

BUILDING DEMOLITION CODE

TESTIMONY ON AMENDMENTS ONLY

IF YOU WISH TO SPEAK TO CITY COUNCIL, PRINT YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)	ADDRESS AND ZIP CODE	Email
✓ Vic Remmers		Vic@EverettHomes.com
✓ Luke Morley	778 ave	luke@lakesidelumber.com
✓ Eric Thompson		pdxerict@yahoo.com
✓ Rich Karsbaum		rich@bluestonehomes.net
✓ Dawn Karsbaum Leanne Butler		Dawn@bluestonehomes.net ljbutler@findam.com
✓ Rob Humphrey	DRAC DRAC 5 mins PLEASE	Rob@FarderPermits.com
✓ Tony Nickles	3510 NE Multnomah St Portland OR 97232	antonio.tonymickles4602@gmail.com
✓ Jim Heuer		jsheuer@easystreet.net
✓ Wendy Chung		wcrossiter@yahoo.com
✓ Sara Lonco		sara.lonco.pdx@gmail.com

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NAME (print)	ADDRESS AND ZIP CODE	Email
✓ BARBARA STRONIS ^{Strunk}	3444 NE 35th Place Portland, Or 97212	wolsey_9@hotmail.com
✓ BARBARA KERR	1150 NE FALOMA RD,	Kerrclifford@hotmail.com
✓ JAVET BAKER	3416 NE 34th Portland 97212	janbak@pacifier.com
✓ ALYSSA ISENSTEIN KUEGEL		Pdxhappyhouse@gmail.com
✓ JIM GORTZ		jcgort@msn.com
✓ MARGARET DAVIS		manaobooksgmail.com
✓ TERRY PARKER		parlcevt2012@gmail.com
✓ SHARON GENESCI		sgenesci@spiritone.com
✓ JUDY PARSONS		judy_parsons65@msn.com
✓ JOHN SANDIE		sandiefame@gmail.com

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✓	AL ELLIS		ajc0280@gmail.com
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✓	Gary Clifford	1150 NE FALOMA RD	kerrclifford@kotmail.com
left	Kevin Partain	223 NE 5 th Ave	

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<i>Spoke earlier</i>	Sharon Genasci	2217 NW Johnson PDX 97210	sgenasci@spiritone.com
	Alando Simpson	5726 N.E. 109 TH AVE Portland 97230	
✓	Malachi Milbourn	7401 N Albina AVE Portland 97217	
✓	David Heslam	623 S.W. 6 AVE Portland 97205	
	Chad Wykhuis	3550 N.E. Holman ST. 97211	
	John Taylor	5115 N.E. Malloway AVE 97211	
✓	Steve Messinetti	8439 SW 52 Portland OR 97219	
✓	BRANDON SPENCER-HARRIS	24 NW 1 ST AVE PORTLAND OR	
<i>left</i>	Jeff Shrope	16771 16771 Boones Ferry Rd, LO OR 97067	
✓	MARY HELEN KINCAID	DRAC CHAIR	
✓	JEFF FISH	PAST DRAC CHAIR	

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NAME (print)	ADDRESS AND ZIP CODE	Email
✓ PAUL SHEELY	4334 SE 30th PDX	
KEN FORCIER	6107 NE 32nd PLATW	
Fernando Maria	650 SW Livingston PDX	
left John LaBarge	Oregon Demolition	

TESTIFIERS REMAINING FROM DECEMBER 17TH HEARING.**These individuals will be called FIRST today when testimony is taken.**

(They should not sign up on today's sheet.)

Sp8ke
on 2/12:

- ✓✓ Scott Yelton
- ✓✓ Shane Endicott
- ~~Jordan Jordan~~ ✗

- ✓✓ Cliff Goldman
- Steve Dotterer ✗
- ✓✓ Tamara DeRidder

- ✓✓ Justin Wood
- ✓✓ Jes Larson
- Ervin Siverson ✗

- ✓✓ Karen Karlsson
- ✓✓ Becky Lluening
- ✓✓ Tanya March

- ✓✓ Teresa Raiford
- ✓✓ Jon Wood
- Chris Zimmer ✗

Moore-Love, Karla

From: Linda Nettekoven <linda@lnettekoven.com>
Sent: Thursday, February 12, 2015 2:29 PM
To: Moore-Love, Karla
Subject: Testimony RE: Amending Building Demolition Code -- Item 169

RE: Item # 169 February 12, 2015

Dear City Council Members:

I am a long time member of the Hosford-Abernethy Neighborhood Development Association (HAND) and a member of the Portland Historic Resources Coalition (PHRC). However, I am writing on my own behalf today. I want to support the proposed amendments to the Building Demolition Code before you with the understanding that there is more work to be done.

This has been a very good effort and the proposal continues to improve. I am very appreciative of the efforts of BDS staff, the DRAC and its subcommittee, and the members of Neighbors United for Reform (NUR), and the PHRC.

Although I assume demolitions will be postponed only a few times each year, I remain concerned about three issues:

- 1) the fate of beautiful old houses and commercial buildings along our rapidly changing commercial corridors, which do not seem to be covered by this amendment with its understandable focus on residential dwellings,
- 2) the equity implications of an approach which is likely to see some neighborhoods well equipped with skills, knowledge and other resources to make use of these provisions while others are not, and
- 3) the need to build in a careful evaluation process to assess the impacts of this approach and make adjustments if necessary.

1) Implications for commercially zoned structures. Within my neighborhood we have had a few residential demolitions and are expecting more. However, the houses that captured the most community interest in recent years were located on our commercial corridors — the 1905 “Clay Rabbit House” on SE 26th and Division, which was moved, and the two houses at SE 27th and Hawthorne, one saved and one demolished all with commercial zoning. There needs to be a way for neighborhoods to preserve/reuse some of these structures as well. Communities need help in identifying special places and working with owners ahead of time if the unique characteristics of our business districts are to be preserved while accommodating infill development.

2) Equity implications. There needs to be some careful thought as to what materials could be made available with demolition notices to neighborhoods, coalitions and other interested parties. Just being informed one can request a delay with directions to a form is not sufficient for people who’ve never before considered that a building might be saved, moved, etc. There needs to be a link to other resources regarding alternatives to demolition. Perhaps additional materials could be developed via a joint effort between BDS, ONI and some of our local historic preservation organizations.

3) Evaluation. An evaluation design needs to be created as soon as the code is amended with a timeline attached for review.

And finally, I’m asking you to support the BPS requests for one time funding in next year’s budget to support 1) a review of the standards for single family dwellings (lot coverage, setbacks, etc, etc.), and 2) the first stage of the update of the city’s Historic Resources Inventory, which is embarrassingly long overdue.

187017

Thank you for your leadership on the demolition issue.

Sincerely,
Linda Nettekoven
2018 SE Ladd Ave
Portland, OR 97214

Testimony to City Council February 12, 2015 regarding DRAC recommendations.

Steve Elder, resident of Concordia

You ask "Shouldn't a person be able to do what he wants with his property?"

The obvious answer is yes, but there's more to it.

Market forces mandate willingness by buyer and seller. Seeking the best deal is not just a right, it is an economic imperative.

But don't we whose life and property are adversely impacted by demolition and replacement have rights too? We submit they do.

People shopping for homes want to be in nice neighborhoods with nice houses, nice trees, nice people. Some want and can afford to live in big new houses. Many others are shut out.

It took over a hundred years to weave the fabric of our attractive neighborhoods. We don't want it torn apart and shredded.

Developers seize opportunities. Their offer might be a little low but they offer quick closings and don't require repairs: a hassle free exit for the seller. Developers clear lots as quickly and cheaply as possible and erect the largest, most easily sellable structure for the highest price they can get. Little thought is given to the neighbors in whose backyard the destruction and replacement is perpetrated.

When the housing bubble breaks the demolished, liveable homes will still be gone and their looming light-blocking privacy invading replacements will remain.

As creators of community value we assert our right to avoid the denigration of our neighborhoods. We seek to impose a high cost for removal of sound structures and to provide guidelines for the size and location of their replacements.

We claim it is our right and our duty to ourselves, our neighbors and future generations to do all we can to maintain the integrity of our community.

Dear City Council,

Forty-three and counting neighborhoods have formally supported the United Neighborhoods for Reform Resolution. In attending those neighborhood meetings, there was no question that they wanted deconstruction if a home had to be removed and could not be moved.

The question is not, Why would you require deconstruction for all demolitions? That's easy; the list of benefits is long. The real question is, Why wouldn't you require deconstruction?

The answer is time. Mechanical demolition can happen in a day; deconstruction can take a few days to several weeks. Time is money. Requiring deconstruction is considered asking the developer to increase expenses that don't increase profits. Free enterprise is being free to produce, buy, and sell a product without restriction. But free enterprise is not free; as a business person I am responsible for paying the cost of my production. Free enterprise is not being restricted by the public good but it is also not being financially supported by the public.

Mechanical demolition puts hazardous waste into the air, the soil, and the surrounding neighbors' property. The costs of cleaning this up are beyond calculation. Mechanical demolition puts waste in our landfills, which are subsidized by the public. Wood waste releases methane into the atmosphere over time. How do you put that genie back in the bottle? Mechanical demolition removes existing building materials from our supply necessitating all the costs to the environment of producing new ones.

True free enterprise would mean the developer would pay these expenses as simply the cost of doing business. Do we really think these costs would be less than the price of deconstruction? A smart business person would work deconstruction into their schedule while working on the many tasks of readying a construction project to be built.

There are developers who have found the benefits and are ahead of the curve, but by far the majority have not. Deconstruction needs to be required or we need to stop subsidizing mechanical demolition.

Thank you,

Barbara Kerr
1150 NE Faloma Rd.
Portland, OR 97211
kerrclifford@hotmail.com

I am Claire Coleman-Evans and a member of the UNR Steering Committee. On December 15, United Neighborhoods for Reform sent a letter to members of the City Council requesting action about hazardous materials at residential demolition sites. We restate our request for the city to dedicate city personnel to monitor actual demolition activities, to serve as liaisons with state agencies to report any hazmat release problems directly to partnering agencies responsible for enforcement and citing violations, and provide a user-friendly public on-line access point for these purposes.

The health and safety of neighbors and the health of the environment are woefully neglected surrounding residential demolition sites. We have observed dust clouds that blow around neighborhoods. Demolition debris is often observed hauled in trucks with uncovered beds. No complaint numbers are posted at demolition sites. DEQ has no dedicated asbestos investigators in the local regional asbestos office. The city does not currently require personnel to inspect or monitor the actual bulldozing activities at residential demolition sites.

Since residential demolitions have increased throughout the city, so too have resident anxieties and complaints about release of hazardous materials from those sites as reported in newspaper articles. We have heard such concerns expressed while attending many neighborhood association meetings and from our neighbors. These complaints express deep concern for public and personal health, safety and the environment.

The current complaint-driven system that exists in Portland is not reasonable or effective and we ask the city to create a more proactive approach. Who does a resident call now about these concerns? For two years, there has not been a dedicated local inspector in the DEQ NW Regional asbestos office. BDS suggests calling OSHA, when by the time they show up the demolition has ended. Plus OSHA is primarily charged with worker protections and safety, not those of surrounding neighbors, houses, yards, and children. By the time any response may occur, the demolition process is complete and little evidence of dangerous practices remains.

Commissioner Fritz, in an Oregonian news report dated December 11, 2013, you are quoted as saying "It isn't the neighbors' job to monitor developer's compliance with environmental regulations." "There shouldn't be an expectation that neighbors in all parts of the city should be vigilant to make sure development goes smoothly." Shockingly, the current reality is that neighbors do have to be the watchdogs since the city is not. We believe the city has the authority to correct the existing problems. Since BDS states they lack the authority and resources to further address these concerns, we request ask again that the mayor and city council designate the appropriate department responsible for protecting public health, safety and environment to create policies and regulations to protect Portland residents from lead, asbestos and other contaminants during demolition/development activities.

Thank you

**Hazardous materials containment at demolition sites –
in support of United Neighborhoods for Reform's (UNR) resolution-- Feb 12, 2014 City Council hearing.**

Comments of John Sandie, Beaumont Wilshire resident.

Members of City Council, I am here to re-emphasize and expand on my December 17th testimony regarding the urgent and immediate need to implement best practices and responsible house demolition protocols.

When someone is exposed to asbestos and lead contaminated dust; they can't be taken away to fresh air to recover; they can't take a trip to ER for shot of adrenalin to counter the impact - they are potentially sentenced to serious, irreversibly health problems whose symptoms may not appear for years.

In my earlier testimony, I highlighted demolition protocol steps that have been proven to lower the risk of public exposure to dangerous toxins in the dust generated during house demolitions. Steps such as: proper wetting of structure and debris pile, covering trucks during transit, daily clean-up of all streets and walkways and performing partial deconstruction of building materials that show the presence of lead.

Our research also identified other easy, proactive steps that have been used to further reduce risk to the general public; simply providing tacky mats to neighbors to keep foot traffic from bringing in outside dust, as well as, performing thorough cleaning of nearby residences using special HEPA filtered vacuums. Let me remind you, there are scientific studies that demonstrate lead dust can travel up to 300 ft from a demolition site; and computer models developed by Wayne State University in Detroit that puts the potential impact at even greater distances. Think of how many patios, play-areas or vegetable gardens may be within the reach of this potentially dangerous dust plumb

Both the EPA and CDC have stated that there is *no* safe level of exposure to either lead or asbestos. Younger children are especially susceptible to a life of developmental problems, such as: nervous system and kidney damage, learning disabilities, decreased muscle and bone growth. For the city of Portland not to require and enforce these simple steps that have proven so effective in other communities -- is, in my mind, morally indefensible.

So, to restate my request to Council, the City of Portland should immediately require, and verify use of, these proven protocols for effective and responsible single family housing demolitions.

Thank you.

Reference material links:**HUD study by UIC**

<http://www.nchh.org/Research/ArchivedResearchProjects/LeadDustandHousingDemolition.aspx>

East Baltimore – Responsible Demolition study

<http://www.aecf.org/resources/responsible-demolition-a-baltimore-case-study-with-national-implications/>

EPA - Renovation, Repair and Painting Program (RRP)

<http://www2.epa.gov/sites/production/files/documents/sbcomplianceguide.pdf>

Other research sources:**Wayne State University, Lead and Demolition paper**

<http://detroitgreenandhealthyhomes.org/wp-content/uploads/2014/06/Leaddemocombined011614.pdf>

Discussions of wet misting technologies:

<http://www.dustboss.com/support/dust-related-health-safety-issues/demolition-dust-hazards-and-control/>

<http://www.buffaloturbine.com/monsoon-demolition.html>

Mayor Hales, City Council my name is Rod Merrick. SE Portland resident etc,

First I would like to thank Commissioner Fritz and especially Mayor Hales for engaging in the issue of residential demolitions affecting citizens across the city.

I also want to thank the many neighborhood and preservation groups that have pressed for solutions especially the United Neighbors for Reform.

The issues associated with demolition regulation are many ...from preservation of viable and affordable housing,.... protection of public health from the demolition process,..... preservation of cultural and historic resources that are important to the character of our city.....and not least ...the common courtesy of informing neighbors of an impending demolition.

Yesterday, I found on-line the DRAC 24.55.200 rewrite on the agenda for today.. presuming that is the version under consideration. Previously I have worked to understand the issues and made a deep dive into editing an earlier version. In the latest version, I found essentially the same deficiencies that needed to be addressed ..really from the time 2 years ago that I became aware of the K1 exemption.

We cant solve all of the problems associated with demolition permitting in two months since the December hearing but I conclude that even at the most basic level this language is clearly weakening of the current code in favor of development interests despite the positive efforts of UNR that our neighborhood has supported.

Consider the issue of time. The DRAC managed rewrite requires the appellant not only *to decide to appeal and to prepare to appeal the demolition permit within 35 days* of the application date but to have both a specific solution and a *feasible plan for preserving the property to accompany the appeal*. (The required registered letter simply adds another gratuitous impediment.)

The notice and wake up cycle alone for *any* action can easily be 2 weeks. Developing a plan could easily require several weeks of volunteer effort. Even for our neighborhood where we have regular land use meetings and were able to organize a special board meeting in early summer to discuss and approve the appeal for cause but without a plan.

Developing a plan takes time and negotiation .. all but impossible without providing the recognized organization a wedge. The intent of the 120 day stay in the existing code provides time to develop a plan. In two recent examples, the 120 day stay or threat thereof was the only hammer to get the developer to the table.

With the proposed language, the developer can wait for the Code hearings officer to decide if a credible plan is in place and if so.. begin to respond. Compressing the delay from 120 to 60 days only undercuts the urgency to talk. A BDS plan review can take 30 to 60 days or more with appeals and adjustments. A developer has little or nothing to gain from engaging in any kind of negotiation.

I see the unintended consequence: making it easier to demolish viable affordable housing.

The lack of vision or clarity in the new version, the confusing redefinition of demolition, language to remove the one tool that advantaged the neighborhood associations, and not least the lack of public process suggests that this proposal is not ready for a vote.

The only vote that is essential short term is the removal of the K1 exemption clause from the existing code. It is common courtesy to notify neighbors of impending demolition. It is that simple.

Respectfully

Rod Merrick, Eastmoreland Neighborhood Land Use Co-chair
3627 SE Cooper St 97202

Judy Parsons

187017

Testimony for City Council Hearing on Feb. 12th, 2014 regarding the need for hazmat control policies and hazmat approval criteria for Portland's residential demolition applications

My name is Judy Parsons and I am a member of the UNR Steering Committee. Mayor, during the Dec. 17th hearing you asked about which "levers" would be effective in the demolition process. Due to the serious public health, safety and environment concerns at these sites in our neighborhoods, we propose one answer is creating the hazmat "lever." This is a lever the city can pull now.

We ask city council to designate the department responsible for public health, safety and the environment to create hazmat control policies and regulations for house demolition sites. One of our policy proposals is for the city to require hazmat surveys and abatement plans, prepared by certified abatement contractors, to be submitted with the city's residential demolition application.

Based on our research, we are shocked and alarmed that Portland does not already require these documents. We have confirmed that many other Oregon cities, such as Medford, Tualatin, and Lake Oswego, do require hazmat documentation for residential demolition sites. For instance, Lake Oswego requires submitting a certificate of compliance for asbestos and lead paint removal for their house demolitions. Why is this not required in Portland?

As you see on Portland's demolition application, a DRAC approved "statement of fact" block was recently inserted into that document, which we are told is to "raise awareness and encourage compliance". Due to existing gaps in state hazmat regulations relating to residential demolitions, we think this is a meaningless statement block.

Therefore, since BDS states that they do not have this type of authority, we ask city council to designate the appropriate department that does have the authority to create hazmat control policies and regulations, including this specific proposal. We think Portland does have authority to require these hazmat documents and UNR members want to be stakeholders in this process.

We believe this is a reasonable request since we find this being done in other Oregon cities and across the country. This proposal is also found in the UNR resolution, which has been approved in principle by 41 neighborhood associations. We ask that hazmat control policies are put into place as soon as possible in Portland for demolition sites in our neighborhoods.

Thank you

Documents submitted with
Testimony for City Council Hearing on Feb. 12th, 2014 regarding the need for hazmat
control policies and hazmat approval criteria for Portland's residential demolition
applications

1. Copy of United Neighborhoods for Reform letter, Call for Action by United Neighborhoods for Reform for Portland City Council to Address Hazardous Material Concerns at Residential Demolition Sites sent to Portland City Council on December 15, 2014 and also a supplemental letter dated Feb. 12, 2015 detailing UNR's hazmat control policy proposals
2. UNR Resolution approved in principle by 41 Neighborhood Association Boards
3. City of Portland Building Permit Application required for residential demolition sites
4. City of Tualatin Demolition Permit Requirements Including Asbestos Removal for any demolitions, confirmed to be required for residential demolitions
5. City of Hillsboro Demolition Checklist required for any demolition, confirmed to be required for residential demolitions
6. City of Lake Oswego's Residential Demolition Application
7. City of Medford Demolition Permit Application, confirmed to be required for residential demolitions
8. Lane County Public Works Fact sheet titled "Important Information Regarding Demolition and Remodel Work"
9. Southwest Washington Clean Air Agency Guidance for Demolition of Structures or Areas and Asbestos Demolition guidelines flow chart
10. Asbestos, Demolition or Renovation, Sandblasting and Grinding Standards implemented in city ordinances in Chicago, Illinois

February 12, 2015

Mayor Charlie Hales, mayorhales@portlandoregon.gov
Commissioner Dan Saltzman, dan@portlandoregon.gov
Commissioner Nick Fish, Nick@portlandoregon.gov
Commissioner Amanda Fritz, Amanda@portlandoregon.gov
Commissioner Steve Novick, Novick@portlandoregon.gov
Portland City Hall
1221 SW 4th Ave,
Portland, Oregon 97204

Re: Call for Action by United Neighborhoods for Reform for Portland City Council to Address Hazardous Material Concerns at Residential Demolition Sites

Dear Mayor Hales, Commissioner Dan Saltzman, Commissioner Nick Fish, Commissioner Amanda Fritz, and Commissioner Steve Novick,

United Neighborhoods for Reform (“UNR”) requests the mayor and city council to designate the appropriate department responsible for protecting public health, safety and environment to create policies and regulations to protect Portland residents from lead, asbestos and other contaminants during demolition/development activities. In December, UNR submitted our resolution that has been approved in principle by 41 neighborhood associations to date and indicates a request for city council to adopt measures to protect Portland residents from lead, asbestos, and other contaminants resulting from demolition/development. Generally, UNR’s hazmat policy requests are for the city to:

1. Require submission of hazmat surveys and abatement plans prepared by certified contractors as approval criteria requirements on residential demolition applications;
2. Set forth best practices and demolition protocols for the removal, handling and disposal of asbestos, lead paint and other hazmat demolition debris materials;
3. Require inspections prior to the onset of residential demolitions to verify proper abatement and disposal of hazmat materials, adherence to city hazmat related policies and protocols and to provide adequate funding for these activities;
4. Dedicate city personnel to serve as liaisons for Portland citizens with state agencies, monitor actual demolition activities, report any problems directly to partnering agencies, and provide a user-friendly public on-line access point for these purposes.

Attached is a copy of the final UNR hazmat letter, Call for Action by United Neighborhoods for Reform for Portland City Council to Address Hazardous Material Concerns at Residential Demolition Sites that was sent to city council on December 15, 2014. In this document you will find these same requests and some of our research results about the current lack of city regulations for hazmat demolition debris and airborne particles at residential demolition sites in Portland. Attached are copies of demolition application documents which we have verified are for residential demolition sites in Tualatin, Hillsboro and Lake Oswego. We have found several other Oregon cities that do require documents relating to hazmat materials for their residential demolition applications, for instance in the City of Medford.

We are shocked that hazmat control policies do not exist yet for residential demolition sites in Portland. We are alarmed about existing regulatory loopholes relating to residential demolition

sites. A result of working with BDS over the past months about hazmat concerns is that BDS states that they lack the authority and resources to further address these concerns. Therefore, we ask city council to designate the appropriate department responsible for protecting public health, safety and environment to create hazmat control policies and regulations for these sites in our neighborhoods. We do think Portland does have this authority. UNR members look forward to being included as stake holders in this process.

We request your immediate attention and action regarding hazmat concerns at demolitions sites in our neighborhoods. There is great urgency to correct this problem which puts the health of our residents and their children at risk. UNR and many Portland residents look forward to prompt action by City Council. Please contact us for further questions and discussions.

Sincerely,

Members of United Neighborhoods for Reform Steering Committee

John Sandies, sandiefam@gmail.com

Jim Heuer, jsheuer@easystreet.net

Judy Parsons, judy_parsons65@msn.com



Building Permit Application

City of Portland, Oregon - Bureau of Development Services

1900 SW 4th Avenue, Portland, Oregon 97201 • 503-823-7310 • TTY 503-823-6868 • www.portlandoregon.gov/bds

187017

Type of work

- New construction Addition/alteration/replacement
 Demolition Other:

Category of construction

- 1 & 2 family dwelling Commercial/industrial Accessory building
 Multifamily Master builder Other:

Job site information and location

Job no.: _____ Job address: _____

City/State/ZIP: _____

Suite/bldg./apt. no.: _____ Project name: _____

Cross street/directions to job site: _____

Subdivision: _____ Lot no. _____ Tax map/parcel no. _____

Description of work

Provide RS Permit no. _____

Property owner Tenant

Name: _____ E-mail: _____

Address: _____

City/State/ZIP: _____

Phone: _____ FAX: _____

Owner installation: This installation is being made on property that I own, which is not intended for sale, lease, rent, or exchange.

Owner signature: _____ Date: _____

Contractor

Business name: _____ E-mail: _____

Address: _____

City/State/ZIP: _____

Phone: _____ FAX: _____

CCB lic. no. _____

Authorized signature: _____

Print name: _____ Date: _____

Applicant Contact Person

Business name: _____

Contact name: _____

Address: _____

City/State/ZIP: _____

Phone: _____ FAX: _____

E-mail: _____

Authorized signature: _____

Print name: _____ Date: _____

Office Use Only

Permit no: _____

Date received: _____

By: _____

Required Data: One and Two Family Dwelling

Permit fees* are based on the value of the work performed. Indicate the value (rounded to the nearest dollar) of all equipment, materials, labor, overhead, and the profit for the work indicated on this application.

Valuation:	_____
Number of bedrooms:	_____
Number of bathrooms:	_____
Total number of floors:	_____
New dwelling area:	_____ square feet
Garage/carport area:	_____ square feet
Covered porch area:	_____ square feet
Deck area:	_____ square feet
Other structure area:	_____ square feet

Required Data: Commercial Use

Permit fees* are based on the value of the work performed. Indicate the value (rounded to the nearest dollar) of all equipment, materials, labor, overhead, and the profit for the work indicated on this application.

Valuation:	_____
Existing building area:	_____ square feet
New building area:	_____ square feet
Number of stories:	_____
Type of construction:	_____
Occupancy groups	_____
Existing:	_____
New:	_____

Notice

All contractors and subcontractors are required to be licensed with the Oregon Construction Contractors Board under ORS 701 and may be required to be licensed in the jurisdiction in which work is being performed.

Statement of Fact: I certify that the facts and information set forth in this application are true and complete to the best of my knowledge. I understand that any falsification, misrepresentation or omission of fact (whether intentional or not) in this application or any other required document, as well as any misleading statement or omission, may be cause for revocation of permit and/or certificate of occupancy, regardless of how or when discovered.

I acknowledge that work related to this Building Permit Application may be subject to regulations governing the handling, removal and/or disposal of asbestos and/or lead-based paint. If the work is subject to regulations governing asbestos and/or lead-based paint, I will comply with all such regulations. _____ (initials)

Building Permit Fees*

Please refer to fee schedule

Fees due upon application	_____
Amount received	_____
Date received	_____

This permit application expires if a permit is not obtained within 180 days after it has been accepted as complete.

December 15, 2014

Via Email Delivery

Mayor Charlie Hales, mayorhales@portlandoregon.gov
Commissioner Dan Saltzman, dan@portlandoregon.gov
Commissioner Nick Fish, Nick@portlandoregon.gov
Commissioner Amanda Fritz, Amanda@portlandoregon.gov
Commissioner Steve Novick, Novick@portlandoregon.gov
Portland City Hall
1221 SW 4th Ave,
Portland, Oregon 97204

Re: Call for Action by United Neighborhoods for Reform for Portland City Council to Address Hazardous Material Concerns at Residential Demolition Sites

Dear Mayor Hales, Commissioner Dan Saltzman, Commissioner Nick Fish, Commissioner Amanda Fritz, and Commissioner Steve Novick,

As the number of residential demolitions has increased across the city, so too have resident complaints about the release of hazardous materials from those sites. These complaints express deep concern for their personal health and safety and that of their children. The United Neighborhoods for Reform group will be presenting a Call to Action at the December 17 City Council meeting which includes a recommendation to form a Task Force to address how the City should better protect its residents from these hazards. This letter explains why that is important and provides suggestions for solutions that Task Force should pursue.

As residents of areas with many demolitions, we have often witnessed demolition sites where the dust clouds of demolition debris drift onto and into neighboring homes, children's play areas, and yards – almost certainly carrying toxic lead paint and asbestos dust. Here is video link of what occurs at a typical demolition site in Portland: <https://vimeo.com/109264297>.

The health hazards of asbestos and lead based paint are well known. Lead can affect almost every organ and system in the body. Children six years old and younger are most susceptible to the effects of lead. Even extremely low levels of lead in the blood of children can result in behavior and learning problems, lower IQs, and slowed growth. Three of the major health effects associated with asbestos exposure are lung cancer, mesothelioma, and asbestosis. <http://www2.epa.gov/asbestos>, <http://www2.epa.gov/lead>. The older a house, the more certain the presence of lead paint and asbestos, and with an average age of demolished homes being 87 years, there is a virtual certainty that these materials are present at every demolition site! Alarmingly, tests conducted in Chicago found that lead paint levels in nearby soils were increased up to 40 times by unregulated demolition of early 20th Century residences, and other Federal Government tests found that lead paint dust travelled as far as 300 feet from a residential demolition site. (See Exhibit E)

Through many inquiries to the Bureau of Development Services and state agencies, we have been shocked that Portland city code and regulations do not address hazmat issues at residential demolition sites. There are no site inspections before a bulldozer arrives, and there is no hazmat abatement verification. We have also been dismayed to learn that the State of Oregon does not regulate lead paint hazards at demolition sites, and only regulates asbestos release at such sites as

it affects employees working at the site. State officials advise us they are aware of these problems, but have no current authority to correct them. Further, their resources for responding to citizen complaints about hazardous material release at “major remodel” sites, where state regulations apply, are extremely limited – with the result that by the time any response may occur, the demolition process is complete and little evidence of dangerous practices remains.

Accordingly we strongly urge that City Council take corrective actions and implement policies that ascertain and address these hazmat problems, as has been done in other Oregon cities. We believe that the City is enabled by its permitting and public safety authority to act to mitigate lead, asbestos and other hazardous material concerns at permitted residential demolition sites. We urge that the City to convene a demolition hazmat taskforce to develop detailed recommendations based on broad stakeholder input and best engineering practices for safe handling and disposal of these materials at demolition sites. (Please see attached UNR Resolution- Exhibit A.)

Accompanying this letter is a Fact and Recommendations Sheet on Residential Demolition Toxic Materials Hazards and Their Mitigation, which we urge you to review. It demonstrates the inadequacies of Portland’s regulations in this area and how other Oregon cities have moved way beyond Portland in protecting the public from these hazards.

Every day of delay means another demolition where Portland residents are potentially exposed to hazardous materials with little or no effective recourse to protect themselves. There is great urgency to correct this problem which puts the health of our residents and their children at risk. UNR looks forward to prompt action by City Council. Please contact us for further questions and discussions.

Sincerely,

Members of United Neighborhoods for Reform Steering Committee

John Sandies, sandiefam@gmail.com

Jim Heuer, jsheuer@easystreet.net

Judy Parsons, judy_parsons65@msn.com

Accompanying this letter are the following attachments:

- **Fact and Recommendations Sheet on Residential Demolition Toxic Materials Hazards and their Mitigation**
- **Exhibit A – UNR Resolution Approved in Principle by 36 Neighborhood Boards**
- **Exhibit B -- BPS Statistics on Recent Residential Demolitions**
- **Exhibit C -- City of Tualatin Demolition Permit Requirements Including Asbestos Removal**
- **Exhibit D -- City of Hillsboro Demolition Checklist**
- **Exhibit E -- Responsible Demolition Safety Protocols from the East Baltimore Revitalization Initiative**

Fact and Recommendations Sheet on Residential Demolition Toxic Materials Hazards and Their Mitigation

Current Situation: Portland's Hazmat Regulations at Residential Demolition Sites Are Essentially Non-Existent and Fall Well Short of Regulations by Other Oregon Cities

- BDS approves residential demolition permits, but has not been given the legal authority by City Council to require documentation ascertaining potential hazardous materials, such as asbestos surveys, lab tests, or haz mat abatement plans prior to approving demolition permits. Other Oregon cities require such abatement plans. For example in Lake Oswego and Tualatin asbestos documentation is required for demolition permit application. (Please see attached demolition application documentation for Lake Oswego and Tualatin-Exhibit C.)
- The City of Portland provides limited or no educational support to contractors on hazmat mitigation issues. Such support is provided by Hillsboro for demolition applicants in the form of a checklist that itemizes what should occur prior to demolition. A DRAC member has said this Hillsboro checklist is useful and now he uses it in his own building practices (Please see attached Hillsboro demolition application checklist-Exhibit D)
- According to a DEQ staffer in the local DEQ NW Regional asbestos office, the City Council has the power to authorize BDS to could create their own hazmat approval criterion requiring such things as asbestos surveys for demolition applications, which OSHA requires for their purposes, too. The fact that other Oregon cities have done so confirms the workability of this approach.
- As part of the DRAC-led review of demolition policies the standard demolition permit form was modified to include a "statement of fact" about hazardous materials that applicants are expected to initial prior to issuance of the permit. As confirmed by communications we have received from BDS staff: "The 'statement of fact' block on our application is an advisory message, and is intended to raise awareness and encourage compliance with the regulations that the State of Oregon is charged with in regards to the safe handling/disposal of lead or asbestos". This addition to the permit process is just barely better than nothing, as the initialing of the block merely indicates that the applicant promises – without any legal recourse – to adhere to the hazmat regulations.
 - Here is what the statement block looks like:

I acknowledge that work related to this Building Permit Application may be subject to regulations governing the handling, removal and/or disposal of asbestos and/or lead-based paint. If the work is subject to regulations governing asbestos and/or lead-based paint, I will comply with all such regulations. _____ (initials)
- There is a lack of inspections at residential demolition sites. Inspections are required for many other construction phases, such as plumbing and electrical. Considering the health and safety concerns at demolition sites, why aren't regular inspections scheduled? BDS staff offered this explanation: "... the Director of Inspections is not inclined to expose his inspectors to potential hazmat and he is concerned inspections might turn into requests for other things like setbacks, etc". The result is that it is nearby residents who must take action when hazardous materials are released from a demolition site, and must equip themselves with the detection equipment and protective gear to safely establish the potential violations – or else acquiesce in their exposure to life-threatening materials without complaint.
- According to a lead-based paint hazards expert at the Oregon Health Authority, there are no existing state regulations for lead based paint at residential demolition sites even though there are strict rules for renovation and painting projects. The result is the absurd situation

where we have found a house being stripped of paint is completely tented with plastic to contain the lead waste while a house being demolished across the street by a claw loader with dust flying in all directions was unregulated. The City should address and fix this loophole due to the potentially dangerous effects of lead based paint.

- Under existing City code there is no verification or certification of hazmat removal prior to approving demolition permits or prior to a bulldozer arriving at a residential site.
- There is no dedicated City office or staff in the City of Portland to oversee, monitor and troubleshoot hazmat concerns at residential sites. Who does a resident call about these concerns? For two years, there has not been a dedicated local inspector in the DEQ NW Regional asbestos office. BDS suggests calling OSHA, when by the time they show up the demolition has ended. Plus OSHA is primarily charged with worker protections and safety, not those of surrounding neighbors, houses, yards, and children.

Suggestions for Hazmat Regulation Improvements at Residential Demolition Sites

- The City of Portland should require approval criterion for residential demolition applications including filing an asbestos survey and specific abatement plans before approving the demolition permit, as is required in other Oregon cities. (See Exhibit C)
- The City of Portland should monitor actual demolition sites and report potential problems to partnering agencies. The “watchdog” onus should not be placed on the average busy citizen considering the potential dangers. Relying up on a complaint driven system clearly is not effective or reasonable. A monitoring program could be created to oversee demolition sites similar to the Portland Parks Rangers monitoring city parks.
- OSHA requires asbestos surveys at work sites (which would include demolition sites, too). Since the survey documents are sufficient and authentic enough for OSHA purposes, the City of Portland could rely upon these same documents as authentic for residential demolition applications.
- The City of Portland should create a checklist similar to Hillsboro that provides direction and expectations of addressing hazmat concerns at residential demolition sites. (See Exhibit D)
- BDS should provide notification to partnering agencies, such as OHA, DEQ and OSHA when issuing demolition permits.
- Deconstruction should be strongly incentivized by City Code as a safer and more environmentally responsible alternative to simple demolition.
- Dust suppression systems should be required at demolition sites to mitigate dust and potential release of unabated hazardous materials as used in other cities. (See Exhibit E-page 8 of the East Baltimore Revitalization Initiative Responsible Demolition Study)
- The City of Portland should create their own rules or protocols for lead-based paint at residential demolition sites since none exist at the state level.

EXHIBIT A – UNR Resolution Approved in Principle by 36 Neighborhood Associations

UNITED NEIGHBORHOODS FOR REFORM DEMOLITION/DEVELOPMENT RESOLUTION

Whereas sustainability, livability, and environmental and public safety are of concern to Portland residents;

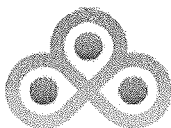
Whereas the preservation of each neighborhood's historical heritage and character are of prime concern to Portland residents; and

Whereas the preservation of existing affordable housing is a citywide concern; now, therefore, be it

Resolved, that the United Neighborhoods for Reform requests:

- 1) Implementation of changes to the city's demolition regulations and protocols:
 - a) Elimination of the (K)(1) exemption and restoration of the automatic 35-day demolition delay for single-family structures.
 - b) Definition of "demolition" as removal of 50% or more of the structure.
 - c) Requirement that applicants for demolition permits comply with all state and federal environmental and safety regulations including those for lead and asbestos.
 - d) Retention of existing code providing for a 35-day delay on demolitions with an option for a 120-day delay available to a recognized neighborhood association or coalition, with the understanding that a good-faith effort be made to find alternatives to demolition.
 - e) Notice of proposed demolition will be mailed to residents and property owners within a specified distance upon acceptance of the demolition application. If permit is approved, a 72-hour notice of date of demolition will be provided to the same parties.
 - f) Establishment of a rigorous definition of "deconstruction," and recommendation of appropriate incentives, including an increased tip fee for construction debris.
- 2) Establishment of a task force composed of 50% neighborhood organizations and 50% city staff and concerned citizens to determine the distance required for notifications above, as well as:
 - a) Revision of code to limit the mass, footprint, setbacks, and height of construction to that of the average of existing homes within a specified distance.
 - b) Revision of current zoning and lot-splitting policies to protect existing housing and lot size.
 - c) Recommendations for tree and solar access protections.
- 3) Adoption by City Council of:
 - a) Measures to protect Portland residents from lead, asbestos, and other contaminants resulting from demolition/development by requiring surveys for these materials and an approved plan for lawful removal and disposal before issuance of demolition permit.
 - b) An update of the Historic Resources Inventory, with a waiting period mandated for removal of a property from the inventory.
 - c) A user-friendly online system available to the public for tracking demolition activity.

EXHIBIT B – BPS Statistics on Recent Residential Demolitions

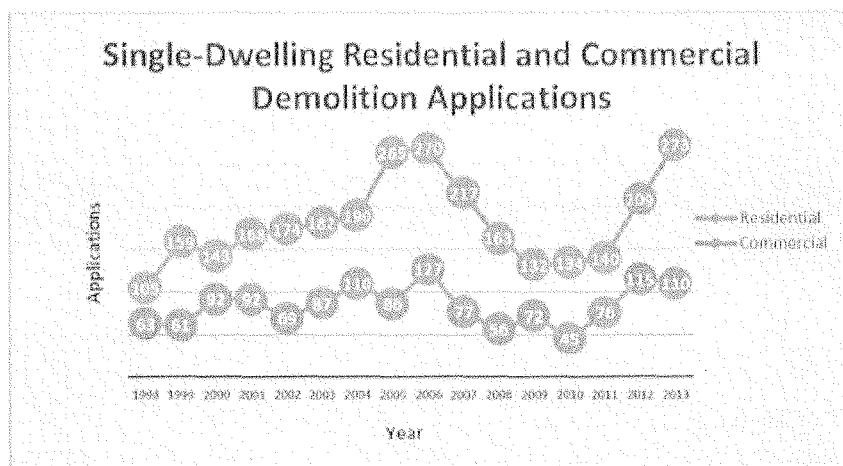


Bureau of Planning and Sustainability
Innovation. Collaboration. Practical Solutions.

April 29, 2014

Demolition Data:

Permit Applications:



Average Size of Houses (Single-dwelling structures 1996-2011):

Demolished house 1,119 SF
New house 2,075 SF (size of all Non-SFR buildings >5,000 sf)

Age of House (Single-dwelling structures 1996-2011):

Average year built = 1927

Year Built	# Demos
1864 - 1911	429
1912 - 1937	658
1938 - 1964	698
1965 - 2011	51



City of Portland, Oregon | Bureau of Planning and Sustainability | www.portlandoregon.gov/bps
1900 SW 4th Avenue, Suite 7100, Portland, OR 97201 | phone: 503-823-7700 | fax: 503-823-7800 | tty: 503-823-6860

Printed on 100% post consumer waste recycled paper

EXHIBIT C – City of Tualatin Demolition Permit Requirements Including Asbestos Removal

City of Tualatin
 Building Division
 18880 SW Martinazzi Ave.
 Tualatin, OR 97062
 Phone: 503-691-3044
 Fax: 503-692-0147
 www.tualatinoregon.gov



**DEMOLITION PERMIT
 REQUIREMENTS &
 CONDITIONS OF APPROVAL**

Permit Number: _____
 Date Received: _____

Site Address: _____

Subdivision: _____ Lot No: _____

Map No: _____ Lot No: _____

NOTICE: Asbestos Removal. The Department of Environmental Quality (DEQ) requires an Asbestos Survey before any building may be demolished or intentionally burned. A copy of the DEQ Asbestos Survey must be included in the permit application submittal or verification from DEQ that asbestos removal has been completed and approved by DEQ. Additional information is available at the DEQ web page under "Air Quality" at www.deq.state.or.us or call the Portland office at 503.229-5364, or 800.452-4011

Conditions of Demolition Permit:

- A. A soon as actual demolition has commenced, including importation of demolition equipment to the property, the demolition work shall continue uninterrupted during permitted work hours until all approved demolition work is completed. In residential zones demolition work is limited to the hours of 7:00 a.m. and 6:00 p.m. [TMC 6.2.210(4)(b) Hours of Work].
- B. All debris shall be promptly removed from the site and disposed of in a proper manner. This includes the removal of all foundation structures.
- C. All wells, sanitary and storm sewer lines, septic tanks, cisterns, vaults, open pits, or similar items shall be capped, removed, or filled in an approved manner and inspected by the City.
 - Abandonment of well – Tualatin Basin Watermaster (503) 846-7780
 - Removal of water meter – Tualatin Operations Department (503) 691-3091
 - Electrical, gas, telephone, cable – Contact the appropriate utility provider
- D. Products containing asbestos must be disposed of in an approved manner. Contact the Department of Environmental Quality at (503) 229-5696 for rules and regulations pertaining to asbestos abatement. A copy of the DEQ asbestos abatement report will be required prior to issuance of a demolition permit.
- E. Streets shall be kept clear of dirt and debris at all times. This includes:
 - Removing dirt and debris by use of shovel, scoop, or similar mechanical means immediately
 - Sweeping the streets as required to keep them clean
 - Washing of streets shall not be permitted unless the storm drain inlets are protected with a filter system.

EXHIBIT D – City of Hillsboro Demolition Checklist

**City of Hillsboro
Demolition Permit
Checklist**

The following shall be addressed prior to any demolition:

For Information Only

- Ascertain whether the presence of asbestos exists inside or outside the structure. DEQ
- All hazardous materials in the building or on the site must be removed by an authorized person, including but not limited to, the underground and aboveground flammable and combustible liquid tanks (contact the Hillsboro Fire Department and The Department of Environmental Quality for specific requirements). Other permits may be required. IFC, DEQ & Oregon Administrative Rules (OAR), DEQ (503) 229-5066.
- On-Site personnel involved in the process must comply with the Oregon Safety and Health Administration standards (OSHA) for construction sites (e.g. Personal Protective Equipment). OR-OSHA
- The area around the site must be adequately protected from falling walls or debris (e.g. roadways, sidewalks as well as adjoining or adjacent buildings). OSHA & IFC
- Burning of construction material is prohibited. DEQ & IFC (ORS 478.960)
- Site security must be established and maintained to discourage unauthorized entry from a public safety standpoint (e.g. chain-link fencing). IFC
- All public and private utilities must be properly disconnected (e.g. gas, electric, sewer, septic, storm, well, water, phone and cable). International Building Code (IBC), International Fire Code (IFC) & Clean Water Services (CWS) (503) 681-3600.

Building Department (Contact 503-681-6144)

- Does the property have a sanitary sewer connection? Yes / No
- Does a septic tank exist on site? Yes / No Will the septic tank be removed? Yes / No
- If a commercial building: please attach a sewer fixture count sheet.
- Does the property have a storm sewer connection? Yes / No

Water Department (Contact 503-615-6576)

- There is an existing _____ inch water meter on the property. The SDC credits shall be used by (give lot number or tax lot) _____.
- There is an existing well on the property. Yes / No -- If yes, an approved backflow device shall be installed behind the meter unless the well is decommissioned as required by the Washington County Water Master.

Engineering Department (Contact 503-681-5315)

- Obtain grading and erosion permit. Engineering Department (Contact the Engineering Division to determine whether a Grading & Erosion permit is required.
- Obtain a Sensitive Area Prescreen Letter from the Engineering Division. If the site is determined to be in a "Sensitive Area", please contact CWS for a Service Provider Letter. Contact CWS Technical Information Line at 503-681-5100

Planning Department (Contact 503-681-6179)

- Verify the zoning of the property.
 - Is the property zoned SCR-DNC Station Community Residential – Downtown Neighborhood Conservation district or SCR-OTC Station Community Residential – Orenco Townsite Conservation district, consult with the Planning Department. Development Review approval, in accordance with Hillsboro Zoning Ordinance Volume II Section 138.XIII.C.1&2, and photographs of the structure must be obtained prior to approval of a demolition permit. Demo permits in conservation zones can be denied. Yes / No
 - Does the property have a Station Community Planning Area designation and mature trees eight inches in diameter and larger will be removed or damaged as a result of the demolition, then the applicant shall submit, to the Planning Department for review and approval, documentation from a certified arborist or registered engineer in accordance with Hillsboro Zoning Ordinance Volume II Section 137.XIII.B.4. This documentation shall be reviewed and approved prior to approval of a demolition permit. Yes / No
- Is the structure or site on the Hillsboro Cultural Resource Inventory. If the structure or site is a Cultural Resource, consult with the Planning Department about obtaining a Cultural Resource Alteration permit in accordance with Hillsboro Zoning Ordinance Volume I Section 132.6. Cultural Resource Alteration approval shall be obtained prior to approval of a demolition permit. Yes / No

I, (we), _____ do hereby declare that the requirements and conditions listed above have been complied with to the best of my (our) personal knowledge.

Signed by _____ Date _____

Print Name and Title _____

Property Owner Signature (if different from applicant) _____

Print Name and Title _____ Date _____

Exhibit E – Responsible Demolition Safety Protocols from the East Baltimore Revitalization Initiative

Many eastern cities with dramatically shifting demographics have been forced to undertake systematic demolition projects to remove abandoned and deteriorated housing for which there is no longer any economic use. One consequence of these demolitions has been a marked increase in lead paint hazards in surrounding areas. The East Baltimore Revitalization Initiative project attempted to address the lead paint hazards from its proposed demolitions with a specific protocol for Responsible Demolition Safety:

RESPONSIBLE DEMOLITION SAFETY PROTOCOLS

Based on the work in East Baltimore, responsible demolition projects should adopt a specific set of protocols, which should include these key elements:

- 1.) *Effective community notification*, including prominent signs at the site well in advance of demolition, distribution of notices to neighbors throughout the surrounding area, and proactive community education efforts.
- 2.) *Adequate use of water* to minimize the amount of dust spread during demolition and debris removal.
- 3.) *Partial deconstruction* of homes: removing doors, windows, railings and other components with high amounts of lead before demolition.
- 4.) *Fencing and other barriers* to control the spread of dust during and after demolition and to keep children and other pedestrians away from condemned sites.
- 5.) *Picker method for demolition*, rather than wrecking ball, to minimize spread of dust and debris.
- 6.) *Prompt, careful debris removal* with water to reduce dust, covers on all trucks carting debris out of the neighborhood, and carefully defined exit routes for hauling away debris.
- 7.) *Replacing contaminated soil with new sod* to eliminate topsoil contaminated during the demolition process.
- 8.) *Independent testing* to measure the amount of lead dust emitted through demolition, including tests measuring lead accumulation.

The detailed demolition safety protocols drafted by EBDI and its partners are readily available to other communities. The protocols can be adopted by any community to minimize potential health hazards caused by demolition. The protocols have been posted online at www.eastbaltimorerevitalization.org. Also available there is the Final Report of the EBDI Independent Advisory Community Panel.

Implementing these protocols resulted in lead dust increases in surrounding soils of just 33% compared with control sites where no dust mitigation was applied where increases in lead contamination from 8 to 40 TIMES were observed. The full report is sobering reading and can be found here:
<http://www.eastbaltimorerevitalization.org/wordpress/wp-content/uploads/2011/03/The-East-Baltimore-Revitalization-Initiative-A-Commitment-to-Economic-Inclusion.pdf>

UNITED NEIGHBORHOODS FOR REFORM DEMOLITION/DEVELOPMENT RESOLUTION

Whereas sustainability, livability, and environmental and public safety are of concern to Portland residents;

Whereas the preservation of each neighborhood's historical heritage and character are of prime concern to Portland residents; and

Whereas the preservation of existing affordable housing is a citywide concern; now, therefore, be it

Resolved, that the United Neighborhoods for Reform requests:

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- d) Retention of existing code providing for a 35-day delay on demolitions with an option for a 120-day delay available to a recognized neighborhood association or coalition, with the understanding that a good-faith effort be made to find alternatives to demolition.
- e) Notice of proposed demolition will be mailed to residents and property owners within a specified distance upon acceptance of the demolition application. If permit is approved, a 72-hour notice of date of demolition will be provided to the same parties.
- f) Establishment of a rigorous definition of "deconstruction," and recommendation of appropriate incentives, including an increased tip fee for construction debris.

2) Establishment of a task force composed of 50% neighborhood organizations and 50% city staff and concerned citizens to determine the distance required for notifications above, as well as:

- a) Revision of code to limit the mass, footprint, setbacks, and height of construction to that of the average of existing homes within a specified distance.
- b) Revision of current zoning and lot-splitting policies to protect existing housing and lot size.
- c) Recommendations for tree and solar access protections.

3) Adoption by City Council of:

- a) Measures to protect Portland residents from lead, asbestos, and other contaminants resulting from demolition/development by requiring surveys for these materials and an approved plan for lawful removal and disposal before issuance of demolition permit.
- b) An update of the Historic Resources Inventory, with a waiting period mandated for removal of a property from the inventory.
- c) A user-friendly online system available to the public for tracking demolition activity.

City of Tualatin

Building Division
 18880 SW Martinazzi Ave.
 Tualatin, OR 97062
 Phone: 503-691-3044
 Fax: 503-692-0147
 www.tualatinoregon.gov



187017

**STRUCTURAL DEMOLITION
 PERMIT APPLICATION**

Permit #: _____
 Date Received: _____
 Date Issued: _____ By _____
 Receipt #: _____

JOB SITE INFORMATION	YES- NO-N/A	DATE	DEMOLITION CHECKLIST	
OWNER INFORMATION			WATER SUPPLY	
Property Owner:			A. Meter to be removed	
Address:			B. Meter to remain and be protected.	
City, State, Zip:			C. Private well to be filled and capped	
Phone/Fax:			D. Private well to be used for other purposes	
Owner Signature:				
CONTACT INFORMATION			SANITARY SEWER	
Contact Person:			A. Sewer to be capped	
Firm/Company Name:			B. Existing line to remain and be used by new structure	
Address:			SEPTIC SYSTEM	
City, State, Zip:			A. Tank to be removed	
Phone/Fax:			B. Tank to be drained and filled	
CONTRACTOR INFORMATION			ELECTRICAL SUPPLY	
Contractor:			A. Electricity to be shut-off and meter removed	
Firm/Company Name:			GAS	
Address:			A. Gas to be shut-off and meter removed	
City, State, Zip:			EXISTING FOUNDATION	
Phone/Fax:			A. Foundations destroyed and removed	
CCB#: Exp. Date:			B. Basement – Destroyed or filled	
SITE INFORMATION			C. All debris removed from site; lot to be restored to original condition	
Address:				
Legal Description:			DEMOLITION FEES	
Existing Use:			CODE:	SUM:
Site Plan:				
Approx. date of demolition:				
Valuation:				
Building Square Feet:				
VERIFICATION OF DEMOLITION				
Inspector Signature:				
Date:				
ADDITIONAL COMMENTS OR INFORMATION:				

Applicant must hold an Oregon registration to conduct a construction business or be exempt from this requirement. I hereby certify that, to my knowledge, the above information is true and correct. All work to be performed shall be in accordance with all governing laws and rules. PERMIT EXPIRES IF WORK IS NOT STARTED WITHIN 180 DAYS OF ISSUANCE OR IF WORK IS SUSPENDED FOR 180 DAYS. IT IS THE RESPONSIBILITY OF THE PERMIT HOLDER TO REQUEST INSPECTIONS.

Contractor Signature: _____ Date: _____

City of Tualatin**Building Division**

18880 SW Martinazzi Ave.

Tualatin, OR 97062

Phone: 503-691-3044

Fax: 503-692-0147

www.tualatinoregon.gov***NOTICE TO ALL DEMOLITION PERMIT HOLDERS***

All structures in the City of Tualatin are charged a monthly Road Maintenance Utility Fee and a monthly Storm Drain Fee, in addition to any water and/or sanitary sewer service they may be receiving.

It is your responsibility to terminate these charges once the structure is removed or demolished. All structures will continue to be billed monthly until advised otherwise.

Contact the Utility Account Technician, at (503) 691-3056 to terminate utility services.

City of Tualatin

Building Division
 18880 SW Martinazzi Ave.
 Tualatin, OR 97062
 Phone: 503-691-3044
 Fax: 503-692-0147
 www.tualatinoregon.gov



DEMOLITION PERMIT REQUIREMENTS & CONDITIONS OF APPROVAL

Permit Number: _____
 Date Received: _____

Site Address: _____

Subdivision: _____ Lot No: _____

Map No: _____ Lot No: _____

NOTICE: Asbestos Removal, The Department of Environmental Quality (DEQ) requires an Asbestos Survey before any building may be demolished or intentionally burned. A copy of the DEQ Asbestos Survey must be included in the permit application submittal or verification from DEQ that asbestos removal has been completed and approved by DEQ. Additional information is available at the DEQ web page under "Air Quality" at www.deq.state.or.us or call the Portland office at 503.229-5364, or 800.452-4011

Conditions of Demolition Permit:

- A. A soon as actual demolition has commenced, including importation of demolition equipment to the property, the demolition work shall continue uninterrupted during permitted work hours until all approved demolition work is completed. In residential zones demolition work is limited to the hours of 7:00 a.m. and 6:00 p.m. [TMC 6.2.210(4)(b) Hours of Work].
- B. All debris shall be promptly removed from the site and disposed of in a proper manner. This includes the removal of all foundation structures.
- C. All wells, sanitary and storm sewer lines, septic tanks, cisterns, vaults, open pits, or similar items shall be capped, removed, or filled in an approved manner and inspected by the City.
 - Abandonment of well – Tualatin Basin Watermaster (503) 846-7780
 - Removal of water meter – Tualatin Operations Department (503) 691-3091
 - Electrical, gas, telephone, cable – Contact the appropriate utility provider
- D. **Products containing asbestos must be disposed of in an approved manner. Contact the Department of Environmental Quality at (503) 229-5696 for rules and regulations pertaining to asbestos abatement.** A copy of the DEQ asbestos abatement report will be required prior to issuance of a demolition permit.
- E. Streets shall be kept clear of dirt and debris at all times. This includes:
 - Removing dirt and debris by use of shovel, scoop, or similar mechanical means immediately
 - Sweeping the streets as required to keep them clean
 - Washing of streets shall not be permitted unless the storm drain inlets are protected with a filter system.

- F. Gravel ramps in the public right-of-way to "jump" curbs are not allowed. An alternate temporary type ramp is allowed; provide a detail showing type and location of ramp. Contact the Tualatin Engineering Division at (503) 691-3031 if a permanent type ramp is required and for permits to create a new access.
- G. Dust control shall be provided as required by Clean Water Services, (503) 681-3600.

Issuance of a demolition permit to demolish a building is limited to the demolition and removal of the existing structure only. Other work may require additional permits. For example, the following work is not covered by this demolition permit and requires a separate permit:

1. Tualatin Planning Division at (503) 691-3026 – Removal of trees.
2. Tualatin Building Division at (503) 691-3044
 - a. Erosion control is required at any time dirt, debris, or erodable material can be carried off-site by drainage/runoff leaving the site.
 - b. Cap off storm drain, sewer, or abandoned septic tank
 - c. Demolition of site improvements such as pavement, asphalt, sidewalks, curbs, lighting, underground utilities
 - d. Clearing, stripping or removal of vegetation, ground cover or topsoil in an area that is more than five (5) feet outside the footprints of existing buildings that are being demolished and in excess of 500 square feet of area on a site .
 - e. Grading, excavation, importing, depositing, placement, filling, or the stockpiling of soil, sand, gravel, crushed rock, demolition materials, recycled concrete, asphalt or other materials, or combination thereof, in excess of 50 cubic yards in volume or over an area that exceeds 500 square feet.
 - f. The temporary stockpiling of demolition material from the existing buildings that are being demolished, to be recycled and re-used on the demolition property, and in excess of 50 cubic yards in volume or occupy an area that exceeds 500 square feet of area on a site.
3. Tualatin Engineering Division at (503) 691-3031 - Any work within the public right-of-way.

I have read and understand the above requirements and conditions of the demolition permit:

Signed: _____ Date: _____

Authorized Agent

**City of Hillsboro
Demolition Permit
Checklist**

The following shall be addressed prior to any demolition:

For Information Only

- Ascertain whether the presence of asbestos exists inside or outside the structure. *DEQ*
- All hazardous materials in the building or on the site must be removed by an authorized person, including but not limited to, the underground and aboveground flammable and combustible liquid tanks (contact the Hillsboro Fire Department and The Department of Environmental Quality for specific requirements). Other permits may be required. *IFC, DEQ & Oregon Administrative Rules (OAR), DEQ (503) 229-5066.*
- On-Site personnel involved in the process must comply with the Oregon Safety and Health Administration standards (OSHA) for construction sites (e.g. Personal Protective Equipment). *OR-OSHA*
- The area around the site must be adequately protected from falling walls or debris (e.g. roadways, sidewalks as well as adjoining or adjacent buildings). *OSHA & IFC*
- Burning of construction material is prohibited. *DEQ & IFC (ORS 478.960)*
- Site security must be established and maintained to discourage unauthorized entry from a public safety standpoint (e.g. chain-link fencing). *IFC*
- All public and private utilities must be properly disconnected (e.g. gas, electric, sewer, septic, storm, well, water, phone and cable). *International Building Code (IBC), International Fire Code (IFC) & Clean Water Services (CWS) (503) 681-3600.*

Building Department (Contact 503-681-6144)

- Does the property have a sanitary sewer connection? Yes / No
- Does a septic tank exist on site? Yes / No Will the septic tank be removed? Yes / No
- If a commercial building: please attach a sewer fixture count sheet.
- Does the property have a storm sewer connection? Yes / No

Water Department (Contact 503-615-6576)

- There is an existing ____ inch water meter on the property. The SDC credits shall be used by (give lot number or tax lot) _____.
- There is an existing well on the property. Yes / No - - If yes, an approved backflow device shall be installed behind the meter unless the well is decommissioned as required by the Washington County Water Master.

Engineering Department (Contact 503-681-5315)

- Obtain grading and erosion permit. Engineering Department (Contact the Engineering Division to determine whether a Grading & Erosion permit is required.
- Obtain a Sensitive Area Prescreen Letter from the Engineering Division. If the site is determined to be in a "Sensitive Area", please contact CWS for a Service Provider Letter. Contact CWS Technical Information Line at 503-681-5100

Planning Department (Contact 503-681-6179)

- Verify the zoning of the property.
 - Is the property zoned SCR-DNC Station Community Residential – Downtown Neighborhood Conservation district or SCR-OTC Station Community Residential – Orenco Townsite Conservation district, consult with the Planning Department. Development Review approval, in accordance with Hillsboro Zoning Ordinance Volume II Section 138.XIII.C.1&2, and photographs of the structure must be obtained prior to approval of a demolition permit. Demo permits in conservation zones can be denied. Yes / No
 - Does the property have a Station Community Planning Area designation and mature trees eight inches in diameter and larger will be removed or damaged as a result of the demolition, then the applicant shall submit, to the Planning Department for review and approval, documentation from a certified arborist or registered engineer in accordance with Hillsboro Zoning Ordinance Volume II Section 137.XIII.B.4. This documentation shall be reviewed and approved prior to approval of a demolition permit. Yes / No
- Is the structure or site on the Hillsboro Cultural Resource Inventory. If the structure or site is a Cultural Resource, consult with the Planning Department about obtaining a Cultural Resource Alteration permit in accordance with Hillsboro Zoning Ordinance Volume I Section 132.6. Cultural Resource Alteration approval shall be obtained prior to approval of a demolition permit. Yes / No

I, (we), _____ do hereby declare that the requirements and conditions listed above have been complied with to the best of my (our) personal knowledge.

Signed by _____ Date _____

Print Name and Title _____

Property Owner Signature (if different from applicant) _____

Print Name and Title _____ Date _____



Residential Demolition

Notice

**Permit Applications will only be accepted between the hours of
8:00 A.M. to 11:30 A.M.**

Dear Applicant;

Please be aware of the following:

- ✧ **Proof of ownership** (tax statement, title report or recorded contract) & letter from owner approving the demolition must be submitted with the application.
- ✧ **Asbestos/Lead paint reports** Demolition permits must be accompanied by a certificate of compliance for asbestos and lead pain removal, completed by an Oregon licensed abatement firm.
- ✧ **Erosion Control** application is to be submitted to the Engineering Department. For more information, Please contact Delynn Clark at 503-635-0390.
- ✧ **Tree Protection** (if applicable)
If your lot includes any trees, please contact the Planning Department at 503-635-0290
- ✧ Your permit expires if work isn't started within 180 days from the date of issue. Your permit expires if work is suspended or abandoned for 180 days or more. If you can't work within a 180-day period and dont wish to abandon the project, you may submit a written request to extend your permit for an additional 180-day period.

***Permits cannot be issued if Erosion Control, Tree Protection or Tree Cutting Approval is required & have not been signed off by the appropriate Department.**



RECORDS RETENTION FEES WORKSHEET

BUILDING PERMITS - PART A

Base Fee \$ 20.00

BUILDING PERMITS - PART B

Fees for Building department submittals.

Note: A page with printing on both sides count as two pages.

<u>Size</u>	<u># of Pages</u>		<u>Cost Per Page</u>	<u>Total =</u>
8 1/2" x 11"	_____	X	\$ 0.25	_____
8 1/2" x 11"	_____	X	\$ 0.25	_____
11" x 17"	_____	X	\$0.50	_____
18" x 24"	_____	X	\$ 2.00	_____
24" x 36"	_____	X	\$ 3.00	_____
36" x 42"	_____	X	\$ 4.00	_____
Other formats	_____	X	\$5.00	_____
Total Part B				= _____

PLANNING APPLICATIONS AND PERMITS - PART C

Fees for Planning department submittals.

Type II & verification tree removal permits.....	\$20.00
Sign Permits.....	\$20.00
Ministerial land use applications.....	\$30.00
Minor land use applications (without public hearing).....	\$50.00
Minor land use applications (with public hearing).....	\$100.00
Major land use applications.....	\$100.00

TOTAL RECORDS RETENTION FEE

Total from Part A	<u>\$20.00</u>
Total from Part B	_____
Total from Part C	_____
Total Fees	= _____



City of Lake Oswego
Building Permit Application
 503-635-0390 www.ci.oswego.or.us
 Apply for Permits online at
www.buildingpermits.oregon.gov

Permit #: 499- 187017
 Date: _____
 Amount Paid: \$ _____
 Amount Due: \$ _____

CATEGORY OF CONSTRUCTION

<input type="checkbox"/> Residential	<input type="checkbox"/> Commercial
--------------------------------------	-------------------------------------

TYPE OF WORK

<input type="checkbox"/> New Construction	<input type="checkbox"/> Demolition	<input type="checkbox"/> Interior T.I. (Commercial Only)
<input type="checkbox"/> Addition/Remodel	<input type="checkbox"/> Deck/Patio Cover	<input type="checkbox"/> Multi-Family
<input type="checkbox"/> Accessory Structure/Garage	<input type="checkbox"/> Pool/Boat House/Dock	<input type="checkbox"/> Other:

JOB SITE INFORMATION

Address (# & Street):	Suite/Bldg/Apt. No:
--------------------------	---------------------

Project/Tenant Name:	Tax Map/Parcel #:
----------------------	-------------------

DESCRIPTION OF WORK	PROPERTY OWNER (Required)
----------------------------	----------------------------------

	Name:
	Address:
	City/State/ZIP:

CONTRACTOR	CONTACT PERSON
-------------------	-----------------------

Business Name:	Name:
----------------	-------

Phone #: ()	Phone #: ()
------------------	------------------

CCB License #:	Address:
----------------	----------

E-mail (required):	City/State/ZIP:
-----------------------	-----------------

Signature:	E-mail (required):
------------	-----------------------

RESIDENTIAL	COMMERCIAL
--------------------	-------------------

Valuation of Project: \$	Valuation of Project: \$
--------------------------	--------------------------

	Existing	Adding		Existing	Adding
# of Bedrooms:			Building Sq Feet:		
# of Bathrooms:			Total # of Floors:		
Total # of Floors:			Occupancy Groups:		
Dwelling Area:			Type of Construction:		
Garage/Carport Area:			-Residential & Commercial Permit Fees's are based on the value of the work performed. Indicate the value (rounded to the nearest dollar) of all equipment, materials, labor, overhead, & the profit for the work.		
Covered Porch Area:					
Deck Area:					



CERTIFICATE OF ASSURANCE - IMPACT TO TREES

(Include with the Building Permit Application)

Building permit # _____

I am authorized to make assurances with regard to the development of this property. By signing below, I hereby declare (*please V the correct site description*):

_____ Development activity e.g. construction, grading, excavation, demolition, vehicle parking, material storage, excavated material, debris storage, etc. will not occur under the canopy of a tree since trees are not present on the site and tree limbs do not overhang the site from an adjacent property;

OR,

_____ Trees are present and will be protected by a Tree Protection Plan approved by the City of Lake Oswego prior to and during the development of the property.

I further understand that if a tree is removed or damaged due to the failure to receive a Tree Protection Plan as required, or as a result of the failure to implement and maintain the tree protection measures of an approved Tree Protection Plan, the property owner and persons responsible for damaging the tree will be subject to the fines and penalties in Lake Oswego Code (LOC) 55 [Tree Code].

Acknowledgement: I have read and understood the above statements regarding the protection of trees required during the development of the property.

Signature

Date

Tree Protection Plan

An approved Tree Protection Plan with the tree protection measures (6' metal fence, required signs, arborist report (if fence not at edge of the tree canopy, etc.) is required to be in place **PRIOR TO COMMENCING ANY SITE DEVELOPMENT OR CONSTRUCTION ACTIVITIES** e.g. demolition, excavation, grading, utility work, building construction, material storage, etc.

NOTE: Please see the Tree Protection Plan application for a complete listing of information required for a Tree Protection Plan.



CITY OF LAKE OSWEGO

187017

Erosion Prevention and Sediment Control Permit Application

** Payment of erosion control permit fee is required at issuance of building permit.*

General Contractor	
Name:	Building Permit Application No.:
Address:	Parcel I.D. No.:
City, State, Zip:	Subdivision Name:
Phone:	
Excavation Contractor	
Name:	Site Address:
Address:	Location from Nearest Intersection: <i>Feet</i>
City, State, Zip:	
Phone:	Job Site (circle one): Private Public
Owner/Applicant	
Name:	Total area of soil disturbance, including grading: <i>Square Feet</i>
Address:	
City, State, Zip:	Existing & Proposed Site Runoff Drains (circle one): Ditch Pipe Creek Catchbasin Other:
Phone:	
Email Address:	
24-Hour Emergency Contact	
Name:	Soil Disposal:
Phone:	Disposal Location Address:
Email Address:	
Estimated Amount: <i>Cubic Feet</i>	

Erosion Control measures **MUST BE IN PLACE** prior to any stripping, grading or excavation work. An initial inspection must be scheduled the day that work begins on site, and again before any concrete footings are poured. To schedule these inspections call 1-888-299-2821 or at www.buildingpermits.oregon.gov.

The owner/applicant/permittee agrees to comply with the "Erosion Prevention and Sediment Control Planning and Design Manual" (revised December 2008) and all local, state and federal water quality requirements, and properly install and maintain all measures as indicated on the approved plan and attachments. Additionally, the site address will be clearly visible from the street.

"The permit or approval granted hereby, or any inspections conducted on the site hereafter, shall not be construed as authorizing any activity in violation of any applicable federal or state law or regulation, including but not limited to the federal Endangered Species Act and its regulations."

Owner/Applicant Signature

Date



Basic Erosion Prevention and Sediment Control on residential construction sites

To obtain the required erosion prevention and sediment control permit, the applicant needs to submit 1) a completed application form and 2) a prepared plan that shows how the contractor will minimize the effects of construction as related to federal, state and local water quality requirements.

Similar to construction plans, the Erosion and Sediment Control plan must include enough information to enable temporary measures to be properly installed and maintained throughout the project---not just the day of the inspection. The plan needs to provide contractors and subcontractors with specific information on when, where and how to install and maintain all BMPs. BMP's includes erosion prevention measures and construction practices; sediment control measures; and pollution control measures. BMPs need to fully protect the following: all disturbed soils; staging/parking areas; waste/garbage storage areas; stockpiled soils; construction entrances; all sensitive areas, swales, tree groves, etc.; and all stormwater discharge locations such as ditches, storm drain inlets, and swales.

The "Erosion Prevention and Sediment Control" plan must be designed specifically for each construction site, and needs to include the three basic measures: erosion prevention measures; sediment control measures; and pollution control measures. The designer needs to consider construction practices; allow space for large equipment to maneuver; where delivery trucks and forms trailers will park; time of year/anticipated weather; size of project; soil types; topography; on and off-site stormwater collection; and nearby or onsite seasonal or year-round water features.

Please use the information below to assist with preparing a plan that addresses temporary erosion and sediment control on the construction site throughout the project.

Basic Erosion and Sediment Control measures for residential lots:

- Area of disturbance: show all areas to be graded, cleared, landscaped, or otherwise disturbed during the scope of the project and the erosion/sediment control measures that are to be used for these areas. All measures except storm water BMPs must be located within the property lines of the property being developed.
- Show existing and proposed contours (every 2' - 5' grade change). Show BMPs installed to protect steep slopes, especially when comprised of exposed soils.
- Location and type of required perimeter protection. Perimeter protection options include sediment fencing; straw fiber wattles; tackified compost berms; or clean gravel berms. Existing fences do not constitute erosion or sediment control. Perimeter protection, with limited exception, needs to extend around the perimeter of the lot. Basic rule: if equipment can cross the property line or if grading occurs along a property line, perimeter protection should be installed.
- Location of staging/storage for materials and stockpiles, realistically scaled. Note: stockpiles must be covered with plastic sheeting unless actively being worked; staging/parking areas must be rocked with 1 ½" clean rock, 4"-6" in depth.
- Location of required clean gravel construction entrance (should match proposed driveway area). 1 1/2" minimum clean rock, 4"-6" deep, is required for construction entrances. On unimproved roads, gravel shoulders must be upgraded with 1 ½" clean rock to support crew parking. NOTE: Flag lots or sites with long driveways or motorcourts will require extended construction entrances.

- Location of required leak-proof garbage containers and leak-proof pans for all concrete washout/mortar slurry with notation: use of pans and containers is required. The pans must remain on site throughout the project for paint rinse water, mortar and tile saw slurries, drywall compounds, etc. Ground dumping of concrete and mortar washout is prohibited. There are no exceptions to dumping liquid wastes. All garbage, litter, debris must be collected and contained at the end of each work day.
- Location of onsite storm water infiltrator or swale, if applicable. Include note: swales must be protected from all construction activity. Use fencing or similar barrier as needed.
- Location of nearest storm water catch basins on nearby streets. Non-woven catch basin inserts are required to be installed in these basins. Biobags are no longer permitted for this use.
- Location of nearby stormwater facilities (swales, drainage ditches, etc.) with appropriate BMPs to protect from silt/sediment during construction. All swale locations must be protected (fencing, boulders, etc.) during construction to prevent damage to the soils during construction.
- Notes indicating Lake Oswego Wet Weather Season requirements (October 1 through May 31); the "Additional Erosion & Sediment Control Notes" (copies available upon request).
- Notes indicating when and how soils will be permanently stabilized at the end of the project (landscaping, ground cover, etc.).
- Anticipated construction schedule—the proposed plan should reflect measures that work with the construction schedule.
- Name and phone number of contact person responsible for installation and maintenance of erosion and sediment control measures.

If you are unfamiliar with the basic principles of erosion prevention and sediment control, please consider the services of a private contractor for design, installation, and maintenance. It is the permit holder's responsibility to maintain a working knowledge of current requirements and for ensuring all utility installers, contractors and subcontractors on the construction site adhere to the requirements.

Contractors are responsible for reading all approved plans, permits, and attached notes, memos and details prior to starting any project. This may be the single best way to stay familiar with current regulations and requirements.

Additional information is available at: <http://www.clackamas.us/wes/designmanual.html>, the link for the regionally adopted Erosion Prevention and Sediment Control manual. The Department of Environmental Quality has also produced a manual which provides a basic understanding of the principles at: <http://www.deq.state.or.us/wq/stormwater/docs/escmanual/manual.pdf>. The City of Lake Oswego has several informational flyers and forms that provide information that applies to most sites.

**City of Hillsboro
Demolition Permit
Checklist**

The following shall be addressed prior to any demolition:

For Information Only

- Ascertain whether the presence of asbestos exists inside or outside the structure. *DEQ*
- All hazardous materials in the building or on the site must be removed by an authorized person, including but not limited to, the underground and aboveground flammable and combustible liquid tanks (contact the Hillsboro Fire Department and The Department of Environmental Quality for specific requirements). Other permits may be required. *IFC, DEQ & Oregon Administrative Rules (OAR), DEQ (503) 229-5066.*
- On-Site personnel involved in the process must comply with the Oregon Safety and Health Administration standards (OSHA) for construction sites (e.g. Personal Protective Equipment). *OR-OSHA*
- The area around the site must be adequately protected from falling walls or debris (e.g. roadways, sidewalks as well as adjoining or adjacent buildings). *OSHA & IFC*
- Burning of construction material is prohibited. *DEQ & IFC (ORS 478.960)*
- Site security must be established and maintained to discourage unauthorized entry from a public safety standpoint (e.g. chain-link fencing). *IFC*
- All public and private utilities must be properly disconnected (e.g. gas, electric, sewer, septic, storm, well, water, phone and cable). *International Building Code (IBC), International Fire Code (IFC) & Clean Water Services (CWS) (503) 681-3600.*

Building Department (Contact 503-681-6144)

- Does the property have a sanitary sewer connection? Yes / No
- Does a septic tank exist on site? Yes / No Will the septic tank be removed? Yes / No
- If a commercial building: please attach a sewer fixture count sheet.
- Does the property have a storm sewer connection? Yes / No

Water Department (Contact 503-615-6576)

- There is an existing _____ inch water meter on the property. The SDC credits shall be used by (give lot number or tax lot) _____.
- There is an existing well on the property. Yes / No -- If yes, an approved backflow device shall be installed behind the meter unless the well is decommissioned as required by the Washington County Water Master.

Engineering Department (Contact 503-681-5315)

- Obtain grading and erosion permit. Engineering Department (Contact the Engineering Division to determine whether a Grading & Erosion permit is required.
- Obtain a Sensitive Area Prescreen Letter from the Engineering Division. If the site is determined to be in a "Sensitive Area", please contact CWS for a Service Provider Letter. Contact CWS Technical Information Line at 503-681-5100

Planning Department (Contact 503-681-6179)

- Verify the zoning of the property.
 - Is the property zoned SCR-DNC Station Community Residential – Downtown Neighborhood Conservation district or SCR-OTC Station Community Residential – Orenco Townsite Conservation district, consult with the Planning Department. Development Review approval, in accordance with Hillsboro Zoning Ordinance Volume II Section 138.XIII.C.1&2, and photographs of the structure must be obtained prior to approval of a demolition permit. Demo permits in conservation zones can be denied. Yes / No
 - Does the property have a Station Community Planning Area designation and mature trees eight inches in diameter and larger will be removed or damaged as a result of the demolition, then the applicant shall submit, to the Planning Department for review and approval, documentation from a certified arborist or registered engineer in accordance with Hillsboro Zoning Ordinance Volume II Section 137.XIII.B.4. This documentation shall be reviewed and approved prior to approval of a demolition permit. Yes / No
- Is the structure or site on the Hillsboro Cultural Resource Inventory. If the structure or site is a Cultural Resource, consult with the Planning Department about obtaining a Cultural Resource Alteration permit in accordance with Hillsboro Zoning Ordinance Volume I Section 132.6. Cultural Resource Alteration approval shall be obtained prior to approval of a demolition permit. Yes / No

I, (we), _____ do hereby declare that the requirements and conditions listed above have been complied with to the best of my (our) personal knowledge.

Signed by _____ Date _____

Print Name and Title _____

Property Owner Signature (if different from applicant) _____

Print Name and Title _____ Date _____

DEMOLITION PERMIT APPLICATION



City of Medford
Building Safety Department
 200 S. Ivy St. 2nd Flr
 Medford, OR 97501
 Phone (541) 774-2350, Fax (541) 618-1707
 Internet address: www.ci.medford.or.us

PERMIT NUMBER _____

Date Rec'd _____ **BY** _____

DEMOLITION REQUIREMENTS

1. Submit site plan indicating the location of all structures to be removed.
2. The applicant is responsible for the complete removal and completions of the required sewer, water, electrical and gas disconnects.
3. Letter stating that there are no hazardous materials at the site or contained within the structure.
4. Obtain asbestos site survey conducted by an accredited inspector. Copy of the inspection to be kept on site per DEQ.
5. Complete removal of foundation, other paved surfaces, debris removal and weed abatement.
6. Obtain a final inspection to verify that the demolition was completed per the permit requirements, and no deficient items remain to be done.
7. Minimum \$50 re-inspection fee if final inspection not approved.

Letter of Authorization required by owner for all Building Permit Applications.

This permit application expires if a valid and approved inspection has not taken place within 180 days.

All contractors and subcontractors are required to be licensed with the Oregon Construction Contractors Board under ORS 701 and required to have a City of Medford Business License under Medford City Ordinance 8.015.

JOB SITE INFORMATION AND LOCATION	
Job site address:	
City/State/ZIP:	
Suite/bldg./apt. no.:	
Subdivision:	Lot no.:
Tax map/parcel no.:	
TYPE OF WORK	
<input type="checkbox"/> Single family dwelling/duplex	<input type="checkbox"/> Commercial structure
<input type="checkbox"/> Structure other than SFR	<input type="checkbox"/> Other
DESCRIPTION OF WORK	
VALUATION OF PROJECT: \$	
<input type="checkbox"/> PROPERTY OWNER	
Name:	
Address:	
City/State/ZIP:	
Phone: ()	Fax: ()
<input type="checkbox"/> APPLICANT	<input type="checkbox"/> CONTACT PERSON
Business name:	
Contact name:	
Address:	
City/State/ZIP:	
Phone: ()	Fax: : ()
E-mail:	
DEMOLITION CONTRACTOR	
Contractor name:	Phone:
Address::	
Plumbing Contractor:	Phone:
Arch/Engr:	Phone:
Authorized signature:	
Print name:	Date:

187017



WELCOME TO THE CITY OF MEDFORD

- Home
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- Advanced Search
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- City Manager
- City Recorder
- Code Enforcement
- Economic Development
- Finance
- Information and Statistics
- Human Resources
- Medford Urban Renewal
- Municipal Court
- Neighborhood Resources
- Parks and Recreation
- Planning
- Police Department
- Public Works
- Purchasing
- Water Commission
- Contact Information
- General Information
- Gary Wheeler
- Clay Beamsom
- Paul Bunn
- Chris Corcoran
- Dick Gordon
- Tim Jackle
- Eli Matthews
- Kevin Stine
- Michael Zarosinski
- Handouts / Guidelines / Agreements
- Submit Online Police Report
- Business License Renewal
- Medford Municipal Court Citation Services
- Building Permit Online Services
- Planning and Engineering Online Services
- Parking Citation Payment Services
- Utility Account Services
- FAQs
- Forms and Documents
- Commissions & Committees
- Community Links
- Maps
- 200 South Ivy Lausmann Annex
- Medford, OR 97501
- Phone: (541) 774-2350
- Fax: (541) 618-1707
- Email:

City of Medford Oregon / Building / Application and Request Forms

Application and Request Forms

All permit requests need to be submitted electronically with complete plans, specifications and other data as required. Plans and specifications must meet all the requirements of the State of Oregon International 1 and 2 Family Dwelling Code. Length of time varies according to work load, with the average review time being 4-6 weeks.

Check Application or Permit Status, Schedule or Cancel an Inspection (CLICK2GOV)

Building Permit Application - This is for project that include interior and exterior structural work. Please note that the Residential Energy Checklist, Moisture Content Acknowledgement Form, Deferred Submittal Form (see below), and Phased Submittal Form (see below) need to be submitted with each application for new residential construction. *PLEASE SAVE TO DESKTOP AND EMAIL*

[Deferred Submittal Form](#)

[Demolition Permit Application](#)

[Electrical Permit Application](#)

[Fire Alarm/Sprinkler Application](#) - Please see the [submittal guidelines](#) for plan requirements

[Grading, Excavation, and Underground Utilities](#)

[Phased Submittal Form](#)

[Letter of Authorization](#) - This needs to be submitted with commercial project applications

[Manufactured Home Installation Application](#)

[Mechanical Permit Application](#)

[Notice of Fire Release](#) - This should be submitted with residential project applications if the applicant is anyone other than the owner of record for the property.

[Building Permit Online Services](#)

[Planning and Engineering Online Services](#)

[Refund Request](#) - Please use this form for all refund requests. Please submit to the front counter at Building/Safety Department when completed.

[Request to Energize Electrical Installation \(Emergencies\) - Medford City Limits ONLY.](#) In case of an emergency a supervising electrician may request to energize through the utility company using this form.

[Reroof Permit](#)

[Revision Checklist](#) - required to be submitted with commercial or residential plan revisions.

[Solar Heating/Photovoltaic Systems](#) - For design and submittal requirements [click here](#)

[Tenant/Property Use Description Form - A](#)

[Tenant/Property Use Description Form - B](#)

Select Language



LANE COUNTY PUBLIC WORKS

Important Information Regarding Demolition & Remodel Work



LAND MANAGEMENT DIVISION 3050 N DELTA HYW, EUGENE OR 97408

Rules Governing Asbestos-Containing Materials (ACM):

- Lane Regional Air Protection Agency requires a survey for ACM by an accredited asbestos inspector prior to any renovation or demolition activities. A copy of that survey report must remain on site during any demolition or renovation activity.
- The State of Oregon and Lane Regional Air Protection Agency require all ACM to be abated by a licensed asbestos abatement contractor prior to renovation or demolition activities that would disturb any ACM, with few exceptions.
- For information concerning exceptions or other clarifications, please contact the Lane Regional Air Protection Agency at (541) 736-1056 prior to commencing work.

Laws Governing Lead-Based Paint (LBP):

- Starting in April 2010, federal law requires all contractors who renovate "target housing" or "child-occupied facilities" be licensed for that work. "Target housing" is housing built before 1978. "Child-occupied facilities" are places frequented by children ages six and under. "Renovation" includes the following.
 1. Removing, modifying or repairing painted surfaces.
 2. Removing building components like walls, plumbing or windows.
 3. Window replacement.
 4. Weatherization projects.
 5. Work that disturbs painted surfaces.

The federal law is intended to protect individuals from possible lead exposure. The federal law does not require proof buildings contain lead-based paint (LBP). Instead, it assumes *possible* exposure from renovating certain buildings.

- To satisfy the federal law, the Oregon Legislature passed HB 2134 (2009). This law creates a "certified LBP renovation contractor" license. To qualify for the Certified LBP Renovation Contractors License (LBPR), an owner or employee of a business licensed through the Construction Contractors Board (CCB) must take the required Renovation, Repair and Painting (RRP) training and receive a completion certificate. Contact the State of Oregon CCB for more information on obtaining LBPR certification.
- Performing work on subject structures without a LBPR license after April 22, 2010, will subject the contractor to the possibility of severe state and federal civil penalties.

Inspection Protocol for Removal of an Entire Structure:

- All debris shall be kept on the subject tax lot, until disposed of in an approved manner.
- Existing water and sewer lines are to be capped per Oregon Plumbing Specialty Code. Any abandoned septic systems are to be decommissioned in accordance with OAR 340-071-0185.
- Once demolition is complete and piping is capped, the permit holder shall call for final inspection.

Inspection Protocol for Remodel Work:

- The permit holder shall request the required inspections listed in the permit packet as project progress allows.
- Should unforeseen conditions or unexpected challenges necessitate an alteration to the approved permit documents, the permit holder shall notify the Building Program before proceeding with work. Any changes to the permit documents will need to be reviewed and approved prior to the work being inspected.

LANE CO. IIRD&RW REV 07-01-14 DSL

187017



SOUTHWEST CLEAN AIR AGENCY

11815 NE 99th Street, Suite 1294, Vancouver, WA 98682 • 360-574-3058 • 1-800-633-0709

Home
 Current Air Quality ▶
 Outdoor Burning ▶
 Permits & Appeals ▶
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Asbestos Demolition

Guidance for Demolition or Renovation of Structure(s) or Area(s)

There are asbestos requirements that must be followed during the demolition or renovation phase(s) of any project. The Southwest Clean Air Agency (SWCAA) would like to make the following mitigating comments based on SWCAA 476 (Standards for Asbestos Control) and 40 CFR Part 61, Subpart M (Federal Asbestos Requirements). These requirements have been summarized below:

1. Prior to demolition or renovation of a structure, a thorough asbestos inspection must be conducted by an AHERA certified inspector in order to ascertain the presence of asbestos containing material (ACM) in all affected structure(s) or area(s). A copy of the AHERA asbestos inspection report must be posted for viewing at the project site.
2. **If the asbestos inspection reveals ACM to be present in the affected structure(s) or area(s):**
 ACM must be removed by AHERA certified personnel in full accordance with the Southwest Clean Air Agency's (SWCAA) Regulations SWCAA 476 (Standards for Asbestos Control) and with 40 CFR Part 61 Subpart M (National Emission Standards for Asbestos). A **Notification of Demolition and Renovation** (PDF), a **Notice of Intent to Remove or Encapsulate Asbestos** (PDF) and a copy of the AHERA asbestos inspection report for each structure are required and must be submitted to SWCAA for approval. There is a 10 business day waiting period from the time the notices are submitted before asbestos removal, structure demolition or structure renovation can begin. All asbestos must be completely removed from the affected structure(s) or area(s) prior to structure demolition or structure renovation taking place.
3. **If the asbestos inspection does not reveal ACM to be present in the affected structure(s) or area(s), and the structure is to be demolished:**
 A Notice of Intent to Remove or Encapsulate Asbestos would not be required. A **Notification of Demolition and Renovation** (PDF) and a copy of the AHERA asbestos inspection report are required and must be submitted to SWCAA. There would be a 10 business day waiting period from the time the notification is submitted before the demolition can start.
4. **If the asbestos inspection does not reveal ACM to be present in the affected structure(s) or area(s), and the project involves only renovation:**
 A Notice of Intent to Remove or Encapsulate Asbestos would not be required. A Notification of Demolition and Renovation would not be required.

You may contact SWCAA at 360-574-3058 for more information on asbestos requirements.

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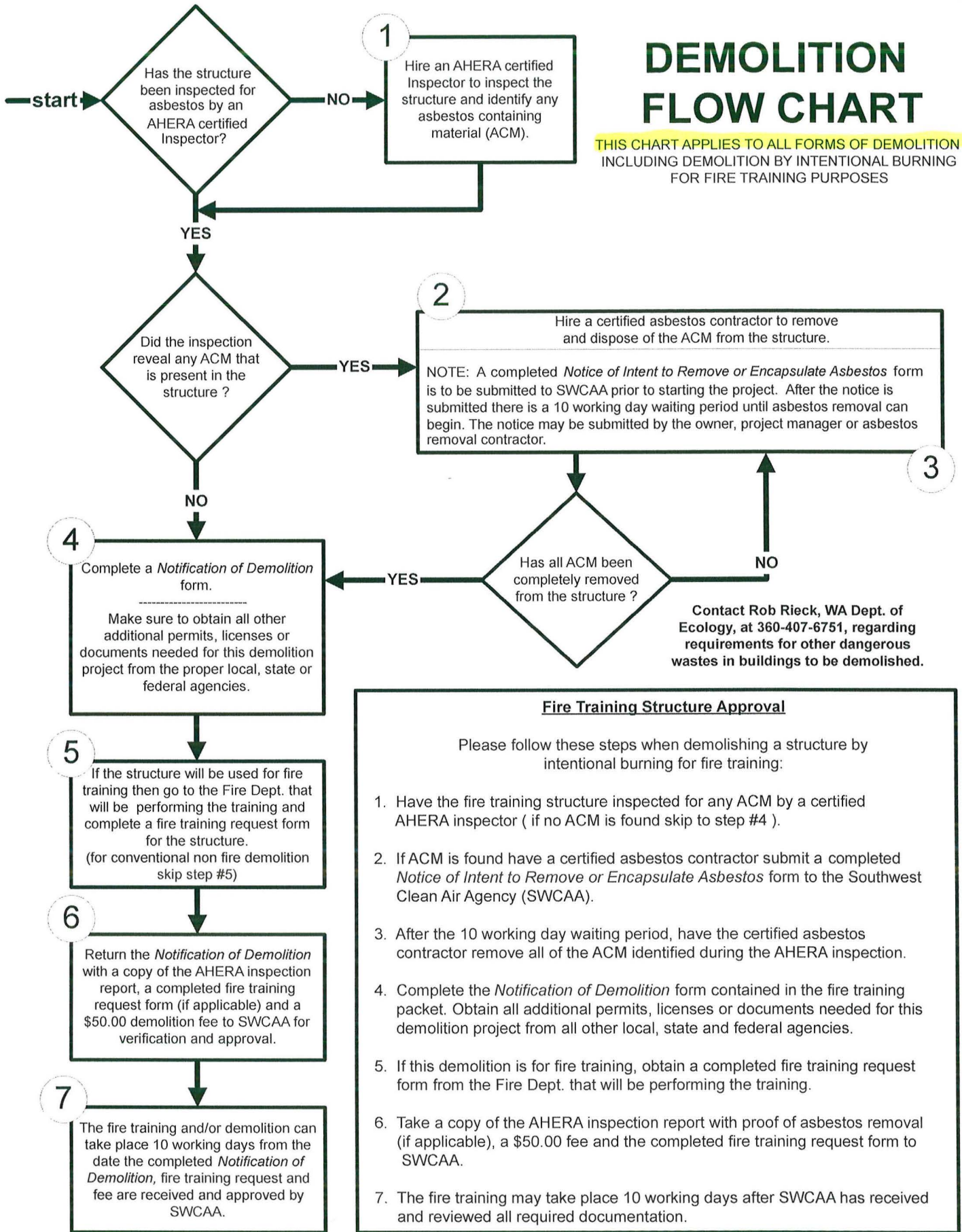
SOUTHWEST CLEAN AIR AGENCY

11815 NE 99th Street, Suite 1294, Vancouver, WA 98682 - Voice 360-574-3058 - Facsimile 360-576-0925

187017

DEMOLITION FLOW CHART

THIS CHART APPLIES TO ALL FORMS OF DEMOLITION INCLUDING DEMOLITION BY INTENTIONAL BURNING FOR FIRE TRAINING PURPOSES



Fire Training Structure Approval

Please follow these steps when demolishing a structure by intentional burning for fire training:

1. Have the fire training structure inspected for any ACM by a certified AHERA inspector (if no ACM is found skip to step #4).
2. If ACM is found have a certified asbestos contractor submit a completed *Notice of Intent to Remove or Encapsulate Asbestos* form to the Southwest Clean Air Agency (SWCAA).
3. After the 10 working day waiting period, have the certified asbestos contractor remove all of the ACM identified during the AHERA inspection.
4. Complete the *Notification of Demolition* form contained in the fire training packet. Obtain all additional permits, licenses or documents needed for this demolition project from all other local, state and federal agencies.
5. If this demolition is for fire training, obtain a completed fire training request form from the Fire Dept. that will be performing the training.
6. Take a copy of the AHERA inspection report with proof of asbestos removal (if applicable), a \$50.00 fee and the completed fire training request form to SWCAA.
7. The fire training may take place 10 working days after SWCAA has received and reviewed all required documentation.

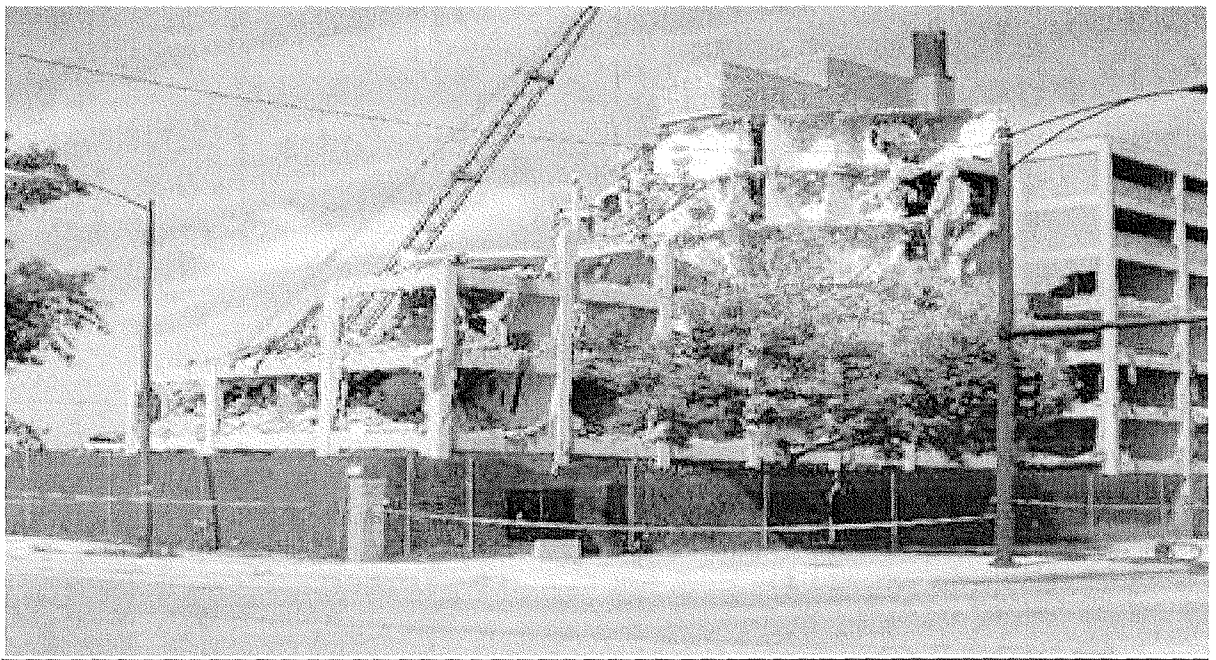
ASBESTOS, DEMOLITION OR RENOVATION, SANDBLASTING, AND GRINDING STANDARDS

The purpose of City Code 11-4-2150 - 11-4-2190 is to reduce the potential risk of harm to the public's health, safety and welfare or to the environment from releases of dust, debris and other materials occasioned by the demolition, renovation, alteration, repair, cleaning or maintenance of certain types of buildings, facilities or other structures within the City of Chicago. In the past many buildings, facilities or other structures within the city were constructed or decorated in part with materials, including but not limited to, asbestos containing materials or lead paint, that can pose hazards to the public health or the environment if those materials are not adequately and appropriately handled and controlled during demolition, renovation, alteration, repair, cleaning or maintenance activities.

SPECIFIC REQUIREMENTS

(a) **Demolition of buildings, facilities or other structures:**

(See section 11-4-2170 (a) of the Chicago Municipal Code)



No demolition of a building, facility or other structure shall be initiated within the city of Chicago unless a written notice of intent to demolish, accompanied by the fee required has been filed with, and approved by, the department of health at least ten working days prior to the commencement of demolition. The ten working day period shall not apply if the building, facility or other structure to be demolished has been found to be structurally unsound and in danger of imminent collapse by the building commissioner or state

authority or court of competent jurisdiction; provided, however, any person or contractor demolishing such building, facility or other structure shall file a written notice with the department of health regarding such demolition as soon as practicable, and must have a properly licensed asbestos abatement contractor on site during the demolition.

For your convenience, Form DM is provided below. In addition to completing the demolition notice of intent (Form DM), the federal asbestos NESHAP form must also be completed for any residential building with two or more units, commercial or industrial buildings. The demolition permit required pursuant to Section 13-32-010 of the Chicago Municipal code must be posted in a conspicuous place at the demolition site.

Demolition and renovation safeguards

(see 11-4-2170 (b) of the Chicago Municipal Code)

The owner(s) of any building, facility, or other structure to be demolished or renovated and any contractor or other person retained or otherwise authorized by the owner(s) to perform the demolition or renovation activity shall be responsible for assuring that the following safeguards are utilized to minimize the emission of airborne dust:

(1) Adequate wetting to prevent the emission or dispersion of dust shall be employed before and during any demolition or renovation activity; provided, however, if outside temperature causes water to freeze and wetting is not possible, the demolition or renovation activity shall be performed in such a way that does not cause the emission or dispersion of dust, including but not limited to manual deconstruction.

(2) All debris from any demolition or renovation activity shall be removed from the building, facility, or other structure through dust-tight chutes or by lowering it in buckets or containers and no debris shall be dropped or thrown from any floor. All debris shall be adequately wetted to prevent dust emission or dispersion at the point it exits a dust-chute or reaches the ground.

(3) All debris from any demolition or renovation activity shall be adequately wetted before loading into trucks, vehicles, or other containers. During transport, all such debris shall be enclosed or covered to prevent dust emissions.

(4) All dust and debris from any demolition or renovation activity shall be removed daily from adjacent streets, sidewalks and alleys unless otherwise directed or authorized pursuant to a permit duly issued by the city.

(5) Dust created from any use of power hand tools, including, but not limited to, the cutting of concrete or other building materials, shall be minimized through the use of vacuum attachments, water or containerization of the work area.

Removal of storage tanks or containers required at time of demolition.
(see section 11-4-2170 (c) of the Chicago Municipal Code)

No notice of intent to demolish any building, facility or other structure shall be approved by the department unless the person submitting the notice of intent either: (1) provides satisfactory proof that there are no storage tanks or containers (either underground or above ground) on or below the property at which the building, facility or other structure is located; (2) provides documentation that any storage tanks or containers present have been abandoned in place in accordance with the requirements of 15-28-1220; or (3) demonstrates that any storage tanks or containers present conform with all applicable city, state and federal regulations governing the continued use of such tanks or containers. If there are storage tanks or containers present that have not been properly abandoned in place or are not in compliance with applicable city, state and federal regulations governing the continued use of such tanks or containers, then approval of the notice of intent to demolish by the department shall include a requirement for the owner to remove all such tanks or containers at the time of demolition of the building, facility or other structure.

Disposal of debris from demolitions and renovations.
(see 11-4-2170 (d) of the Chicago Municipal Code)

Debris from demolitions or renovations, excluding demolition fill material as defined in Section 11-4-2150 which is used exclusively to fill below grade into the existing foundation or excavation area of a building left open by the demolition of said building, constitutes waste as that term is defined in Section 11-4-120 and, except as otherwise provided in Section 11-4-1935, shall only be properly disposed of or recycled at a facility duly licensed to accept such material.

Performance standards for facility demolitions or renovations requiring asbestos abatement. (see 11-4-2170 (e) of the Chicago Municipal Code)



(1) *Licensed asbestos professionals:* No asbestos abatement shall be performed in any facility within the City of Chicago unless all persons performing such abatement work are licensed and approved in accordance with the applicable rules and regulations for licensure established by the State of Illinois in Title 77, Part 855, Subpart B of the Illinois Administrative Code, as they may be amended from time to time, which regulations are adopted and incorporated by reference and made a part of this section of the Chicago Municipal Code as if fully set forth herein.

(2) *Performance standards for asbestos abatement:* Any asbestos abatement performed in connection with any facility within the City of Chicago shall be performed in accordance with the rules and regulations for asbestos abatement established by the State of Illinois in Title 77, Part 855, Subparts C and D of the Illinois Administrative Code, as they may be amended from time to time, which regulations are adopted and incorporated by reference and made a part of this section as if fully set forth herein.

(3) *Notification required:* Any person performing asbestos abatement at any facility within the City of Chicago shall provide the department with notice of the abatement by submitting the following forms, accompanied by the environmental review fee required by this section: (i) a fully completed copy of all notification forms required pursuant to Title 40, Part 61 of the Code of Federal Regulations, entitled "National Emission Standards for Hazardous Air Pollutants (NESHAP)," and Section 855.220 of Title 77, Part 855 of the Illinois Administrative Code; and (ii) in the case of a demolition of a facility with asbestos containing material, a fully completed and signed notice of intent to demolish form, in accordance with subsection (a) of this section.

(4) *Timing of notifications:*

(i) A copy of the notification form required pursuant to Section 855.220 of Title 77, Part 855 of the Illinois Administrative Code shall be filed with the Department at the same time the notification is required to be provided to the state.

(ii) The Notice of intent to demolish shall be made to the department at least ten working days prior to the demolition. The requirement to file the notice of intent to demolish ten working days prior to the demolition shall not apply in the event of a demolition involving a building, facility or other structure that has been found to be structurally unsound and in danger of imminent collapse by a proper city or state authority or court of competent jurisdiction.

(5) *Rescheduling of demolition starting dates.*

(1) In the event that any owner or operator intends to begin a demolition at a date later than the start date contained in any notification required to be filed under this section, then that person must: (i) notify the department that the demolition will not begin on the original start date by telephone or fax as soon as possible before the original start date; and (ii) provide written notification to the department of the new start date at least ten working days prior to the new start date.

(2) In the event that any owner or operator intends to begin a demolition at a date earlier than the start date contained in any notification required to be filed under this section, then that person must provide written notification to the department of the new start date at least ten working days before the demolition work begins.

(3) In no event shall a demolition operation begin on a date other than the date contained in the written notice of the new start date unless authorized pursuant to the emergency provisions set forth in Subsection (a) of this section.

Environmental fees.

(see 11-4-2170 (g) of the Chicago Municipal Code)

The fees are as follows:

Residential structures with four or fewer units	\$300.00
Residential structures with more than four units	\$450.00
All other (Nonresidential) structures	\$600.00

A mixed-use structure shall be assessed at the highest applicable rate. Work performed by or for the city shall not be subject to the fee set forth in this subsection.

(b) Sandblasting, grinding and chemical washing of buildings, facilities or other structures
(see section 11-4-2190 of the Chicago Municipal Code)



The owner(s) of any building, facility or other structure to be sandblasted, ground, or chemically washed and any contractor or other person retained or otherwise authorized by the owner(s) to perform any sandblasting, grinding or chemical washing of any building, facility or other structure shall be responsible for complying with the following requirements:

(a) *Permits required for sandblasting, grinding or chemical washing of buildings, facilities or other structures.* No person shall sandblast, grind or chemically wash any building, facility, structure, statue or other architectural surface without having first been issued a permit by the department; provided, however, no permit shall be required for graffiti removal activities conducted by the department of streets and sanitation. A permit shall be required for each individual building, facility, structure, statue or other architectural surface.

(1) *Minimum requirements:* Applications for sandblasting, grinding or chemical wash permits shall be in such form as shall be prescribed by the commissioner. The owner(s) of the building, facility, structure, statue or other architectural surface to be sandblasted, ground or chemically washed shall sign the permit application as co-permittees with any contractor or other person retained or otherwise authorized by the owner(s) to perform the sandblasting, grinding or chemical washing operation. Form SC is provided below.

(2) *Permits available for review:* Copies of the permit and any laboratory testing results and dust minimization plans required under Subsection (d) of this section must be maintained at the location being sandblasted, ground or chemically washed for the duration of the sandblasting, grinding or chemical washing operation and must be made available to city inspectors upon request.

(b) *Notification to occupants within the building.* At least 48 hours prior to the commencement of any sandblasting, grinding or chemical washing, the permittees shall provide notice of the sandblasting, grinding or chemical washing operation to all the occupants of the building to be sandblasted, ground or chemically washed. Said notice shall be in writing and shall be by mail or otherwise and shall include the name, address and telephone number of the person performing the sandblasting, grinding or chemical washing; the address where the sandblasting, grinding or chemical washing will occur; the estimated start date for the sandblasting, grinding or chemical washing; and the estimated duration of the sandblasting, grinding or chemical washing operation. In addition, the written notice shall also be conspicuously posted in the common area of the building and shall have attached to it a copy of the permit and permit application.

(c) *Notification to neighboring area.* The permittees shall also provide the notice required in subsection (b) of this section to all the occupants of every residential building of less than ten dwelling units and the owners, managing agent or occupants of every residential building of ten or more dwelling units and every nonresidential building located within a 75-foot radius of the surface to be sandblasted, ground or chemically washed when the building, facility, structure, statue or other architectural surface being sandblasted, ground or chemically washed is four or less stories in height. With respect to buildings, facilities, structure, statues or other architectural surfaces more than four stories in height, the radius of the notification shall be determined by the commissioner, giving due consideration to the public interest.

(d) *Sandblasting, grinding or chemical washing of painted surfaces; laboratory testing; minimization plan for dust from lead containing paint.*

(1) *Paint testing:* If any surface to be sandblasted, ground or chemically washed is painted, representative paint samples must be taken from that surface by a lead inspector duly licensed by the State of Illinois and tested for lead content by a laboratory certified by a duly authorized federal or state agency, or a recognized laboratory accreditation organization acceptable to the commissioner. For purposes of this section, a representative paint sample means a sample containing all layers of paint on any surface to be sandblasted, ground or chemically washed. The number of, and locations from which, representative samples shall be taken shall be subject to the approval of the commissioner. All test results from the laboratory must be attached as part of the permit application and shall be submitted on a form signed by the laboratory and containing the laboratory's name, address, telephone number and certification or accreditation number.

(2) *Lead containing paint:* If the paint contains more than five-tenths of one percent lead by weight, the paint shall be considered to be "lead containing" and the applicant must retain a state- licensed lead assessor to develop a minimization plan to ensure that dust emissions will be minimized during and after sandblasting, grinding or chemical washing operations. The minimization plan must be attached to the permit application and shall be submitted on a form signed by the lead assessor and containing the lead assessor's name, address, telephone number and state license number.

(e) *Rescheduling sandblasting, grinding or chemical washing project.* In the event the permittees cannot perform the sandblasting, grinding or chemical washing on the estimated date(s) contained in the permit or within 72 hours thereafter, the permittees shall provide written notification to the Commissioner and all other persons required to receive notice under Subsections (c) and (d) of this section at least 24 hours prior to the commencement of the rescheduled sandblasting, grinding or chemical washing operation.

(f) *Removal and disposal of dust, debris or waste water from sandblasting, grinding or chemical washing operations.* Dust, debris and waste water generated by sandblasting, grinding or chemical washing operations constitute waste as that term is defined in Section 11-4-120. Dust, debris and waste water generated by sandblasting, grinding or chemical washing operations must be removed from the site of the sandblasting, grinding or chemical washing operation on a daily basis and must be disposed of at a landfill duly licensed in accordance with Section 11-4-1500 to accept such material or a permitted waste water treatment facility.

(g) *Dust minimization – Containment, wetting or vacuuming; plan required.* Dust generated from any sandblasting, grinding, or chemical washing operation shall be minimized through the use of dust containment, wetting, vacuum attachments or other such mechanical means as appropriate. A written dust minimization plan shall be prepared prior to beginning any work and the plan shall be implemented throughout the sandblasting, grinding or chemical washing operation. A copy of the plan shall be maintained at the site throughout the course of the operation and shall be made available to the commissioner of health or his designees upon request.

(h) *Permit fees.* The fee for a permit to sandblast, grind or chemically wash any building, structure, statue or other architectural surface shall be \$200.00 per building, structure, statue or other architectural surface. The permit fee shall be waived for any unit of federal, state or local government.

Applicable Forms:

- 1) Form DM : Demolition Notice of Intent
- 2) Form SC: Architectural Surface Cleaning
- 3) NESHAP Form: National Emission Standards for Hazardous Air Pollutants (NESHAP)

February 12, 2015, Portland City Council

Testimony, Re: Asbestos and Lead in Neighborhood Demolitions, Who is looking out for Public Health?

My name is Sharon Genasci, I live at 2217 NW Johnson St. I am Chair of the NWDA Air Quality Committee, testifying today on behalf of UNR, (United Neighborhoods for Reform) about the jurisdiction of asbestos and lead regulations in demolitions. Based on our research we believe Portland has jurisdictional authority to create hazmat policies for house demolition sites, including inspecting and monitoring for asbestos and lead.

A survey by the National Association of Clean Air Agencies (NCAA) wrote in December 4, 2014: **“The Clean Air Act explicitly allows state and local air pollution control agencies to adopt programs more stringent than those of the federal government. Specifically, Section 1216 states that air quality agencies are not precluded from adopting or enforcing any standards, limitations or requirements as long as they are at least as stringent as those required under the federal program.”**

Over the past three years the city has issued 752 demolition permits. The actual number of demolitions is much higher. Unregulated demolitions occur throughout Portland neighborhoods. Neighbors living near the demolitions are increasingly alarmed at asbestos and lead emissions. The question is, who is looking after public health from unregulated demolitions in Portland?

Oregon's Lane County, other Oregon cities and Southwest Clean Air Agency in Washington have adopted rules for asbestos-containing materials and lead based paint in demolitions. I have here a list of Lane County regulations and asbestos demolition guidance from SW Clean Air Agency in Washington.

If Lane County, the Southwest Clean Air Agency and other cities can produce rules governing toxic demolition materials, then we in Portland can do the same. We are asking the city to accept responsibility for creating regulations and enforcement for asbestos and lead emissions in demolitions.

Developers currently profiting from the demolitions should pay a fee for accredited inspectors to ensure that all regulations are followed. Public health costs should be a consideration in setting the fees.

I attended a memorial in London two years ago for a dear friend, a fine architect, known for his work on the Ashmolean Museum at Oxford. He died of Mesothelioma from exposure to asbestos. He was exposed during the interior demolition of a house he was remodeling for himself about 35 years ago. He was at the top of his career, took excellent care of himself, and was well loved by friends. If demolitions are properly monitored and the air toxics abated, all of us, developers workers and neighbors will benefit.

Thank you.



LANE COUNTY PUBLIC WORKS

Important Information Regarding Demolition & Remodel Work



LAND MANAGEMENT DIVISION 3050 N DELTA HYW, EUGENE OR 97408

Rules Governing Asbestos-Containing Materials (ACM):

- Lane Regional Air Protection Agency requires a survey for ACM by an accredited asbestos inspector prior to any renovation or demolition activities. A copy of that survey report must remain on site during any demolition or renovation activity.
- The State of Oregon and Lane Regional Air Protection Agency require all ACM to be abated by a licensed asbestos abatement contractor prior to renovation or demolition activities that would disturb any ACM, with few exceptions.
- For information concerning exceptions or other clarifications, please contact the Lane Regional Air Protection Agency at (541) 736-1056 prior to commencing work.

Laws Governing Lead-Based Paint (LBP):

- Starting in April 2010, federal law requires all contractors who renovate "target housing" or "child-occupied facilities" be licensed for that work. "Target housing" is housing built before 1978. "Child-occupied facilities" are places frequented by children ages six and under. "Renovation" includes the following.
 1. Removing, modifying or repairing painted surfaces.
 2. Removing building components like walls, plumbing or windows.
 3. Window replacement.
 4. Weatherization projects.
 5. Work that disturbs painted surfaces.

The federal law is intended to protect individuals from possible lead exposure. The federal law does not require proof buildings contain lead-based paint (LBP). Instead, it assumes *possible* exposure from renovating certain buildings.

- To satisfy the federal law, the Oregon Legislature passed HB 2134 (2009). This law creates a "certified LBP renovation contractor" license. To qualify for the Certified LBP Renovation Contractors License (LBPR), an owner or employee of a business licensed through the Construction Contractors Board (CCB) must take the required Renovation, Repair and Painting (RRP) training and receive a completion certificate. Contact the State of Oregon CCB for more information on obtaining LBPR certification.
- Performing work on subject structures without a LBPR license after April 22, 2010, will subject the contractor to the possibility of severe state and federal civil penalties.

Inspection Protocol for Removal of an Entire Structure:

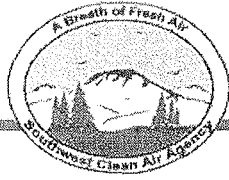
- All debris shall be kept on the subject tax lot, until disposed of in an approved manner.
- Existing water and sewer lines are to be capped per Oregon Plumbing Specialty Code. Any abandoned septic systems are to be decommissioned in accordance with OAR 340-071-0185.
- Once demolition is complete and piping is capped, the permit holder shall call for final inspection.

Inspection Protocol for Remodel Work:

- The permit holder shall request the required inspections listed in the permit packet as project progress allows.
- Should unforeseen conditions or unexpected challenges necessitate an alteration to the approved permit documents, the permit holder shall notify the Building Program before proceeding with work. Any changes to the permit documents will need to be reviewed and approved prior to the work being inspected.

LANE CO. IIRD&RW REV 07-01-14 DSL

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SOUTHWEST CLEAN AIR AGENCY

11815 NE 99th Street, Suite 1294, Vancouver, WA 98682 • 360-574-3058 • 1-800-633-0709

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Asbestos Demolition

Guidance for Demolition or Renovation of Structure(s) or Area(s)

There are asbestos requirements that must be followed during the demolition or renovation phase(s) of any project. The Southwest Clean Air Agency (SWCAA) would like to make the following mitigating comments based on SWCAA 476 (Standards for Asbestos Control) and 40 CFR Part 61, Subpart M (Federal Asbestos Requirements). These requirements have been summarized below:

1. Prior to demolition or renovation of a structure, a thorough asbestos inspection must be conducted by an AHERA certified inspector in order to ascertain the presence of asbestos containing material (ACM) in all affected structure(s) or area(s). A copy of the AHERA asbestos inspection report must be posted for viewing at the project site.
2. **If the asbestos inspection reveals ACM to be present in the affected structure(s) or area(s):**
 ACM must be removed by AHERA certified personnel in full accordance with the Southwest Clean Air Agency's (SWCAA) Regulations SWCAA 476 (Standards for Asbestos Control) and with 40 CFR Part 61 Subpart M (National Emission Standards for Asbestos). A **Notification of Demolition and Renovation** (PDF), a **Notice of Intent to Remove or Encapsulate Asbestos** (PDF) and a copy of the AHERA asbestos inspection report for each structure are required and must be submitted to SWCAA for approval. There is a 10 business day waiting period from the time the notices are submitted before asbestos removal, structure demolition or structure renovation can begin. All asbestos must be completely removed from the affected structure(s) or area(s) prior to structure demolition or structure renovation taking place.
3. **If the asbestos inspection does not reveal ACM to be present in the affected structure(s) or area(s), and the structure is to be demolished:**
 A Notice of Intent to Remove or Encapsulate Asbestos would not be required. A **Notification of Demolition and Renovation** (PDF) and a copy of the AHERA asbestos inspection report are required and must be submitted to SWCAA. There would be a 10 business day waiting period from the time the notification is submitted before the demolition can start.
4. **If the asbestos inspection does not reveal ACM to be present in the affected structure(s) or area(s), and the project involves only renovation:**
 A Notice of Intent to Remove or Encapsulate Asbestos would not be required. A Notification of Demolition and Renovation would not be required.

You may contact SWCAA at 360-574-3058 for more information on asbestos requirements.

TERRY PARKER
P.O. BOX 13503
PORTLAND, OREGON 97213-0503

187017

**Subject: United Neighborhoods for Reform testimony to the Portland City Council,
February 12, 2012**

Today it is my responsibility is to present and clarify UNR's position on the equitable makeup and establishment of a redevelopment standards task force/work group, that is recommended to be comprised of 50% neighborhood organization representatives, and 50% city staff and other concerned citizens as per the UNR resolution.

Neighborhood representatives are people who are active with and actually live in neighborhoods where the next house to be demolished might be the one next door, down the block or around the corner. These are the people who have a view of the street from their front windows that could become impaired by a replacement house that is not setback from the sidewalk, or could have a towering out of a scale house constructed on the property next to theirs that would cast a shadow and block the sunlight.

To avoid a conflict of interest, perceived or real, we ask that neighborhood representatives are not professionally connected with, or earn their living in the land use planning, development, architectural or real estate fields. We welcome people from these fields to be on the task force, just not filling the neighborhood representative seats at the table. Likewise, in the interest of adding more diversity, voices, and opportunities for qualified neighborhood people who haven't participated in but aspire to be part of the official city process; we ask that preference be given to neighborhood representatives who have not recently served, or are not currently serving on another BDS, BES, BPS, PBOT task force, advisory committee, work group or comp plan policy expert group. Again, this avoids a possible conflict of interest.

We also ask that UNR has neighborhood representatives at table. Meetings need to be scheduled at times when working people can attend, and be located in various neighborhoods. Finally, as opposed to appointing a chairperson, we suggest the first order of official business for the task force should be to elect a chairperson and vice chairperson.

In closing, UNR wants to see an equitable and well publicized application process, followed by a task force with an open and transparent process that has a meaningful deadline for results. . .

Respectfully submitted,

Terry Parker
UNR Steering Committee

City Hall testimony 2/12/15, Margaret Davis, 3617 NE 45th Ave., 503-287-2419

Creativity and quality. These are attributes Portland has embraced in the past, and we'd like to see more of them in the home construction occurring now in our city.

At United Neighborhoods for Reform, the first choice for Portland housing should be protecting the affordable "green" home that's already there. With additions, accessory dwelling units, and renovations, much can be done to modernize and alter a home for future generations. Those activities provide the added bonus of employing more local people than new construction does.

If a house *has* to go, deconstruction should be mandatory. And then there is the matter of new construction, what goes up on the residential land that arguably is Portland's finest resource. This new development should create an improvement—for everyone. To do this it will contribute open space as its neighboring properties do, respecting the size of contextual setbacks, footprint, mass, and height of existing nearby homes. Determining the specific allowances for these items, and the context to be considered, will be the work of the task force, as proposed in UNR's demolition/development resolution.

By the way, city code already regulates setbacks, footprint, and height, but no one thought to build to the maximums until now—which is a direct result of considering a neighborhood more of a profit center rather than simply a place to live.

In better regulating setbacks, footprint, mass, and height of new construction, compatibility with established housing is better assured as is access to solar power for energy and vegetable gardens along with space for mature trees.

This is how Portland can spark more creativity and quality. Building smaller is more environmental; a larger share of the construction budget can go toward more durable materials; and home layouts can make smarter use of space. Many Portland residents would say creativity and quality are why we chose to live here.

Finally, we request that the task force take a look at current zoning and lot-splitting policies to protect existing housing. Some 28,000 homes citywide sit on plots slated for greater density. Let's appreciate the breathing room—and the opportunities for creativity and quality—that they provide.

With new guidelines sensitive to established neighborhood standards, we believe it will once again be possible to be both pro-development and pro-Portland.

UNITED NEIGHBORHOODS FOR REFORM DEMOLITION/DEVELOPMENT RESOLUTION

Whereas sustainability, livability, and environmental and public safety are of concern to Portland residents;

Whereas the preservation of each neighborhood's historical heritage and character are of prime concern to Portland residents; and

Whereas the preservation of existing affordable housing is a citywide concern; now, therefore, be it

Resolved, that the United Neighborhoods for Reform requests:

- 1) **Implementation of changes to the city's demolition regulations and protocols:**
 - a) Elimination of the (K)(1) exemption and restoration of the automatic 35-day demolition delay for single-family structures.
 - b) Definition of "demolition" as removal of 50% or more of the structure.
 - c) Requirement that applicants for demolition permits comply with all state and federal environmental and safety regulations including those for lead and asbestos.
 - d) Retention of existing code providing for a 35-day delay on demolitions with an option for a 120-day delay available to a recognized neighborhood association or coalition, with the understanding that a good-faith effort be made to find alternatives to demolition.
 - e) Notice of proposed demolition will be mailed to residents and property owners within a specified distance upon acceptance of the demolition application. If permit is approved, a 72-hour notice of date of demolition will be provided to the same parties.
 - f) Establishment of a rigorous definition of "deconstruction," and recommendation of appropriate incentives, including an increased tip fee for construction debris.
- 2) **Establishment of a task force composed of 50% neighborhood organizations and 50% city staff and concerned citizens to determine the distance required for notifications above, as well as:**
 - a) Revision of code to limit the mass, footprint, setbacks, and height of construction to that of the average of existing homes within a specified distance.
 - b) Revision of current zoning and lot-splitting policies to protect existing housing and lot size.
 - c) Recommendations for tree and solar access protections.
- 3) **Adoption by City Council of:**
 - a) Measures to protect Portland residents from lead, asbestos, and other contaminants resulting from demolition/development by requiring surveys for these materials and an approved plan for lawful removal and disposal before issuance of demolition permit.
 - b) An update of the Historic Resources Inventory, with a waiting period mandated for removal of a property from the inventory.
 - c) A user-friendly online system available to the public for tracking demolition activity.

Testimony From: Alysa Isenstein Krueger

Address: 2348 SE Tamarack Ave., Portland, OR 97214 503-724-6933 pdxhappyhouse@gmail.com

My name is Alyssa Isenstein Krueger and I am a real estate broker with Living Room Realty. The majority of my clients are first time homebuyers and this past year, and even more so the past few months, have been the most difficult market to be a buyer in, in the many years that I have been working in real estate. Given the market trend of a lack of supply and a huge demand for houses, the market is not likely to get much better for would-be homebuyers for quite some time.

My first time homebuyers have been pre-approved by lenders and are looking for Portland's once-plentiful humble little starter homes, willing to pay even up to \$350,000 for a small home with space for children, a garden, a pet. They are willing to buy Portland's old homes with flexible spaces like unfinished basements or attics that can be converted to living space as their needs change and their families grow, and they are not deterred by a home that needs a little elbow grease. Most importantly, they want to live in the communities where they have connections, where the neighborhoods have character and amenities they can walk to like stores, schools and transit lines.

The problem, so are developers. Developers bring cash, they waive all financing contingencies, they don't have the homes inspected, and can close on a house in less than 5 business days. More often than not, a developer is purchasing a home with the intent to demolish or significantly alter the home and then build a house that sells for over \$650,000.

Every time this happens, we lose another habitable home from our city's stock of affordable houses. That home will never again be an entry way into home ownership for hardworking families and individuals who see the benefits of homeownership and want to take part. In its place is a home that most of the time is not in character with the surrounding homes and is unaffordable to 99% of first time home buyers. Every time this happens my first time home buyers are discouraged, angry and heartbroken- not only that they lost out on a house to a cash developer, but that the house they pictured themselves living in will be crunched up and sent to a landfill.

Additionally, many of the homes that have been demolished over the past couple of years were never put on the open market. They were acquired by developers who send letters to homeowners offering to purchase their home for quick cash. Many of these sellers are vulnerable in that they do not understand they may be receiving less than market value by selling their home in this manner and that the buyer of their home intends to demolish it and replace it with a much more expensive home. So in addition to providing notice to surrounding homes and the neighborhood associations, those seeking demolition permits should be required to obtain a notarized signature of the home seller stating they understand that their home will be demolished. No signature from the seller means no permit for demolition.

I am also a partner broker with the Portland Housing Center and this past Saturday I presented the Shopping for Your Home section of the Homebuying 101 class. There were 42 people in the class, and when I asked how many of the class participants were planning on purchasing a home under \$250,000, 36 out of the 42 raised their hands. This would have been a realistic goal for our first time home buyers in Portland only a couple of years ago, but with the extraordinary loss of humble homes to demolition is no longer.

As a city who is dedicated to maintaining diversity in all forms and on all levels, we need to consider the impact that demolition of habitable and affordable homes has on our greater community, and work on solutions to keep these homes out of the jaws of the backhoe and available for future generations of families.

A CALL FOR A REDEVELOPMENT TASKFORCE

Testimony to Portland City Council, February 12, 2015

James Gorter, South Burlingame Resident and United Neighborhoods for Reform Steering Committee
8041 SW 8th Avenue
Portland, Oregon 97219
503-246-5097
jcgort@msn.com

As requested by forty neighborhood associations, we call for the creation of a taskforce charged with the protection of affordable housing and neighborhood character.

When we buy a home, we buy more than a house. We buy a sunny backyard for a garden; we buy a street and the nearby houses we see from the front porch. We buy a parking place for guests on a cold rainy night, and perhaps we buy a view. We buy a school, a park, a library, and access to a freeway, bike friendly street or MAX line. We buy a neighborhood.

At the present time, residents and neighborhood associations feel helpless to protect their communities. They simply wake up one morning and find a cookie cutter McMansion or a row of skinny houses where one modest home stood before. Neighbors on my block said, "It looks like a hotel", "we've lost our view and we're going to move, but we can't afford to," "I wanted to write 'ugly' in the wet concrete," "In the winter our backyard gets absolutely no sunshine."

Mayor Hales, your statements in the State of the City address were right on target: "Preserve neighborhood character. Work to preserve affordability, so people won't be forced out of their historic neighborhood. Tighten up the rules on demolition. Use the tool rarely, and use it right. Have strong infill standards and design guidelines."

Policy 5.33 of the draft 2035 Comprehensive Plan calls for "preservation of small resource-efficient and affordable single family homes..." Other policies of the Comp Plan call for infill construction that is "consistent with the general scale, character and natural landscape features of neighborhoods. Consider building forms, scale, street frontage relationships, setbacks, open space patterns and landscaping..." (Policy 4.13).

Unfortunately, the Comp Plan is silent on how to accomplish these policy goals, especially in light of the ever-increasing number of single family home demolitions and their all-too frequent replacement with large, expensive and incompatible houses.

We call for the creation of a taskforce to make Comprehensive Plan policies 5.33 and 4.13 for the protection of affordable housing and neighborhood character a reality and to address community concerns regarding solar access and tree canopy protections. We call for the creation of the taskforce no later than March 1, 2015.

Composition:

- **50% neighborhood organizations and 50% city staff and concerned citizens including developers and advocates for affordable housing and historic preservation.**

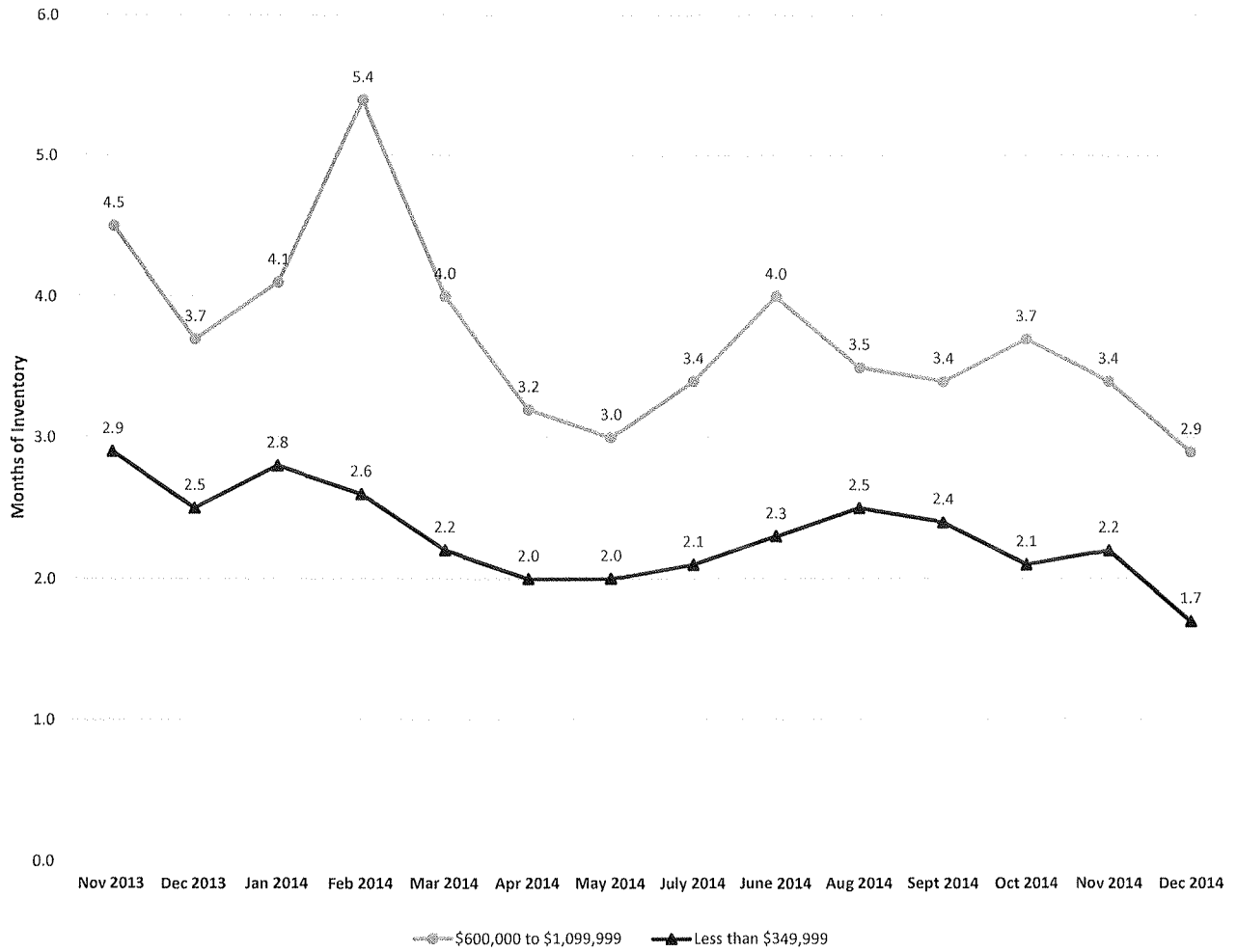
Mission:

- **Revision of code defining single family residential zones to limit the mass, footprint, setbacks, and height of construction to achieve compatibility with surrounding homes**
- **Recommend actions to protect affordable housing in older inner city neighborhoods**
- **Revision of current zoning and lot-splitting policies to protect existing housing and lot size, especially in R5 zones once platted with 2500-square-foot parcels, and**
- **Recommendations for tree protection in R5 and R2.5 zones as well as solar access protections in all single-family residential zones.**

Mayor Hales and Commissioners, citizens want you to accomplish your goals and Comprehensive Plan goals. Portland has a long history of meaningful citizen involvement. Neighbors and neighborhoods look forward to working with you to fulfill this commitment. An infill/redevelopment task force is the way to accomplish them.

- My name is Janet Baker and I live in the Beaumont Wilshire neighborhood.
- I want to talk about affordability for first time home buyers and other middle income buyers in Portland.
- This group of buyers is finding it increasingly difficult, if not impossible, to find affordable houses.
- In several DRAC meetings and neighborhood meetings I've attended, developers rationalized the tear-down trend in Portland as being driven by a lack of 'executive housing', saying we need more executive housing to succeed in economic development.
- First of all, as someone who has read a lot of economic development literature in my professional life, I can tell you lack of executive housing is rarely a limiting factor in economic development. Usually the limitations are lack of industrial land, lack of infrastructure, which by the way are limitations in the Portland area, not to mention our latest woes at the Port of Portland! If there is a housing factor in a company's decision to locate in a particular city, the issue is usually a concern about affordable housing for employees.
- But let's say you do believe we have a lack of executive housing. I want to share with you some year-end housing inventory stats.
- In the real estate industry 'inventory of houses' is often expressed as "inventory in months". It is defined as the active residential listing at the end of month divided by the number of closed sales for that month.
- 5.5 months is generally regarded as the balance point – under that and it is a seller's market. It has been a seller's market here for the past three years.
- Let's look at Multnomah County only and let's look at that inventory in in two price brackets. Take a look at the chart in your packet.
- In the under \$350,000 price bracket, where first time home buyers would be, there was 1.7 months of inventory in December 2014.
- But in \$600,000- 1.1 million dollar range, the bracket in which developers are selling their "executive homes", the inventory was 2.9 months.
- Looking at the chart you will see that inventory of executive price homes exceeds that of the starter home category every month back to November 2013. So it isn't a one month phenomena. I just cited December 2014 data to keep it simple.
- The realtor who provided me this data said: What this [data] clearly tells us is, the inventory is low in ALL price ranges. When the builders use this 'lack of executive housing' as their justification for teardowns, it is ridiculous. If you want to use this argument, she said, you would need to tear down expensive houses so you could build cheaper houses because that is where we have a larger problem!!
“
- This lack of affordable homes is going to continue if we continue to demolish these homes. This morning, the Portland Chronicle, reported another 40 demolition permits issued between the December 17 hearing and today. And that doesn't even count the virtual demolitions.
- It is ^{an} urgent problem, one we can't sit on for another day, another hearing.
- The next speaker, has hands on experience with these first time homebuyers.
- Thank you for listening.

Months of Inventory by Price Category



Testimony before City Council, February 12, 2015, Relative to the Need to Promote the Use of Deconstruction

My name is Barbara Strunk. I am a resident of the Beaumont-Wilshire neighborhood, and member of the United Neighborhoods for Reform Steering Committee.

Deconstruction is one notable omission from the DRAC recommendation on demolition regulations.

This is unfinished business that we urge City Council to take up. This is not a new request. Deconstruction has been part of the UNR policy platform since last summer when over 2500 residents signed our petition calling for demolition permitting reform. Relative to deconstruction, our petition states:

“Establish a rigorous definition of ‘deconstruction,’ a vastly more environmentally friendly alternative to simple demolition and disposal of the debris in a land fill, and define appropriate incentives to encourage deconstruction.”

Those who argue that “nobody is asking for deconstruction, so why should Council act now”, simply haven’t been listening. To reinforce the point, over 40 neighborhood associations have signed on with our UNR resolution that repeats the call for incentives for deconstruction.

But the struggles of the DRAC subcommittee to craft appropriate incentive language tell us that new ways of thinking about this issue are required. We propose a mandate that deconstruction is the only acceptable approach to removing all or part of a single-family residence. If this is not feasible within the City’s statutory powers, then it is time to apply the City’s taxing authority to make deconstruction the clearly more cost effective choice.

The 2010 Oregon DEQ study on preventing waste from the residential construction sector states that 158 homes deconstructed rather than demolished in a year saves as much carbon emission as is sequestered by Forest Park’s 5100 acres in a year. The environmental arguments for deconstruction are persuasive to us in the neighborhoods.

We would prefer that we save our viable, affordable single family residences, and avoid their demolition altogether. But with nearly 400 demolitions a year, we are a long way from stemming the epidemic of demolitions. When a house is demolished we expect that “The Greenest City” will require deconstruction as standard practice.

“A Life Cycle Approach to Prioritizing Methods of Preventing Waste from the Residential Construction Sector in the State of Oregon” <http://www.earthadvantage.org/policy-research/published-reports.html>

Testimony before City Council, February 12, 2015, Relative to the DRAC Recommendations on Changes to Demolition Regulations

By Jim Heuer, Resident of Irvington, and Member United Neighborhoods for Reform Steering Committee

My name is Jim Heuer and I'm speaking today to introduce testimony by United Neighborhoods for Reform, an informal grass-roots neighborhood group dedicated to fighting the "epidemic of demolitions". First, Mayor Hales, and Commissioners, we would like to thank you all for responding to our citizen cry for help. It has been a long road, with a great deal of work by yourselves, DRAC, BDS and other City staff, not to mention many hours of our time. We now have a recommendation from the DRAC committee which UNR has decided to support, albeit with serious reservations.

The current proposal is an example of the saying: "Politics is the art of the possible". There is a lot in the proposed ordinance that we not only like, but urgently need. There are other aspects that, quite frankly, don't achieve our goals. As you'll hear, some neighborhoods are especially opposed to the compromise 60-day optional delay provision.

We ultimately supported the recommendations on the strength of three considerations: 1) the Council's commitment on Dec. 17, to schedule a review of these new provisions in 18 months. We intend to hold you to your commitment and to insist that such review be conducted by a body with vastly better balance than the Development Review Advisory Committee, which, having membership of 13 developers out of 17, is not the best venue for making broad policy affecting all Portland residents. 2) We intend to monitor the application of the new definitions to make sure they achieve their intended goals. 3) We intend to seek a better way to save more viable, affordable houses that are slated for demolition. Simple delays, be they 120 or 60 days have been a feeble solution. Demolishing nearly 400 affordable houses a year valued at well over \$100 million dwarfs the City's recent commitment to spend \$20 million to promote affordable housing. Can we really achieve affordable housing through demolition? We will have more to say about this shortly.

But the work is not done. Lead paint and asbestos dust is still being scattered from demolition sites. Monstrously incompatible infill homes are still being built on the rubble of affordable houses. And deconstruction is still all too rarely employed. Our next speakers will have much more to say on these issues.

Submitted by
Dawn Kasselbaum
2/12/15
187017















Submitted by
Vic Remmers
2/12/2015
187017

187017

COURTESY NOTICE

A permit has been issued to demolish the structure(s) at:

Permit No: _____

This is a voluntary notice to inform you that a demolition permit has been issued by the City of Portland.

The residential demolition delay provisions of Portland City Code Section 24.55.200 DO NOT APPLY to this project. Pursuant to City Code Section 24.55.200, subdivision (K), no notice or delay is required.

The Contractor has acknowledged that work related to this Building Permit Application may be subject to regulations governing the handling, removal and/or disposal of asbestos.

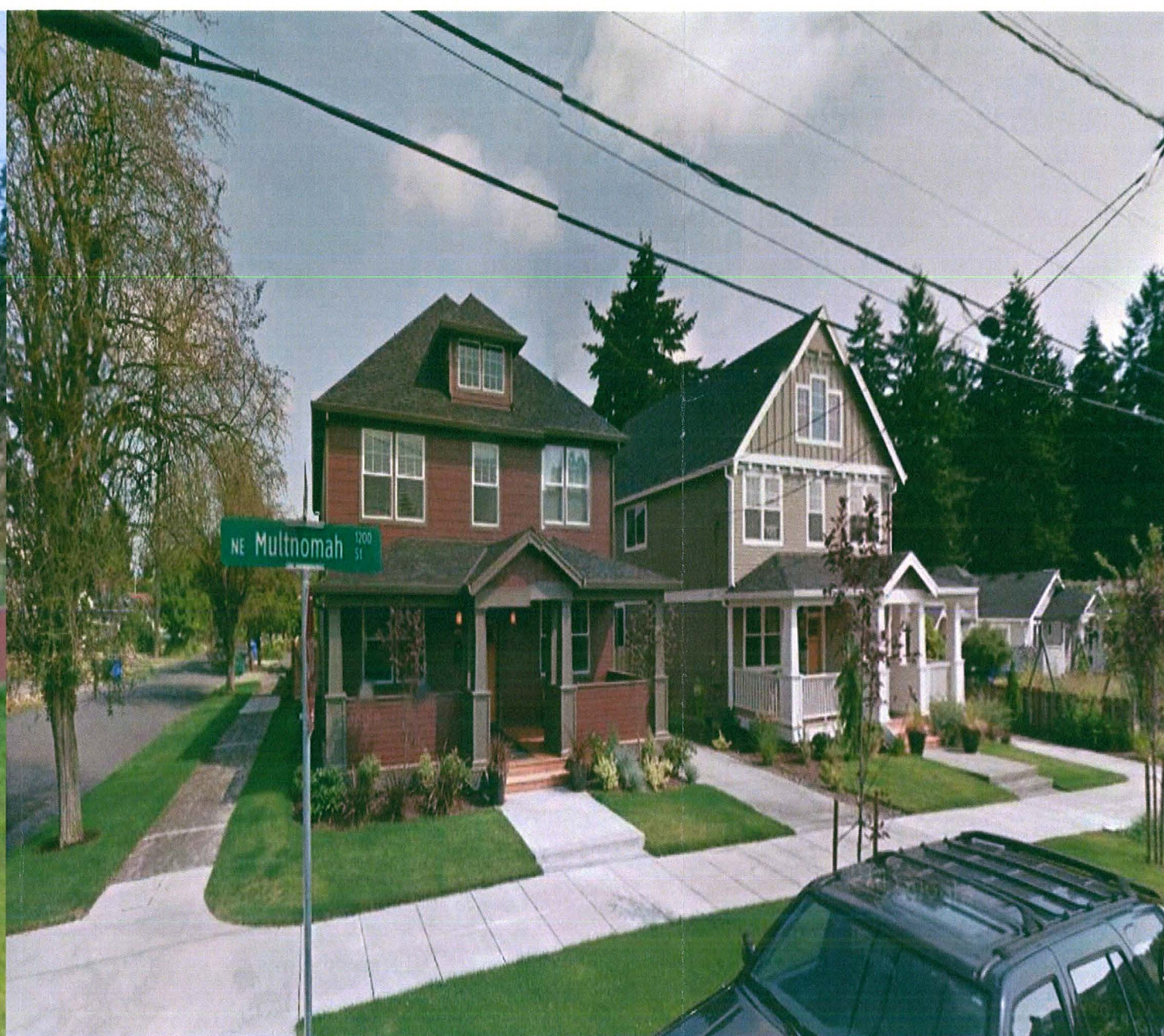
For additional information about the permits issued on the property, visit www.portlandmaps.com and click the Permit/Case tab. For more information about the demolition permits and governance, contact the Bureau of Development Services at (503)823.7300 or visit www.portlandoregon.gov/bds/demnotice.

If you have any additional questions regarding this project, please contact Joe Eslinger, VP of Construction, Everett Custom Homes: (503)621.2199 or Joe@everetthomesnw.com



EVERETT
CUSTOM HOMES

Submitted by
Vic Remmers
2-12-2015



Preserve character of neighborhoods.

12/17/14

Mayor Hales, City Commissioners. My name is Cliff Goldman, 4527 NE Skidmore St. Portland, 97218; 503-282-1150; speechflow@yahoo.com

Thank you for this opportunity to make my comments to you as a resident of the Beaumont-Wilshire Neighborhood. Ground Zero for Demolitions and building of tall skinny houses.

Oregon's pop. is growing, more people. People have to live somewhere. I'd rather see greater urban density as opposed to ever expansion, pushing out, if you will, of housing beyond the Urban Growth Boundary. This is Oregon; we're different here. This is Portland. I don't think it's weird to want to preserve the character of our neighborhoods.

Developers want to make money; construction workers, contractors want to work. I understand that. Houses don't last forever. The construction of new housing is inevitable. The rebuilding, and/or refurbishing of what is, is natural. But it must be done right.

Just as we don't build shopping centers in residential neighborhoods, we shouldn't build a new home without an eye to architectural compatibility.

A picture is worth a thousand words. See Picture.

As you can see homes being built at 4618 and 4624 NE Skidmore don't fit. There's something wrong with this picture. Not just the aesthetic insult to the eye, but blocking of solar access, affordability and the sense of marring of the neighborhood.

Let's go ahead and rebuild where we have to, but do it in a way that enhances the neighborhood's cohesiveness, is pleasing rather than shocking to the eye.

We, in the Beaumont-Wilshire Neighborhood, care about what the neighborhood looks like. The developers do not. Can't we rebuild, have new homes that are included rather than simply be imposed upon us?

Please do what's in your power to do, zoning changes, height limitations in accordance with surrounding homes, to make the city you rule to be worthy of the hard work that you do in making our city livable for all; not just profitable, the blind profitability for some.

Thank You Very Much.

February 12, 2015

Mayor Hales and Commissioners,

Demolition is about many different things. It is about historic preservation, neighborhood livability, public safety, social equity and very importantly it is about housing policy.

The demolition code changes before you have been looked at only through the lens of BDS and the DRAC. BDS and the DRAC do not make City Housing Policy, are not responsible for historic preservation and not leading the Comp Plan process.

They should not be the only bodies looking at the issue of demolitions. Many points of view must come together for this discussion.

Part of the code changes before you today should be adopted. All demolitions must have notice. Safeguarding the health, safety, welfare of our citizens is a key responsibility of the City.

Demolition delay is different. Before removing it from the code, or effectively removing it from the code, it requires a broader conversation. Demolition delay can help – it reduces the tension and allows a cooling off period so that there is time in which to talk about options but the current proposal is UNWORKABLE.

This proposal provides for a 35 day delay with a 60-day extension upon proof that the following criteria have been met. They are:

- Request a meeting by certified mail
- Provide evidence of the SIGNIFICANCE of the structure
- Develop a PLAN to save the structure,
- Show REASONABLE potential to consummate the plan within 95 DAYS by
 - providing a pro-forma budget and
 - producing EVIDENCE of funds on hand or a fundraising plan SUFFICIENT to meet the financial requirements

Has the Hearings Officer been consulted? What criteria do they use to determine if:

- A structure is SIGNIFICANT?
- A plan is REASONABLE?
- A pro-forma is REALISTIC?
- A fundraising plan is FEASIBLE?

Will there a hearing? Can a denial be appealed? If so to whom? Does the developer get to respond to the request? If the developer says I won't sell and the plan is not reasonable.

And on the process timeline, most neighborhood associations meet monthly. To request an extension the Neighborhood Association must vote in support of the plan in a public meeting

that meets the notice requirements. This must happen within 35 days of when the notice is mailed. Based on timeline alone I doubt that it can even happen. Even ONI recommends that Neighborhood Associations need 60 days to make decisions on important issues

I'd like to tell you about the Goldsmith House. This house was built for Bernard Goldsmith, the first Jewish mayor of Portland. You can go into the Mayor's office right now, and see his photo on the wall.

This house was on the Historic Resource Inventory and because you can take a house off the inventory in ONE DAY it was not under demo delay. Without demo delay we were not able to negotiate a more balanced agreement and instead we had to pay a premium of around \$500,000 to save the house. The developer walked away with the better part of the profit he was going to make and without doing the project. We will very likely lose money. This is a one of a kind. I doubt that it can happen again. No one will be so crazy. But the proposal before you is being setting up a similar timeline

IN CONCLUSION, while the present 120 day delay may have flaws the new proposed code is neither a compromise nor even a real alternative. Effectively it trades the 120 day delay for 35 days. Why not be honest about it? Either keep the 120 day delay until a real proposal is developed, or just eliminate it all together. Please, don't pretend that this is an acceptable solution. However, I request that you do institute an automatic 120 day delay on any structure that is on the HRI and not allow removal of a structure on the HRI in less than 120 days.

Thank you for your time.



Karen Karlsson
1905 NW Northrup St
Portland, OR 97209



187017

February 12, 2015

Mayor Hales, and Portland City Commissioners,

Good afternoon and thank you for inviting Welcome Home to testify today. My name is Jes Larson and I am the Coalition's director. We are a growing coalition of housing leaders and advocates, plus many more community stakeholders from the health, education and labor industries. Together, we are all gravely concerned about the inaccessibility of housing in Portland today, about lost affordability and the lack of opportunity for kids to succeed, families to thrive and communities to prosper without safe and stable housing. Welcome Home is a coalition of neighbors, community members, advocates and leaders calling for local funding solutions to address our region's housing crisis. We believe we can end homelessness and that we can ensure that all families have the opportunity to succeed in Portland with safe and stable homes.

That's why we're here today to present our proposal for a new demolition fee to mitigate the loss of affordable housing options caused by demolitions. We know that demolition fees won't solve our housing crisis. But we do know that many of the homes being torn down today are good starter homes that families are outbid by developers who purchase them for the land value alone and replace them with much larger, more expensive homes out of reach for the far majority of first time homebuyers. There is a clear relationship between demolitions and lost affordability. If we are serious in our concern for affordability and addressing our community's housing needs, then we must consider all policy opportunities to correct for these negative impacts.

— Introduce Ms. Gerry Frederico and Mr. Rey Espana —

Many cities across the US are looking at their demolition policies as an opportunity to impact affordability. Demolitions have historically been used to promote and manage the destruction of deteriorating buildings and to easily allow for the construction of new buildings in their place. But with the return to urbanism – demolitions are being used as a development strategy for high-end housing builders to capitalize on increased land values. This development trend is contributing to displacement and gentrification, the very issues we are working to curb and prevent in Portland.

A handful of cities in the Chicago area have created successful demolition fee structures to mitigate the loss of affordability caused by demolitions. These cities charge a \$10,000 fee for each demolition of a single-family home. The elevated fee impacts demolitions in several ways – some demolitions don't occur because the value of the existing home outweighs the value of the land and cost of demolition. When demolitions do go forward, the city collects the fee for their affordable housing trust fund and use the revenue generated to support low-income families who need housing assistance. Finally, a robust demolition fee gives a city the opportunity to incentivize positive development behaviors such as deconstruction instead of demolition, increased density where it is appropriate, and in best case scenarios – the development of new homes that are affordable to lower and middle income families.



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As Mr. Espana explained to us, we know there are 1000 families with lower incomes who are mortgage approved, ready and working to buy their first homes. They are stuck in a market that is out of reach for them. They are stuck in multi-family rental units that would become available to other low-income renters in desperate need of affordable housing options

Here is an opportunity for good public policy to unplug one of our system's bottlenecks. By creating new revenue through demolition fees for our affordable housing investment fund, we can support low-income families to secure their first homes. We can free up some of the pressure on the rental market and potentially, we can preserve some good starter homes.

More importantly, with a new demolition fee structure we're making use of an available tool to address one of the greatest issues before our city – the inaffordability of housing. When we notice policy negatively impacting affordability, we have the opportunity and a responsibility to mitigate that impact. We know that many tools have been taken off the table for local jurisdictions to meet their local housing needs. But here is an example of one tool that is still on the table, an opportunity for policy that protects affordability. Let's use it!

The Welcome Home Coalition requests the City Commission to consider a new fee structure to mitigate lost affordability created by demolitions. We hope to work alongside you to develop and implement this policy to the best and highest use for our city. We believe a new policy can contribute to the prosperity and livability of Portland while also working towards the day when we can ensure housing opportunity for all Portlanders. Thank you for your time and interest in our proposal.

Jes Larson
Welcome Home Coalition
503.442.9905

**The Welcome Home Coalition recommends a robust demolition fee for City of Portland**

Using a substantial surcharge fee structure enables our city to both promote healthier building practices and generate urgently needed local revenue for affordable housing. By implementing a \$10,000 fee, the city of Portland has the opportunity to:

- **Preserve good first time home opportunities for families:** Most families can't afford to purchase the larger, more expensive replacement homes developed after demolition. With a robust fee fewer demolitions of good starter homes will occur.
- **Encourage density:** Increased density improves both the affordability and livability of Portland. A partial or complete fee waiver will encourage developers to replace demolished homes with appropriately located, higher density housing.
- **Encourage the deconstruction of homes:** As demolitions are dangerous to the health and safety of our community and environment, a demolition fee could be partially waived to incentivize deconstruction rather than demolition.
- **Generate funding for affordable homeownership:** Last year there were 330 complete residential demolitions in Portland plus many 'major reconstructions'. A \$10,000 demolition fee would have generated as much as \$3.3 million for affordable housing programs. More than 1000 Portland families with good stable jobs, are mortgage approved and living in affordable rental housing waiting to become homeowners. But they are stuck unable to access a housing market that is out of reach. A robust demolition fee structure will substantially fund down-payment assistance programs to help these first-time homebuying families access the opportunity of homeownership in Portland.
- **Generate funding for anti-displacement repairs:** Long time homeowners with low incomes struggle to keep up with major repairs. Funding could support families with repairs and preserve Portland's affordable housing stock by preventing homes from falling into disrepair.

The Welcome Home Coalition is working to identify and secure new local revenue strategies to fund affordable housing in the Portland metropolitan area. The Coalition is a collaborative effort of more than 50 area organizations working on the behalf of low-income area families to increase access to affordable housing opportunities.

Welcome Home Steering Committee:

Justin Buri, Community Alliance of Tenants
Ramsay Weit, The Community Housing Fund
Bill Boyd, JOIN
Anneliese Koehler, Oregon Food Bank
John Miller, Oregon Opportunity Network
Rey Espana, NAYA Family Center, Coalition of Communities of Color
Nick Sauvie, Rose CDC
Israel Bayer, Street Roots
Jes Larson, Welcome Home Coalition Director

Welcome Home Coalition

847 NE 19th Avenue, Suite 150 | Portland, OR 97232



187017

Demolition Fee Structure: A Tool for Housing Affordability

a recommended strategy to the City of Portland

January 22, 2015

Demolition fees are an emerging tool to promote community beneficial development in fast-growing urban areas. Historically, demolition fees have been kept low to cover administrative costs and enable the demolition of blighted buildings. However, in urban markets where the price of land is growing rapidly, demolitions need no promotion as developers look for high opportunity property to develop more profitable homes. Due to a substantial increase in the use of demolitions in the modern housing market, many cities are creating new codes to ensure positive community outcomes of this development trend. Demolition fee structures for single family homes are being used to address these common concerns:

- **Demolitions contribute to the loss of first-time home buyer options.** Many first-time homebuyers lose out on home buying opportunities when developers purchase homes for demolition/major-deconstruction and build, larger, more expensive replacement homes. The newly constructed homes are out of reach for most first-time buyers trying to live in opportune neighborhoods.
- **Demolitions often fail to increase density.** New single family homes are often larger but do not contribute to a growing city's need for density. Where appropriate according to city code, increased density is desired to improve environmental and livability goals.
- **Demolitions create landfill waste and environmental hazards.** Many demolitions occur quickly, producing multiple dump-trucks full of landfill waste and releasing potential toxins or hazards into the air. These demolition side effects present real concerns for neighborhood health and environmental goals.

A robust demolition fee structure can address all of these concerns and foster development practices that support livable and healthy communities.

Demolition fees in the Chicago metropolitan area

Responding to this rising trend in development and working to address the negative community impacts of demolitions, many cities in the Chicago metropolitan area have adopted robust demolition fee structures. Evanston, Lake Forest, Winnetka, and Highland Park are four Chicago area cities so far to adopt a \$10,000 demolition fee surcharge. The elevated fees deter some demolitions in these communities. When a demolition does occur, the \$10,000 fee is deposited in an affordable housing account to offset the loss of affordable home opportunities.

Welcome Home Coalition

847 NE 19th Avenue, Suite 150 | Portland, OR 97232

TESTIMONY to CITY COUNCIL RE: DEMOLITIONS AND AFFORDABLE HOUSING Feb. 12, 2015

Good afternoon, my name is Barbara Kerr. I am concerned about our affordable housing crisis; specifically that when houses are demolished, the replacements cannot be as affordable. For the same reasons that the greenest building is the one already built, the most affordable home is also the one already built.

Plus, when single-family homes are demolished, we can lose home ownership and therefore stability in our communities. We lose stability also for our families - for current homeowners, families starting out, and in the equity and heritage that is passed down to future generations.

We must disincentivize demolishing our single family homes to curb and counter the market forces that are destroy our affordable housing stock.

But I am also concerned that our efforts to increase our supply are resulting in the demolition of our truly affordable homes. One step forward, three steps back.

The need for affordable housing cannot be met by policies and projects that encourage demolishing our existing, low-cost homes. Without our "fixer-uppers", the housing stock will be affordable only for those who are not disadvantaged or who moved here from out of state. Without the truly affordable housing – the homes that are already built – people are being displaced to places that will continue the problem that was intended to be solved.

Pending legislation in Salem includes increasing financing for affordable housing such as the proposed constitutional amendment, HJR17. HB2619 would direct cities and counties to ensure an adequate supply of affordable housing. HB2564 removes the ban on inclusionary zoning thereby allowing municipalities to require developers to reserve a certain percentage of their units for low or moderate income families. All are good concepts and are for a good and necessary cause. But if they pass without conditions that protect our existing homes from demolition, the consequences will be the opposite of their intentions. If the City does not work with the State to keep these incentives for creating affordable housing from being applied where existing housing stock would be destroyed, they will be but a pretense that we are dealing with the affordability crisis.

The Housing Bureau's N/NE Neighborhood Strategy talks about helping people repair and maintain their homes. This needs to be the focus for increasing affordability. They are talking about locating new affordable housing in empty lots. That should be the rule. They talk about helping people add value to their property so they can afford to stay in their homes, for example by adding accessory dwelling units. We must be sure this is not just talk, that it becomes City wide, and that we are using our influence to build it into State laws as well.

We must save our existing affordable housing from both private and public efforts.

If we really are looking out for the disadvantaged, lower income citizens, and our young families, we must make sure we are looking forward to see who will benefit, the neighbor who no longer has a neighborhood or the opportunity to own their own home, the developer who was encouraged to make their money under the guise of sacrifice for the common good, or the City fathers and mothers who intended to do the right thing but may be committing the Urban Renewal mistake of the 21st century?

Thank you, *Barbara*

Barbara Kerr kerrclifford@hotmail.com

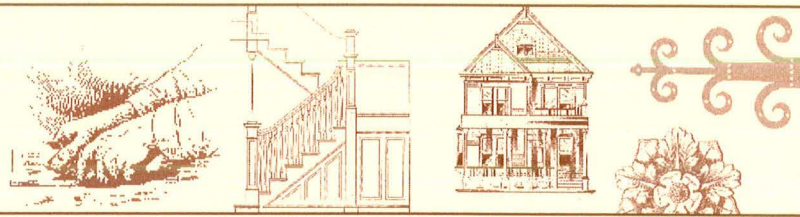
1150 NE Faloma Rd.,

Portland, OR 97211

"There is a widespread belief that Americans hate cities. I think it is probable that Americans hate city failure, but, from the evidence, we certainly do not hate successful and vital city areas. On the contrary, so many people want to make use of such places, so many people want to work in them or live in them or visit in them, that municipal self-destruction ensues. In killing successful diversity combinations with money, we are employing perhaps our nearest equivalent to killing with kindness." — Jane Jacobs, *The Death and Life of Great American Cities*



Architectural Heritage Center
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Testimony - City Council: Amend Building Demolition Code February 17, 2015

187017

City Council has a substantially revised ordinance proposed for consideration to address the *Epidemic of Demolitions* plaguing Portland's vintage housing stock. Demolitions continue unabated, and are radically changing the character, cost, affordability, and livability of our cherished neighborhoods in which so many have invested. The **Architectural Heritage Center** is a front-line "*first responder*" and every day we hear of one more (and more) demolition from worried people in every neighborhood throughout the city.

The initial DRAC proposal has been revised as requested by many of Portland's Neighborhood Associations (through **United Neighborhoods for Reform**), historic preservation organizations, including the Architectural Heritage Center, and countless long-time and aspiring homeowners. We are alarmed at the pace of demolitions of good quality, affordable housing. We see no valid reasons for the City of Portland to make demolitions any easier – by reducing the rime period to consider the views of long-time homeowners and investors, who have made Portland the beloved city that it is today.

Reducing the 120-Day-Demolition-Delay to a possible 60 day extension is a step in the wrong direction, and will make the issuance of demolition permits even easier. As an organization that has worked to save countless historic buildings, the AHC knows full well that efforts to save ONE building are complex and time-consuming. Each project requires a custom approach accounting for the individual circumstances. Our city is losing hundreds of vintage, affordable houses each year – often for larger and more expensive houses that don't add to density, but do damage neighborhood character – the character that makes neighborhoods distinctive in the first place. The investment and sweat-equity of long-time homeowners to date - who have cared for the vintage housing - have made our neighborhoods desirable. The City has allowed the "throw away" of these commitments and investments by making it easy to demolish ANY house.

The Demolition Delay provisions should potentially apply to all residential properties, not just those with a Residential Comprehensive Plan designation. Comprehensive Plan designations are often a long-term view for an area, and countless significant early Portland houses are in non-residential Comp Plan areas, ignoring their historic importance.

We are especially concerned about properties included in the long-neglected Historic Resources Inventory and those that we know were overlooked when the HRI was done. Given Oregon's (and Portland's) archaic "*owner consent*" rules, inclusion of a building on an historic inventory is automatically removed by owner request. Houses that are eligible for local landmark and National Register designation are among the hundreds being lost. As the organization that helped save the Markham House, the Rayworth House, and others, we are well aware of the time it takes to negotiate agreements among

initially-disagreeing parties, and obtain building and other permits from City bureaus. There's no chance of saving good-quality, vintage housing when a mere request to remove it from an historic Inventory is immediate and automatic. **Why is our city's building heritage so expendable?** Residents and property owners know that the vintage buildings are what make up the character – and desirability – of Portland's neighborhoods. Preserving long-standing housing is economically and environmentally wise, and is what "sustainable" development is all about in the first place. **The city should be making EVERY effort to make it easier to maintain – not demolish – the investments made in housing preservation.**

If we are to save ANY threatened building, the 120-day demolition delay is the minimum time needed, after consideration and determination that a delay is warranted. Since 1990, potential 120-day demolition delays have been among the city's few tools for housing preservation. This option has not been abused, or used when unwarranted, and it needs to be retained, by NOT reducing the delay.

Additionally, the proposed \$1,318 demolition-delay application fee is beyond the means of most people. In addition to the proposed fee waiver for Neighborhood Associations, we *request the same fee waiver for 501-C-3 Non-profit Organizations.*

This is the Portland Moment - - when we decide the future of our beloved city of Portland and our cherished neighborhoods. While some are enjoying Portland's growing desirability as a place to live, why would we not be selective in what we build on our most precious commodity - - our land? Portland's most irreplaceable qualities are its physical setting and its physical character. That character is embedded in our neighborhoods through the long-standing buildings that are being erased every day. We eagerly look forward to plans to implement standards for a better "fit" of new buildings in established neighborhoods - - before it is too late.

Well-known actor Patrick Stewart, who is filming a new movie in Portland, recently said "*I've always enjoyed architecture and there is such fine late 19th Century and early 20th architecture in Portland, which I hope Portland will preserve. I'm sure it will.*" Can we be as sure as he is in his appreciation of our priceless building heritage? I hope so, and your decision today will answer that question.

Cathy Galbraith, Executive Director

BUILDING DEMOLITION CODE RE SINGLE FAMILY RESIDENCES

IF YOU WISH TO SPEAK TO CITY COUNCIL, PRINT YOUR NAME, ADDRESS, AND EMAIL.

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✓ BRANDON SPENCER - HARTLE	Restore Oregon 24 NW First Ave Suite 214 Pkld Ore 97209	Brandon@RestoreOregon.org
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Agenda item 1331

TESTIMONY

3:30 PM TIME CERTAIN

BUILDING DEMOLITION CODE RE SINGLE FAMILY RESIDENCES

IF YOU WISH TO SPEAK TO CITY COUNCIL, PRINT YOUR NAME, ADDRESS, AND EMAIL.

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✓ JIM BROWN	3407 NE 27th Pld Ore	jimbrownarch@g.com
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✓ Ben Gates	317 SW Alder St, Portland 97204	ben@redsidecne.com

BUILDING DEMOLITION CODE RE SINGLE FAMILY RESIDENCES

IF YOU WISH TO SPEAK TO CITY COUNCIL, PRINT YOUR NAME, ADDRESS, AND EMAIL.

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ADDRESS AND ZIP CODE

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x Joe Conwell	3073 SE Pine St Pdx 97214	jconwell@pdxrestore.org
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BUILDING DEMOLITION CODE RE SINGLE FAMILY RESIDENCES

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TERESA RAIFORD	7515 N. West Westana #2 PDX	
Joe Wood	523 SW 13 th PORTLAND OR 97205	joewood@pear
Chris Zimmer	OSHA	
Sara Long ^{see pg 2}	623 NE Thompson St, 97212	SaraLongpdx@gmail.com

Moore-Love, Karla

From: Brandon Spencer-Hartle <Brandon@restoreoregon.org>
Sent: Thursday, December 18, 2014 10:47 AM
To: Moore-Love, Karla
Subject: Demolition Code Ordinance
Attachments: 2014.12.17 Spencer-Hartle Testimony.pdf

Please enter the attached testimony into the record for the Demolition Code Ordinance. A finding of particular legal importance is highlighted that I would like the Council to be aware of.

-Brandon

Brandon Spencer-Hartle
Senior Field Programs Manager
Restore Oregon
Office: 503.243.1923
Cell: 503.887.7021
Preservation News & Events

Brandon Spencer-Hartle

Senior Field Programs Manager at Restore Oregon

Restore Oregon is the statewide historic preservation nonprofit. Our mission is to save historic places.

Since the beginning of the year, I have devoted 300 hours of professional time to this issue. I have responded to dozens of local requests for technical assistance, worked with City staff to research the impacts of demolition, conducted a series of "Demolition Pub" education programs, and have attended all but one of the DRAC subcommittee meetings. I am here today to oppose the recommended replacement of the existing 120-day delay extension with a token 30-day voluntary extension.

Retaining a meaningful demolition delay extension is of paramount importance to the historic preservation community for four reasons:

1. In Oregon, historic designation requires the consent of an owner. Unless a historically significant house has been formally designated as a Landmark, it is not protected by the zoning code. Without the opportunity for additional delay in Title 24, Portland will continue to lose buildings that are eligible for Landmark status, but have yet to be designated.
2. Saving a historic building takes time. At Restore Oregon one of my responsibilities is to save the annual list of Oregon's Most Endangered Places. Typical due diligence, such as performing a condition assessment, commissioning a feasibility study, finalizing a proforma, and mobilizing grassroots support, generally takes six months or longer. Under the DRAC proposal, the community cannot be reasonably expected to save worthwhile historic places.
3. As evidenced in the findings in the ordinance in front of you, demolition delay extensions are rarely requested by Neighborhood Associations. Removing this important neighborhood power will result in less communication with developers and represents a reversal from decades of established policy.
4. 120 days is the appropriate and defensible length of time. For example, the zoning code mandates a 120-day "demolition delay review" for proposals to demolish Local and Conservation Landmarks. ORS 197.772 specifies that no demolition permit be issued within 120 days of an owner objecting to historic designation (it does not appear that this statute is being following in regard to Historic Resource Inventory properties, which are defined as a historic resource in the zoning code). And, ORS 227.178 specifies that cities must take final action on land use permit applications within 120 days. The existing extension timeframe aligns with these related state and local policies.

After participating in this process, I have gained a great respect for DRAC volunteers and BDS staff. The package in front of you represents a significant step forward, however, the loss of the demolition delay extension represents a big step backwards. I ask that you defer to the Landmarks Commission request and retain the existing delay extension in the final version of this ordinance.

NEW BUILDS -
2 BUILDINGS IN ONE LOT =
4618 & 4624 NE Skidmore



CLIFF GOLDMAN
4527 NE SKIDMORE
PDX, OR 97218
(503) 282-1150
speechflow@yahoo.com

Deconstruction Incentive Option

December 10, 2014

Submitted by
Ben Gates
12/17/2014

187017

Incentive: Reduce demolition delay from 35 days to 10 days for projects employing the systematic disassembly of buildings for the purposes of maximizing reuse of building materials (i.e., deconstruction). In order to qualify for the reduced deconstruction delay, the building owner or owner's agent must secure written approval from the applicable neighborhood association and agree to use a qualified deconstruction contractor as specified in a *Deconstruction Program Guide*. Additional incentives could be explored including grants and permit review process.



Extension of Delay: Possible extension of the delay would mirror that of the 35-day demolition delay.

Deconstruction Program: A detailed *Deconstruction Program Guide* would be developed by Bureau of Planning and Sustainability, in partnership with the Bureau of Development Services and industry partners. The *Deconstruction Program Guide* would include guidelines, specifications, procedures, and training required to become a qualified deconstruction contractor. The City would maintain a list of qualified deconstruction contractors that could be used to qualify for the shorter delay.

Site Posting. The site is posted by the contractor once deconstruction activities begin. The site posting for deconstruction serves to promote the practice and provide marketing for the builder. The notice will include City contact information for questions or concerns regarding deconstruction activities.

Inspections. Inspections would be conducted randomly by BPS staff or as required based on concerns or complaints received from the public.

Penalty. Qualified deconstruction contractors found operating outside of the parameters of the program when doing work under a deconstruction permit are removed from the qualified contractor list for a minimum amount of time (e.g., 6 months).

Deconstruction Definition: The systematic dismantling of a structure for the purposes of maximizing the salvage of materials suitable for reuse. Salvaged material can be sold, donated, or reused on site as part of new construction. Reusable materials include but are not limited to cabinetry, doors, hardware, flooring, siding, and framing lumber. Deconstruction is differentiated from demolition in that materials salvaged from deconstruction activities are not intended for recycling, burning (biomass), or landfilling. Deconstruction is most often accomplished by hand, however this definition is not meant to preclude the use of machinery provided the purpose of maximizing salvage of materials for reuse is maintained. For the purposes of this definition, a minimum of 75% of the weight of the waste materials generated (excluding concrete) must be salvaged for reuse.

Testimony to Portland City Council December 17, 2014

- Steve Elder
 - 4910 NE 34th Ave, PDX 97211
- Beyond issues of destruction, I submit Council should consider what replaces old homes.
- Consideration should be given to solar access and development for both new and existing structures
- Portland should consider and deal with the impact of sun and shadow on residences in its jurisdiction.
- Action in support of sunshine should address issues of residences that may be overshadowed by new construction.
- We have all seen new construction extending 35 feet in the sky and putting an existing house on the north side in the shade.
 - The impact may be that the shaded house can't avail itself of incentives for solar development. There might not be enough sunshine for solar panels.
- Even if the neighbor wasn't contemplating installation of photovoltaic devices, he might find his tomatoes won't ripen in the shadows.
- Affording protection to neighbors affected by overshadow of new construction is prospective, not retrospective.
 - It's not just a matter of the way the neighborhood has always been, but how it will be going forward.
- Solar energy has been endorsed generally and specifically in the Comprehensive Plan.
 - Policy 4.7 addresses access to light and air.
 - Policy 4.8 addresses *privacy* and solar access.
- By itself the City has started well
 - Solar Forward is an excellent program
 - Applies to community and public buildings.
 - My information is that the pilot program accepted applications up to last March.
- There is much that hasn't been done.
 - When you fly over Portland in an airplane, you see very few homes with solar panels.
 - Contrast that with Frankfurt, Germany, where you see a lot.
 - Germany has 32,411 megawatts of installed photovoltaic. The United States lags with 7,777.
 - The majority of solar energy development is in southern states.
 - One could say this is because southern states get more sunshine.
 - Changes in latitude, changes in attitude.
 - To be sure, Phoenix is at 33.4 degrees north latitude and Houston is at 29.8 degrees north while Portland is up north at 45.5 degrees.
 - The comparison suffers with Frankfurt being at 50 degrees north..

- I recognize that solar energy is not going to be developed by the Portland City Council only. Several levels of public and private initiative support solar development.
 - Energystar.gov provides information about Federal tax credits for consumer energy efficiency.
 - The Oregon Department Of Energy provides information about state residential energy tax credits for solar.
 - Of course a major participant is PGE
- The city could address issues of overshadowing neighbors by repurposing regulations already in place.
 - The Code chapter on Solar Access applies to new subdivisions; it shows extensive research on location of structures and streets.
 - Much of the guideline could apply to new construction.
 - The city also has extensive guidance and direction for the installation of Solar Water Heating and Photovoltaic Electric Generators Installed On One of Two Family Dwellings.
- I urge Council to address issues of both solar energy, which is good, and solar shading, which may have deleterious impact on neighbors. The issues raised are progressive, not regressive. They are clearly definable and not matters of opinion or aesthetic sensitivity. You can measure how much sun a house will get.

TESTIMONY COUNCIL HEARING DEC 17
Historic Resources Inventory

Portland's existing Historic Resources Inventory dates from 1984. While helpful in the past in identifying historic resources built prior to WWII, and in specific neighborhoods, the Inventory is woefully incomplete in presenting an accurate view of what is and what is not historic in the city today. No post war buildings were included in the survey. 30 years ago they were not considered historic. Since then we have come to appreciate a whole new genre of historic building we now know as mid century modern. The survey thusly missed notable buildings such as the Coliseum and the buildings and houses of architect Pietro Belluschi for instance – buildings that are prominent not just locally but on the world architectural stage.

An updated inventory would aid in planning decisions of many types as well as in analyzing demolition decisions. Planners and the City would be able to make better informed decisions. And neighborhood associations could better be able right away to assess the historic and architectural importance of a building threatened by demolition. And developers might find it useful in deciding whether to purchase a home or not if they knew ahead of time that the city had deemed it to be of historic significance – if for no other reason than the desire to avoid properties that may result in sticky conflicts with neighborhood interests.

The draft of the new Comp Plan contains language stressing the importance of historic inventories in the planning process:

Policy 4.24. Protect, restore, and improve historic buildings in centers and corridors on adopted inventories.

Policy 4.41 Expand historic inventories to encourage historic preservation in areas that are under represented by current historic preservation efforts

Policy 4.40 SURVEY AND INVENTORY HISTORIC RESOURCES AS PART OF FUTURE PLANNING PROJECTS, WITH A FOCUS ON AREAS OF ANTICIPATED GROWTH AND CHANGE.

Furthermore, LANDMARKS COMMISSION at its annual presentation to Council on July 31 of this year requested \$20,000 for a pilot neighborhood historic resources inventory study. This would be followed by expansions of the inventory in the subsequent years after that. UNR strongly recommends adoption of the Landmark's Commission's request to expand the historic Resources Inventory.

The City could save itself, its citizens and its business people much time, expense, and grief by getting started on the inventory right away.

Jack Bookwalter
4110 NE Klickitat St 97212
jackbookwalter@yahoo.com

For Portland City Council

Good afternoon, my name is Gary Clifford and I live at 1150 NE Faloma Road. I was a Land Use Planner for 28 years, half of that time as a Senior Planner responsible for Zoning Code revisions.

I am addressing today the problem that occurs primarily in the R-5 zone where a single-family house on 5,000 square feet of property is replaced with two houses on two 2,500 square foot lots. This happens because the original house was built on and usually across two platted lots.

From the 1970's it was consistently explained to me by knowledgeable individuals and older citizens that had worked in real estate in the early twentieth century, that these subdivision plats with narrow 25-foot wide frontage were never expected to be individual building sites. The lotting format was a marketing tool that allowed a buyer to not only buy the expected 50 foot wide lot (2 platted lots together), but also the buyer would have the option to add a third platted lot for a more yard or garden space (3 lots side by side), or even 4 platted lots together for building a larger house.

When Multnomah County had urban planning jurisdiction, the Zoning Ordinance always stated clearly that the 25 by 100 foot lots were not individual building lots. The Zoning Ordinance read: (quote) "In no case, ... , shall a dwelling unit have a lot area of less than three thousand (3,000) square feet." (unquote) This was by design so that two platted lots always stayed grouped together.

By allowing the current lot splitting practice, the City of Portland is blatantly disregarding its responsibility to protect the stability expected by homeowners in a Zoning Code.

The Portland Code does have rules about not building two houses immediately after demolishing one of these houses, but the rules can be circumvented by contending that the house to be torn down is "dangerous". The argument is not difficult to make if the developer turns off the heat and utilities for a winter and lets the house deteriorate.

There are 12,875 homes now on split lots in the R-5 zone as determined in a 2011 study. These homes show up in over 70 neighborhoods, but are not uniformly distributed. Six neighborhoods have close to or over 1000, amounting to severe potential impacts on the existing character and scale of our neighborhoods.

One regulation technique used in other cities requires that if a house has been sited on spit lots for more than fifty years, then the underlying lots are prohibited from being separated.

My career in the planning profession involved a great deal of work to preserve farm and forest lands while defending the Urban Growth Boundary. Included in that work was always a recognition that in single family zoned areas infill on vacant properties would be expected and encouraged. However, it was not anticipated by me, or I would say my colleagues, that the tear down of existing homes in those areas would be encouraged by the gutting of historical zoning standards of the R-5 zone.

Thank you for your attention and I look forward to seeing a task force take on this issue.

Good afternoon. Thank you for this opportunity to share some information and perspective with you.

My name is James Paul Brown. For over 34 years, I have lived at 3407 NE 27th, and have lived in close-in NE for nearly 70 years.

I chair the Land-Use and Transportation Committee of the Alameda Neighborhood Association. Over the last three years, homeowners have contacted LUTC about the increasing trend of demolitions of good, smaller homes. Their removal reduces affordability and diversity, but investors purchase such homes to replace to maximize their profits. Of the more than twenty new homes recently constructed in Alameda, only four were infill, built on vacant lots.

The new homes typically cost about \$900,000 and are two to three times larger than the \$400,000 homes they replace. The style of most barn-sized new homes is "1910 faux craftsman". Among our modest-sized, 1920s homes they appear out-of-place, incompatible. Three other new homes in Alameda are of more radical style. Each is close to the sidewalk, towers over neighboring homes, and looks even more out-of-place than the faux craftsman structures.

One Policy Expert Group that met to help update the City's Comprehensive Plan focused on residential design and compatibility. Along with slides of other incompatible examples, one of Alameda's "other style" homes was shown. After thorough discussion, consensus was that out-of-context homes detract from neighborhoods. Language in Chapter 4 of the proposed Comprehensive Plan addresses neighborhood context compatibility.

There are some grand homes in Alameda, but most homes on the Avenues are story-and-a-half English cottage styles or bungalows on 5000 square-foot lots. Space around these homes allows daylight to shine into windows, and enough back yard for gardens, patios, etc. Oversized, hulking new homes cover their own lots and blot out the sun next door.

Most homeowners choose their homes after careful consideration. When they make that big decision they not only buy the home, they buy the neighborhood. Over time, they invest heart and soul as well as dollars. Their commitment deserves more respect than is shown by speculators who smash, build, and move on.

One of Portland's major assets is its unique neighborhoods, each with its special identity and character. The language in the resolution regarding set-back, footprint, height, etc. is intended to preserve character and utility, not to be overly restrictive. Changes in code should be flexible enough to fit any neighborhood. Details would have to be worked out by the UNR-proposed task force. I encourage the Council to authorize creation of that broadly-based task force. Appropriate regulations can protect the individual homeowner and our neighborhoods, to keep Portland Portland.

187017



Typical smaller homes

Submitted by James Paul Brown



Minimum Set-back

34-foot wide lot on corner



Restoration One well left standing

Alameda Classic
 Beautifully Restored 1924 Bungalow
 This "show to the world" remodel with two central wood-burned fireplaces, granite floors, and a full kitchen with granite countertops and stainless steel appliances is a true masterpiece. The home features a full basement with a finished living area, a full bathroom, and a laundry room. The home is a true gem and a rare find in the area.

3117 NE 30TH AVENUE

Restoring Homes One Neighborhood at a Time

Alcina Liberty
 Real Estate Broker
 202-805-1266
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Restoring Homes One Neighborhood at a Time



Too close for comfort

Mayor Hales, Commissioners, thank you for the opportunity to testify today. My name is Wendy Chung and I live at 1729 NW Irving St. I am an NWDA Board member and a member of the NWDA Planning Committee. We are grateful for the hard work of DRAC aimed at addressing citywide concerns about demolition. Its recommendation to eliminate the 120-day extension available to recognized neighborhood associations, however, undermines the purpose of the demo delay ordinance. Section 24.55.200 A reads: "Purpose. The demolition delay provisions are intended to allow an adequate amount of time to help save viable housing in the City while recognizing a property owner's right to develop or redevelop property."

It takes an enormous amount of coordination to pool resources and develop alternatives to save a house from demolition. I experienced this first-hand last spring during the effort to save the Goldsmith House on NW 24th and Quimby, both as a member of the NWDA and as one of the neighbors who pitched in to buy it from the developer. At one of our meetings last spring, NWDA was presented plans already underway to demolish the Goldsmith House, and the house on the lot next to it, to make way for row homes. We hurried over to the house from our meeting. Workmen were already removing interior pieces of the house and placing them on the porch or along the driveway.

Although built in 1898, the Goldsmith House falls outside the Alphabet Historic District and is therefore not subject to historic review. The NWDA Planning Committee meets weekly, but we needed to hold several additional emergency meetings to address this urgent issue. In the meantime, BDS announced its reinterpretation of the so-called K-1 exception that would have subjected this project to the demo delay rules, including the 120-day extension. It was a key component of the negotiations and tentative agreement reached by NWDA with the developer to suspend demolition while an alternative was sought. When it was determined that the City's reinterpretation would not retroactively apply to this project, however, the developer rescinded his agreement and resumed demolition.

It ultimately took the swift and herculean efforts of individual neighbors Rick Michaelson and Karen Karlsson to save this house in the absence of an agreement between NWDA and the developer. We were very lucky. But we cannot be so lucky every time.

In lieu of the mandatory 120-day extension, the DRAC proposes a voluntary 30-day extension, no doubt to prevent unproductive negotiations that would prolong the process unnecessarily. The current code, however, already provides protection to the applicant who can appeal the 120-day extension at any time if the neighborhood association has not made a good faith effort to work with the applicant. This protection preserves the applicant's rights to develop its property and the neighborhoods' right to try to save viable housing, fulfilling the purpose of the demo delay ordinance in Section 24.55.200 A.

Please do not eliminate the 120-day extension. Thank you very much.

TERRY PARKER
P.O. BOX 13503
PORTLAND, OREGON 97213-0503

187017

**Subject: Testimony to the Portland City Council supporting the UNR Resolution,
December 17, 2014.**

When my neighborhood , - Rose City Park - was platted over 100 years ago, the developers clearly envisioned a residential village in a park geared to the working class.* Today the working class is often called the 99 percent. Even before zoning was implemented, early deeds required homes to be set back 15 feet from the street.

It has been said the greenest building is the one that is already built. The reality is that for a variety of reasons, some single family home replacement is going to take place. Tear downs however must be done with more respect, responsibility and sustainability. Metro and the city want people to sort their garbage so less trash goes into the landfills. Yet, Portland is in the rears when it comes to managing home demolitions. Private property becomes a public problem when 75 percent** or more of a single family home is sent to the landfill, and when dust and potentially hazardous materials are spread to and trespass on neighboring properties.

Done right, and without the diesel fumes from excavators infiltrating kitchens, living rooms and our parks, 60 percent or more of the materials from a deconstructed home can be reused. When a single family home is permitted to be torn down, deconstruction needs to replace mechanical demolition as the norm. It is clearly the right thing to do, and there are tax write offs for developers who donate the reusable materials to places like the rebuilding center.

The city can kick start this standard by accepting the UNR request to adopt a workable definition of deconstruction as recommended by community experts, and by adding incentives to the demolition process that favor deconstruction. Additionally the city also needs to seek disincentives for mechanical demolition such as encouraging Metro to immediately increase the tipping fees for home demolition debris - tenfold if necessary to motivate a reduction.

The wrecking ball approach in the race to replace is clawing at the fabric of our neighborhoods. New houses that replace older homes often extend to the edges of the lot lines. The unsurpassed park for any parent that wants to keep tabs on a small child is their own backyard. Without the ribbons of green that backyards and front yards provide, the buyers of the replacement houses are getting less for their money. The living environment is compromised and housing becomes less affordable. We need to keep neighborhoods like mine affordable while still maintaining the long standing values and intended vision of the residential village in a park setting.

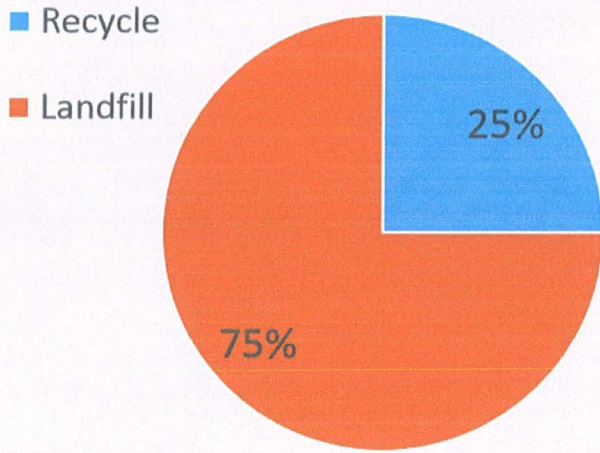
Respectively submitted,

Terry Parker
Northeast Portland

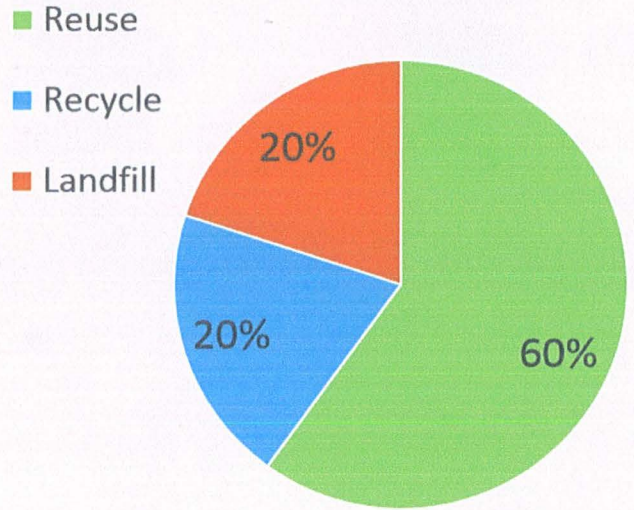
* Source: The Growth of a City - Power and Politics in Portland, Oregon 1915 to 1950
by E. Kimbark MacColl 1979

** Attachment: Portland Bureau of Planning and Sustainability demolition/deconstruction comparison chart.

Demolition



Deconstruction

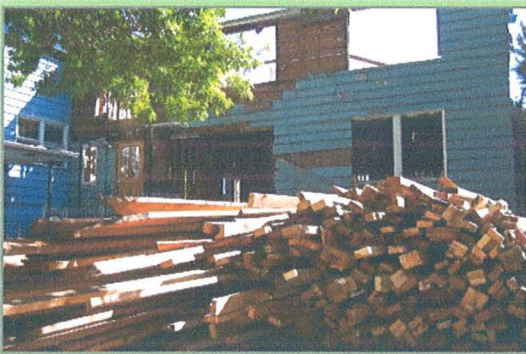


Demolition Waste Generated (Single Dwelling)





Demolition
Mechanical removal



Deconstruction

Deconstruction is an alternative to mechanized demolition. Deconstruction is a systematic disassembly of a building in the opposite order it was constructed. The work is done mostly by hand and the goal is to salvage as many materials as possible for reuse.

Tax deductions for materials donated to a non-profit

Results in more jobs, affordable quality building materials, community development and is more sustainable

TO PORTLAND CITY COUNCIL MEMBERS:

December 17, 2014

Council members,

My name is Barbara Kerr and I live at 1150 NE Faloma Rd.

I am here to ask you to establish deconstruction as the standard method of demolition.

I was a founder of Rejuvenation, originally Rejuvenation House Parts Co., and an early board member of the Rebuilding Center. The guys I worked alongside salvaging house parts for repair, restoration, or rehab in the 70s and 80s were called handwreckers. Now they're called deconstructionists.

Deconstruction is dismantling a building in order to reuse the materials, which would otherwise be crushed into mulch or fuel or go to the landfill.

It is demolition and should be considered if, and only if, a house has to be removed and relocation is not feasible. As is quoted in the Bureau of Planning and Sustainability's website, The greenest house is the one that is already built. But if a house must be demolished, deconstruction is the only sustainable method.

There are homes in my neighborhood that were built for the construction of Bonneville Dam and floated down the Columbia in the 30s after the dam was completed and also houses with materials salvaged from the Vanport flood in the late 40s. Destroying reusable building materials by mechanical demolition has been the method of choice only in the last 50 years or so.

The list of benefits of deconstruction versus mechanical demolition is long:

- reducing the need for landfills, the transportation to them, and the methane released by them;
- reducing the need for harvesting virgin timber and other materials and the environmental costs of their extraction, processing, and transport;
- minimizing the neighbors' exposure to toxic dust, excessive noise, or unnecessary physical danger;
- providing affordable and very often higher quality building materials;
- providing parts that would not otherwise be available for people to more affordably repair and maintain their older homes;
- creating entry level employment that can be pre-training for apprenticeships that lead to higher skilled long-term jobs;
- creating small business opportunities for people who otherwise may not have opportunities;
- and preserving some of the beauty and craftsmanship of earlier times.

Even with so many incentives, only a small number of demolitions in Portland are deconstructions.

In order to truly work for energy conservation, support the Bureau of Planning and Sustainability in making material reuse a cornerstone policy. Reduce, Reuse, Recycle in that order. Reducing is being smart about how we use what we have – again, the greenest house is the one that is now standing. But when we cannot, then we need to reuse the materials, not just decrease what goes into the landfill by recycling them into garden mulch or fuel. For building codes and land use policies to be sustainable, they must prescribe deconstruction for buildings that need to be removed and cannot be relocated.

Work with The Rebuilding Center and the rest of the local and national/international reuse community to create a clear and thorough definition of deconstruction: from how much of the building is reused and what qualifies as reuse, to what safety standards are required both in materials removal and onsite sales.

Revise regulations to make it easier for contractors to deconstruct and to use used building materials.

Educate and inform builders, and also the public to boost the market for reusable building parts.

Deconstruction is labor intensive. But that is an upside for economic development. For job training and employment programs, dismantling a house in the reverse order of how it was built teaches knowledge and work habits for the construction trade; a good precursor for apprenticeships. In turn, training programs can make deconstruction more affordable.

Deconstruction goes a long way to meeting the City's environmental, economic, and social goals and it can make sense for everyone.

Examples of Homes Recently Slated for Demo - Northwest District

None are subject to Historic Review because all are outside the historic district.

<p><u>Goldsmith House (1898)</u> <i>To be replaced with townhomes on this and adjacent lot.</i></p> <p>Saved by local neighbors. <i>Neighbors purchased both lots; multifamily housing still coming on other lot to help fund this restoration.</i></p>	
<p><u>Montague House (Google) (1892)</u> <i>To be replaced with a single-family home.</i></p> <p>Saved by local neighbors.</p>	
<p><u>2486 NW Raleigh (across from Wallace Park) (1904)</u> <i>To be replaced with a single-family home.</i></p>	
<p><u>2246 NW Pettygrove</u></p> <p><i>To be replaced with a 5-story apartment building with no parking. Developer met with NWDA to discuss plans; NWDA providing input.</i></p>	

December 17, 2014
James Gorter
8041 SW 8th Avenue
Portland, Oregon 97219
503-246-5097
Jcgort AT msn.com

Mayor Hales and Commissioners, thank you for the opportunity to speak to the Council today. I am speaking on behalf of the United Neighborhoods for Reform and for myself.

The DRAC recommendations before you today completely ignore the issue of hazardous materials. The Bureau of Development Services issues demolition permits, but it has not been given the legal authority to deal with hazardous materials.

We call for the City Council to convene a demolition hazardous materials task force to draw up new city code using the city's permitting and public safety authority, consistent with applicable state law, to ensure mitigation of lead, asbestos, and other hazardous materials at permitted demolition sites.

When my neighbors have faced an imminent nearby demolition, I have urged them to keep their windows closed and the dog inside. They don't know when it will happen or what will come drifting through the air. The clouds of dust emanating from a demolition site are a danger to nearby residents and workers alike. Soil and runoff contamination are real possibilities.

It is consistent with the City's role in protecting the health and safety of its residents to be proactive in working with state and federal agencies to ensure that regulations are in place and complied with by contractors working under city permits. Our discussions with DEQ officials suggest that cities have the authority to write regulations more stringent than those issued by the state.

Other cities in Oregon have rules for demolitions which require contractors to submit mitigation plans as part of the application process. Some require work to be done by certified workers and contractors. (See attached documents.) Portland's permit application just has a check box which essentially says, "Yeah, we know the rules and we'll follow them."

At a minimum, Portland should require **with the submission of the demolition application:**

- Documentation of the presence of lead paint, asbestos, underground fuel tanks and other hazardous materials,
- Written hazmat handling, mitigation and disposal plans, and
- Identification of demolition contractors and verification of current hazmat training and certification for contractors and workers.



Residential Demolition

Notice

**Permit Applications will only be accepted between the hours of
8:00 A.M. to 11:30 A.M.**

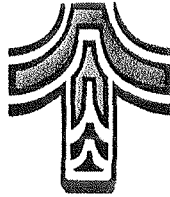
Dear Applicant;

Please be aware of the following:

- ✧ **Proof of ownership** (tax statement, title report or recorded contract) & letter from owner approving the demolition must be submitted with the application.
- ✧ **Asbestos/Lead paint reports** Demolition permits must be accompanied by a certificate of compliance for asbestos and lead pain removal, completed by an Oregon licensed abatement firm.
- ✧ **Erosion Control** application is to be submitted to the Engineering Department. For more information, Please contact Delynn Clark at 503-635-0390.
- ✧ **Tree Protection** (if applicable)
If your lot includes any trees, please contact the Planning Department at 503-635-0290
- ✧ Your permit expires if work isn't started within 180 days from the date of issue. Your permit expires if work is suspended or abandoned for 180 days or more. If you can't work within a 180-day period and dont wish to abandon the project, you may submit a written request to extend your permit for an additional 180-day period.

***Permits cannot be issued if Erosion Control, Tree Protection or Tree Cutting Approval is required & have not been signed off by the appropriate Department.**

City of Tualatin
Building Division
 18880 SW Martinazzi Ave.
 Tualatin, OR 97062
 Phone: 503-691-3044
 Fax: 503-692-0147
 www.tualatinoregon.gov



**DEMOLITION PERMIT
 REQUIREMENTS &
 CONDITIONS OF APPROVAL**

Permit Number: _____
 Date Received: _____

Site Address: _____

Subdivision: _____ Lot No: _____

Map No: _____ Lot No: _____

NOTICE: Asbestos Removal, The Department of Environmental Quality (DEQ) requires an Asbestos Survey before any building may be demolished or intentionally burned. A copy of the DEQ Asbestos Survey must be included in the permit application submittal or verification from DEQ that asbestos removal has been completed and approved by DEQ. Additional information is available at the DEQ web page under "Air Quality" at www.deq.state.or.us or call the Portland office at 503.229-5364, or 800.452-4011

Conditions of Demolition Permit:

- A. A soon as actual demolition has commenced, including importation of demolition equipment to the property, the demolition work shall continue uninterrupted during permitted work hours until all approved demolition work is completed. In residential zones demolition work is limited to the hours of 7:00 a.m. and 6:00 p.m. [TMC 6.2.210(4)(b) Hours of Work].
- B. All debris shall be promptly removed from the site and disposed of in a proper manner. This includes the removal of all foundation structures.
- C. All wells, sanitary and storm sewer lines, septic tanks, cisterns, vaults, open pits, or similar items shall be capped, removed, or filled in an approved manner and inspected by the City.
 - Abandonment of well – Tualatin Basin Watermaster (503) 846-7780
 - Removal of water meter – Tualatin Operations Department (503) 691-3091
 - Electrical, gas, telephone, cable – Contact the appropriate utility provider
- D. Products containing asbestos must be disposed of in an approved manner. Contact the Department of Environmental Quality at (503) 229-5696 for rules and regulations pertaining to asbestos abatement. A copy of the DEQ asbestos abatement report will be required prior to issuance of a demolition permit.
- E. Streets shall be kept clear of dirt and debris at all times. This includes:
 - Removing dirt and debris by use of shovel, scoop, or similar mechanical means immediately
 - Sweeping the streets as required to keep them clean
 - Washing of streets shall not be permitted unless the storm drain inlets are protected with a filter system.

Testimony from Al Ellis to City Council Regarding Demolition/Development Reform
(December 17, 2014)

formal first name = Alan

residence = Beaumont-Wilshire neighborhood

occupation = taught over 30 years in the Portland School District; now retired

volunteer work = former President of the Beaumont-Wilshire Neighborhood Association (BWNA); completed 6-year term last April; currently Editor of the *Beaumont-Wilshire Newsletter*; United Neighborhoods for Reform (UNR) Chair; President of the Portland-Khabarovsk Sister City Association

main points from oral testimony:

- 1.) Over the past two years, no other issue has caused as much widespread concern in Beaumont-Wilshire as demolition-development. And as BWNA President during that period of time, no other issue has produced as much e-mail and phone calls from upset residents.
- 2.) In response, the BWNA Board voted to make a "test case" effort to save a house from demolition on NE 35th Place. It was a very nice home (market value = \$700,000, annual property tax = \$9000), a longtime iconic fixture on the block, beloved by neighbors. By the time the Board had been able to meet and take the vote, the demolition permit had been granted and plans were moving forward by the developer. BWNA requested and was granted a 120-day demolition delay for the purpose of meeting with the developer to discuss options for sparing the house. In the midst of a search for a buyer or buyers to save the house from demolition, the 120-day delay was abruptly nullified--the developer taking advantage of the (K)(1) provision, which involves simultaneously applying for a demolition permit on a single family home and a building permit for a replacement single family home.
- 3.) After that experience, I organized a series of demolition/development "Summits" that brought representatives together from over 40 neighborhood associations and preservation organizations for the purpose of discussing mutual concerns and crafting a proposal of reforms to present to City Council. The group became known as United Neighborhoods for Reform. Additionally, UNR members actively attended DRAC meetings (with observer status) and provided input at Comprehensive Plan Update meetings.
- 4.) UNR welcomed the creation of the DRAC Subcommittee and applauds its recommendations to eliminate the (K)(1) provision, notify neighborhood associations and nearby residents of demolition applications as they're received, and provide for a mandatory 35-day delay in issuing the permit.
- 5.) UNR is opposed, however, to the committee's recommendation to eliminate the 120-day demolition delay option. 35 days is barely enough time for most neighborhood association boards to meet, let alone make the decision to take action to save a home from demolition. Additional days are then needed to explore options with the developer and, if necessary, search for a new buyer.

Housing Demolitions- Procedures and Inspections Presentation before City Council.

In support of United Neighborhoods for Reform resolution

My name is John Sandie and I live at 3425 NE Fremont St.

Protecting the safety and health of its citizens is a core responsibility of any municipality's governing body. Mayor Hales said it himself in a recent op-ed, and I quote, "Government must ensure the safety of everyone..." While previous speakers have addressed needs required prior to issuing a demolition permit; I'm going to focus on the demolition process itself.

I am requesting from the Council, the immediate use of *best practices* in residential housing demolitions in order to minimize potential health risks to the public.

In the past 3 years, the city has approved over 750 residential demolition permits. Since most of these houses were built prior to 1950, there is no doubt that asbestos and lead based paint existed at majority of these sites. The health hazards of asbestos and lead based paint are well publicized and widely accepted. As this demolition activity increases, your urgent and immediate action is required to implement responsible demolition procedures.

A HUD sponsored study by the UIC to gather data during housing demolitions in Chicago resulted in these three key findings:

- 1) Significant amounts of lead dust is emitted by demolition of older homes, often in excess of established thresholds.
- 2) Improvement of dust suppression techniques is needed to minimize the spread of this lead dust.
- 3) Lead dust fall was detected at distances 300 feet from demolition perimeter.

This HUD study was born from the earlier "East Baltimore/ Responsible Demolition" study.

While there are many broad recommendations from the East Baltimore case study regarding responsible demolition; there are two that outline *simple steps* to drastically reduce the public's risk.

- 1) Perform partial deconstruction of homes: removing doors, windows, railings and other components with high amounts of lead *prior* to demolition
- 2) Provide adequate wetting of the structure and debris to minimize dust spread.

While the EPA and it's state designate, Oregon Health Authority (OHA), have broad and detailed procedures for lead-based paint in the Renovations, Repairs and Painting Program (RRP); they are *silent* on whole house demolitions. When you consider the minimum threshold for activating the procedures during renovation is disturbing just 6 sq-ft of lead based material, it's clear that current whole house demolitions are in dire need of a similar set of guidelines and inspection.

For the above reasons, I request the immediate development and issuing of rather simple *best practices* for responsible house demolitions coupled with appropriate inspections.

For it is my desire that each Council member would be able to answer unequivocally, "Yes" -- to the mother living adjacent to a recent house demolition, when she asks -- "Is it safe for my children to go out and play?"

Thank you

Reference material links:

HUD study by UIC

<http://www.nchh.org/Research/ArchivedResearchProjects/LeadDustandHousingDemolition.aspx>

East Baltimore – Responsible Demolition study

<http://www.aecf.org/resources/responsible-demolition-a-baltimore-case-study-with-national-implications/>

EPA - Renovation, Repair and Painting Program (RRP)

<http://www2.epa.gov/sites/production/files/documents/sbcomplianceguide.pdf>

Other research sources:

Wayne State University, Lead and Demolition paper

<http://detroitgreenandhealthyhomes.org/wp-content/uploads/2014/06/Leaddemocombined011614.pdf>

Discussions of wet misting technologies:

<http://www.dustboss.com/support/dust-related-health-safety-issues/demolition-dust-hazards-and-control/>

<http://www.buffaloturbine.com/monsoon-demolition.html>

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<http://www.nchh.org/Research/ArchivedResearchProjects/LeadDustandHousingDemolition.aspx>

East Baltimore – Responsible Demolition study

<http://www.aecf.org/resources/responsible-demolition-a-baltimore-case-study-with-national-implications/>

EPA - Renovation, Repair and Painting Program (RRP)

<http://www2.epa.gov/sites/production/files/documents/sbcomplianceguide.pdf>

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<http://www.buffaloturbine.com/monsoon-demolition.html>

Testimony - City Council Meeting 12-17-2014

Claire Carder

6156 SW Nevada Ct.

Portland, OR 97219

My name is Claire Carder. I live at 6156 SW Nevada Ct, Portland, OR 97219.

I am one of two neighborhood representatives on the DRAC. I am here in support of the DRAC's proposed development code amendments to address changed circumstances related to how residential demolitions are allowed in the city, and to answer any questions the City Council may have related to the proposed code changes.

I would like to address specifically the issue of the 120-day demolition delay, which is currently allowed in the city code.

City neighborhoods have few tools to address what might be built in their neighborhoods. While the city's land use codes all have some level of notification of neighborhood associations as part of their land use process, the neighborhoods have very few tools to address concerns or issues with the actual form residential development might take in their neighborhoods. The 120-day delay associated with residential demolition has frequently been used to express frustration and anger about the lack of meaningful opportunities for neighborhoods to weigh in on new residential development. It is the only tool that can be used to address properties with cultural significance since property rights – who owns a property – trumps the community interests in individual properties.

The proposed 35-day demolition notification, and the additional ~~35~~ day waiting period provides a minimal amount of time for business organizations, neighborhood associations and historical societies to contact a property owner to discuss demolition alternatives. The current 120-day delay can be a significant financial issue for property owners waiting to develop, during which time the developer must continue to pay on loans or financial instruments. There is no requirement for evidence of progress towards a realistic demolition alternative on the part of those proposing the delay.

While ~~70~~⁴⁵ days after hearing of a proposed demolition is not a lot of time to develop a proposal, this provides a small window to assess possibilities and develop or attempt to develop a relationship with the property owner.

I would especially like to emphasize the ~~35~~⁴⁵ day waiting period does not require that a plan is in place and has been executed; it is an additional time for interested parties to explore options, determine if a property owner is willing to consider options and may allow the parameters of negotiation to be determined.

I think the current 120-day delay is a significant financial consideration for a property owner to deal with. The proposed ~~35~~ day window, in addition to the 35-day notification period, is the minimum, and will allow the intent of the existing 120-day delay to remain while requiring the organizations to not drag their feet in contacting a property owner about alternatives to destroying what might be an important community resource.

Testimony City Council: December 17, 2014

My name is Barbara Strunk. I live at 3444 NE 35th Place, and am a member of United Neighborhoods for Reform.

I was awakened to the trend of destruction in our Beaumont–Wilshire neighborhood this year when a beautifully maintained, large brick house with leaded glass was bought by developers for demolition.

I do not object to the replacement of unsound houses. However, when a developer tells me he is demolishing a good, iconic house instead of remodeling because he cannot make enough profit, I react.

I looked beyond our block at what was happening in our entire neighborhood. In the 2-year period 2013 and 2014 in Beaumont-Wilshire alone we have seen a total of 85 demolitions and new construction, and major remodels that have the impact of demolitions on the neighborhood.

From data collected from Portland Maps, Bureau of Development Services building permits, and realty ads we have found that:

- New houses are on average 2.3 times as big and 2.4 times as expensive as the houses they replace.
- Of 85 demolitions and large remodel projects, only 3 (4%) were done by homeowners who continued to live in the house.
- Demolition and development in Beaumont-Wilshire in 2013-2014 resulted in an increase of 13 houses: So much destruction for so little gain in density.
- The median price of these new additional houses is \$765950, compared to the median house price in all of Beaumont-Wilshire of \$449000. (Range of new houses: \$532000 to \$939000; average price of new houses is \$743119.)

Government officials we have talked with about this trend have stated that with the demolition rate of 300 houses per year, "demolition" as counted currently by the City of Portland, it would take 483 years to replace all the houses in Portland. In Beaumont-Wilshire using the more common-sense definition of demolition as the actual destruction of the original house, the rate we are seeing will result in the replacement of all current houses in 52 years or less.

(2201 sfr divided by 42.5 demo/devel per year = 52 years.)

Even more chilling is the statement by one developer that all the bungalows in Beaumont-Wilshire (an example relatively affordable housing stock) will be gone in 10 years.

Figures and statements like these go a long way toward explaining why so many Portland citizens feel an urgency to examine and slow this demolition/development trend.

The current demolition/development activity in Beaumont-Wilshire is not adding meaningfully to the general stock of housing, or to the stock of sustainable, affordable housing.

I do not want to see my neighborhood become a place where the great majority of Portlanders cannot afford to live.

Barbara Strunk
3444 NE 35th Place
Portland, OR 97212

503-284-7502

12-17-14 Janet Baker Testimony to City Council

- My name is Janet Baker. I live at 3416 NE 39th Avenue and I'm a member of the Beaumont Wilshire Neighborhood Association board.
- As Margaret told you in her testimony, a series of three Summits started in the spring drawing more than 100 participants. Ideas generated at these Summits formed the basis for the UNR Resolution.
- In the spring we also started attending DRAC meetings, although we had no official status in that group.
- The Resolution was finalized in early November and then the real work began. Members of the subcommittee contacted each of Portland's 95 neighborhood associations offering to present the Resolution before their association boards, land use committees or general neighborhood meetings.
- To date 39 neighborhood associations have voted to support the Resolution. They include:
 - Alameda
 - Arbor Lodge
 - Ardenwald-Johnson Creek
 - Argay
 - Arlington Heights
 - Ashcreek
 - Beaumont-Wilshire
 - Bridlemile
 - Brooklyn
 - Centennial
 - Concordia
 - East Columbia

- Eastmoreland
- Eliot
- Grant Park
- Hayhurst
- Hosford-Abernethy
- Humbolt
- Irvington
- King
- Maplewood
- Markham
- Marshall Park
- Mill Park
- Mt. Tabor
- Multnomah
- Northwest District Association
- Overlook
- Pleasant Valley
- Powellhurst-Gilbert
- Reed
- Richmond
- Roseway
- Russell
- South Burlingame
- South Portland
- Vernon
- West Portland Park
- Woodlawn

- We also received qualified endorsements from another half dozen neighborhood associations.
- In many neighborhoods, there were no official meetings during this time period, that is, their next meeting isn't until January. A few called special board meetings to be able to vote in advance of this hearing, but many invited us to present the Resolution in January.
- We have been pleasantly surprised by the outpouring of support. It's as if the Resolution has touched a nerve among Portland residents.
- In my opinion, this was an incredible outreach effort in a very short window of time. Some members of our group, all volunteers, made three or four presentations a week to meetings that often stretched long into the night.
- The issues surrounding demolitions of Portland homes are not going away. Unless actions are taken, every day another Portland home will be torn down.

I'm Margaret Davis, I live at 3617 NE 45th Ave., Portland, OR 97213

It's an honor to be here.

Today you heard recommendations from the Development Review Advisory Committee, in part prompted by a July 31 hearing in these chambers in which the Landmarks Commission sounded the alarm on the epidemic of home demolitions as they entered their second record-breaking year. Members of United Neighborhoods for Reform attended the DRAC meetings dedicated to solving this problem; however, we are disappointed by the recommendations and in at least two instances, disheartened by proposed code changes that dramatically reduce neighbors' ability to save affordable housing.

You will hear more from our members about how we agree, disagree, and even object to the recommendations—my job today is to tell you about United Neighborhoods for Reform.

Two months before the Landmarks Commission hearing, neighbors were already at work. In May we convened a citywide summit and held two others in the fall, drawing activists from 37 neighborhoods. The goal is twofold: save affordable housing, and ensure more positive development.

United Neighborhoods for Reform grew from these grass roots. Its steering committee includes teachers, planners, economists, and attorneys. Full disclosure: I am a recovering journalist and infill developer.

Many of the ideas generated by the summits formed the basis of a demolition/development resolution, now endorsed by 38 neighborhood associations. This document represents the boots-on-the-ground perspective often missing in the discussion over demolition and development. This [hold up] is the voice of the early stakeholders in this city.

As hundreds of homes—an average of 87 years old—head to the landfill, we lose more than quality materials and craftsmanship. We also lose affordable housing, economic diversity among neighbors,

mature urban tree canopy, solar access for energy and vegetable gardens, and neighborhood character and history.

Comp Plan policy 5.33 calls for "preservation of small and affordable single-family homes." This resolution makes that priority a reality. In addition, we want to build on Portland's reputation as a green, sustainable city, one committed to public health and safety.

Local preservationist Cathy Galbraith says, "In Portland, we try to recycle everything but throw whole houses away." In those demolitions, toxic clouds of hazardous materials such as asbestos and lead are released uncontrolled to the environment.

DRAC has done a fine job of eliciting developers' views. Aside from elimination of the (K)(1) exemption, which we agree with, we are not convinced that most of the recommendations would better manage home demolitions, and some may make things worse. In particular, neighborhoods should not lose protections earned 25 years ago. And they should not have to ask permission from the developer to request a demolition delay to save a home from the landfill.

The most effective solution brings all interests to the table. Time and time again, neighbor involvement has improved developers' investment in our community. This resolution, and its request for a task force that equitably represents Portland residents, adds the voice of those who are most heavily impacted to conversations about this city's future.

Let's protect what makes this city great—a range of well-built affordable housing—and when we build, let's make a Portland that makes us proud.

UNITED NEIGHBORHOODS FOR REFORM DEMOLITION/DEVELOPMENT RESOLUTION

Whereas sustainability, livability, and environmental and public safety are of concern to Portland residents;

Whereas the preservation of each neighborhood's historical heritage and character are of prime concern to Portland residents; and

Whereas the preservation of existing affordable housing is a citywide concern; now, therefore, be it

Resolved, that the United Neighborhoods for Reform requests:

- 1) Implementation of changes to the city's demolition regulations and protocols:**
 - a) Elimination of the (K)(1) exemption and restoration of the automatic 35-day demolition delay for single-family structures.
 - b) Definition of "demolition" as removal of 50% or more of the structure.
 - c) Requirement that applicants for demolition permits comply with all state and federal environmental and safety regulations including those for lead and asbestos.
 - d) Retention of existing code providing for a 35-day delay on demolitions with an option for a 120-day delay available to a recognized neighborhood association or coalition, with the understanding that a good-faith effort be made to find alternatives to demolition.
 - e) Notice of proposed demolition will be mailed to residents and property owners within a specified distance upon acceptance of the demolition application. If permit is approved, a 72-hour notice of date of demolition will be provided to the same parties.
 - f) Establishment of a rigorous definition of "deconstruction," and recommendation of appropriate incentives, including an increased tip fee for construction debris.

- 2) Establishment of a task force composed of 50% neighborhood organizations and 50% city staff and concerned citizens to determine the distance required for notifications above, as well as:**
 - a) Revision of code to limit the mass, footprint, setbacks, and height of construction to that of the average of existing homes within a specified distance.
 - b) Revision of current zoning and lot-splitting policies to protect existing housing and lot size.
 - c) Recommendations for tree and solar access protections.

- 3) Adoption by City Council of:**
 - a) Measures to protect Portland residents from lead, asbestos, and other contaminants resulting from demolition/development by requiring surveys for these materials and an approved plan for lawful removal and disposal before issuance of demolition permit.
 - b) An update of the Historic Resources Inventory, with a waiting period mandated for removal of a property from the inventory.
 - c) A user-friendly online system available to the public for tracking demolition activity.

Testimony by Barbara Pierce
City Council Meeting
December 17, 2014
Demolition: 120 day delay

My name is Barbara Pierce. I am here representing the Architectural Heritage Center where I am the Marketing Manager and also The Save the Markham Home campaign team. I am a volunteer on the Markham team and helped lead the campaign along with Jennifer Moffatt, CJ Hurley and Mark Miller. Today, I specifically want to address the importance of retaining the 120 day demolition delay.

The Markham Home is one of Portland's rare Mission Revival style homes and sits at the Glisan Street entrance gates to Laurelhurst. The home was on the Historic Resources Inventory but was removed at the owner's request earlier this year. In June, the home was purchased by Peter Kusyk of Firenze Development. Peter bought the home with the intention of demolishing it and building two new buildings, one of which would be a duplex.

Neighbors rallied immediately and asked the Laurelhurst Neighborhood Association to request the 120 day delay. We soon learned that Peter was planning to use the available loophole to get around the delay, but we moved ahead, started a petition to gain community support and developed a social media campaign. After seeing that we were serious and passionate about our efforts, Peter agreed to meet with us. While he was unapologetic about his plans, he was also willing to work with us if we could show him we had a chance at success.

He gave us a very short deadline to find a serious buyer. While our team was dedicated and felt we had a responsibility to our community and supporters, we started our search knowing that without the 120 day delay, we had no chance of success. We quickly connected with contractor John McCulloch who committed to buy and rehab the home, but there was still a tremendous amount of work to be done by our team, including raising \$35,000 needed to make it feasible for John.

In the end, our process and ultimate success took about 120 days. But during that time, we scrambled to meet every deadline set with Peter and had to ask for extensions at each phase. Peter worked with us, but every time we needed an extension, our focus had to shift and work was delayed. **If we had the 120 day delay period, it would have freed up our team to focus on our project at hand rather than responding to repetitive crises each time we needed an extension.** Our team believes that most

other developers would not have worked so well with us and the 120 day delay would have been the **only** way to have the necessary time to succeed.

We support United Neighborhoods for Reform's proposal to retain the existing language in City Code, providing for 120-day residential demolition delay upon request by a recognized neighborhood association or neighborhood coalition, with the understanding that a good-faith effort be made by the association to find an alternative to demolition.

Submitted by Margaret Davis
12/17/17

187017

SAVE THE GOOD OLD HOUSES

the Committee to Preserve Vintage Housing

UNR - unitedneighborhoodsforreform.blogspot.com

Testimony re: DRAC recommendations, home demolitions, and in support of United Neighborhoods for Reform, 17 December 2014

I would like to testify today in the name of a single house: a beautiful, century-old Victorian that stood at the corner of NE Skidmore and 7th Ave. in Portland's King neighborhood. Over the 15 years I lived around the corner, it was home to several families, some happy, some not so much. At some point in its long life, the house had been converted into a duplex and clearly it had long provided housing for those of modest means. Despite this humble service, the home was beautiful, with many architectural details still intact, a wide, friendly porch sweeping around the corner and period moldings milled from old growth Oregon lumber.

A few weeks ago, my wife came home with shocking news. In the course of a few hours, this neighborhood fixture had been completely demolished. It was shoved to the ground by a backhoe, splintered and crushed with mail still in the mailbox. The lawn was still freshly mowed. All that remained was a pile of smashed lumber, plaster, siding and cement. A red couch sat in the yard, soaking in the rain. Although we live only two blocks away, we never got any notification nor saw any sign announcing the violent removal of a home that's been in this neighborhood since steam-boats plied the Willamette.

When this house went down, my neighborhood lost something we can never replace, a piece of history built by skilled laborers whose families may well still live in neighborhood. We also lost affordable housing, while the degraded character of the neighborhood reduces the value of every homeowner's investment. Many homeowners in my neighborhood have nothing else.

When this house went down, it was not just the built environment that suffered. It was also our natural environment. The demolition was conducted with no visible lead or asbestos containment procedures. I personally watched the backhoe drive across the piled up remains of the house multiple times, releasing a dust comprised of old house parts and paint. I have no way of knowing what poison that dust distributed. None of the high-quality, old-growth fir lumber was salvaged. All of it was consigned to the landfill, hauled away by a line of dump trucks. There is a healthy market in Portland for salvaged fir, and with good reason. As I know from restoring my own home, it makes beautiful stock for trim and cabinetry, while requiring little to no new resource extraction.

According to a large billboard erected at the corner (now thoroughly vandalized), in its place will go an immense, lot covering, single-family home that will sell for a price well out of reach of many of the families who have traditionally lived here.

And what did my neighborhood, my city get in return? We got to further enrich a questionable developer, one with a history of bankruptcy and permit violations. We got a massive, lot-sprawling box made of OSB and sheetrock. But we did not get increased density, a duplex is being replaced by a single-family home. We did not get more, desperately needed affordable housing, this home will likely sell for over a half million. We likely did not get more stability or investment in the neighborhood; I've seen the many examples of these homes in my neighborhood turn over again in less than two years.

No. We get only the very worst aspects of gentrification. The profits will go to Renaissance Homes of Lake Oswego. I hope they do something good with our air, our homes, our history.

— Fred Lifton, 4314 NE Grand Ave., [503-287-2753](tel:503-287-2753)



City of Portland
Historic Landmarks Commission

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www.portlandonline.com/bds

December 17, 2014

187017

Commissioner Amanda Fritz
Portland City Hall
1221 SW 4th Avenue
Portland, OR 97204

RE: Residential demolition and DRAC taskforce outcome

Dear Commissioner Fritz,

We want to thank you for including the Landmarks Commission in the DRAC demolition taskforce meetings. We were able to send Commissioner Dao and Commissioner Engeman to most meetings as schedules allowed.

City staff should be applauded for their commitment to the demolition conversation. Nancy Thorington was continuously well-prepared and led attendees through complex, passionate conversations. As a result of Nancy's leadership, the taskforce successfully agreed to remove the contentious K1 exemption and increased notification to surrounding neighbors of demolition projects.

However, these successes were not without a serious historic preservation casualty, as the 120-day delay is slated to be removed in the current DRAC recommendations. DRAC members found this to be an important offset to the K1 exemption removal. The Landmarks Commission found this compromise to be unacceptable.

The removal of this longtime right of neighborhood associations is of serious concern to the Landmarks Commission for the following reasons:

1. In Oregon, ORS 197.772 specifies that a historic property cannot be designated against the will of its owner. Given the owner consent requirement, historically significant properties that have not been voluntarily designated as a historic or conservation landmark are not protected under the zoning code. The demolition delay extension is their best hope of being preserved, because it allows time for preservation-minded neighbors, developers, and organizations to assemble the complex resources and funding that would be necessary for a preservation option.
2. Because the Historic Resource Inventory has not been interpreted as a formal historic designation, BDS allows owners to remove their property from the Inventory. Although the City's 120-day "demolition delay review" (PCC 33.445.810) applies to inventoried properties, this protection can be circumvented by a removal request from an owner. The Title 24 demolition delay extension is the best tool to achieve the intended requirement of Title 33 by delaying demolition on historically significant properties so other options can be explored.
3. Neighborhood associations will lose an important power that they have held for decades. Without the threat of a delay extension, there exists no codified incentive for a developer to engage with the neighborhood early in the process of redeveloping a residential site.
4. City records show that the delay extension is not being abused and is used selectively, as it should be. In the past 18 months, only eight requests for the delay extension have been made. City records show that there were 283 demolitions in 2013 alone.

The Historic Landmarks Commission respectfully opposes the outright removal of the 120-day delay. Furthermore, we do not want to lose sight of the larger issues of demolition we discussed in our State of the City Preservation report we presented to City Council this summer. To that end, we recommend that a taskforce be formed in 2015 that is charged with exploring recommendations to refine the zoning code to be more progressive in terms of balancing preservation, sustainability, and density goals in the future. Not all of our neighborhoods are Historic with a capital 'H', and we believe we need to be more sensitive to maintaining our history and livable communities going forward. We recommend this task force be led by City staff from the

Bureau of Planning and Sustainability and made up of a broad range of stakeholders that might include neighborhood leaders, developers, urban planners, sustainability leaders, the preservation community, and other interested parties.

Sincerely,



Jessica Engeman
Vice-Chair



Caroline Dao
Commissioner

187017

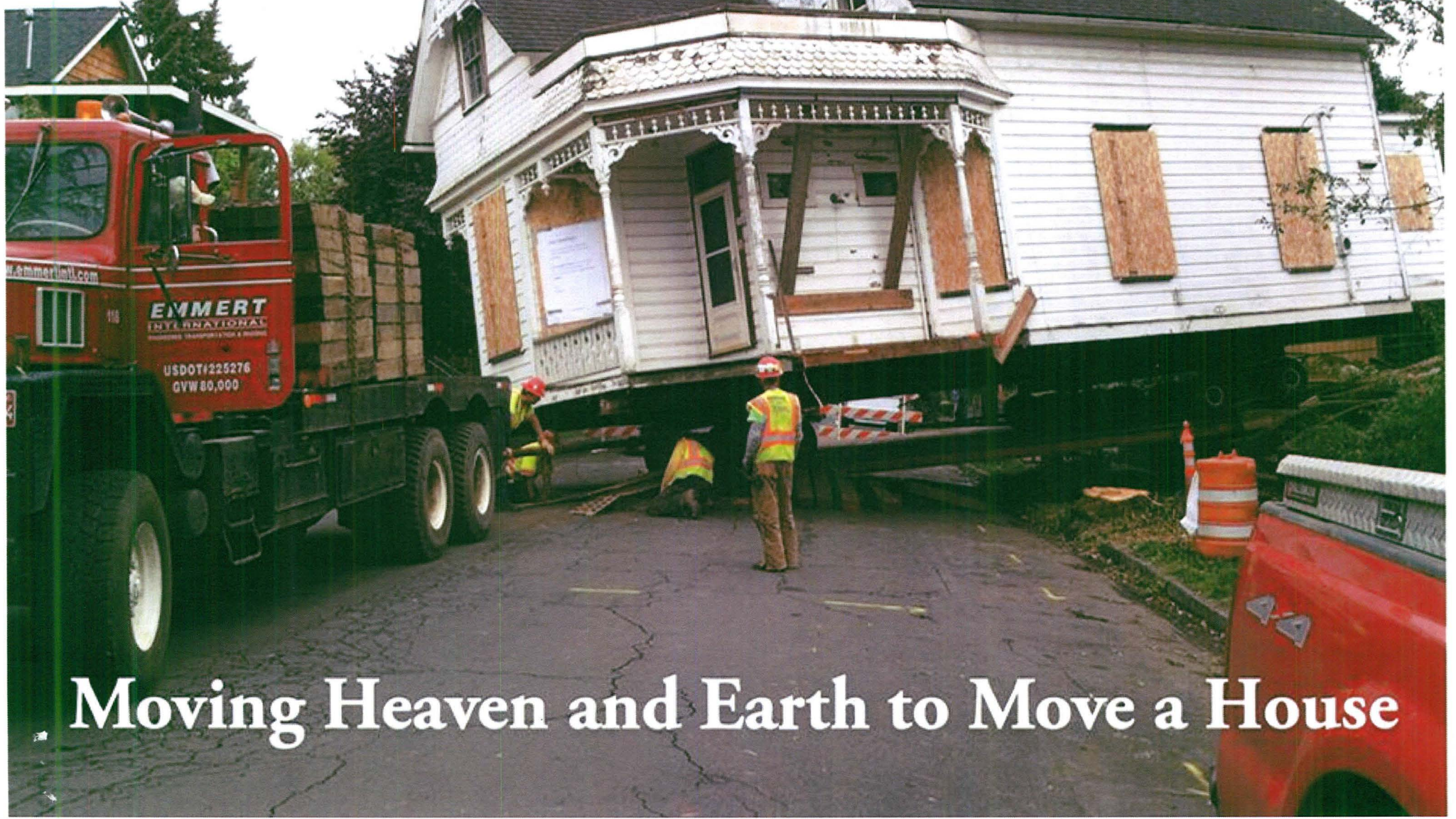
The Foxes



BOISE NEIGHBORHOOD ASSOCIATION



The Oregonian



Moving Heaven and Earth to Move a House

Deconstruction Incentive Option

December 10, 2014

Incentive: Reduce demolition delay from 35 days to 10 days for projects employing the systematic disassembly of buildings for the purposes of maximizing reuse of building materials (i.e., deconstruction). In order to qualify for the reduced deconstruction delay, the building owner or owner's agent must secure written approval from the applicable neighborhood association and agree to use a qualified deconstruction contractor as specified in a *Deconstruction Program Guide*. Additional incentives could be explored including grants and permit review process.



Extension of Delay: Possible extension of the delay would mirror that of the 35-day demolition delay.

Deconstruction Program: A detailed *Deconstruction Program Guide* would be developed by Bureau of Planning and Sustainability, in partnership with the Bureau of Development Services and industry partners. The *Deconstruction Program Guide* would include guidelines, specifications, procedures, and training required to become a qualified deconstruction contractor. The City would maintain a list of qualified deconstruction contractors that could be used to qualify for the shorter delay.

Site Posting. The site is posted by the contractor once deconstruction activities begin. The site posting for deconstruction serves to promote the practice and provide marketing for the builder. The notice will include City contact information for questions or concerns regarding deconstruction activities.

Inspections. Inspections would be conducted randomly by BPS staff or as required based on concerns or complaints received from the public.

Penalty. Qualified deconstruction contractors found operating outside of the parameters of the program when doing work under a deconstruction permit are removed from the qualified contractor list for a minimum amount of time (e.g., 6 months).

Deconstruction Definition: The systematic dismantling of a structure for the purposes of maximizing the salvage of materials suitable for reuse. Salvaged material can be sold, donated, or reused on site as part of new construction. Reusable materials include but are not limited to cabinetry, doors, hardware, flooring, siding, and framing lumber. Deconstruction is differentiated from demolition in that materials salvaged from deconstruction activities are not intended for recycling, burning (biomass), or landfilling. Deconstruction is most often accomplished by hand, however this definition is not meant to preclude the use of machinery provided the purpose of maximizing salvage of materials for reuse is maintained. For the purposes of this definition, a minimum of 75% of the weight of the waste materials generated (excluding concrete) must be salvaged for reuse.

Moore-Love, Karla

From: RAHMAN Lidwien <Lidwien.RAHMAN@odot.state.or.us>
Sent: Tuesday, December 16, 2014 1:48 PM
To: Moore-Love, Karla
Subject: FW: City Council Testimony, December 17, 2014, item 1331
Attachments: Oregon Walks_Demolition and Development Resolution_121514.pdf

Please include the attached letter from Oregon Walks into the record for the December 17 City Council Agenda Item 1331, Demolition Ordinance, introduced by Commissioner Amanda Fritz. Thank you,

Lidwien Rahman
Chair, Plans and Projects Committee
Oregon Walks
lidwienr@msn.com

December 15th, 2014



**PROTECTING YOUR
RIGHT TO ROAM**

To Mayor Hales & City Commissioners,

As the state and region's pedestrian advocacy organization, Oregon Walks is dedicated to making the conditions for walking safe, convenient and attractive for everyone.

We are writing to express concern about the Demolition/Development Resolution proposed by the 'United Neighborhoods for Reform'. We are concerned that this resolution may stifle density in Portland's housing redevelopment. Density and proximity to a mix of daily needs are essential to Portland's character as a walkable city, and the many benefits that go along with that.

We support the proposed amendments to the City's Demolition Ordinance, and are not opposed to a refinement of development regulations to ensure that 1:1 replacement housing fits the scale and massing of other houses on the same block, so long as the changes do not have unintended consequences limiting permitted density or discouraging property owners from maintaining and improving their residences. We are, however, concerned about potential impacts of "revisions of current zoning and lot splitting policies to protect existing housing and lot size" and "recommendations for tree and solar access protections". We are also concerned about the proposed composition of a task force to consist solely of neighborhood associations and city staff, excluding other stakeholders from the conversation.

Thank you very much for your consideration.

Aaron Brown
Board President

Board of Directors

Aaron Brown

President

Dan Kaempff

Vice-President

Laura Becker

Secretary

Heather Jackson

Treasurer

Members at Large

Steve Bozzone

Derek Ghan

Scott Kocher

Sara Morrissey

Lidwien Rahman

Kari Schlosshauer

Staff

Noel Mickelberry

Executive Director

Moore-Love, Karla

From: Kalez, Jennifer
Sent: Monday, December 15, 2014 8:37 AM
To: Moore-Love, Karla; Parsons, Susan
Subject: FW: UNR support letter
Attachments: UNR support letter.docx; ATT00001.htm

Hi Karla and Sue –

This piece of testimony came through our office – Dr. Granshaw has asked that it be placed on the record.

Thank you!

Jenny

Jennifer Kalez

*Constituent Relations Coordinator
Arts & Culture Liaison
Office of Commissioner Nick Fish*

From: Frank Granshaw (Artemis) [mailto:frankgranshaw@artemis-science.com]
Sent: Saturday, December 13, 2014 5:49 PM
To: Commissioner Fish
Cc: DeRidder AICP Tamara; Hayes Richard; Hales, Mayor; Carter Annette
Subject: UNR support letter

Dear Nick...

I am sending you this letter to ask that you include it in the bank of testimony for the December 19th meeting to hear the United Neighborhood for Reform Demolition / Development Resolution. I will unfortunately be away at a conference at that time.

Thank you

Frank D. Granshaw PhD
Artemis Science
Portland, OR
503-449-4458

Frank D. Granshaw
3211 NE 50th
Portland, Oregon
97213

13 December 2014

Dear Members of the Portland City Council:

I am writing this letter to support the United Neighborhood for Reform Demolition / Development Resolution. Though I am uncomfortable with the conflict/polarization this proposal could generate in our communities, I feel that the measures outlined in the resolution are necessary to curb the waste of resources and the economic inequity resulting from current trends in local residential development.

The strength of the UNR resolution is that it deals with the full range of issues involved in the conversion of smaller affordable housing stock to large, expensive single family dwellings. Chief among these issues being the following...

- The demolition of often times serviceable structures, resulting in large volumes of construction waste being transported to landfills rather than being recycled or reused.
- The large scale removal of more affordable single family homes from the local housing market, resulting in increasing gentrification of presently economically diverse neighborhoods.
- Impingement on the privacy and solar access of current neighbors because of the magnitude of these new homes. The latter being a concern and an economic threat to residents utilizing solar and growing food to reduce their personal environmental impact.

Advocates of the current housing trend argue that the replacement structures are more energy efficient and are safer due to improved building codes. As an owner of an older home in the Rose City Park neighborhood, I have personal experience with these issues. Having weatherized, remodeled, earthquake retrofitted, and solarized our home, I am aware that there are numerous alternatives for rectifying these problems without the draconian and resource intensive practice of total demolition. In regards to the energy efficiency argument, while it is accurate that the new structures when built to current energy codes are more energy efficient per square foot than their older predecessors, they do not necessarily represent better energy efficiency per capita. For instance, a new home that takes half the energy per square foot to heat than the older home it replaces is not more energy efficient per capita if it is three times the size of the former structure and houses the same number of people (a situation that is not uncommon). Add to this the question of energy / resource costs of demolition and reconstruction vs. upgrading the existing structure (a currently unexplored issue) and the argument that the new structures are more energy efficient becomes highly problematic.

As a city that prides itself on being a leader in sustainable development and the author of a 2009 Climate Action plan, it is my belief that the measures outlined in the UNR resolution are critical to helping the city realize its goals of being a culturally diverse, economically sound, and environmentally sustainable community.

Thank you for this opportunity





187017

City of Portland
Historic Landmarks Commission

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December 17, 2014

Commissioner Amanda Fritz
Portland City Hall
1221 SW 4th Avenue
Portland, OR 97204

RE: Residential demolition and DRAC taskforce outcome

Dear Commissioner Fritz,

We want to thank you for including the Landmarks Commission in the DRAC demolition taskforce meetings. We were able to send Commissioner Dao and Commissioner Engeman to most meetings as schedules allowed.

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However, these successes were not without a serious historic preservation casualty, as the 120-day delay is slated to be removed in the current DRAC recommendations. DRAC members found this to be an important offset to the K1 exemption removal. The Landmarks Commission found this compromise to be unacceptable.

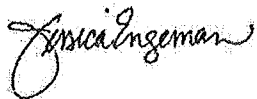
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3. Neighborhood associations will lose an important power that they have held for decades. Without the threat of a delay extension, there exists no codified incentive for a developer to engage with the neighborhood early in the process of redeveloping a residential site.
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The Historic Landmarks Commission respectfully opposes the outright removal of the 120-day delay. Furthermore, we do not want to lose sight of the larger issues of demolition we discussed in our State of the City Preservation report we presented to City Council this summer. To that end, we recommend that a taskforce be formed in 2015 that is charged with exploring recommendations to refine the zoning code to be more progressive in terms of balancing preservation, sustainability, and density goals in the future. Not all of our neighborhoods are Historic with a capital 'H', and we believe we need to be more sensitive to maintaining our history and livable communities going forward. We recommend this task force be led by City staff from the

Bureau of Planning and Sustainability and made up of a broad range of stakeholders that might include neighborhood leaders, developers, urban planners, sustainability leaders, the preservation community, and other interested parties.

Sincerely,



Jessica Engeman
Vice-Chair



Caroline Dao
Commissioner

Moore-Love, Karla

From: Jim Heuer <jsheuer@easystreet.net>
Sent: Monday, December 15, 2014 10:38 AM
To: mayorhales@portlandoregon.gov; Commissioner Saltzman; Commissioner Fish; Commissioner Fritz; Commissioner Novick; Moore-Love, Karla
Subject: Letter on Health Hazards at Demolition Sites
Attachments: HazMatActionLetterToPortlandCityCouncil.pdf

Mayor Hales
Commissioner Saltzman
Commissioner Fish
Commissioner Fritz
Commissioner Novick

Attached to this email is a letter from United Neighborhoods for Reform detailing the health risks and suggested mitigation strategies relating to lead and asbestos exposure from currently all too loosely regulated residential demolition sites.

Recent studies in other cities have shown that dangerous lead paint dust travels as far as 300 feet from typical residential demolition sites unless proper procedures for dust containment are followed. Such procedures are used inconsistently in Portland due to the lack of regulation and oversight. This is NOT exclusively a problem for the State of Oregon to fix. It is an immediate threat to the health of Portland residents, especially young children, which the City of Portland has the power to address, as other Oregon cities already have.

UNR representatives will be discussing these issues during our testimony on Wednesday, December 17, relative to the DRAC recommendations on new demolition code language, but we feel this issue is so urgent we are sending this material to you now, to alert you to the gravity of this situation.

Respectfully,
Jim Heuer
Member United Neighborhoods for Reform Steering Committee
Acting Chairperson, Portland Coalition for Historic Resources

--

James S. Heuer
1903 NE Hancock Street
Portland, OR 97212
(503) 284-8481 (Home)
(503) 335-8380 (Work/Cell)
(503) 348-8694 (Text)

December 15, 2014

Via Email Delivery

Mayor Charlie Hales, mayorhales@portlandoregon.gov
Commissioner Dan Saltzman, dan@portlandoregon.gov
Commissioner Nick Fish, Nick@portlandoregon.gov
Commissioner Amanda Fritz, Amanda@portlandoregon.gov
Commissioner Steve Novick, Novick@portlandoregon.gov
Portland City Hall
1221 SW 4th Ave,
Portland, Oregon 97204

Re: Call for Action by United Neighborhoods for Reform for Portland City Council to Address Hazardous Material Concerns at Residential Demolition Sites

Dear Mayor Hales, Commissioner Dan Saltzman, Commissioner Nick Fish, Commissioner Amanda Fritz, and Commissioner Steve Novick,

As the number of residential demolitions has increased across the city, so too have resident complaints about the release of hazardous materials from those sites. These complaints express deep concern for their personal health and safety and that of their children. The United Neighborhoods for Reform group will be presenting a Call to Action at the December 17 City Council meeting which includes a recommendation to form a Task Force to address how the City should better protect its residents from these hazards. This letter explains why that is important and provides suggestions for solutions that Task Force should pursue.

As residents of areas with many demolitions, we have often witnessed demolition sites where the dust clouds of demolition debris drift onto and into neighboring homes, children's play areas, and yards – almost certainly carrying toxic lead paint and asbestos dust. Here is video link of what occurs at a typical demolition site in Portland: <https://vimeo.com/109264297>.

The health hazards of asbestos and lead based paint are well known. Lead can affect almost every organ and system in the body. Children six years old and younger are most susceptible to the effects of lead. Even extremely low levels of lead in the blood of children can result in behavior and learning problems, lower IQs, and slowed growth. Three of the major health effects associated with asbestos exposure are lung cancer, mesothelioma, and asbestosis. <http://www2.epa.gov/asbestos>, <http://www2.epa.gov/lead>. The older a house, the more certain the presence of lead paint and asbestos, and with an average age of demolished homes being 87 years, there is a virtual certainty that these materials are present at every demolition site! Alarming, tests conducted in Chicago found that lead paint levels in nearby soils were increased up to 40 times by unregulated demolition of early 20th Century residences, and other Federal Government tests found that lead paint dust travelled as far as 300 feet from a residential demolition site. (See Exhibit E)

Through many inquiries to the Bureau of Development Services and state agencies, we have been shocked that Portland city code and regulations do not address hazmat issues at residential demolition sites. There are no site inspections before a bulldozer arrives, and there is no hazmat abatement verification. We have also been dismayed to learn that the State of Oregon does not regulate lead paint hazards at demolition sites, and only regulates asbestos release at such sites as

it affects employees working at the site. State officials advise us they are aware of these problems, but have no current authority to correct them. Further, their resources for responding to citizen complaints about hazardous material release at “major remodel” sites, where state regulations apply, are extremely limited – with the result that by the time any response may occur, the demolition process is complete and little evidence of dangerous practices remains.

Accordingly we strongly urge that City Council take corrective actions and implement policies that ascertain and address these hazmat problems, as has been done in other Oregon cities. We believe that the City is enabled by its permitting and public safety authority to act to mitigate lead, asbestos and other hazardous material concerns at permitted residential demolition sites. We urge that the City to convene a demolition hazmat taskforce to develop detailed recommendations based on broad stakeholder input and best engineering practices for safe handling and disposal of these materials at demolition sites. (Please see attached UNR Resolution- Exhibit A.)

Accompanying this letter is a Fact and Recommendations Sheet on Residential Demolition Toxic Materials Hazards and Their Mitigation, which we urge you to review. It demonstrates the inadequacies of Portland’s regulations in this area and how other Oregon cities have moved way beyond Portland in protecting the public from these hazards.

Every day of delay means another demolition where Portland residents are potentially exposed to hazardous materials with little or no effective recourse to protect themselves. There is great urgency to correct this problem which puts the health of our residents and their children at risk. UNR looks forward to prompt action by City Council. Please contact us for further questions and discussions.

Sincerely,

Members of United Neighborhoods for Reform Steering Committee

John Sandies, sandiefam@gmail.com

Jim Heuer, jsheuer@easystreet.net

Judy Parsons, judy_parsons65@msn.com

Accompanying this letter are the following attachments:

- **Fact and Recommendations Sheet on Residential Demolition Toxic Materials Hazards and their Mitigation**
- **Exhibit A – UNR Resolution Approved in Principle by 36 Neighborhood Boards**
- **Exhibit B -- BPS Statistics on Recent Residential Demolitions**
- **Exhibit C -- City of Tualatin Demolition Permit Requirements Including Asbestos Removal**
- **Exhibit D -- City of Hillsboro Demolition Checklist**
- **Exhibit E -- Responsible Demolition Safety Protocols from the East Baltimore Revitalization Initiative**

Fact and Recommendations Sheet on Residential Demolition Toxic Materials Hazards and Their Mitigation

Current Situation: Portland's Hazmat Regulations at Residential Demolition Sites Are Essentially Non-Existent and Fall Well Short of Regulations by Other Oregon Cities

- BDS approves residential demolition permits, but has not been given the legal authority by City Council to require documentation ascertaining potential hazardous materials, such as asbestos surveys, lab tests, or haz mat abatement plans prior to approving demolition permits. Other Oregon cities require such abatement plans. For example in Lake Oswego and Tualatin asbestos documentation is required for demolition permit application. (Please see attached demolition application documentation for Lake Oswego and Tualatin-Exhibit C.)
- The City of Portland provides limited or no educational support to contractors on hazmat mitigation issues. Such support is provided by Hillsboro for demolition applicants in the form of a checklist that itemizes what should occur prior to demolition. A DRAC member has said this Hillsboro checklist is useful and now he uses it in his own building practices (Please see attached Hillsboro demolition application checklist-Exhibit D)
- According to a DEQ staffer in the local DEQ NW Regional asbestos office, the City Council has the power to authorize BDS to could create their own hazmat approval criterion requiring such things as asbestos surveys for demolition applications, which OSHA requires for their purposes, too. The fact that other Oregon cities have done so confirms the workability of this approach.
- As part of the DRAC-led review of demolition policies the standard demolition permit form was modified to include a "statement of fact" about hazardous materials that applicants are expected to initial prior to issuance of the permit. As confirmed by communications we have received from BDS staff: "The 'statement of fact' block on our application is an advisory message, and is intended to raise awareness and encourage compliance with the regulations that the State of Oregon is charged with in regards to the safe handling/disposal of lead or asbestos". This addition to the permit process is just barely better than nothing, as the initialing of the block merely indicates that the applicant promises – without any legal recourse – to adhere to the hazmat regulations.
 - Here is what the statement block looks like:

I acknowledge that work related to this Building Permit Application may be subject to regulations governing the handling, removal and/or disposal of asbestos and/or lead-based paint. If the work is subject to regulations governing asbestos and/or lead-based paint, I will comply with all such regulations. _____ (initials)
- There is a lack of inspections at residential demolition sites. Inspections are required for many other construction phases, such as plumbing and electrical. Considering the health and safety concerns at demolition sites, why aren't regular inspections scheduled? BDS staff offered this explanation: "... the Director of Inspections is not inclined to expose his inspectors to potential hazmat and he is concerned inspections might turn into requests for other things like setbacks, etc". The result is that it is nearby residents who must take action when hazardous materials are released from a demolition site, and must equip themselves with the detection equipment and protective gear to safely establish the potential violations – or else acquiesce in their exposure to life-threatening materials without complaint.
- According to a lead-based paint hazards expert at the Oregon Health Authority, there are no existing state regulations for lead based paint at residential demolition sites even though there are strict rules for renovation and painting projects. The result is the absurd situation

where we have found a house being stripped of paint is completely tented with plastic to contain the lead waste while a house being demolished across the street by a claw loader with dust flying in all directions was unregulated. The City should address and fix this loophole due to the potentially dangerous effects of lead based paint.

- Under existing City code there is no verification or certification of hazmat removal prior to approving demolition permits or prior to a bulldozer arriving at a residential site.
- There is no dedicated City office or staff in the City of Portland to oversee, monitor and troubleshoot hazmat concerns at residential sites. Who does a resident call about these concerns? For two years, there has not been a dedicated local inspector in the DEQ NW Regional asbestos office. BDS suggests calling OSHA, when by the time they show up the demolition has ended. Plus OSHA is primarily charged with worker protections and safety, not those of surrounding neighbors, houses, yards, and children.

Suggestions for Hazmat Regulation Improvements at Residential Demolition Sites

- The City of Portland should require approval criterion for residential demolition applications including filing an asbestos survey and specific abatement plans before approving the demolition permit, as is required in other Oregon cities. (See Exhibit C)
- The City of Portland should monitor actual demolition sites and report potential problems to partnering agencies. The “watchdog” onus should not be placed on the average busy citizen considering the potential dangers. Relying up on a complaint driven system clearly is not effective or reasonable. A monitoring program could be created to oversee demolition sites similar to the Portland Parks Rangers monitoring city parks.
- OSHA requires asbestos surveys at work sites (which would include demolition sites, too). Since the survey documents are sufficient and authentic enough for OSHA purposes, the City of Portland could rely upon these same documents as authentic for residential demolition applications.
- The City of Portland should create a checklist similar to Hillsboro that provides direction and expectations of addressing hazmat concerns at residential demolition sites. (See Exhibit D)
- BDS should provide notification to partnering agencies, such as OHA, DEQ and OSHA when issuing demolition permits.
- Deconstruction should be strongly incentivized by City Code as a safer and more environmentally responsible alternative to simple demolition.
- Dust suppression systems should be required at demolition sites to mitigate dust and potential release of unabated hazardous materials as used in other cities. (See Exhibit E-page 8 of the East Baltimore Revitalization Initiative Responsible Demolition Study)
- The City of Portland should create their own rules or protocols for lead-based paint at residential demolition sites since none exist at the state level.

EXHIBIT A – UNR Resolution Approved in Principle by 36 Neighborhood Associations

UNITED NEIGHBORHOODS FOR REFORM DEMOLITION/DEVELOPMENT RESOLUTION

Whereas sustainability, livability, and environmental and public safety are of concern to Portland residents;

Whereas the preservation of each neighborhood's historical heritage and character are of prime concern to Portland residents; and

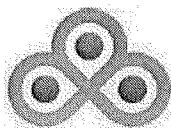
Whereas the preservation of existing affordable housing is a citywide concern; now, therefore, be it Resolved, that the United Neighborhoods for Reform requests:

- 1) Implementation of changes to the city's demolition regulations and protocols:
 - a) Elimination of the (K)(1) exemption and restoration of the automatic 35-day demolition delay for single-family structures.
 - b) Definition of "demolition" as removal of 50% or more of the structure.
 - c) Requirement that applicants for demolition permits comply with all state and federal environmental and safety regulations including those for lead and asbestos.
 - d) Retention of existing code providing for a 35-day delay on demolitions with an option for a 120-day delay available to a recognized neighborhood association or coalition, with the understanding that a good-faith effort be made to find alternatives to demolition.
 - e) Notice of proposed demolition will be mailed to residents and property owners within a specified distance upon acceptance of the demolition application. If permit is approved, a 72-hour notice of date of demolition will be provided to the same parties.
 - f) Establishment of a rigorous definition of "deconstruction," and recommendation of appropriate incentives, including an increased tip fee for construction debris.

- 2) Establishment of a task force composed of 50% neighborhood organizations and 50% city staff and concerned citizens to determine the distance required for notifications above, as well as:
 - a) Revision of code to limit the mass, footprint, setbacks, and height of construction to that of the average of existing homes within a specified distance.
 - b) Revision of current zoning and lot-splitting policies to protect existing housing and lot size.
 - c) Recommendations for tree and solar access protections.

- 3) Adoption by City Council of:
 - a) Measures to protect Portland residents from lead, asbestos, and other contaminants resulting from demolition/development by requiring surveys for these materials and an approved plan for lawful removal and disposal before issuance of demolition permit.
 - b) An update of the Historic Resources Inventory, with a waiting period mandated for removal of a property from the inventory.
 - c) A user-friendly online system available to the public for tracking demolition activity.

EXHIBIT B – BPS Statistics on Recent Residential Demolitions

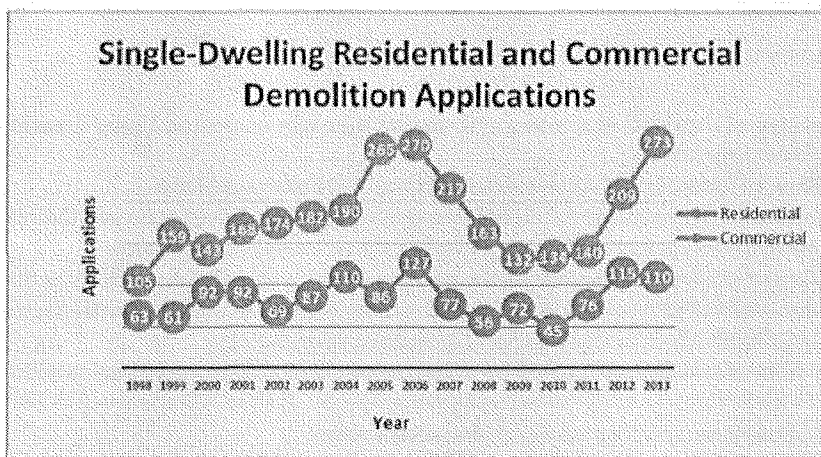


Bureau of Planning and Sustainability
Innovation. Collaboration. Practical Solutions.

April 29, 2014

Demolition Data:

Permit Applications:



Average Size of Houses (Single-dwelling structures 1996-2011):

Demolished house 1,119 SF
New house 2,075 SF (size of all Non-SFR buildings >5,000 sf)

Age of House (Single-dwelling structures 1996-2011):

Average year built = 1927

Year Built	# Demos
1864 - 1911	429
1912 - 1937	658
1938 - 1964	698
1965 - 2011	51



City of Portland, Oregon | Bureau of Planning and Sustainability | www.portlandoregon.gov/bps
1900 SW 4th Avenue, Suite 7100, Portland, OR 97201 | phone: 503-823-7700 | fax: 503-823-7800 | tty: 503-823-6868

Printed on 100% post consumer recycled paper.

EXHIBIT C – City of Tualatin Demolition Permit Requirements Including Asbestos Removal

City of Tualatin
 Building Division
 18880 SW Martinazzi Ave.
 Tualatin, OR 97062
 Phone: 503-691-3044
 Fax: 503-692-0147
www.tualatinoregon.gov



DEMOLITION PERMIT REQUIREMENTS & CONDITIONS OF APPROVAL

Permit Number: _____
 Date Received: _____

Site Address: _____

Subdivision: _____ Lot No: _____

Map No: _____ Lot No: _____

NOTICE: Asbestos Removal. The Department of Environmental Quality (DEQ) requires an Asbestos Survey before any building may be demolished or intentionally burned. A copy of the DEQ Asbestos Survey must be included in the permit application submittal or verification from DEQ that asbestos removal has been completed and approved by DEQ. Additional information is available at the DEQ web page under "Air Quality" at www.deq.state.or.us or call the Portland office at 503.229-5364, or 800.452-4011

Conditions of Demolition Permit:

- A. A soon as actual demolition has commenced, including importation of demolition equipment to the property, the demolition work shall continue uninterrupted during permitted work hours until all approved demolition work is completed. In residential zones demolition work is limited to the hours of 7:00 a.m. and 6:00 p.m. [TMC 6.2.210(4)(b) Hours of Work].
- B. All debris shall be promptly removed from the site and disposed of in a proper manner. This includes the removal of all foundation structures.
- C. All wells, sanitary and storm sewer lines, septic tanks, cisterns, vaults, open pits, or similar items shall be capped, removed, or filled in an approved manner and inspected by the City.
 - Abandonment of well – Tualatin Basin Watermaster (503) 846-7780
 - Removal of water meter – Tualatin Operations Department (503) 691-3091
 - Electrical, gas, telephone, cable – Contact the appropriate utility provider
- D. Products containing asbestos must be disposed of in an approved manner. Contact the Department of Environmental Quality at (503) 229-5696 for rules and regulations pertaining to asbestos abatement. A copy of the DEQ asbestos abatement report will be required prior to issuance of a demolition permit.
- E. Streets shall be kept clear of dirt and debris at all times. This includes:
 - Removing dirt and debris by use of shovel, scoop, or similar mechanical means immediately
 - Sweeping the streets as required to keep them clean
 - Washing of streets shall not be permitted unless the storm drain inlets are protected with a filter system.

EXHIBIT D – City of Hillsboro Demolition Checklist

City of Hillsboro Demolition Permit Checklist

The following shall be addressed prior to any demolition:

For Information Only

- Ascertain whether the presence of asbestos exists inside or outside the structure. DEQ
- All hazardous materials in the building or on the site must be removed by an authorized person, including but not limited to, the underground and aboveground flammable and combustible liquid tanks (contact the Hillsboro Fire Department and The Department of Environmental Quality for specific requirements). Other permits may be required. IFC, DEQ & Oregon Administrative Rules (OAR), DEQ (503) 229-5066.
- On-Site personnel involved in the process must comply with the Oregon Safety and Health Administration standards (OSHA) for construction sites (e.g. Personal Protective Equipment). OR-OSHA
- The area around the site must be adequately protected from falling walls or debris (e.g. roadways, sidewalks as well as adjoining or adjacent buildings). OSHA & IFC
- Burning of construction material is prohibited. DEQ & IFC (ORS 478.960)
- Site security must be established and maintained to discourage unauthorized entry from a public safety standpoint (e.g. chain-link fencing). IFC
- All public and private utilities must be properly disconnected (e.g. gas, electric, sewer, septic, storm, well, water, phone and cable). International Building Code (IBC), International Fire Code (IFC) & Clean Water Services (CWS) (503) 681-3600.

Building Department (Contact 503-681-6144)

- Does the property have a sanitary sewer connection? Yes / No
- Does a septic tank exist on site? Yes / No Will the septic tank be removed? Yes / No
- If a commercial building: please attach a sewer fixture count sheet.
- Does the property have a storm sewer connection? Yes / No

Water Department (Contact 503-615-6576)

- There is an existing ____ inch water meter on the property. The SDC credits shall be used by (give lot number or tax lot) _____.
- There is an existing well on the property. Yes / No -- If yes, an approved backflow device shall be installed behind the meter unless the well is decommissioned as required by the Washington County Water Master.

Engineering Department (Contact 503-681-5315)

- Obtain grading and erosion permit. Engineering Department (Contact the Engineering Division to determine whether a Grading & Erosion permit is required.
- Obtain a Sensitive Area Prescreen Letter from the Engineering Division. If the site is determined to be in a "Sensitive Area", please contact CWS for a Service Provider Letter. Contact CWS Technical Information Line at 503-681-5100

Planning Department (Contact 503-681-6179)

- Verify the zoning of the property.
 - Is the property zoned SCR-DNC Station Community Residential – Downtown Neighborhood Conservation district or SCR-OTC Station Community Residential – Orenco Townsite Conservation district, consult with the Planning Department Development Review approval, in accordance with Hillsboro Zoning Ordinance Volume II Section 138.XIII.C.1&2, and photographs of the structure must be obtained prior to approval of a demolition permit. Demo permits in conservation zones can be denied. Yes / No
 - Does the property have a Station Community Planning Area designation and mature trees eight inches in diameter and larger will be removed or damaged as a result of the demolition, then the applicant shall submit, to the Planning Department for review and approval, documentation from a certified arborist or registered engineer in accordance with Hillsboro Zoning Ordinance Volume II Section 137.XIII.B.4. This documentation shall be reviewed and approved prior to approval of a demolition permit. Yes / No
- Is the structure or site on the Hillsboro Cultural Resource Inventory. If the structure or site is a Cultural Resource, consult with the Planning Department about obtaining a Cultural Resource Alteration permit in accordance with Hillsboro Zoning Ordinance Volume I Section 132.6. Cultural Resource Alteration approval shall be obtained prior to approval of a demolition permit. Yes / No

I, (we), _____ do hereby declare that the requirements and conditions listed above have been complied with to the best of my (our) personal knowledge.

Signed by _____ Date _____

Print Name and Title _____

Property Owner Signature (if different from applicant) _____

Print Name and Title _____ Date _____

Exhibit E – Responsible Demolition Safety Protocols from the East Baltimore Revitalization Initiative

Many eastern cities with dramatically shifting demographics have been forced to undertake systematic demolition projects to remove abandoned and deteriorated housing for which there is no longer any economic use. One consequence of these demolitions has been a marked increase in lead paint hazards in surrounding areas. The East Baltimore Revitalization Initiative project attempted to address the lead paint hazards from its proposed demolitions with a specific protocol for Responsible Demolition Safety:

RESPONSIBLE DEMOLITION SAFETY PROTOCOLS

Based on the work in East Baltimore, responsible demolition projects should adopt a specific set of protocols, which should include these key elements:

- 1.) *Effective community notification*, including prominent signs at the site well in advance of demolition, distribution of notices to neighbors throughout the surrounding area, and proactive community education efforts.
- 2.) *Adequate use of water* to minimize the amount of dust spread during demolition and debris removal.
- 3.) *Partial deconstruction* of homes: removing doors, windows, railings and other components with high amounts of lead before demolition.
- 4.) *Fencing and other barriers* to control the spread of dust during and after demolition and to keep children and other pedestrians away from condemned sites.
- 5.) *Picker method for demolition*, rather than wrecking ball, to minimize spread of dust and debris.
- 6.) *Prompt, careful debris removal* with water to reduce dust, covers on all trucks carting debris out of the neighborhood, and carefully defined exit routes for hauling away debris.
- 7.) *Replacing contaminated soil with new sod* to eliminate topsoil contaminated during the demolition process.
- 8.) *Independent testing* to measure the amount of lead dust emitted through demolition, including tests measuring lead accumulation.

The detailed demolition safety protocols drafted by EBDI and its partners are readily available to other communities. The protocols can be adopted by any community to minimize potential health hazards caused by demolition. The protocols have been posted online at www.eastbaltimorerevitalization.org. Also available there is the Final Report of the EBDI Independent Advisory Community Panel.

Implementing these protocols resulted in lead dust increases in surrounding soils of just 33% compared with control sites where no dust mitigation was applied where increases in lead contamination from 8 to 40 TIMES were observed. The full report is sobering reading and can be found here:

<http://www.eastbaltimorerevitalization.org/wordpress/wp-content/uploads/2011/03/The-East-Baltimore-Revitalization-Initiative-A-Commitment-to-Economic-Inclusion.pdf>

Parsons, Susan

From: Kalez, Jennifer
Sent: Monday, December 15, 2014 8:37 AM
To: Moore-Love, Karla; Parsons, Susan
Subject: FW: UNR support letter
Attachments: UNR support letter.docx; ATT00001.htm

Hi Karla and Sue –

This piece of testimony came through our office – Dr. Granshaw has asked that it be placed on the record.

Thank you!

Jenny

Jennifer Kalez
Constituent Relations Coordinator
Arts & Culture Liaison
Office of Commissioner Nick Fish

From: Frank Granshaw (Artemis) [mailto:frankgranshaw@artemis-science.com]
Sent: Saturday, December 13, 2014 5:49 PM
To: Commissioner Fish
Cc: DeRidder AICP Tamara; Hayes Richard; Hales, Mayor; Carter Annette
Subject: UNR support letter

Dear Nick...

I am sending you this letter to ask that you include it in the bank of testimony for the December 19th meeting to hear the United Neighborhood for Reform Demolition / Development Resolution. I will unfortunately be away at a conference at that time.

Thank you

Frank D. Granshaw PhD
Artemis Science
Portland, OR
503-449-4458

Frank D. Granshaw
3211 NE 50th
Portland, Oregon
97213

13 December 2014

Dear Members of the Portland City Council:

I am writing this letter to support the United Neighborhood for Reform Demolition / Development Resolution. Though I am uncomfortable with the conflict/polarization this proposal could generate in our communities, I feel that the measures outlined in the resolution are necessary to curb the waste of resources and the economic inequity resulting from current trends in local residential development.

The strength of the UNR resolution is that it deals with the full range of issues involved in the conversion of smaller affordable housing stock to large, expensive single family dwellings. Chief among these issues being the following...

- The demolition of often times serviceable structures, resulting in large volumes of construction waste being transported to landfills rather than being recycled or reused.
- The large scale removal of more affordable single family homes from the local housing market, resulting in increasing gentrification of presently economically diverse neighborhoods.
- Impingement on the privacy and solar access of current neighbors because of the magnitude of these new homes. The latter being a concern and an economic threat to residents utilizing solar and growing food to reduce their personal environmental impact.

Advocates of the current housing trend argue that the replacement structures are more energy efficient and are safer due to improved building codes. As an owner of an older home in the Rose City Park neighborhood, I have personal experience with these issues. Having weatherized, remodeled, earthquake retrofitted, and solarized our home, I am aware that there are numerous alternatives for rectifying these problems without the draconian and resource intensive practice of total demolition. In regards to the energy efficiency argument, while it is accurate that the new structures when built to current energy codes are more energy efficient per square foot than their older predecessors, they do not necessarily represent better energy efficiency per capita. For instance, a new home that takes half the energy per square foot to heat than the older home it replaces is not more energy efficient per capita if it is three times the size of the former structure and houses the same number of people (a situation that is not uncommon). Add to this the question of energy / resource costs of demolition and reconstruction vs. upgrading the existing structure (a currently unexplored issue) and the argument that the new structures are more energy efficient becomes highly problematic.

As a city that prides itself on being a leader in sustainable development and the author of a 2009 Climate Action plan, it is my belief that the measures outlined in the UNR resolution are critical to helping the city realize its goals of being a culturally diverse, economically sound, and environmentally sustainable community.

Thank you for this opportunity



Moore-Love, Karla

From: Sharon Whitney <sjwhit@aol.com>
Sent: Friday, December 12, 2014 4:25 PM
To: Moore-Love, Karla
Subject: Historic Districts and Places

To: Portland City Council
From: Sharon Whitney, 1221 SW 10th Ave, #1206, Portland 97205

Please consider the value to residents and visitors alike of one aspect of the much lauded Portland brand: our Historic District and Historic Places. We must stop the demolition of these buildings. I urge you to think in terms of preservation and renovation.

Great cities large and small don't cast away their patrimony.

Thank you.

Moore-Love, Karla

From: Lori Rielly <lrielly@gmail.com>
Sent: Friday, December 12, 2014 9:44 AM
To: Moore-Love, Karla
Subject: No more demolition of historic buildings in Portland

Dear Portland City Council,

The historic buildings in our city are part of what makes Portland, Portland. Most developers care nothing of our city's history-They are focused solely on profit. A city that allows genuine pieces of our past to be bulldozed to the highest bidder is truly a city that has no respect for its past, or what it means for a city to have character. I see this character quickly being destroyed all over the city-Even in my own neighborhood (originally built in the early 1900's). Please, I urge you to protect historic buildings from rampant development. Please don't sell our city out!

Thank you for your time,
Lori Rielly
Portland resident

Moore-Love, Karla

From: Constance Kirk <conniekirk@me.com>
Sent: Friday, December 12, 2014 9:38 AM
To: Moore-Love, Karla
Subject: Save the historic Ballow and Wright Building

Karla, see below my letter to Mayor Hales and Members of the City Council.

Best regards,
Connie

Dear Mayor Hales and Members of the City Council:

I oppose the demolition of the historic Ballow and Wright building. Please do not allow demolitions of historic buildings at the community's expense.

A four hour hearing with numbers of those in opposition to demolition greater than developers for is a powerful statement by the polity committed to preservation.

Thank you for your time.

Respectfully submitted,

Constance Kirk
1132 SW 19th Avenue
Portland, OR 97205

Moore-Love, Karla

From: Alice Duff <aliceduff3@yahoo.com>
Sent: Friday, December 12, 2014 8:20 AM
To: Moore-Love, Karla
Subject: City Council

As has been said: "It isn't the National Register of *Beautiful* Places. It's the National Register of HISTORIC Places and Historic Districts are made up of individually listed buildings, contributing buildings and non-contributing buildings that need to be protected as part of the fabric of the district."

"No more demolitions of historic buildings to maximize private profit at the community's expense!"

Alice Duff
SE Portland







