



River Community Advisory Committee (RCAC) MEETING MINUTES

Thursday, April 6, 2023 / 10:30am – 12pm

Virtual Meeting: Members Attending Via Zoom

ATTENDANCE:

City of Portland Staff: (BDS unless otherwise noted)

Table with 2 columns: Attendance status (checkbox) and Name/Title. Includes Jason Buerkle, August Burns, Jason Butler-Brown, Jeff Gauba, and Amit Kumar.

Table with 2 columns: Attendance status (checkbox) and Name/Title. Includes Maureen McCafferty, Matt Rozzell, Dave Tebeau, Sean Whalen, and Terry Whitehill.

Current Members:

Table with 2 columns: Attendance status (checkbox) and Name/Title. Includes Bruce Broussard, Terry Glenn, and Kelly Holtz.

Table with 2 columns: Attendance status (checkbox) and Name/Title. Includes Tim Larson, Tom Lisch, and Bryrick Shillam.

A. Meeting Minutes

Motion: Kelly made a motion to approve minutes (with correction as noted, to spell out FIR program on last page) from the meeting on February 9, 2023. Tim seconded. A vote was held. The motion was unanimously approved.

B. Review of Potential Changes to Title 28 50% Rule – 28.05.020 Moorages

- 1) Terry presented the question: Do we want to use linear feet in addition to percentage?
2) Kelly inquired as to the status of Maureen's review of a float plan. Maureen has not had a chance to do this yet.
3) Kelly feels the guideline would not be onerous for a smaller moorage of 100 ft. of walkway to replace. Terry explained that what he had proposed would be either a certain number of feet or a percentage. If a full replacement, there would be possibility of involving the building department. Maureen stated that we could include language to specify this guideline.
4) Terry shared that larger marina fingers are typically 400-450 ft.; with 14-15 houses on one side - of approximately 35ft. each). This means that a 100 ft. dock may only have room for 2 houses.
5) Bryrick's concern with linear feet guideline is that much of Portland is comprised of larger moorages that far exceed 200 linear feet. Bryrick feels that pigeonholing these larger communities may discourage them from getting a permit and/or maintaining the most critical part of their infrastructure. He feels comfortable with the 50% rule.
6) Bryrick's other concern is that some moorages are operated by volunteers (who may not have ever ran any building project). He expressed a need to make sure any language that's used isn't convoluted.
7) Terry shared that a specification of 500 ft. would accommodate the larger moorages. Smaller moorages may be more of a concern.
8) It was noted that where lending is involved, a bank's potential permit requirement (or reporting of a lack thereof) would depend on the lender.
9) Maureen asked if we are ok with replacing an entire large dock without a permit? She stated that she is not comfortable with that. Terry asked her where she feels the line should be drawn. Maureen responded that language needs to be added that describes replacement of an entirety

of a system. While she is ok with finger floats, when it comes to the marginal walkway, that is where her line gets drawn. Maureen suggests adding language, for example: "For the entirety of (*insert component here, such as 'marginal walkway'*)", before going on to detail that this is when a permit is required.

10) Terry inquired as to the cost of a permit. An example was given of a project valued at \$500,000, totaling 1500 sq. ft. Jason B. shared that it looks to be around \$1000 for permit fees, plus/minus for ~1500 sq. ft. of deck.

11) Terry then raised the following questions for discussion: What are the benefits to the community in relation to our expertise for reviewing a project? What is the cost for this? How does that affect homeowners maintaining their property? Dave stated that our goal is to create a streamlined path for permitting that wouldn't be an unreasonable or overwhelming process. It was noted that the only way to reel that in is to look at the docks and pieces.

12) Access and safety during repair was discussed. Bryrick stated that access becomes an issue only when joists become replaced. Terry explained that it is typical that often the work area is not as stable or safe as you'd like it to be when under repair, and that perhaps we could add guidelines in the code for safety while work is being done. This would help put homeowners in the right frame of mind for emergencies and safety issues while work is being done.

13) Jason B. asked if there are working agreements in terms of maintenance issues within the marina, as well as if we could create a bridge between Title 28 and the marina owner guidelines. For example, it could be stated perhaps, that if you are going to remove decking, you must meet 'such and such' requirement. This may help the whole issue of trying to differentiate the float and float component.

14) Kelly shared that her moorage has are bylaws which detail specifications regarding building (*size/restrictions, etc.*). It would not be a stretch for her moorage to add the type of guidelines Jason mentioned to their bylaws.

15) Dave wondered if all moorages would have bylaws in place. He suggested that adding this to code would show where exempt work could happen.

16) The possibility of spelling out materials was brought up (ex: specifying thickness of boards, size of span, etc.) to help avoid the requirement for a permit. However, the code doesn't necessarily spell out materials like that since there are many ways to approach any given project. Matthew mentioned it can be difficult to capture every type of material, along with specifications. This can even be tricky when listing out best practice recommendations.

17) Maureen has reviewed what was originally composed, noting it included finger floats, marginal and main walkways. She mentioned adding back the individual components piece and refining some language further. She also suggested specifying that decking is a maintenance item and doesn't need a permit.

18) Dave summarized that the 50% rule would apply to each individual component. He asked the group if this sounded reasonable.

19) Tom expressed that the 50% rule seems lenient compared to requirements for building on land. Maureen is ok with eliminating finger floats. Matthew likes the suggestion of 50% or a minimum for replacement. He added that insurance companies may want permits on these. However, Terry is retired from the insurance field, and stated that they don't care about permits, aside from conducting their own inspections.

20) Dave asked if the Harbormaster is currently being notified of floating home construction/replacement projects? Terry doesn't think so.

21) It was noted that one of the decisions the group must make is whether to look at components and how we establish a guideline around this, or if floats should be left in place so as not to trigger the need for a permit. Terry doesn't feel replacing a log or stringers brings any value for having a permit.

22) Dave mentioned gauging consensus on whether it sounds reasonable for the 50% rule to work the same whether you are working on the walkway or the structure, and that we might be able to use the same terminology for all structures.

23) The goal is to tighten up the language to be very clear so that everyone can understand.

- 24) One item still to be finalized is as follows: What is the minimum number used to capture the smaller moorages?
- 25) Jason B. hasn't seen many examples where 50% has been replaced in this way. He needs time to get back to the committee with a recommendation.
- 26) It was noted that Jantzen Beach marina replaced the entire walkway, while Portland Yacht Club is replacing finger-by-finger. Terry asked if either of those projects are concerning.
- 27) Kelly pointed out that her concern with the 50% lies with the smaller moorages, and the safety factors.
- 28) Terry mentioned that perhaps the solution could be easier access to building permits, as well as permits that aren't expensive or complicated.
- 29) Kelly asked where homeowners can find out more about floating structures. Dave shared that they may make a '15 Minute Appointment' with Maureen or Jason. Or that this could be arranged. He shared that BDS could do improve the process for floating homeowners to get through the building process nothing that it is always best to review a project before it's done. Dave pointed out that the code doesn't address quality of work.
- 30) Kelly asked if there is another way to incentivize moorages to pull permits from a safety perspective.
- 31) It was noted that the Residential Building code has an entire section of what is exempt from a permit (*though projects still need to be built to code*). Hopefully by being flexible it will draw people in, and help people know they've put something together in a proper way. It would be very beneficial if BDS could make Jason or Maureen more accessible for guidance.
- 32) Matt shared that a big part of it is education, suggesting that RCAC members and/or BDS staff could perhaps go to local moorage or other committee meetings.
- 33) Kelly may be able to invite someone to the WOOO meeting. Jason B is open to attending. His phone number is on the WOOO home page. Kelly will reach out to get this scheduled.
- 34) Terry asked if an individual BDS webpage could be created for floating homes. Matt will inquire about this; adding that August may be able to assist with this.
- 35) Another suggestion was to take the general building application and modify it for floating homes, as well as have Jason talk directly with applicants. If we can meet with people early in the process this will add value. Terry shared the ease of having been able to work with, and even design things directly with building officials (in Camas/Washougal).
- 36) Kelly added that we might combine the Master Builder Program into this. Floating homeowners could ask their contractor if they are part of the program, or if they could become part of it.

Action Items for Section B:

- 1) Terry requested that Maureen make recommendations on suggested language at our next meeting.
- 2) Kelly to reach out to Jason Buerkle to schedule his attendance at an upcoming WOOO meeting.
- 3) Matt to inquire about adding a new page on the BDS website for floating homes.

C. Master Builder Program

- 1) Dave provided an update, including the need to check with Jason's supervisor to determine whether he can be a part of this. There are logistical issues, including his current job description, union guidelines, and a certification piece.
- 2) Jesse was counting on having someone onsite to perform inspections. We had talked about Jason doing some of these inspections both virtually and onsite. However, Dave later realized that because Jason is a Plan Reviewer this may hamper him doing inspections. Dave wants to try to explore how we might work this out. One suggestion is to create a test on Title 28 for builders, which would give contractors the benefit of being able to advertise expertise in City code.
- 3) Another idea is to have Jason step in only when the work requires more expert level review.
- 4) It was noted that if we are successful in getting floating homeowners to get permits, we may suddenly find ourselves with a flood of work to do.
- 5) Dave is still working through what this may look like with the resources we have. He thinks having Jason and Maureen on board will be a huge benefit, and that program will likely include a

virtual component. Dave further remarked that if we can get them out into the floating home community through WOOO meetings, etc., that this would help homeowners grow more comfortable.

6) Kelly shared that every moorage probably has a construction review committee, and it would be great to have Jason meet with these groups. It would be beneficial for floating homeowners to have a dedicated contact person at BDS.

7) Kelly also mentioned that she has access to the WOOO database and could do outreach mailings. Furthermore, she shares RCAC news at each meeting, and there is very strong interest.

8) Tim asked if the floating home community is too small for BDS to establish a position designated to address floating home items. Dave shared it could be difficult to do this. His Inspections Department fields about 500 inspectors a day. This is with 70 multi-certified inspectors performing an average of 20-30 inspections each. Dave is uncertain as to whether there is enough work in this community to assign someone for this role.

Meeting adjourned: 12:05 pm

Next meeting: **Thursday, June 8th, 10:30- 12 pm**