



City of
PORTLAND, OREGON

Development Review Advisory Committee

Development Review Advisory Committee
Meeting Minutes
Thursday, October 20, 2016

DRAC Members Present:

Claire Carder
Rob Humphrey
Mitch Powell

Hermann Colas
Maryhelen Kincaid
Joe Schneider

Michael Harrison
Christopher Kopca
Justin Wood

City Staff Present:

Fred Deis, BDS
Mark Feters, BDS
Sarah Huggins, Parks
Kurt Krueger, PBOT
Dora Perry, BDS
Elisabeth Reese-Cadigan, BES
Deborah Sievert Morris, BDS
Sandra Wood, BPS

Cindy Dietz, Water
Matt Grumm, Comm. Saltzman's Office
Tris Kelly, BDS
Peter Maris, BDS
Andy Peterson, BDS
Paul Scarlett, BDS
Nancy Thorington, BDS

Rebecca Esau, BDS
Cynthia Kotaniemi, BDS
Mitch Nickolds, BDS
Christopher Wier, PBOT

Guests Present:

DRAC Members Absent:

Jeff Bachrach
Dana Krawczuk

Maxine Fitzpatrick
Jennifer Marsicek

David Humber
Kirk Olsen

Handouts

- Draft DRAC Meeting Minutes 9/15/16
- Inter-Bureau Code Change List
- Non-Cumulative Cost Recovery Report
- BDS Major Workload Parameters
- BDS Service Levels and Workload Measures 10/20/16
- Public Works Permit Rules Public Comment Requested
- Summary of Residential Infill Project – Concept Report
- Citywide Racial Equity Goals & Strategies
- Racial Equity Plan
- Summary and Key Findings: 5-Year Racial Equity Plan
- BDS Accessory Short-Term Rental Enforcement
- Upcoming Council Agenda Items

Convene Meeting

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

DRAC members and staff reviewed draft minutes from the September 15, 2016 DRAC meeting and requested one change:

- Add a note indicating that the meeting ended early due to a building evacuation drill, and this cut short a discussion on inclusionary housing.

With that change, the September 15, 2016 DRAC meeting minutes were approved, with one abstention.

Director's Report

BDS Director Paul Scarlett reviewed the handouts **Non-Cumulative Cost Recovery Report** and **BDS Major Workload Parameters** and discussed the continued growth in the bureau's workload and revenues. On average, 1,000 customers per week are served in the Development Services Center (DSC). The bureau continues to focus on hiring and training staff.

BDS Service Level Update

Andy Peterson (BDS) reviewed the handout **BDS Service Levels and Workload Measures 10/20/16**. This handout is now being posted monthly on the BDS website at <https://www.portlandoregon.gov/bds/66308>.

Permit volume has grown about 13% from last year, though a high percentage of permits are being issued over the counter. Challenges continue on commercial and residential projects requiring review. Three new plans examiners started this past week, and a recruitment just opened to fill three commercial plans examiner positions. The bureau is still using the State Building Codes Division and contractors to augment staff resources. In addition to adding resources, staff is focused on making sure that plans are ready when they're taken in for review.

Since the beginning of October, the pre-issuance timeframe has improved; it now takes two days or less from last review approval to pre-issuance completion. Contract employees and new hires have helped with this.

It remains difficult to find well-qualified staff; there is a lot of competition. A couple staff left recently, and a senior plans examiner will be leaving in November.

Michael Harrison (DRAC) noted that the DRAC has been supportive of resolving the structural issues with hiring, and asked whether anything has changed. Mr. Peterson said the hiring process remains the same. Hiring managers try to prepare work ahead of time, to speed up the hiring process once it is underway. DRAC Vice Chair Rob Humphrey said that this topic is the focus of the DRAC Service Levels Subcommittee, and is still a work in progress. Changes made to this point are the result of BDS's work within the current system.

Joe Schneider (DRAC) asked if BDS is seeing more complex, larger projects; he noted from the handouts that project valuation is up 24%, while volume is up 13%. Mr. Peterson said they are seeing more complex projects, which take staff longer to work through. He noted that the bureau will likely see an influx of land use and permit applications with before inclusionary zoning next February.

Mr. Humphrey said that he and his customers continue to see reviews going beyond their target dates, and he asked whether more review staff is coming. Mr. Peterson replied that a recruitment is opening next Monday for life safety plans reviewers, but they won't be on the counter serving customers for months. He said it will be a while before they're able to meet their plan review goals.

Ms. Kincaid asked how the data in ***BDS Major Workload Parameters*** relates to the data in ***BDS Service Levels and Workload Measures 10/20/16***. Mr. Peterson replied that the two documents examine different metrics – the first measures incoming work, while the second measures timelines and customer experience. Ms. Kincaid asked whether it would help to triage customers more in the DSC – route customers differently depending on their needs, the complexity of their project, etc. Mr. Peterson said that it comes down to having enough staff in all areas to meet the demand. To provide more customer triage in the DSC, he would have to shift staff from other duties, impacting those timelines.

Christopher Kopca (DRAC) said that while there will likely be temporary bulges in workload before the implementation of inclusionary zoning in February 2017 and the adoption of the Comp Plan in late 2017, those numbers will not continue indefinitely. He encouraged the bureau to use temporary (rather than permanent) staff as much as possible to address the bulges, so permanent positions won't have to be cut later.

Mr. Scarlett briefly addressed the natural gas explosion that occurred yesterday October 19th in NW Portland. A couple BDS staff have been to the site to perform building damage assessment. Matt Grumm (Comm. Saltzman's Office) said that local news reported that BDS staff was at the site an hour after the explosion.

Hermann Colas (DRAC) asked whether more inspectors are being hired to address inspection rollovers. Mitch Nickolds (BDS) said that they have hired more inspectors and have been able to get them working quickly. The 24-hour turnaround goal for inspection requests has improved from 69% to about 80% in the last 6 weeks.

DRAC Fees & Regulations Subcommittee Update

Deborah Sievert Morris (BDS) said that the Subcommittee last met about two weeks ago. The Subcommittee is meeting with the various development bureaus to find out about their fees. At the last meeting they heard from BES and PBOT, and will continue the discussion on PBOT fees at the next meeting. The Subcommittee stressed the need for development bureaus to get their fee change information to the DRAC in a more timely manner in the spring.

Residential Infill

Sandra Wood (BPS) distributed and reviewed the handout **Summary of Residential Infill Project – Concept Report**. She said that the project is in its early stages. Staff has discussed project concepts with the public, and is now going to the City Council for their review on November 9 and 16, 2016.

Mayor Hales asked BPS to initiate the project because of concerns about residential demolitions, the size of replacement houses, and the lack of affordability and choice.

Mr. Kopca asked how attached or detached accessory dwelling units (ADUs) fit into the project concepts. Ms. Wood replied that an above grade, attached ADU would be included in the size limits. ADUs in basements wouldn't be included. There would be an extra 15% bonus in allowable area for detached ADUs. Mr. Humphrey asked how the 15% figure was chosen; Ms. Wood said that she wasn't sure, but would ask.

Mitch Powell (DRAC) asked whether staff has spoken with builders about the project; he expressed uncertainty regarding the financial feasibility for builders. Ms. Wood replied that there were several builders and Home Builders Association representatives on the project advisory committee, and while they didn't love the scale, they said they weren't going to oppose the project because they liked the housing choices. Justin Wood (DRAC) said that it is possible to go over 2500 sf by adding the ADU in a basement. Mr. Powell noted that below grade construction costs are higher, and Mr. Colas added that below grade square footage is valued less.

Ms. Wood noted that the average house size in 2013 was 2700 sf, so the proposed 2500 sf isn't too far off.

Ms. Kincaid said that different neighborhoods will want different things, and the City needs to find a middle ground that provides options for neighborhoods. Mr. Wood suggested that the 2500 sf limit be flexible if neighboring houses are bigger.

Ms. Wood said that it would be good for the DRAC to submit input/recommendations before the City Council hearings if possible. Ms. Kincaid asked BDS to schedule a time for interested DRAC members to meet before the City Council hearings to draft DRAC recommendations on the project concepts.

BDS Equity Plan

BDS Equity & Policy Manager Dora Perry shared the handouts **Citywide Racial Equity Goals & Strategies, Racial Equity Plan**, and **Summary and Key Findings: 5-Year Racial Equity Plan** and gave an update on BDS's Equity Plan. Race is the leading focus of the Equity Plan because it is the most common source of disparity. 2017 is year one of the Plan.

Ms. Kincaid asked how the Plan will carry through to customers; will BDS encourage them to provide equitable treatment to their employees, customers, etc.? Ms. Perry replied that equity is everyone's work, and BDS needs to make sure its employees are trained and equipped. Equity will be part of staff customer service training.

Mr. Humphrey asked what is the single biggest challenge, and how BDS will know if it has been successful. Ms. Perry said the first concern is staff resistance, particularly with the focus on race, and then with having enough resources to do the work. The City Council's commitment to equity has helped address these two concerns. Most BDS employees are curious and willing to do the work, but there is still resistance amongst some staff.

The Plan goal would be that in 5 years, race will not determine who gets the opportunity to succeed in Portland. Mr. Scarlett added that this applies to BDS services to customers and the community.

Mr. Colas said that for him, success is when people see others they're not accustomed to seeing in certain positions or careers. He noted that he is one of a few people of color in his field in Portland. His company goes into schools to encourage people of color that they can have a future in construction. This will have a positive impact not only for his company, but for society.

Mr. Scarlett said that the City Office of Equity & Human Rights asked for this topic to be shared with the DRAC; they felt it was important for the DRAC to hear what BDS is doing, and to hear back from the DRAC.

Ms. Kincaid expressed appreciation for Dora's hard work in this area.

Location of Trees on Site Plans

Mr. Wood initiated discussion on an issue he recently encountered regarding the location of trees on site plans. He said the problem occurred because BDS made a procedural change (not a code change) and didn't get that message out to customers. Trees on site plans is just one example of this type of problem. Historically, builders had the freedom to plant trees on lots where they wanted, but now they have to plant them as shown on the site plan for the house. He found out about the change by having his inspections failed. He said the same thing happened with reversed plans. He said that BDS needs to do a better job of getting information out when procedures or policies are changed, rather than just failing plans or inspections.

Mr. Humphrey said BDS has made progress in addressing this, such as its Service Level Updates, but still has some work to do. Making changes that affect customers without prior notice isn't fair or equitable to those customers. The tree siting change cost customers time and money by delaying projects. BDS (and the City) needs to consider the impacts/ripple effect of policy changes and provide prior notice.

Nancy Thorington (BDS) asked whether service level updates are a good way to get information out. Mr. Humphrey said they are for him; he can pass the information along to others that will be impacted. Mr. Wood said that more can be done, such as discussions at DRAC meetings. With the tree siting change, he didn't understand the impetus or code justification, and that made it seem arbitrary. Rebecca Esau (BDS) said that the Tree Code does require that site plans show the location, species, etc. of trees.

Ms. Kincaid suggested that bureaus use the **Code Change List** to notify the DRAC of policy changes.

Mr. Scarlett apologized for times when sufficient notice of changes is not provided. He said it is not BDS's intent, but it does happen.

Mr. Powell said that the City sometimes makes changes that make their work easier, but make things more difficult for customers. Staff needs to look at the big picture.

Residential Permit Re-Activation

Due to insufficient time, this item was not discussed; it will be addressed at the November DRAC meeting.

Short-Term Rental Enforcement

Mike Liefeld (BDS) briefly noted that enforcement of the City's regulations regarding short-term rentals is not working. BDS will now take a citation-based approach to enforcement.

The next DRAC meeting is scheduled for Thursday, November 17, 2016.
Minutes prepared by Mark Fetters (BDS)