



River Community Advisory Committee (RCAC)

MEETING MINUTES

Thursday, August 4, 11:00am – 12:00pm

Virtual Meeting: Members Attending Via Zoom

ATTENDANCE:

City of Portland Staff: *(BDS unless otherwise noted)*

<input type="checkbox"/>	Gabby Bruya, Analyst I
<input checked="" type="checkbox"/>	Jason Buerkle, Residential Plans Examiner
<input checked="" type="checkbox"/>	Maureen McCafferty, Commercial Plans Examiner
<input checked="" type="checkbox"/>	Ken Ray, Public Information Officer – Communications & Outreach

<input checked="" type="checkbox"/>	Dave Tebeau, Mgr. - Residential Inspections
<input checked="" type="checkbox"/>	Nancy Thorington, Analyst – Bureau Wide Projects
<input checked="" type="checkbox"/>	Sean Whalen, Fire Inspector/Specialist; Portland Fire & Rescue
<input checked="" type="checkbox"/>	Terry Whitehill, Mgr. - Bureau Wide Projects

Current Members:

<input type="checkbox"/>	Bruce Broussard
<input type="checkbox"/>	Terry Glenn, Chair
<input checked="" type="checkbox"/>	Kelly Holtz

<input checked="" type="checkbox"/>	Tim Larson
<input checked="" type="checkbox"/>	Tom Lisch
<input checked="" type="checkbox"/>	Bryrick Shillam

A. Welcome

- 1) A quorum was met halfway through the meeting when additional members joined.

B. Meeting Minutes

Motion: Kelly made a motion to approve minutes from the meeting May 26, 2022. Tom seconded the motion. A vote was held. The motion was unanimously approved.

C. Potential Changes to Title 28 Charter Rule

1) Floating Structures Appeals Board

Have appeals heard by existing Building Code Appeals Board, with a representative from RCAC who is a subject-matter expert based on the issue presented to attend the hearing (ref. 7/15/21 minutes, Item E)

- a) The Floating Structures Appeals Board has not met for ten years which makes maintaining a separate board inefficient. The solution proposed is to use the existing Building Code Appeals Board to review any matters which might arise, in addition to providing someone from the RCAC or a subject-matter expert to sit in, as needed.
- b) It was noted that the ultimate decision is with BDS Director.
- c) Terry W. is the Building Official for the Building Code Appeals Board. It was noted that the Board has been successful at finding solutions at the administrative level.

Motion: Tim made a motion to ratify the changes and accept the previous board's decision. Kelly seconded the motion. A vote was held. The motion was unanimously approved.

2) 28.05.020 – 50% Alteration Rule

Amend language for clarity, then create a Building Official Decision that outlines details that can be more flexible (ref. 1/9/20 minutes, Item E)

- a) Kelly asked for clarification on what the term ‘party’ refers to, as well if the components are defined. It was agreed that the 50% rule refers to 50% of any components, but that the components are not officially defined.
- b) Terry W. explained that this part of the 50% Rule is still in question as to whether it refers to the entire dock system, or the float section. Discussion was held about joist portions as they relate to floatation devices, and other components. The group was in agreement on trying to come up with what makes sense.
- c) Tom mentioned his recall on this rule is that 50% of the entire structure references up to entire side of deck boards, stringers (up to 30%), floatation logs (up to 20%), and other floatation materials. The question is where items are combined. Terry read item C, 1 which details these guidelines (see below).

C. Alterations and Additions to Moorage and Marinas.

1. Walkways and supporting structure. Any alterations or improvements within any 12 month period which involve a total of less than fifty percent (50%) of the structural components, except piling as stated in Section 28.05.020 B., may be made with like or better materials in a like manner without requiring a permit provided the alteration or improvement does not increase the area of the walkway or cause an unsafe or overloaded condition. Increase in the area of a walkway shall be treated as an addition and shall comply with Section 28.05.020 C.2. Exemption from the permit requirements of Title 28 shall not authorize any person to do work in any manner in violation of the provisions of Title 28 or any other rules or regulations of the City of Portland, the State of Oregon, or the Federal government.

- d) Sean mentioned that this may need a closer look. While Jason has suggestions – including how this affects egress – and is tabling them to review with his group first. Replacing 49% of decking gives him pause. Maureen weighed in that her team has also had questions about definitions on the 50% Rule.
- e) Definitions are critical as they heavily impact floating homeowners.
- f) Terry W. might add definitions to the website (*Building Official Determination (BOD) page*) so that they may remain flexible. A link to this could be posted to the RCAC webpage. However, this will take additional review and discussion. Terry W. suggested putting language together and submitting to members for review.
- g) On the 50% Rule (*28.02.30*), existing language in code only deals with moorages, but does not have corresponding language for other items. Terry W. explained that floating home language is flexible so we may not need to change anything to make it workable. Also noted was that the walkway around the home is covered under the home section, whereas the walkway to the home is considered part of the moorage, making them fall under completely different sections. Jason shared that he has not had issues with this, relating to homes versus moorages.

Action Items:

- a) Definition language to be put together and submitted for RCAC review.

3) 28.03.015.D – Meeting Frequency

Change from 5 to 2 with option for any member to call for a meeting in the interim (from 5/26/22 minutes, Item C)

- a) The board is in agreement with this proposed change.

4) Review language for terms such as “grandfathered”

- a) Review for this language is a City of Portland requirement.
- b) The board is in agreement with this proposed change.

D. Title 28 Changes - Next Steps

- 1) Recommendations should be made prior to sending to the elected official board.
- 2) Nancy will review changes for items C.1, 3 & 4 (*appeals board, meeting frequency and language*). While we can bring these items to the board before then, they will be effective March 1st, as we are past the point of meeting the deadline for items to be effective October 1st. (As a sidenote, it was explained that if the goal is to be effective October 1st, changes will be effective 30 days after the 2nd reading.)
- 3) Regarding the 50% Rule (C.2) Terry will run BOD through this group before we adopt it. Terry and Nancy may provide explanations for all of these.

Action Items:

- a) Setup a meeting for: Terry, Maureen, Jason and Dave. Nancy optional.
- b) Add approval of past minutes (*1.14.21 and 1.9.20*) to future agenda
- c) Add discussion of appointing a Vice Chair to future agenda.

Meeting adjourned at 12:11 pm.

Next meeting: The board discussed a possible September date.