



City of
PORTLAND, OREGON

Development Review Advisory Committee

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Meeting Notes

Thursday, July 16, 2020

DRAC Members Present:

Jeff Bachrach
Sean Green
Lauren Jones
Justin Wood

Claire Carder
Michael Harrison
Jennifer Marsicek

Paul Delsman
Holloway Huntley
Martha Williamson

City Staff Present:

Beth Benton, BDS
Rebecca Esau, BDS
Elshad Hajiyev, BDS
Casey Jogerst, Forestry
Doug Morgan, BDS
David O'Longaigh, Water
Ken Ray, BDS
Dave Tebeau, BDS

Alex Cousins, BDS
Mark Fetters, BDS
Douglas Hardy, BDS
Kurt Krueger, PBOT
Phil Nameny, BPS
Kareen Perkins, BDS
Elisabeth Reese Cadigan, BES
Zef Wagner, PBOT

Nik Desai, Forestry
Darryl Godsby, BDS
Tim Heron, BDS
David Kuhnhausen, BDS
Kyle O'Brien, BDS
Andy Peterson, BDS
Kim Tallant, BDS

Guests Present:

Krista Bailey, Urban Renaissance Group
Ashley Fleschner, National Association of the Remodeling Industry PNW
Ezra Hammer, Home Builders Association
Michelle Schulz, GBD Architects
Suzannah Stanley, Mackenzie

DRAC Members Absent:

Alexander Boetzel Shea Flaherty Betin

Handouts (all handouts are available at <https://www.portlandoregon.gov/bds/46406>)

- Draft DRAC Meeting Minutes 6/18/2020
- Inter-Bureau Code Change List
- Non-Cumulative Cost Recovery Report
- BDS Major Workload Parameters
- Land Use Expiration Date Extension Project
- Title 21 Updates – Public Comment
- Title 33.266.310 Loading Standards – BOMA/NAIOP Issues & Requests
- Upcoming City Council Agenda Items

Convene Meeting

DRAC Chair Paul Delsman convened the online meeting and welcomed DRAC members, City staff, and guests.

July 16, 2020 DRAC Meeting Notes

DRAC members reviewed notes from the July 16, 2020 DRAC meeting. DRAC Member Sean Green sent edits to Mark Feters (BDS) via the Zoom Chat function; DRAC members asked Feters to send the edited version of the notes to them for review for the August 2020 DRAC meeting.

City Announcements / Updates

Land Use Expiration Extension

Phil Nameny (BPS) shared and reviewed the handout ***Land Use Expiration Date Extension Project***, and noted that the project had a hearing at City Council last week.

DRAC Member Jeff Bachrach said that the City Council also gave the Housing Bureau one year to conduct a study of the effectiveness of the Inclusionary Housing program, but the Housing Bureau spent the money set aside for the study on other things due to COVID-19.

DRAC member Lauren Jones expressed thanks for the extension, and said they are getting a lot of questions about whether the City will make larger adjustments to City Code Title 33 (Zoning Code), given the significant changes happening in retail and restaurants. Kim Tallant (BDS) said there hasn't been any discussion in BDS about it. Nameny said that BPS conversations have focused on more immediate needs in response to the pandemic, rather than looking at longer term changes.

City Code Title 21 Updates

Feters (BDS) reminded DRAC members that the Water Bureau is seeking public comment on proposed updates to Portland City Code Title 21. Detailed information is available in the press release at [FINAL Title 21 Media Release 071020.docx](#).

Tree Code Update (see email from Emily)

Tallant (BDS) said that an online forum is open for public comment on a draft proposal for changes to Portland City Code Title 11 (Tree Code) at <https://www.portland.gov/bds/news/2020/7/13/share-your-views-draft-proposal-updates-portlands-tree-code>. Comments will be accepted through July 29th.

Bachrach (DRAC) asked what the process will look like after the public comment period. Tallant noted that this is a joint project between BDS, BPS, and Urban Forestry. Staff will review the public comments, amend the draft proposal accordingly, and then will hold hearings with the Planning & Sustainability Commission and the Forestry Commission.

BDS Services Update

BDS Director Rebecca Esau provided status updates on BDS programs and services. Recently BDS had to quarantine some inspectors due to possible COVID-19 exposures on construction sites. BDS has directed inspectors to decline inspections if contractors at job sites are not following COVID-19 safety protocols, and inspectors have walked away from a few job sites so far.

The bureau is making progress with read-only remote access to AMANDA, and is ready to test it with customers. Director Esau asked DRAC members to contact Feters (BDS) if interested in participating in testing.

BDS is still struggling with an increase in email and phone traffic to its main reception group. BDS has added staff to that group and streamlined procedures, and has been making progress. DRAC Member Jennifer Marsicek said they have been calling/emailing the bureau repeatedly because they don't receive a response. Marsicek suggested putting information on the BDS website about the delays. Director Esau said that is being done.

Guest Suzannah Stanley said it would be very helpful to have some updates on the COVID/BDS submitting permits webpage, so applicants are warned about the delays. Stanley said that recently it took 1 ½ - 2 weeks to hear back from BDS with a permit submittal date that was 4 or 5 weeks out; applicants should know there might be a 6+ week delay before they can submit their permit. They also need to know if logging new permits and corrections into the system for reviewer timelines will not occur on the same day, like it used to. Stanley suggested that information be added to <https://www.portland.gov/bds/apply-and-pay-your-permits-during-covid-19>.

Green (DRAC) suggested that since BDS is trying to provide more services remotely, it might be worth exploring a "help desk" or "support desk" type solution to track interactions with customers, especially for those who submit questions. Director Esau said BDS is working on possibly utilizing an online chat function to help triage some of this.

BDS Permitting Services Manager David Kuhnhausen noted there is a permit backlog from the point of scheduling an appointment to actually submitting plans. Staff is still learning the new Single PDF process that allows for online submittals. BDS will probably start the move to online submittals with deferred submittals and revisions, using DevHub as a portal into AMANDA. The timeline for implementation is uncertain. They intend to also use this system for answering customer questions that used to be done face-to-face.

An additional issue is that staff setting up permits don't have easy access to lead or supervisory staff when they have questions. Permitting Services is establishing a "Team Lead for the Day" person to be available to staff so questions can be answered more quickly.

DRAC Member Justin Wood said that residential inspectors aren't leaving paper copies of corrections on sites anymore, and IVR doesn't update until the next day, so contractors don't know if they've passed their inspections or not. Guest Ashley Fleschner said they have had the same issue. BDS Residential Inspections Manager Dave Tebeau said they've noticed this and are trying to figure out a solution with BDS technology staff. One option would be to email corrections to contractors, but they would need good email addresses to work with. Wood suggested inspectors call contractors with the inspection results.

Title 33 Loading Requirements

Guest Michelle Schulz (GBD Architects) described recent discussions regarding loading requirements in Portland City Code Title 33 between City staff and representatives from NAIOP (Commercial Real Estate Development Association and BOMA (Building Owners & Managers Association). Schulz reviewed the handout ***Title 33.266.310 Loading Standards – BOMA/NAIOP Issues & Requests***.

Delsman (DRAC) asked what triggers the forward motion requirement. Schulz said it can apply to any project outside of the Central City District. Wood (DRAC) said the issue occurs with residential construction as well; PBOT asks for forward motion, and this causes issues with Planning.

Kurt Krueger (PBOT) said this is a complex, long-standing issue that has gotten worse with increased density and development in the central city. They are trying to right-size loading at a point in time for a building that will be there for decades. There are conflicts even within PBOT over how much loading to put in the public space as opposed to the building space. The code needs attention and discussion involving all stakeholders. PBOT would like to see more loading early in the morning, but that is challenging for retail establishments that don't open early. Krueger suggested that the DRAC ask BPS to take this on as a workplan to help the development community and City staff. Delsman concurred.

DRAC Member Michael Harrison asked whether current policies are adjusted for difficult sites, and whether the proposal is to make it easier or harder for adjustments to be done. Krueger said PBOT spends too much time making site by site adjustments, and applicants get caught between competing policy goals. Krueger said a conversation is needed about changing the code to preserve public space by providing loading space in buildings.

Nameny (BPS) said that loading spaces are in the Zoning Code (Title 33), and if the DRAC wants to advocate for the project, they should send a request to BPS leadership. Tweaks have been made to loading spaces in the past through RICAP (Regulatory Improvement Code Amendment Process).

Tallant (BDS) said that RICAP was put on hold because all of other ongoing code projects, such as Better Housing by Design, Residential Infill Project, and Central City 2035. They were waiting for some of those codes to go into effect in order to determine what needed to be addressed. Wood (DRAC) said that RICAP wasn't perfect, but was a fairly quick process for changing code and 95% of the time was fairly non-controversial.

Guest Ezra Hammer asked whether PBOT could address the issue through Streets 2035.

Bachrach (DRAC) said it might be appropriate to send a letter to the Planning & Sustainability Commission urging bureaus to re-establish RICAP. Nameny (BPS) said that previously BDS helped fund BPS positions that worked on RICAP, but BPS has re-assigned those staff to other projects. BPS would need to figure out a way to budget for RICAP. Director Esau voiced support for re-starting RICAP and offered to follow-up with the BPS Director.

DRAC Vice Chair Martha Williamson suggested the DRAC send a letter to BPS in support of revisiting loading requirements. DRAC Member Claire Carder thought a letter to the Planning & Sustainability Commission might be a good first step.

Director Esau said that a letter from to BPS would make sense, as re-starting RICAP involves their budget, workplan, and allocation of their staff resources for the year.

Conversation was temporarily suspended for the next scheduled agenda item.

Northwest in Motion

Zef Wagner (PBOT) shared a presentation on the Northwest in Motion plan (<https://www.portland.gov/transportation/planning/northwest-motion>), which was released about a month ago. The plan guides PBOT investments over the next 5 years – near term, low-cost improvements to make alternative transportation methods more appealing around the NW District Town Center. This plan is primarily guidance for PBOT, and is non-binding. The City Council hearing on the plan has been delayed until October 8, 2020.

Williamson noted that under the plan traffic classifications might be changed, and asked when that might happen since the plan is non-binding. Wagner replied that those changes would take affect when the Transportation System Plan <https://www.portlandoregon.gov/transportation/67263> is next updated, in 3 years or so.

Title 33 Loading Requirements (continued discussion)

Director Esau again recommended a letter from the DRAC to BPS recommending they add Title 33 Loading Requirements to their workplan in the current or next fiscal year. Director Esau suggested the letter include the information presented today plus anything else the NAIOP/BOMA groups want to add. Jones (DRAC) volunteered to work on a draft letter with Schulz and Krueger.

Industry Updates

Director Esau asked DRAC members and guests for their observations on the impact of the pandemic on the demand for office space, especially in the downtown core. BDS is hearing that companies are planning to have more people work at home over the long term to save on office space.

Jones said that currently, tenants who had been looking for long-term office space are just doing 1- or 2-year renewals. Age, income, and business needs are all determinants for employees on whether to return to the office. Technology companies work really well with employees at home. Jones' industry is talking about a shift from downtown office space to suburban or "boutique" spaces, due to concerns such as elevator capacities in big office towers. Office space has a lot of vacancy right now, and speculative developers are pulling back from office development. There isn't movement to convert office space to residential or other uses.

Delsman said that one of NAIOP's focuses is office space, and they have national committees meeting on the topic, but their conversations are inconclusive. It's not clear what will happen with office space between now and end of the pandemic.

Director Esau asked for thoughts on commercial development work over the next 6-12 months.

Delsman (DRAC) said that a few projects that paused earlier have resumed. Out of 30-40 projects in their pre-development pipeline, 10% have deferred, but the bulk are moving forward. Delsman believes commercial development will stay fairly robust in the near term.

Marsicek (DRAC) said they are still fairly busy doing affordable housing, civic, and healthcare projects. They have some tenant improvement work, but it has slowed. They're not currently looking at layoffs.

DRAC Member Holloway Huntley cited a couple large technology companies that are laying off staff and can't figure out how to use downtown office space because of elevator occupancy issues.

Huntley asked for more information on City staff furloughs and BDS service levels. Director Esau said that the bulk of staff furloughs will be taken prior to the end of July, and BDS expects service levels to improve in August and September. They are still working on technology issues to make workflow more efficient.

Williamson (DRAC) runs a small company that doesn't have huge volume of work. Some projects that had been on hold are starting up, and they are staying busy. They have talked about some telecommuting, but since they're a small firm, they won't ever be completely remotely based.

Jones (DRAC) said that land prices are still high and construction prices haven't gone down. Jones requested an email from Director Esau that could be passed on to industry contracts to get feedback on their plans for the next 6-12 months. Esau will send an email to Mark to forward.

Green (DRAC) said there is a lot of single-family residential remodel activity.

Wood (DRAC) said that residential activity in SW Washington and Portland is quite busy. A lot of people thought the market was going to shut down, so lumber and suppliers shut down, and now they can't produce enough materials. Homebuyers are out there, and suppliers are trying to ramp back up, but building departments are experiencing delays.

Bachrach (DRAC) agreed that housing hasn't slowed down, and said the problem is with office and commercial development. It's hard to make plans when it's unclear if what's happening now will still be the case in 6-12 months.

Carder (DRAC) said that neighborhood meetings have been happening by video, and things are going about as well as they can with the neighborhoods.

Other

Green (DRAC) noted a new code project called the Shelter to Housing Continuum Project: <https://www.portland.gov/bps/s2hc/about-shelter-housing-continuum-project>. Green encouraged anyone interested in support for the houseless to contact him.

Krueger (PBOT) noted two large bond measures likely on the November ballot: a large METRO transportation bond measure and a \$1.1 billion Portland Public Schools bond measure.

The next DRAC meeting is scheduled for Thursday, August 20, 2020.

Meeting notes prepared by Mark Feters (BDS).