

Architectural Review Committee Rules (ARC)

Revised November 23, 2020

Administrative Resolution #2

Architectural Review Committee Operational Guidelines

Adopted October 12, 1999; Revised July 28, 2003; Revised September 2008; Revised May 17, 2015, Revised September 23, 2019

1. CONTROL

In order to ensure that the Moorage will remain a residential area of high standards and quality, the Bylaws (Article X Architecture and Appearance Sections 1, 2 & 3) created an Architectural Review Committee (ARC). The ARC shall be composed of three (3) persons. The ARC shall have the authority and responsibility to control every matter which affects the exterior appearance of the Moorage and any Floating Home, carport, Float, structure, or improvement of any kind, or landscaping which may be part of or connected in any way to the Moorage. No structures, improvements or landscaping of any kind may be constructed or connected in any way to the Moorage, or altered or changed in any way after being constructed or connected to the Moorage without the prior written approval of the ARC. Approval of the ARC may be made contingent upon governmental permit, insurance, and licensing requirements. Duties of the ARC will include control of all matters as to exterior appearance, structures, improvements, remodeling, and landscaping to the maximum extent of the Bylaws.

2. GUIDELINES

The following criteria shall serve as guidelines for the ARC. However, the ARC shall have the authority, at its sole discretion, to approve or disapprove, consistent with applicable governmental requirements, any particular Floating Home, Float or other structure or improvement.

All Floating Homes must comply with any structural requirements, height and width requirements, and any other applicable governmental requirements regulating Homes. All Floating Homes and upland structures must also comply with any applicable building codes and government regulations having jurisdiction. This includes City of Portland Title 28 governing Floating structures. It is the Member's responsibility to secure and properly display any applicable permits. The ARC may regulate the nature and appearance of items on, moored to, or attached to the Floats

and Floating Homes which are visible from the walkways or from other Floats or Floating Homes.

Views shall be defined as being 90 degrees from the common walkway, extending from each property Member's property line points. Any visual obstruction higher than 36 inches between 48 feet and 60 feet from the common walkway shall be subject to ARC review and approval. Light structures or shade screens must be see-through or perforated. Such sunscreens shall not be used to provide year round living space, storage or as permanent walls.

No Floating Home, Float, or permanent structures are permitted to extend beyond 60 feet, 90 degrees from the common walkway, except those longer than 60 feet which were in place at the acquisition of the Moorage by TDA. In circumstance where the Floating Home is moved off site temporarily and returned to the same slip, the grandfathered footprint will be honored. This does not apply to new construction as detailed by the Portland Building Code.

New construction shall maintain a 1 foot setback on each side of slip boundaries separating adjacent Homes or what is required by current City of Portland Building Codes, whichever is greater. New Construction is defined in the City of Portland Building Code.

Prior to the transfer of slip ownership, the ARC may require the Members to remove or remedy any conditions that are not in keeping with current Moorage quality and standards.

3. MODIFICATIONS

Any exterior structural change and/or modification must be approved by the ARC. These changes include, but may not be limited to, modifications which permanently alter the exterior appearance of Floating Homes and Floats. These include:

A Building repair or remodeling that materially affects the dwelling or Float dimensions by adding to the overall square feet; exterior wall; and/or roofs will require ARC approval (drawings, prints, and/or Permits under Title 28 of the City of Portland Building Code, need to be submitted with request for approval).

Other projects requiring ARC approval include any addition of a structure, i.e., shed, garage, cupola, gazebo, privacy screen, or other external change such as

boat lifts, air-conditioner, heat pump, or similar additions/changes. Drawings and descriptions shall accompany requests.

No new Floating Home may be moved in without prior approval of ARC. No modification may be made to the Moorage structures, docks, ramps, walkways or common areas.

After June 1, 1999 there will be no additional multi-family dwellings allowed in the Moorage, either by converting existing single-family Floating Homes to multi-family dwellings or by adding new tender Floating Homes or by bringing other Floating Homes which are already multi-family dwellings.

4. APPEARANCE

Each Floating Home and Float must present a neat and orderly appearance. Its exterior should be kept clean and be repainted periodically to maintain a good appearance.

Personal property including firewood kept outside must be stacked or arranged in an orderly manner. No trash or junk may be visible from the Moorage, walkways or other Floating Homes. Building materials may not be stored for longer than 30 days without written consent from the ARC. Under no circumstance should building materials be stored on ramps and walkways or parking areas of the Moorage. Complaints regarding a Member's slip shall be in writing addressed to ARC, who shall then investigate and take corrective action.

The ARC shall perform periodic inspections of all Floating Home sites and common areas.

5. EXCLUSIONS

The following are examples of items that are excluded from ARC approval process: Routine maintenance; Deck and Floating Home resurfacing or repair; Adding decorative touches to dwelling/Floats such as shutters, awnings and decorative items; Painting (except major color scheme changes.); and Non-structural interior remodeling and/or repair.

6. VARIANCE AND GUIDELINES (form needed)

If Member submits a request that requires a variance to the Guidelines they must submit a variance request at the time of ARC request. The procedure is as follows:

A. ARC shall defer approval until the variance evidence is submitted. Work cannot proceed until the variance has been ruled upon by the ARC

B. Variance from the Guidelines may be approved at the discretion of ARC if the applicant can demonstrate that variance from the Guidelines meets the following criteria:

- a) No harm to adjacent property or property values is being incurred;
- b) The proposed use does not conflict with the original intent of the Guideline (protect views, navigability, adequate separation).
- c) Owners of adjacent properties within 100 feet of the front center point of the subject slip support the request.

7. PROCEDURES & FORMS Members requiring ARC approval shall obtain an ARC Review Request Form from the Moorage office or the Moorage website. Once the form is filled out, Drawings and descriptions shall accompany requests and City of Portland Building Permit or Application if applicable. Applicant is responsible for determining if a City of Portland Permit is required. The Member must submit it along with appropriate information describing the project directly to an ARC member. Please keep a copy of your documents for future reference. The ARC shall:

Review the request for completeness and compliance with ARC Rules. If additional information is needed, the ARC will contact the Member. If all the information is made available and accurately reflects the proposed project, then the ARC will:

- 1. Provide initial review within 5 working days.
- 2. The ARC will post the ARC Review Request on the Community Bulletin Board for 7 calendar days for written comments.
- 3. The ARC will provide a copy of the notice with attachments to the webmaster to post for the same 7 calendar days as listed in step 2. The webmaster will be responsible for taking the notice down from the website after a full 7 calendar days.
- 4. The ARC will make its recommendation within 14 calendar days of receipt of all pertinent information.
- 5. The ARC will again post its recommendations on the community bulletin board.
- 6. The ARC will provide the approved notice to the webmaster to post for 14 days. The webmaster will be responsible for taking the notice down from the website after a full 14 days.

7. The ARC may inspect the project during construction and before completion to ensure its recommendations are met.

8. ENFORCEMENT

The ARC will notify the Board of any Members failing to comply with these policies and procedures and/or ARC recommendations for appropriate action per the Bylaws. *The decisions of the ARC may be appealed pursuant to the appeal process set forth in X, Section 3 of the Bylaws.*

9. ARC MEMBERS See list of current ARC members at the Moorage office, bulletin board or website.