – the builder does not have to post notice. He said that the notices let people know that the structure is vacant and available, particularly for transient activity. Mr. Fish said that's the reason for leaving door hanger notices on other houses, rather than posting a notice on the structure that's being demolished. Nancy Thorington (BDS) noted that there is no time requirement for the notices to be posted; they could be posted just a couple days before the demolition.

DRAC member Claire Carder congratulated the DRAC on getting to this point with the door hanger notice. She agreed with Ms. Kincaid that it should state "courtesy notice" more clearly, and that the information on the back should read "suggestions" for posting, rather than "instructions". She said that the Neighborhood Associations should be notified about demolitions as well. Ms. Kincaid said that if demolition notices go to the Neighborhood Coalition offices, they will notify the appropriate Neighborhood Associations. Mr. Fish said that providing notice reduces the "shock" of demolitions.

Mr. Humphrey asked when and how the notices will be given to builders in the Development Services Center (DSC). Andy Peterson (BDS) said they have begun discussing this, but haven't worked out all the details yet. The notices would be distributed to the individual who comes in to the DSC to purchase the demo permit.

DRAC member Joe Schneider recommended that the last sentence of the first paragraph be moved up to the beginning of the paragraph, and the word “voluntary” be added.

Mr. Scarlett said BDS had talked previously about mirroring the notice distribution radius for Home Occupancy notices. They considered the impacts of construction (dust, noise, traffic, etc.) and tried to take a common sense approach and make it easy for the builder to identify other properties that could be notified.

Maija Spencer (Parks) pointed out the need to plan for various scenarios, such as when a multi-family structure is located near a demolition site.

Ms. Fitzpatrick asked whether demolitions are more prevalent in certain neighborhoods. Mr. Scarlett said they occur throughout the City, and he referred to the handout *Demolition Summary (BPS)*. Mr. Fish said that a map in the Mayor’s Office shows that demolitions are more prevalent in SE Portland, with very few in NW Portland; otherwise they are spread throughout the City.

Ms. Perry said that staff from Commissioner Fritz’s Office met with staff from the Mayor’s Office yesterday to make sure they’re on the same page regarding demolition notice. They asked the Mayor’s Office to not take any action until the DRAC finished its discussion.

Mr. Fish distributed and reviewed an outline he wrote (*Demolition Memo from Jeff Fish*) summarizing what the DRAC has been coalescing around regarding demolition notice. He said the Mayor’s Office feels the 1-to-1 requirement should go away, and he agrees. He feels that if he’s demolishing a SFR on land that is zoned for multiple units, he should be able to build according to the zoning. Mr. Scarlett said that until recently, BDS was interpreting Title 24 that way, but after consulting with the Mayor’s Office and the City Attorney, the interpretation was changed so that the 35-day delay applies only to situations where an SFR is being replaced with multiple units.

Mr. Fish said that the Mayor’s Office felt that the DRAC should move forward. Ms. Perry said that as the Commissioner in Charge of BDS, Commissioner Fritz also has a say and they will need to discuss this further with the Mayor’s Office. Mr. Fish said that he understood that Commissioner Fritz wants the DRAC to come forward with a proposal for the City Council to consider, and Ms. Perry agreed.

Mr. Kopca expressed support for Mr. Fish’s outline/proposal as written in the *Demolition Memo*, and he suggested that notice should be either fully voluntary or not at all. Mr. Fish said he wants it to be voluntary so that the industry can show it can be responsible. It can be evaluated after 6 months or so and changed if needed. Mr. Kopca said the demolition delay is contradictory to the City’s Comprehensive Plan and zonign/density goals, and should go away. He suggested that #4 on the *Demolition Memo* might be too strong, particularly for phased projects.

Mr. Hasenberg said that the controversy over demolitions is mostly about 1-to-1 demolitions. The immediate neighbors are impacted, along with neighborhood

character. He feels the Neighborhood Associations will move toward the Design Review process to address the neighborhood character issue, as a way to have more say. Mr. Fish said that having a demolition delay doesn't really address that issue. The problem is that people don't realize what the Comprehensive Plan allows in their neighborhoods until something is being built.

Ms. Kincaid said that she hears from about as many people who are happy about demolitions and new structures as those who are unhappy. She wants to make changes that provide information and make the process work well. She recommended that 2.B. in the *Demolition Memo* be changed to "Neighborhood Coalition" (rather than "Neighborhood Association"), and that the last part of that sentence be removed.

Mr. Colas suggested that responsibility for hanging the door notices be given to the Neighborhood Coalition/Association, rather than the builder. Janet Baker (Beaumont Wilshire Neighborhood Association) said that she wouldn't be opposed to the Neighborhood Associations having that responsibility. She suggested a minimum of one week's notice before demolitions occur. Mr. Scarlett said he feels that the builder should be responsible to post the door hangers; Ms. Kincaid agreed, and said the Neighborhood Coalition offices may not always be sufficiently staffed to get notices placed in a timely manner.

Ms. Kincaid suggested that the DRAC Demolition Subcommittee fine-tune Mr. Fish's outline, and Mr. Fish said that BDS take the resulting product and write implementation rules/processes for the City Council to review. The Subcommittee is scheduled to meet on May 29th. Ms. Kincaid and Mr. Colas asked to join the Subcommittee.

Other Updates

Sue Williams (BES) said their rate increase for FY 2014-15 will be about 5% (permits and SDCs) and will go to the City Council later this month. Cindy Dietz (Water) said there will be no change in Development Review Fees for the Water Bureau; SDCs will essentially remain the same, and water service installations will be reduced. She will send an email update later.

Next DRAC Meeting: Thursday, June 19, 2014, 8:00 a.m. - 9:30 a.m.
Minutes prepared by Mark Feters, BDS