



City of
PORTLAND, OREGON

Development Review Advisory Committee

Development Review Advisory Committee

Meeting Minutes

Thursday, June 20, 2019

DRAC Members Present:

Jeff Bachrach
Shea Flaherty Betin
Jennifer Marsicek

Claire Carder
Sean Green
Martha Williamson

Paul Delsman
Michael Harrison
Justin Wood

City Staff Present:

Alex Cousins, BDS
Mark Feters, BDS
Sarah Huggins, Parks
Erin Mick, Water
Janell Piercy, BDS

Rebecca Esau, BDS
Darryl Godsby, BDS
Kurt Krueger, PBOT
Staci Monroe, BDS
Dave Tebeau, BDS

Rick Faber, Forestry
Elshad Hajiyev, BDS
David Kuhnhausen, BDS
Phil Nameny, BPS
Duane Whitehurst, BDS

Guests Present:

Ashley Fleschner, National Association of the Remodeling Industry Pacific NW
Sam Noble

DRAC Members Absent:

Alexander Boetzel
Mitch Powell

Holly Huntley
Sarah Radelet

Lauren Jones

Handouts

- Draft DRAC Meeting Minutes 05-16-19
- Inter-Bureau Code Change List
- BDS Major Workload Parameters
- Non-Cumulative Cost Recovery Report
- BDS Business Continuity Plan Summary
- Erosion Control Manual Update
- Development Notice Draft
- Neighborhood Contact Sign Admin Rule
- Draft Neighborhood Contact Sign
- Remote Video Re-Inspections Program Flyer
- Focus Issues for DRAC
- Draft DRAC WorkPlan May 2019
- Draft DRAC WorkPlan 2019-2020
- Upcoming City Council Agenda Items

Convene Meeting

DRAC Chair Justin Wood convened the meeting and welcomed DRAC members, City staff, and guests. DRAC members reviewed and approved minutes from the May 16, 2019 DRAC meeting.

Announcements / Updates

BDS Financial Update

Elshad Hajiyev (BDS) gave an update on BDS's financial status and reviewed the handouts **BDS Major Workload Parameters, Non-Cumulative Cost Recovery Report**, and **BDS Business Continuity Plan Summary**. As mentioned at last month's DRAC meeting, BDS took in three large projects in March and April 2019 that inflated the bureau's cost recovery for those months. In May, cost recovery dropped back to previous levels.

Only 2 of the 5 triggers in the **BDS Business Continuity Plan Summary** are activated, due to the three large projects in March and April; it is anticipated that more triggers will return to red in the near future. The number of permits is down 20% from last year.

BDS continues to closely monitor financial and workload indicators, and is hopeful that the fee changes taking affect July 1, 2019 will help with cost recovery. BDS Director Rebecca Esau said the bureau is particularly concerned about continuing declines in work.

Portland Online Permitting System (POPS) Update

Alex Cousins and Duane Whitehurst (BDS) shared a new POPS video, found at https://www.youtube.com/watch?v=EaIYdmOK_8U, and took questions from DRAC members.

DRAC Member Martha Williamson asked about the timeline for the rollout of the 6 POPS projects. Per Whitehurst:

- ProjectDox (ePlans) has been implemented for process-managed projects. It will expand to new commercial construction next, but there is no firm timeline.
- DevHubPDX will roll out in July 2019, but the exact date has not been determined.
- Inspections scheduling is targeted for August 2019; it will have greater value after the inspector app is implemented.
- The Amanda upgrade is targeted for November 2019.
- Inspector and Contractor apps will be implemented after the Amanda upgrade goes live in November.

Sam Noble asked whether the slowdown in permit workload is affecting timelines. Director Esau replied that BDS is in good financial shape with over \$86 million in reserves. POPS is running below its allocated budget, and there is more than enough money to finish the project. When 4 of the 5 indicators in the Business Continuity Plan turn red, they trigger cost-saving measures, such as hiring freeze, expenditure reductions, but not necessarily layoffs.

DRAC Member Michael Harrison asked if there are key vacant positions that could still be filled. Hajiyev said that exceptions to the hiring freeze are granted for key positions, such as plans examiners and inspectors. BDS still has a lot of vacant positions.

Erosion Control Manual Update

Emily Sandy (BDS) gave an overview of the Erosion Control manual update and reviewed the handout ***Erosion Control Manual Update***. The update is a joint project between BDS and BES, taken up in response to a 2013 Environmental Protection Agency (EPA) audit. A steering committee and working group have been convened, and they have retained a consultant to do the technical writing and help guide the project. They are trying to limit the scope of the project to technical updates and making the manual more usable.

DRAC members expressed interest in participating on the steering committee, which is currently composed of City staff only. Sandy said they would prefer the DRAC to be involved through a survey, and asked DRAC members for feedback on things to ask in the survey.

J. Wood said the DRAC needs to get a sense of the proposed changes before they're decided on, so the potential impacts can be considered. Sandy offered to update the DRAC on the survey questions the steering committee will be considering.

DRAC Vice Chair Claire Carder said it will be important for the survey to provide an opportunity for two-way communication. It might be more appropriate to use a more comprehensive process to get information, rather than just a survey. A broader engagement plan should be considered. Sandy replied that the challenge is gathering input while keeping a tight project scope and keeping the project moving. Perhaps they could do some follow-up after the survey, before a draft is published, to give a sense of where they're headed.

DRAC Member Sean Green said that it would be good to give multiple opportunities to comment throughout the process – issue discussion drafts and have public comment periods, like BPS and PBOT do with their projects. There is always some level of confusion around erosion control processes and requirements, both in plan review and in the field. Staff is responsive in answering questions, but it would be great to have that information available in the manual; the City could even issue additional resources to address common questions. Sandy said they have considered things like “pocket guides” for certain types of projects.

Sandy said they intend to issue a technical review draft to targeted audiences, and then issue the draft for broader public review. Green said the comment periods need to be long enough for people to respond. It's better to issue drafts earlier, even if they're not very refined.

Neighborhood Contact Administrative Rule

Sandy and Staci Monroe (BDS) gave an overview of a new administrative rule being developed to implement a code change adopted by the City Council in May 2019, and reviewed the handouts ***Development Notice Draft, Neighborhood Contact Sign Admin Rule, and Draft Neighborhood Contact Sign***. The thresholds for when neighborhood contact is required have been changed, and a sign requirement was added.

Notification went out yesterday requesting feedback on first drafts of the administrative rule and sign template. The code change goes into effect on December 2, 2019, and they hope to have the administrative rule adopted by October 1, 2019. Director Esau asked for the DRAC's help in getting the word out about the code change and the new administrative rule.

Carder said there has been extensive neighborhood input into this, but that doesn't mean the development community has been involved. Outreach will be important.

J. Wood asked if the new rules will apply even if a land use review isn't required. Sandy said they will apply. Monroe said the goal of the project is to let the community know when things are happening. But if notice is given through the land use process, a second notice process will not be required.

Monroe said they are working on videos, service updates, and lunch & learns to let people know about the changes.

J. Wood suggested that in cases where the sign is just informational (building permit), the sign should say that, especially where a meeting isn't required. Otherwise the community can get frustrated because they can't comment or give feedback.

Sandy said the first comment period ends August 2, 2019. A second draft will be issued later in August, ahead of the hearing. The sign will need to be made of durable material, but they are not prescribing any particular material. The sign will measure 4' x 5'. Developers would be responsible to clean or replace defaced signs (graffiti, etc.).

Green said the code change takes away some standards that have been in place for neighborhood processes, and it might be worth tracking. Green expressed concern that some land use processes will lose their legitimacy if Neighborhood Associations aren't held to basic standards regarding open public meetings. Director Esau said that BDS is tracking it.

Noble suggested staff identify some sign materials that would meet the standard for durability, to give options without prescribing. This would give fewer opportunity for complaints about signs not meeting longevity requirements.

Remote Video Re-Inspections Program

Janell Piercy (BDS) reviewed the handout *Remote Video Re-Inspections (RVR) Program Flyer* and gave an overview of the RVR Program. Piercy also shared a video that walks through the RVR process (see <https://www.portlandoregon.gov/bds/article/686129>). To date, they have completed 48 re-inspections, 45 of which were approved.

DRAC Member Shea Flaherty Betin asked about expanding RVR to commercial permits. Piercy said the challenge is having enough inspectors to support expansion.

DRAC Mission / Workplan

Carder initiated a continuation of the discussion regarding the DRAC's mission and development of an annual workplan. Carder referenced the handouts *Focus Issues for DRAC, Draft DRAC WorkPlan May 2019*, and *Draft DRAC WorkPlan 2019-2020*.

Director Esau suggested adding Technology to the Process Improvement Subcommittee, so the POPS Customer Advisory Committee can become a DRAC subcommittee working on POPS.

DRAC Member Jeff Bachrach suggested that Inter-Bureau Communication/Collaboration is part of several other topics in the WorkPlan, and there might not need to be separate subcommittee to address it.

Kurt Krueger (PBOT) said Public Works staff has been working on addressing a number of issues and might be able to address some of the issues that a subcommittee would need to work on.

Green submitted the following motion: "I move to establish a Process Improvement & Technology Subcommittee to be chaired by Sean Green. The subcommittee will be comprised of any interested DRAC members and other members as approved by the BDS Director." The motion was seconded by Harrison and approved unanimously.

DRAC Members decided to wait on establishing a Public Works subcommittee until after Krueger gives a public works update at the July 18, 2019 DRAC meeting.

Bachrach suggested the Policy Subcommittee meet before the July DRAC meeting; Director Esau suggested all potential subcommittees could do the same. Carder asked individual subcommittee members to be responsible for setting up meetings before the July 18, 2019 DRAC meeting.

Green submitted the following motion: "I move to establish a Policy Subcommittee comprised of any interested DRAC members and other members as approved by the BDS Director." Harrison seconded the motion, and it was unanimously approved.

Director Esau suggested the establishment of the NAIOP/BOMA group as a DRAC subcommittee, with a focus on improving processes for commercial permits. J. Wood replied that the NAIOP/BOMA group could continue to function as is, without being a formal DRAC subcommittee. DRAC Members Paul Delsman and Lauren Jones already participate in both the DRAC and NAIOP/BOMA. Director Esau wants to avoid NAIOP/BOMA duplicating the work of DRAC subcommittees (such as Public Works). Carder suggested not making NAIOP/BOMA a formal DRAC Subcommittee, but continuing the discussion about their relationship to DRAC.

Green suggested limiting the number of active subcommittees, so members aren't stretched too thin with subcommittee work.

The next DRAC meeting is scheduled for Thursday, July 18, 2019.

Minutes prepared by Mark Feters (BDS).