

DRAC DEMOLITION SUBCOMMITTEE – POST ORDINANCE IMPLEMENTATION

AGENDA

June 20, 2017

3:00 – 4:30 p.m., Room 4A

Time	Topic	Action
1. 3:00 – 3:05	Introductions	Informational
2. 3:05 – 4:00	Discuss Issues Raised in Maryhelen Kincaid’s “Thoughts on Demolition Delay Ordinance	Input and Recommendations
3. 4:00 – 4:25	Review Any Open Items from 6/19/17 Meeting	Input and Recommendations
6. 4:25 – 4:30	Next Follow-Up Meeting	Informational

- I. **INTRODUCTIONS** [Informational]
- II. **DISCUSS ISSUES RAISED IN MARYHELEN KINCAID’S “THOUGHTS ON DEMOLITION DELAY ORDINANCE”** [Input and Recommendations]
 - Goals of Demolition Delay Ordinance
 1. Develop a process for those who are interested in and able to save a house from demolition to get into discussions with property owner
 2. Provide notice to neighbors of upcoming demolitions (eliminate “shock”; ability to close window, cover plants, etc.)
 3. Save specific houses with historic or other definable significance (more than nostalgic or general character of neighborhood)
 4. Create new permit type for MRAA’s to provide notice to neighbors of pending large remodel projects
 - Appeal Process: should it be kept
 - Possibility of mediation as an alternative to appeals
 - Possibility of “demolition Panel” to help oversee/guide terms, timelines and completion of plans to save structure
 - Funding for purchases
- III. **REVIEW ANY OPEN ITEMS FROM 6/19/17 MEETING** [Input and Recommendations]
- IV. **NEXT FOLLOW-UP MEETING** [Informational]
 - TBD



City of

PORTLAND, OREGON

Development Review Advisory Committee

1900 SW 4th Avenue, Suite 5000
Portland, Oregon 97201
503-823-7308
FAX: 503-823-7250
TTY 503-823-6868
www.portlandonline.com/bds

DRAC DEMOLITION SUBCOMMITTEE – POST ORDINANCE IMPLEMENTATION

MEETING NOTES

June 20, 2017

3:00 – 4:30 p.m., Room 4A

Time	Topic	Action
1. 3:00 – 3:05	Introductions	Informational
2. 3:05 – 4:00	Discuss Issues Raised in Maryhelen Kincaid's "Thoughts on Demolition Delay Ordinance"	Input and Recommendations
3. 4:00 – 4:25	Review Any Open Items from 6/19/17 Meeting	Input and Recommendations
6. 4:25 – 4:30	Next Follow-Up Meeting	Informational

I. **INTRODUCTIONS** [Informational]

In Attendance:

Kareen Perkins, BDS

Al Ellis, UNR

Mitch Nickolds, BDS

Brandon Spencer-Hartle, BPS

Emily Sandy, BDS

Lydia Ness, Restore Oregon

Maryhelen Kincaid, DRAC

Jeff Fish, Fish Construction

John Hasenberg, Oregon Remodelers Association (ORA)

Nancy Thorington, BDS

Dan Cote, BDS

Michael Molinaro

Steve Elder

Dora Perry, BDS

Nancy began the meeting by thanking everyone for their patience during this marathon meeting session. She asked about general availability for future meetings in mid-July or August. Maryhelen replied that the first part of August would be good for her. Other members responded that seemed good to them also. Nancy will look at schedules and set up another meeting around that time if possible.

Kareen also showed the group the BDS page for residential demolitions. She demonstrated how to read the map, etc. She also explained that another option would be to look in the weekly metro reports for demolition information. The metro reports are organized by permit type.

II. **DISCUSS ISSUES RAISED IN MARYHELEN KINCAID'S "THOUGHTS ON DEMOLITION DELAY ORDINANCE"** [Input and Recommendations]

- Goals of Demolition Delay Ordinance
 1. Develop a process for those who are interested in and able to save a house from demolition to get into discussions with property owner
 2. Provide notice to neighbors of upcoming demolitions (eliminate "shock"; ability to

close window, cover plants, etc.)

3. Save specific houses with historic or other definable significance (more than nostalgic or general character of neighborhood)
 4. Create new permit type for MRAA's to provide notice to neighbors of pending large remodel projects
- Appeal Process: should it be kept
 - Possibility of mediation as an alternative to appeals
 - Possibility of "demolition Panel" to help oversee/guide terms, timelines and completion of plans to save structure
 - Funding for purchases

Discussion: What are we doing here? Why is this group meeting?

Maryhelen explained some of her thought processes. She said the whole committee came about because DRAC was hearing complaints about demolitions. The idea was basically to streamline the process with a goal of defining demolitions and shortening the time period. Her feeling is that the group hasn't accomplished a whole lot, other than a few refinements. To be blunt, the group has spent a lot of time trying to save houses, but hasn't done that. 12 of the 13 cases heard by the appeal board were demolished. Plus, some neighborhoods have more resources than others (appeals cost approximately \$1360). Maryhelen stated that her plan B would be to set up a more user-friendly process. One challenge is to find a way to fund appeals. There needs to be money and management available. Also, it's helpful to have an understanding of neighborhoods as far as what's necessary to save a house. Mitch gave an example of one of the most successful proactive house-saving programs he knew of, in Dallas, Texas, in the mid-80s. A company went in and bought houses. They set up a trust to purchase houses, allowed the owner/occupants to live there until they passed on, then it went back to the company. The process was independent of the City. Maryhelen liked the idea of a trust. Al agreed that the objective is to try to save viable homes. One challenge is to identify all the viable homes in individual neighborhoods that should be saved. He questioned whether we should do away with the appeals process. It does give neighbors recourse and a path to buy time. He's open to revising the appeals process rather than doing away with it. Maryhelen agreed.

Nancy said that it's necessary to parcel out what BDS' role in the appeal process should be. She said the building officials and the holders of the process can't be the decision-makers; it's important to keep those 2 issues separate. Brandon distributed a handout detailing planning issues of different types of demolitions. After some discussion, Kareen said that there is information out there (regarding demolitions) and ways to access it. The benefit of the notification process is to have that information available. Some of that information doesn't live with BDS; its mission is different than BPS (Bureau of Planning and Sustainability). She suggested that there might be something to be added to the process, to improve and speed it up. Perhaps a mediation process. Maryhelen stated that starting off with the notification is good, and perhaps another step can be added for certain properties. The idea is to have the process be successful for those people who want to save a house.

Decision: One of the objectives of the group is to revise/improve the (residential demolition) appeals process in the quest to save houses.

Discussion: There was some discussion regarding how to bring neighbors and developers together in mandatory meetings, and what BDS' role is in that process. Brandon said HRI now has a 120-day demolition delay regulation; that's a positive outcome of these meetings. He was questioning how to have available City resources on hand, what tools would be helpful to facilitate that mediation. Nancy stated that BDS got the appeal and delay process going; that is the outer bounds of what BDS should be doing. Al stated that for homes that are not on the HRI, the delay is needed. The delay is needed just to decide whether it's worth the effort to save that particular home. He said that's when the parties should get together to discuss it. The process could change at that point, depending on the outcome of the meeting. Kareen pointed out that once the 35-day delay has been created, the permitting process can be stopped at some point. Part of the process is outside of BDS' preview. Nancy commented that what BDS can do is create a space for discussion and options. Al said he would like to see the hearings officer be more of a mediator. Kareen stated that the hearings officer is more of a decision-maker; he can decide whether there's a plan to save a house. Jeff didn't see any reason to cut the 35-day delay process.

Decision: Nancy summed up the discussion by stating that the task at hand is to figure out a direction, whether to

tweak the appeal process and/or to create an alternative to that process.

III. **REVIEW ANY OPEN ITEMS FROM 6/19/17 MEETING** [Input and Recommendations]

N/A – see discussion in Section II above.

IV. **NEXT FOLLOW-UP MEETING** [Informational]

Nancy will look at the calendar and set up the next series of meetings in late July or early August. She thanked everyone for their time and effort.



**JOHN
HASENBERG
ARCHITECT**

June 20, 2017

Nancy B. Thorington
Sr. Code and Policy Analyst
Bureau of Development Services

The following is a list of liabilities of a typical existing older (historic?) house:

1. Lead paint throughout.
2. Asbestos found in flooring, ceilings and duct wraps.
3. Arsenic in horse hair fibers of some lath and plaster wall finishes.
4. Galvanized, rusty water pipes.
5. Main sewer line failing.
6. Ungrounded electrical outlets (or knob & tube wiring).
7. Undersized or hazardous electrical panel.
8. Uninsulated windows and doors.
9. Minimal (or non existent) floor, wall, and attic insulation.
10. Entire structure not up to seismic code (no bolting to foundation, no plywood wall sheathing)
11. No headers at windows and doors.
12. Substandard basement foundation walls (no rebar, poor concrete, minimal footing, no waterproofing)
13. Roof structure overspanned with no plywd. sheathing. Multiple layers of old roofing.
14. Basement beams overspanned and footings undersized.
15. No legal egress windows, substandard ceiling height in basement.
16. Old, inefficient, undersized furnace with few ducts to upper levels.
17. Non low flow toilets.
18. Stairs too steep or narrow.
19. Radon in basement level.

2104 NE 45th Avenue
Portland, Oregon 97213
Phone: 503.281.3313
E-mail: john@jharchitects.com

John Hasenberg, Architect
Chairman ORA Codes Committee