Housing & Economic Development Committee Meeting
Tuesday, June 20, 2023 at 5:30 PM

MEMBERS
Councilor Pious Ali, Chair
Councilor Roberto Rodríguez
Councilor Mark Dion
Councilor Regina Phillips

To submit written public comment on an agenda item, email edd@portlandmaine.gov. Submissions must be received by 12:00 pm the day before the Housing & Economic Development meeting to guarantee their inclusion in the agenda packet. All submissions must include the commenter's name and legal address. To help ensure your comment is submitted for the correct item, please include the name of the agenda item (see below).

REMOTE ACCESS INFORMATION

The Housing & Economic Development Committee will conduct this meeting remotely via Zoom pursuant to the Remote Meeting Policy adopted by the Portland City Council. Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live either in person or via Zoom, a recording will be available in the Agenda Center following the meeting.

For public comment via Zoom, you will need to use the "raise your hand" feature. To raise your hand via the telephone, please hit *9. You will be unmuted by the host when it is time for public comment.
Please click the link below to join the webinar:

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Dial(for higher quality, dial a number based on your current location):
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1. Review and accept Minutes of previous meeting held on April 25, 2023.

a. See attached draft Minutes.

2. Review of 2022 Annual Housing Report

a. See attached Report.

3. Preview of Agenda for City Council Affordable Housing Workshop (June 28)

a. See attached Memorandum and backup.

4. (Public Comment) Approve and Recommend an Affordable Housing TIF - 15 Casco Street

a. 15 Casco Street Affordable Housing Tax Increment Financing Funding Request

b. Public Comment Received

5. Communication - No vote or public hearing required.

a. See attached 2023 Committee Work Plan and Schedule

Next Meeting Date: July 18, 2023

Minutes

Remote Housing and Economic Development Committee

April 25, 2023

NOTE: This meeting was held via Zoom and can be viewed at this link:

https://www.portlandmaine.gov/602/Agendas-Minutes

These Minutes provide a record of those in attendance, general discussion taking place, and motions made.

A remote meeting of the Housing and Economic Development Committee (HEDC) of the Portland City Council was held on Tuesday, April 25, 2023, at 5:30 p.m. via Zoom. Present from the Committee were Chair Councilor Pious Ali, and members Councilors Mark Dion, Regina Phillips, and Roberto Rodriguez. Present from the City staff were Interim Housing and Economic Development Department Director Mary Davis, Assistant City Manager Anne McGuire, Acting Corporation Counsel Michael Goldman, Compliance Officer Heidi McCarthy, Finance Director Brendan O'Connell, Principal Adm. Officer Lori Paulette, and Housing Program Manager Victoria Volent.

Item #1: Review and vote on April 4, 2023 draft meeting Minutes

On motion made by Councilor Rodriguez, seconded by Councilor Phillips, the Committee voted 4-0 to accept the Minutes as published.

Item #2: (Public Hearing) Review of Portland Adult Ed's (PAE) update regarding FY2023 TIF-funded Workforce Development Programs and FY2024 TIF funding request to continue those programs and provide a recommendation to the Finance Committee.

Ms. Miyabi (Abbie) Yamamoto, Executive Director of PAE, thanked the Committee and the City for their support of PAE's workforce training programs. With this assistance, they can assist three times as many adult learners and have enhanced partners, including banking institutions, Hannaford, and PATHs.

Ms. Elizabeth Love, Assistant Director of PAE, then summarized FY2023 outcomes to date, noting that PAE had 136 unique students in TIF supported workforce programs, representing 19 distinct countries of origin, and 96% who identified as BIPOC. Please see attached update from PAE for more information, including the FY2024 request for continued TIF funding of $200,000 to support the workforce training programs listed.

Councilor Rodriguez noted that PAE is a great source of value to the community and asked about its capacity and measuring success.

Ms. Love said that what is offered is based on current capacity, noting that they try to keep classes at 15 students since the classes are intensive and most were full.

Ms. Yamamoto then noted that PAE has an intensive intake process, including discussing with potential students their goals, background, availability, and a commitment of six weeks to a program.

Councilor Rodriguez thanked PAE for their work, and perhaps have earlier discussions to increase capacity. He then questioned whether this should go to the Finance Committee rather than this Committee.

Ms. Davis said this program originally started with this Committee as a workforce training issue, with PAE presenting a summary of work done in a fiscal year. Ms. Davis said that she is looking for a recommendation to the Finance Committee which she would share with the City Finance Director.

Councilor Phillips also expressed appreciation for the work PAE does; they are seen as leaders in the programs they offer.

Chair Ali agreed, and appreciated the use of PAE and PATHS after hours for these programs.

Ms. Yamamoto noted, that with regard to capacity, space can be issue and remote learning increases capacity.

There was discussion about transportation for students, and PAE is working with METRO for a possible contract for bus passes.

Chair Ali opened the floor to public comment. Seeing none, the public comment session was closed.

On motion made by Councilor Phillips, seconded by Councilor Rodriguez, the Committee 4-0 for recommend to the Finance Committee approval of $200,000 for FY2024 for continued support of the operation of PAE's workforce training programs.

Item #3: Review and Recommendation to the City Council regarding proposed amendments to the City's Tax Increment Financing Policy (Public Hearing)

Heidi McCarthy introduced this item by providing a brief overview of Portland's Tax Increment Financing Policy as it relates to state prevailing wage rates and local minimum wage rates for construction workers. A third wage rate, known as Davis Bacon, may also be considered when determining wage rates. It is the responsibility of the general contractor to ensure compliance with wage standards. As each job category has its own required wage rate, the subcontractors need to compare each individual worker to the various wage rates and determine which rate to pay. Job classifications between the three wage rate schedules are not necessarily the same, making it a challenge for contractors to identify the appropriate classification and wage determination for each worker, which can create confusion and does add complications to the administration of the wage rates. This certification process is conducted weekly until the project is completed.

When comparing Davis Bacon and the state prevailing wages for Cumberland County, Davis Bacon wages are generally lower and the state prevailing wages are generally higher. Subsequently, the state prevailing wage rate compliance poses a significant cost to a project. To decrease the administration and cost burden on affordable housing projects, staff is proposing amending the language in Section B (3) (iii) of the TIF policy to include the following; if a project is required to use Davis-Bacon wage rates as a result of another funding source, Davis-Bacon wage rates will suffice to meet this requirement, provided the minimum wage for each job is greater than the Portland City Ordinance Ch.33, §33-1 to 33-12.

The revisions to the TIF policy will not have a financial impact to the City; however, the revisions will lower the costs and administrative burdens of developing housing in Portland, while still ensuring those working on housing construction projects in Portland receive fair wages.

Councilor Phillips asked a clarifying question regarding the difference in wages and unintended consequences for workers. Ms. McCarthy referenced the memo *City of Portland Prevailing Wage Review* for examples of how wage rates vary; sometimes the Davis Bacon wages are higher, sometimes the state prevailing wage rates are higher. Additionally, wages paid by union shops are typically higher than Davis Bacon or the prevailing wage rates. But for projects that require the higher of the Davis Bacon or prevailing wages to be paid (such as TIFs) paying the highest wages for each job classification is increasing project costs. Mary

Davis acknowledge there are cases in which a worker could be paid a lower rate, while another worker could be paid a higher rate. Not all projects are subject to Davis Bacon wages, so this is not a typical occurrence. However for those projects that trigger Davis Bacon, the administrators of those projects are juggling the review of two or three wage rates per worker, which is making the projects more complex and more expensive to complete.

Councilor Ali asked a clarifying question regarding the intent of the amendment. Per Mary Davis, the Federal Davis Bacon Act directs contractors and subcontractors to be paid the determined prevailing wage rates for certain subsidized construction projects including project subsidized with HOME and CDBG funding. The local TIF policy requires contractors and subcontractors to be paid either the state prevailing wage rate or the local minimum wage (whichever is greater). The state prevailing wage rate tends to be greater. For local CDBG projects, the Davis Bacon federal wage rate requirements must be followed. This amendment would allow the federal Davis Bacon wage requirements to meet the requirements of the City's TIF policy. However, all workers would be paid at least the local minimum wage rate.

Councilor Ali opened the meeting to public comment. Seeing no one, the public comment period was closed.

On motion made by Councilor Dion, seconded by Councilor Phillips, the Committee voted 3-1 (Phillips) to recommend to the City Council approval of the proposed amendments to the City's Tax Increment Financing Policy.

Item #4: Review and Recommendation to the City Council regarding the Report to HUD on Analysis of Impediments to Fair Housing (Public Hearing)

Mary Davis noted that in 2021, The City of Portland and Cumberland County jointly engaged the consulting firm Root Policy to undertake an assessment to identify barriers to fair housing. The final Report identifies actions the City and region can take to alleviate barriers to fair housing by; increasing the supply of affordable housing; addressing gaps in homeownership attainment; and equalizing access to opportunities.

Once adopted by the Portland City Council and Cumberland County, the report will be submitted to HUD for their review. It is meant to be used during the Consolidated Plan when adopting policies that impact the funding choices of HOME and CDBG.

Councilor Phillips asked staff to share the name of the organizations contacted during the outreach process. Mary Davis provided a list of organizations and noted the citizen survey. Councilor Phillips noted the omission of the organizations mentioned of racially diverse community based organizations such as Maine Immigrants' Rights Coalition and Portland Empowered. Not sure when the city conducts outreach if they are connecting with folks of color. A city-wide plan needs to be formulated to ensure outreach all communities within the city.

Councilor Dion comment that there is significance evidence that lends credence to the idea there has a been a numerical racial disparity in the consequence of housing access. The collected opinion of those surveyed concludes with the evidence that a person of color faces significant hurdles in acquiring affordable housing.

Councilor Phillips noted communities of color have not been included in the conversation, they have not been empowered to have any thoughts, and we have not talked with them about their lived experiences. We need to talk with people who are oppressed and discriminated against to gather the most accurate data. We need to figure out how, when we are discussing the citizens of Portland, we are including everybody.

Councilor Ali opened the meeting to public comment. Seeing no one, the public comment period was closed.

On motion made by Councilor Phillips, seconded by Councilor Dion, the Committee voted unanimously (4-0) to recommend to the City Council approval of the Analysis of Impediments to Fair Housing report.

Item #5: (Public Hearing) Review and Recommendation to the City Council regarding establishing a Tourism Development District

Ms. Davis noted that the City team of herself, Michael Goldman, Anne McGuire, Brendan O'Connell, and Lori Paulette have been working to bring this back to the Committee, together with assistance from outside Counsel. The Committee has heard presentations before about the proposed District, with hotels which have 40 or more rooms to be part of the District. She then described the proposed assessment formula of 1.5% with the City receiving 10% of that assessment for administrative purposes and other allowable uses. It is estimated that, based on the formula, it would net Visit Portland $1.8 Million in its first year. This would come back annually to the City Council in the same fashion as Portland's Downtown District.

Chair Ali opened the meeting for public comment.

Gerard Kiladjian, a local hotelier, noted that Portland does need more funding to compete with other markets and the return on investment is great due to the many other businesses involved in the hotel industry. Most people who come here started as a tourist, and this will increase that industry.

Jean Lu, Hyatt Place Manager agreed and noted support of the proposed District.

Paul Drinon of Friends of Fort Gorges also noted support of the proposed District.

Lynn Tillotson, Executive Director of Visit Portland, thanked all for the hard work over the past three years to get to this place. She noted in the Committee backup there are several supporting letters and 85 comments from business supporting this.

Pamela Lasky of Maine Day Adventures said that it would benefit Portland to be marketed more fully and the trickle-down effect is great to other businesses. This is an important initiative to help Portland compete.

Allie Gil, Marketing Director of Uncommon Hospitality, noted full support of this to market Portland to the rest of the world.

Seeing no more public comment, Chair Councilor Ali closed the public comment session.

Councilor Dion said that he would vote in favor to refer this to the City Council for an investment in Portland to be seen as a year-round destination, with the hospitality business as an anchor.

Councilor Rodriguez noted that he still believes it will have a negative effect on any proposed local option tax, so is hesitant to support this suggesting that the hotels could manage the program. Tourism is not a Council goal; housing is. He also noted that he was unsure that wages could be increased to hospitality workers because of this proposed District. People cannot afford to live and, therefore, would not be supporting the proposal.

Councilor Phillips asked about staff time to administer this, and Ms. Davis noted that this has not been done before so staff is not entirely sure how much time will be needed to administer the district. Staff is supporting the idea and how it will work. Development Districts are done under State Statute and the municipality is the one to legally create one.

Chair Councilor Ali said that he would support a motion to bring this to the City Council for a vote.

A motion was then made by Councilor Phillips to bring this to the City Council for discussion and a vote; Councilor Dion seconded the motion.

Ms. Tillotson noted that for the Hotels to manage this, it would be voluntary and would not work. The proposed District would level the playing field for marketing Portland. It would promote the Winter season so that the hospitality industry workforce can retain jobs. VP could also work with the New Mainers Immigrant Center and workers.

Councilor Phillips thanked all for the hard work to get here to Committee and will support the motion for City Council discussion and vote but may not necessarily support it at that time.

Chair Councilor Ali then asked for a vote on the motion and it passed 3-1 (Rodriguez).

Item #6: Communication – 2023 Committee Work Plan and Schedule

Chair Councilor Ali noted that this item is for the Commiittee's information and to provide any feedback to himself or Ms. Davis.

On motion then made by Councilor Rodriguez, seconded by Councilor Phillips, the Committee voted 4-0 to adjourn at approximately 7:35 p.m.

Respectfully, Lori Paulette and Victoria Volent

2022 HOUSING REPORT
PORTLAND, MAINE

June 2023

Part I prepared by the Department of Planning & Urban Development
Part II prepared by the Department of Housing & Economic Development

The 2022 Housing Report has been prepared at the request of the City Council's Housing & Economic Development Committee. This report is designed to give an overview of housing development activity, funding sources, and projects benefitting from funding subsidies in the 2022 calendar year.

Cover art courtesy of Arlo M., Grade 4, East End Community School

PART I

1. EXISTING HOUSING SNAPSHOT

In 2021, the most recent year for which housing characteristic data is available from the U.S. Census Bureau's American Community Survey, the City of Portland contained an estimated 35,356 housing units. Per the ACS, a slight majority (52%) of these estimated units were renter-occupied, with the remaining 48% owner-occupied. The city's vacancy rate in 2021 was estimated at 8.3%, well under the rate for the state of Maine and the country as a whole.

Figure 1: City of Portland Dwelling Units by Units in Structure (2021)

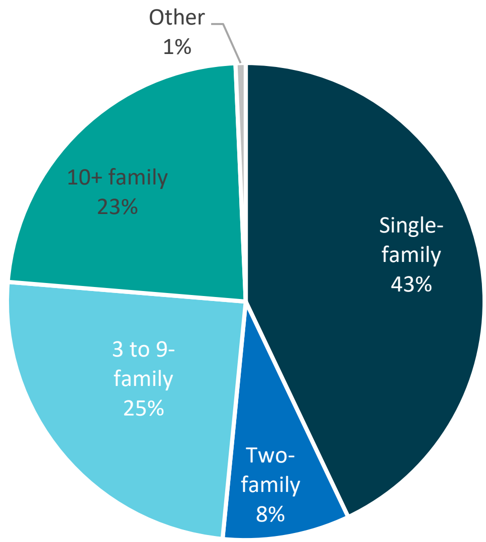
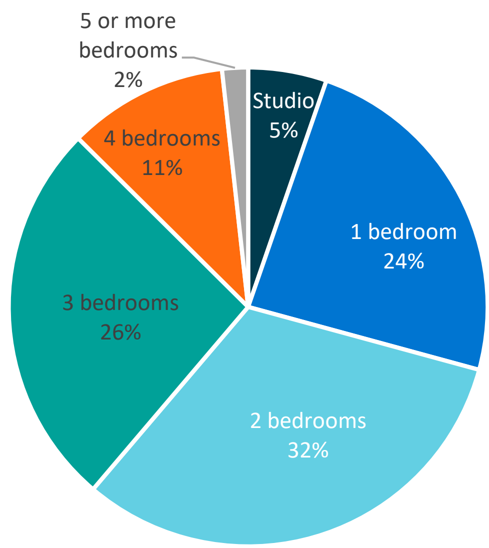


Figure 2: City of Portland Dwelling Units by Bedroom Count (2021)



In 2021 the largest percentage (43%) of the city's estimated units were categorized as single-family units; the ACS also reported large percentages of units within mid-sized buildings of 3-9-units (25%) and 10+ units (23%) *(Figure 1)*. In terms of unit size, the city's units generally trend small; most units in the city (61%) were estimated to contain 0-2 bedrooms in 2021, and another 26% contained 3 bedrooms *(Figure 2)*.

2. 2022 HOUSING DEVELOPMENT

A. RESIDENTIAL APPROVALS

In 2022, the Planning Board approved 10 new multi-family development projects totaling 322 units *(Table 1)*; another 21 single- and two-family projects totaling 22 units were permitted administratively *(Table 2)*. Of the multi-family projects approved, there were three projects with more than 10 units and seven with unit counts between three and nine *(Figure 3)*.

2022 HOUSING DEVELOPMENT AT A GLANCE

322 multi-family housing units **approved**
22 single- and two-family units **permitted**

- **232** ownership units (**62** coop units)
- **112**rental units
- **108** affordable units

145 new multi-family units **completed**
32 single- and two-family units **completed**

- **59** new multi-family rental units
- **86** new multi-family ownership units
- **28** affordable multi-family units
- **2** affordable single-family units

Table 1: Multi-Family (3+ Unit) Approvals (2022)

Address	Type	Units Approved	Affordable Units Approved	Affordability Level
65 McAuley Way (Building 2)	Ownership	28	0	Market rate
65 McAuley Way (Building 3)	Ownership	42	0	Market rate
65 McAuley Way (Building 4	Ownership	28	0	Market rate
65 McAuley Way (Building 5)	Ownership	42	0	Market rate
387 Deering Ave.	Rental	8	0	Market rate
50 Exchange St.	Rental	4	0	Market rate
102 State St. (aka 39 Winter)	Ownership	9	0	Market rate
94 Portland St.	Rental	4	0	Market rate
54 York St.	Rental	14	0	Market rate
392 St. John St.	Rental	9	0	Market rate
Douglass Commons (91 Douglass St.)(aka 45 Dougherty)	Rental	63	46	60% AMI
Dougherty Court (91 Douglass St. (aka 43 Douglass St.)	Ownership (Coop)	62	45/17	100% AMI/ 80% AMI
7 Marion St.	Rental/ Ownership	3	0	Market rate
26 E. Oxford St.	Rental	6	0	Market rate
Total		**322**	**108**	

Table 2: Single- and Two-Family Permits Issued (2022)

Address	Type	Units Approved
8 University St.	Single-Family	1
8 Lane Ave.	Single-Family	1
96 Murray St.	Single-Family	1
62 Hicks St.	Single-Family	1
55 Trailhead Way	Single-Family	1
17 Massachusetts Ave.	Two-Family	2
154 Belfort St.	Single-Family	1
58 Trailhead Way	Single-Family	1
78 Black Sparrow Dr.	Single-Family	1
50 E. Kidder St.	Single-Family	1
43 Howard St.	Single-Family	1
1 Maple St.	Single-Family	1
299 Summit St.	Single-Family	1
126 Morrill St.	Single-Family	1
4 Highland Ave.	Single-Family	1
827 Ocean Ave.	Single-Family	1
113 Reed Ave.	Single-Family	1
37 Pamela Rd.	Single-Family	1
56 Lower A St.	Single-Family	1
59 Chesley Ave.	Single-Family	1
91 Sheridan St.	Single-Family	1
Total		**22**

Of the total approved units for 2022, the majority (232) are anticipated as ownership units, with 62 of those ownership units proposed under a cooperative housing model *(Figure 4)*. 112 units are anticipated as rental units. The largest percentage of ownership units were approved as part of the Stevens Square development in Deering Center. A large percentage of the anticipated rental units were approved within the Libbytown neighborhood on former City-owned property, with additional rental units approved for Downtown, Valley Street, and Oakdale *(Figure 6)*.

A total of 108 of the approved units for 2022 will be deed-restricted for affordability to households earning at or below 100% Area Median Income (AMI) *(Figure 5)*. 45 of these units will remain affordable to households earning at or below 100% of AMI, 17 will remain affordable at 80% AMI, and 46 will be affordable at 60% AMI. The 108 approved affordable units are all multi-family units, and all will be located on former City-owned property at 43 and 91 Douglass Street.

Figure 3: Projects and Units Approved by Building Size (2022)

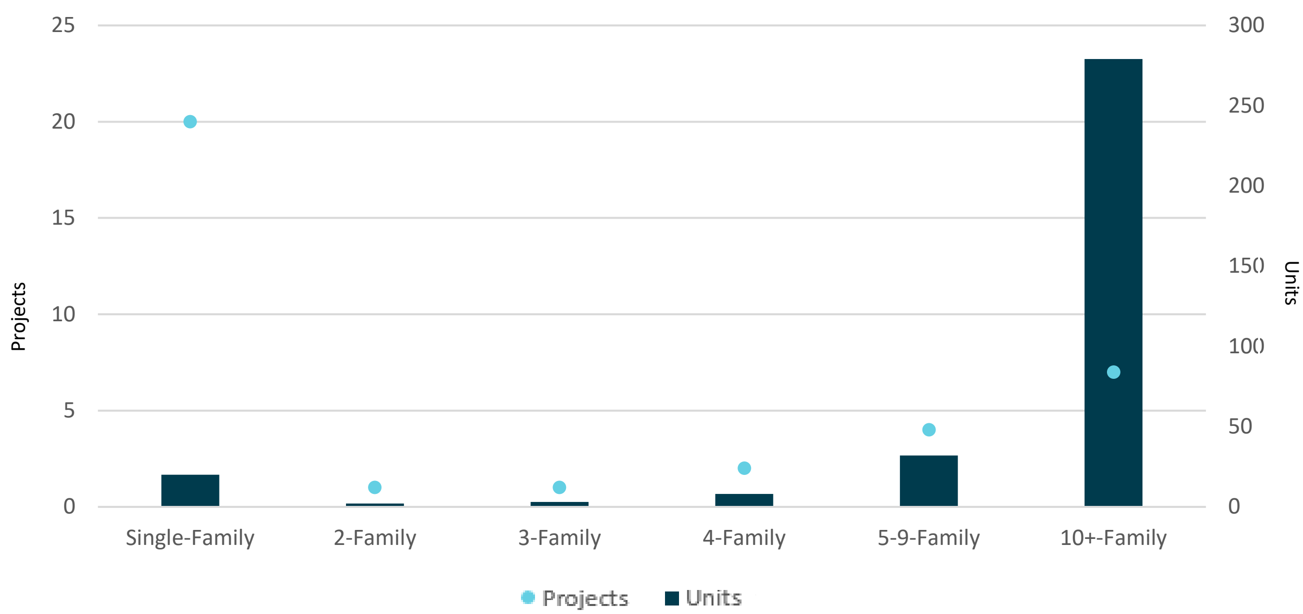


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Figure 4: Units Approved by Ownership/Rental Status[1] (2022)

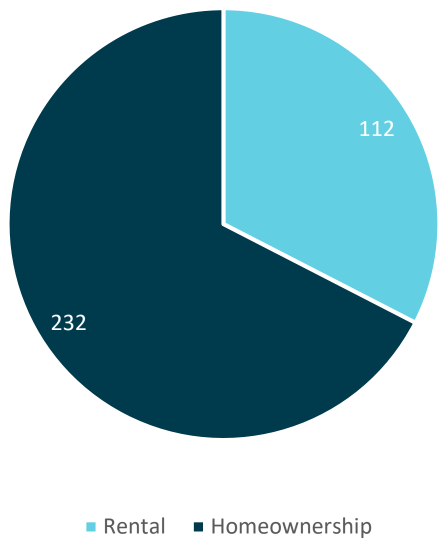


Figure 5: Units Approved by Affordability Level (2022)

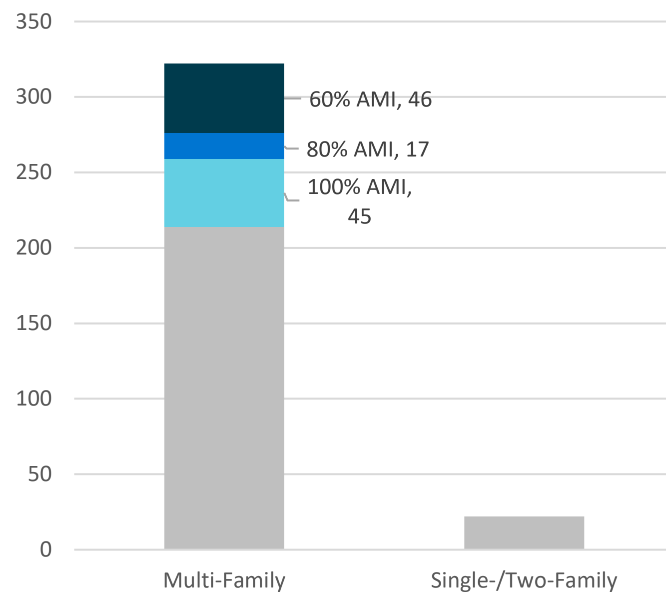
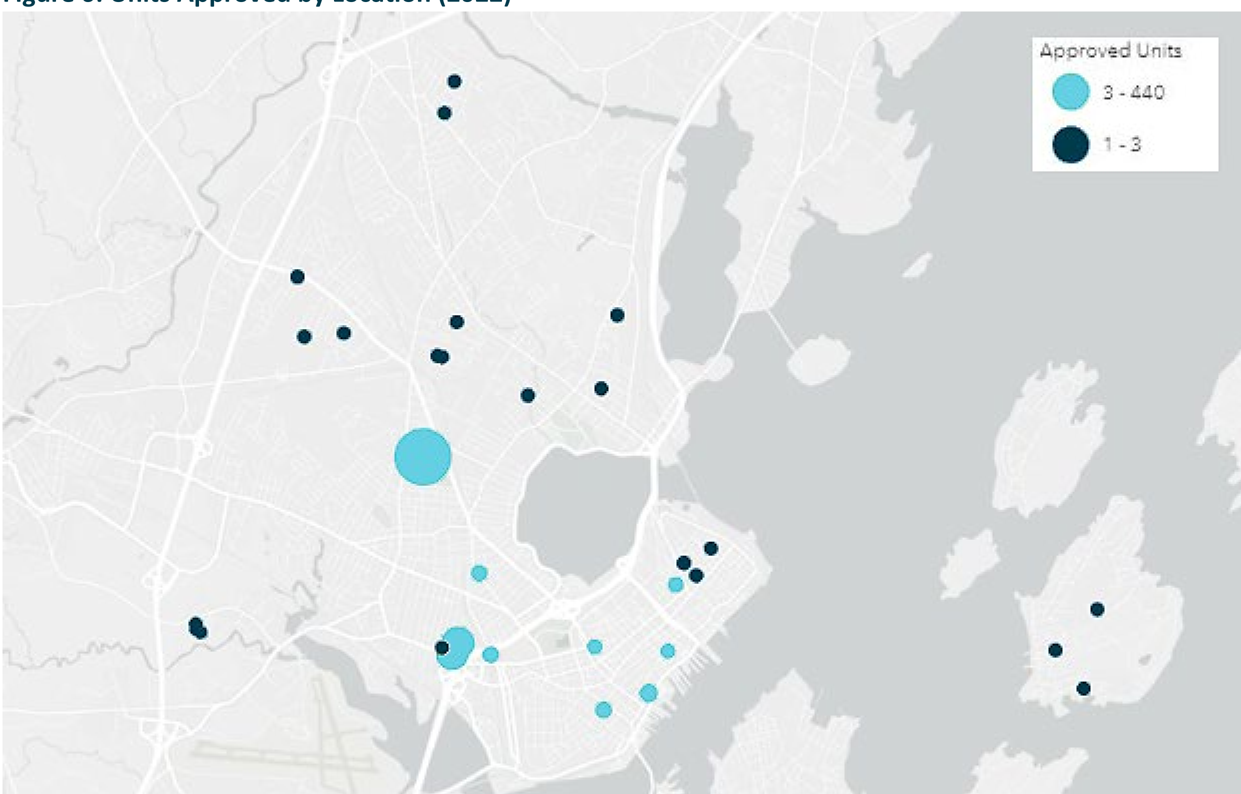
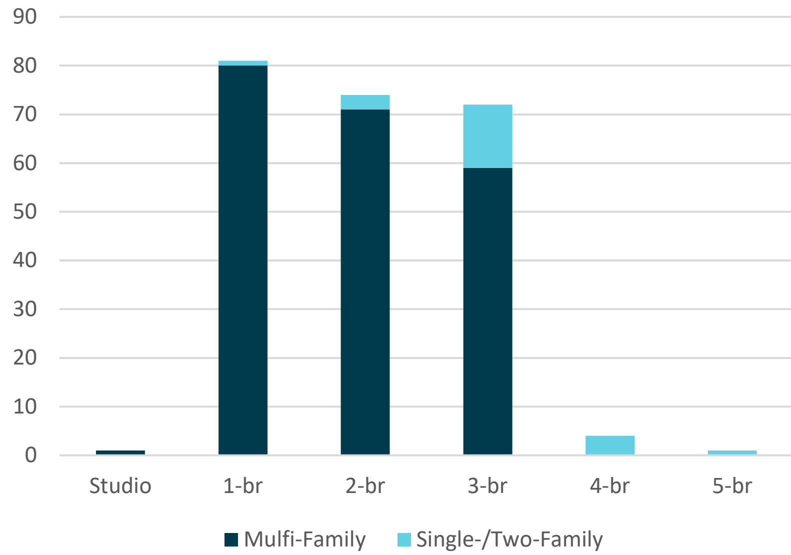


Figure 6: Units Approved by Location (2022)



**Note that the four McAuley Way projects are shown as one development for the purposes of this map.*

Figure 7: Units Approved by Bedroom Count (2022)



Of the approved units for which bedroom mix data is available, the highest proportion were one-bedroom, with similar numbers of two- and three-bedroom units *(Figure 7)*. Significantly fewer of the approved units in 2022 contained four or five bedrooms. Generally, units approved in multi-family buildings tended to be smaller in size, and single- and two-family units tended toward larger, with 4- and 5-bedroom units exclusively contained to single- and two-family dwellings.

B. RESIDENTIAL CERTIFICATES OF OCCUPANCY

In 2022, eight multi-family residential projects totaling 145 units received certificates of occupancy, meaning that construction concluded and their units became available for use *(Table 3)*. Of these, the majority (86) were ownership units, and the remainder (59 units) were rentals. 28 of these units were deed-restricted affordable units. An additional 30 single-family units and one two-family unit totaling 32 units also received certificates of occupancy in 2022. Two of these units were deed-restricted affordable units, both the product of the City's inclusionary zoning ordinance.

Table 3: Certificates of Occupancy Issued for Multi-Family Projects (2022)

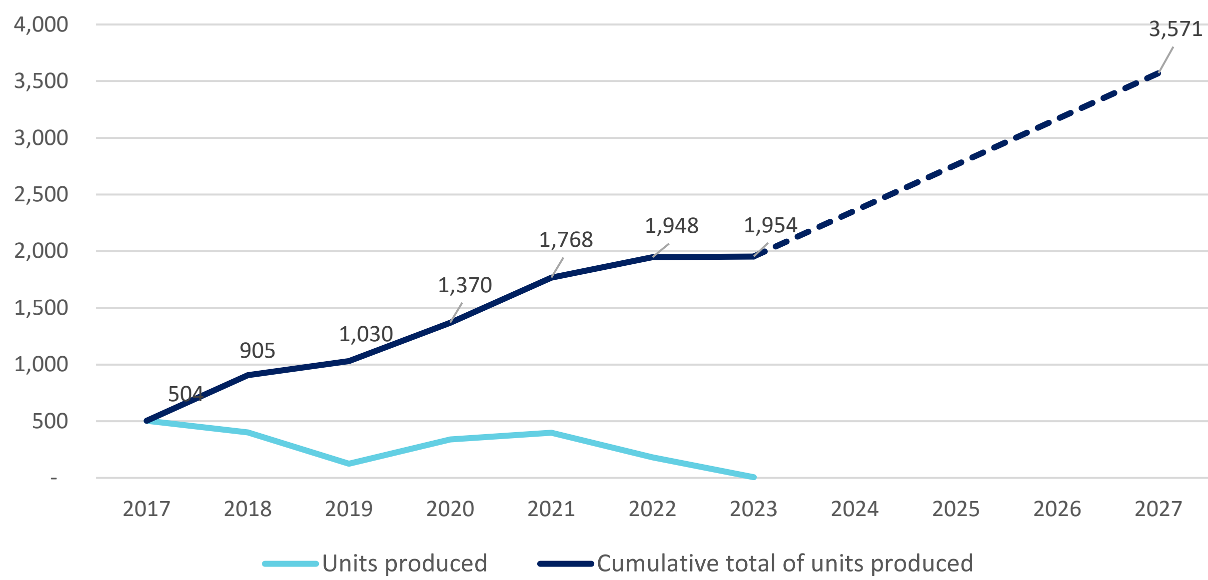
Address	Type	Total Units	Affordable Units	Affordability Level
5-7 India St.	Rental	24	0	Market
104 Grant St.	Ownership	23	12	Market/110-120%
30 Mellen St.	Rental	6	0	Market
148 Newbury St.	Ownership	3	0	Market
128 R North St.	Ownership	6	1	Market/120%
1006 Congress St.	Rental	16	2	Market/100% AMI
75 Chestnut St.	Ownership	54	0	Market
37 Front St. (Building 2)	Rental	13	13	50% AMI
Total		**145**	**28**	

3. HOUSING DEVELOPMENT TRENDS

A. TOTAL PRODUCTION

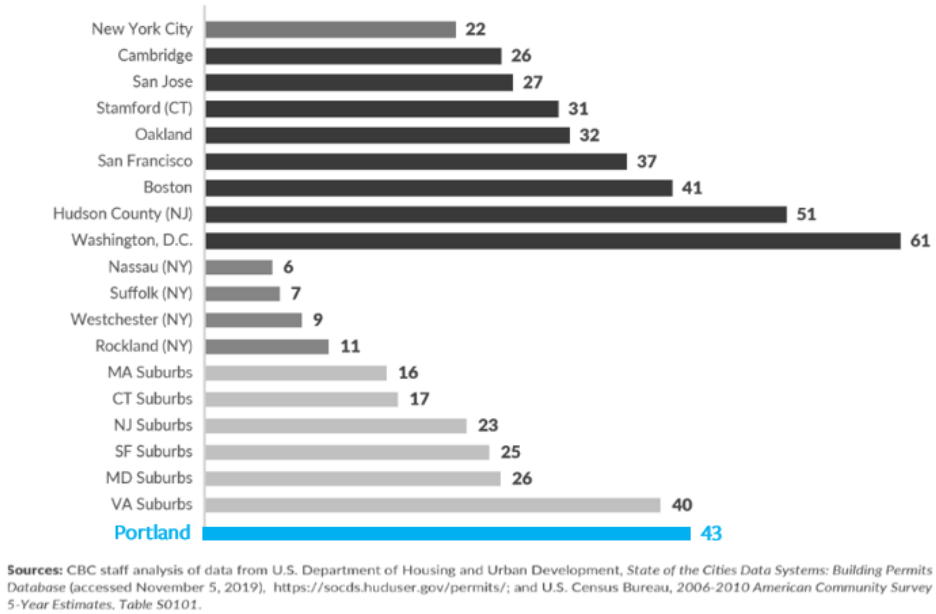
On the premise that "all who work in Portland should have the option of living in Portland," *Portland's Plan,* the City's comprehensive plan, sets a goal of 2,557 new housing units between 2017 and 2027, or an average of 256 new units per year. Recent building permit data shows that the City is on track to exceed the housing production goal of *Portland's Plan* by a significant margin *(Figure 8)*. Since the adoption of the plan, the City has issued certificates of occupancy for 1,954 dwelling units, or 76% of the *Portland's Plan* target. If the current pace continues, the city will meet the target by 2025 and exceed its 2027 comprehensive plan goal by more than 1,000 units.

Figure 8: Housing Production by Certificates of Occupancy Issued (2017-projected)



The City also performs well when compared to some national housing production metrics. For instance, a recent Slate analysis on housing production trends in New York state compiled census data across U.S. metro areas to compare approvals on a per capita basis; when local data is evaluated using the same metric, Portland outperforms its larger peers such as New York City, San Francisco and Boston, in some cases by significant margins *(Figure 9)*, evidence that the City's numerous housing policies and programs are succeeding in fostering housing creation.

Figure 9: Housing Approvals per 1,000 Residents (2010-2018)



Source: Original graph from https://slate.com/business/2023/01/kathy-hochul-housing-new-york-zoning.html with City of Portland Permitting & Inspections data added.

When reviewing housing approvals in Portland over time, the trend is also generally positive. Over the last 12 years, the City has approved an average of 387 units per year, with over 80% of those units approved from 2015 on *(Figure 10)*. 2022 generally held with recent trends; while total 2022 approvals represent a fraction of those for 2021, 2021 saw an unusually high number of units approved, and the 2022 approval figures are consistent with the previous five-year average. Year over year, the vast majority of units are the result of multi-family development; multi-family units as a percentage of the annual total generally hovers around 90%.

Figure 10: Single-, Two-, and Multi-Family Units Approved (2010-2022)

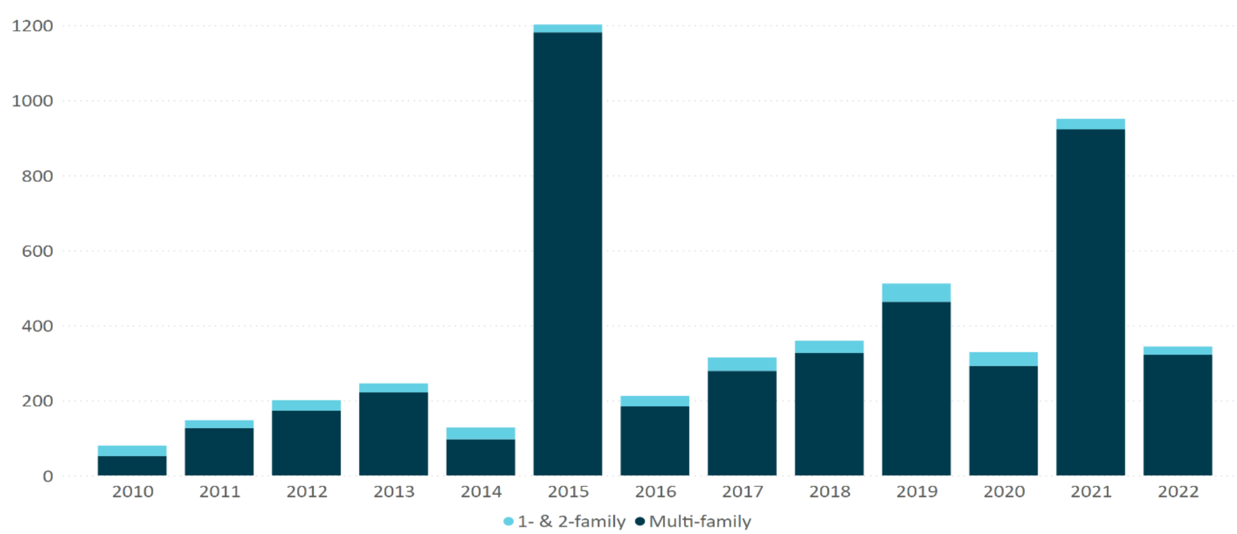
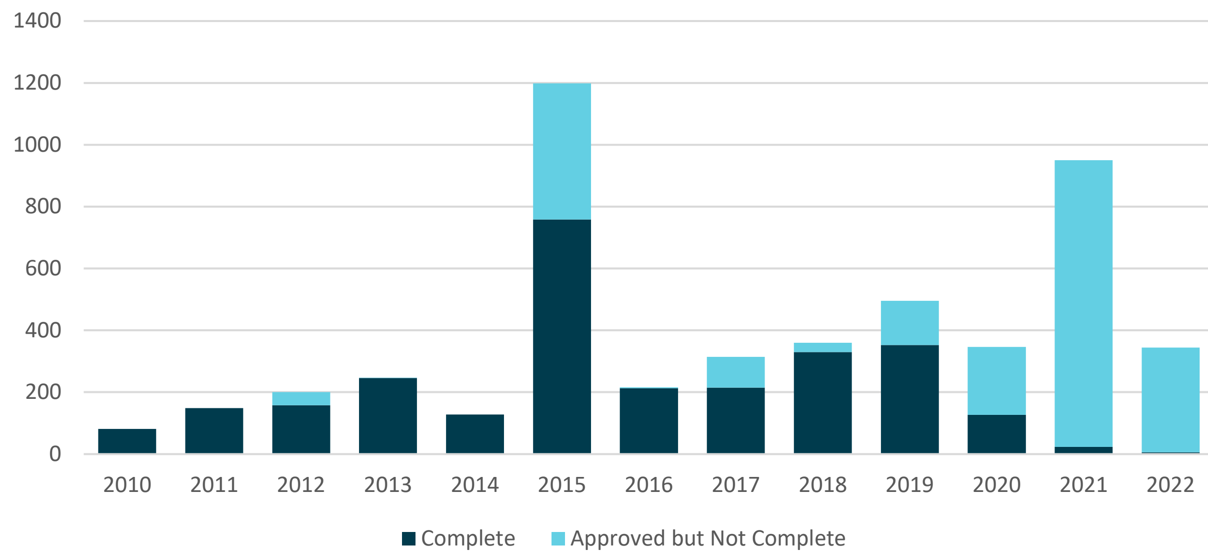


Figure 11: Completed and Approved Units by Year of Approval (2010-2022)



When looking year over year, the data generally shows high rates of completion, meaning that approved units in Portland are generally being constructed and receiving certificates of occupancy *(Figure 11)*. There are some notable exceptions; a large number of units approved in 2015 were not constructed, for instance, but generally the completion rates through 2019 range from 60% to 100%. More of the 2020-2022 approvals remain to be built; this reflects the reality of the development pipeline.

B. RENTAL/HOMEOWNERSHIP

Significantly more of the units approved in the last twelve years have been rental units than owner-occupied units, and in any given year, the number of rental units approved generally exceeds homeownership units by a large margin *(Figure 12)*. However, as with several years in the mid-2010s, 2022 diverged from this trend, with significantly more ownership units approved than rental units. A large percentage of these ownership units were the product of two developments – Stevens Square and 43 Douglass Street – and 62 of those units were approved as cooperative units, a relatively new ownership model for the City of Portland.

Figure 12: Approved Multi-Family Units by Unit Type (2010-2022)

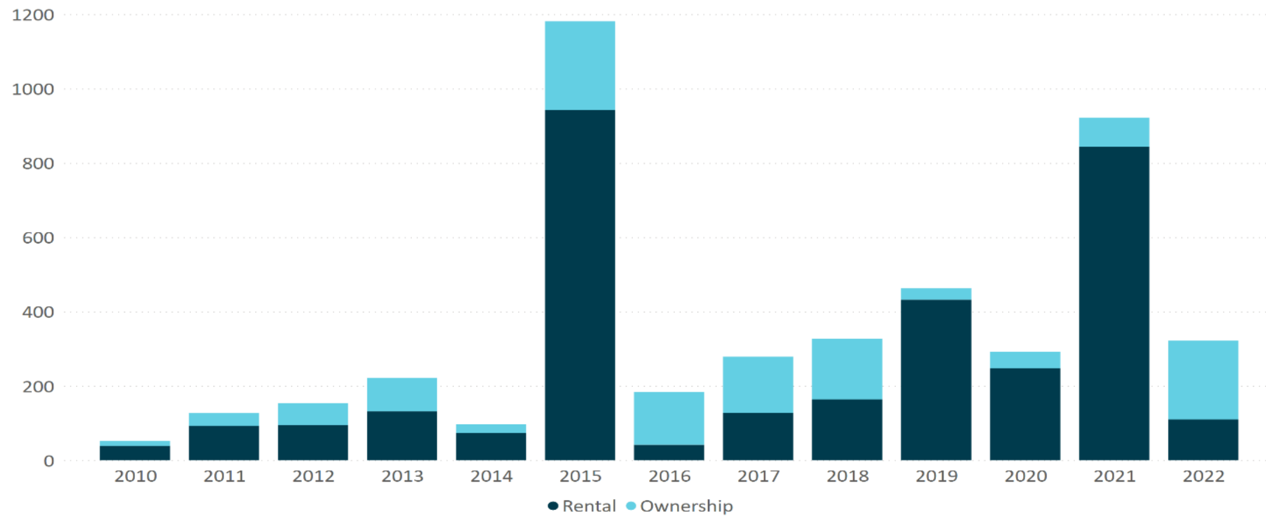
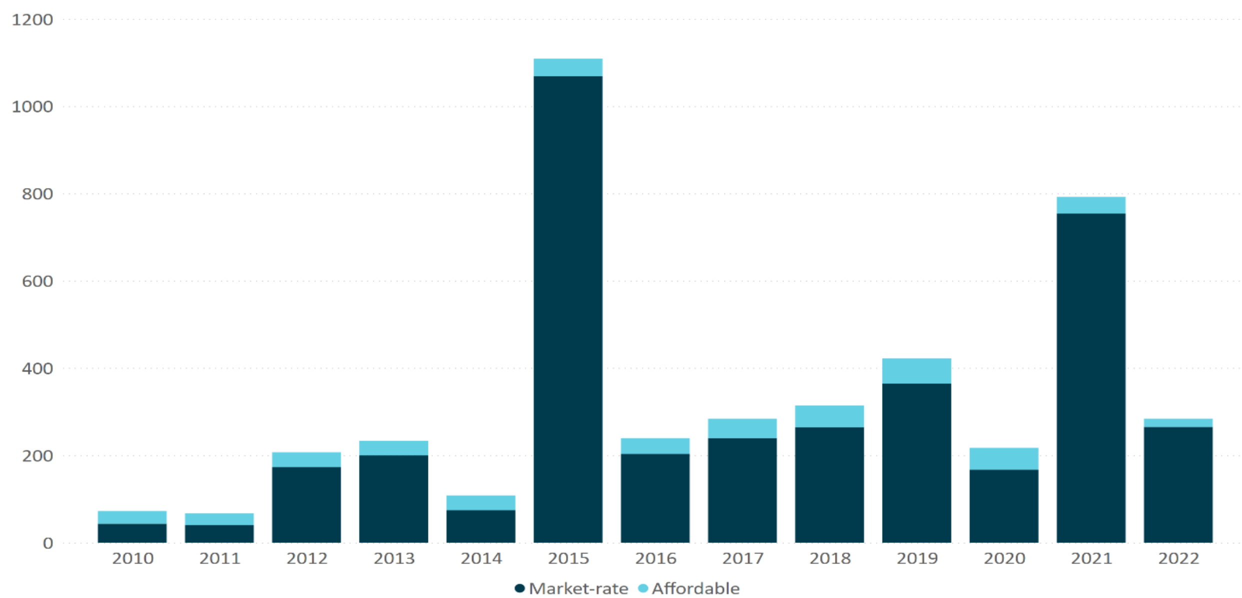


Figure 13: Approved Multi-Family Units by Affordability Level (2010-2022)



C. AFFORDABILITY

Even as production figures exceed the City's own housing target, the cost of housing in Portland continues to escalate. As one means of addressing this challenge, the City continues to support deed-restricted affordable housing; since 2010, over 23% of the approved multi-family units within the city qualify categorically as affordable units with rents or purchase prices limited to households earning below 120% of the area median income *(Figure 14)*. Of these units, the majority were designated for households earning less than 80% of Area Median Income (AMI). In 2022, the proportion of deed restricted affordable housing units approved was higher than for the last 12 years as a whole, at 31%. Of these units, 42% will be deed-restricted to families earning 60% or less of AMI, 16% will be deed-restricted to families earning 80% or less of AMI, and the remaining 42% will go to families earning 100% of AMI.

Figure 14: Approved Multi-Family Units by Affordability Level (2010-2022)

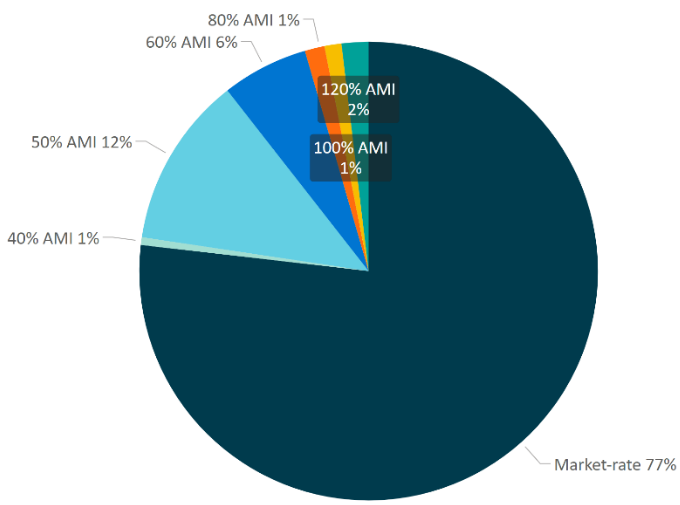
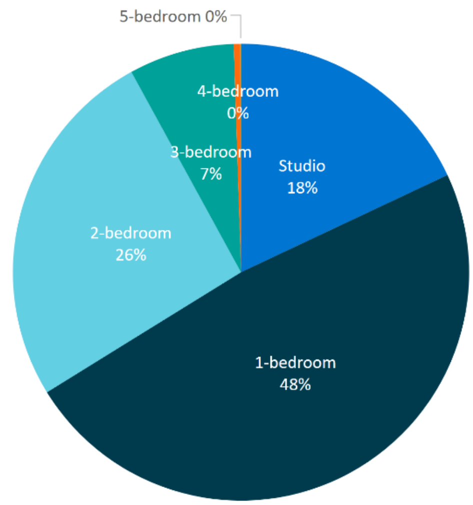


Figure 15: Approved Multi-Family Units by Bedroom Mix (2010-2022)



D. UNIT SIZE

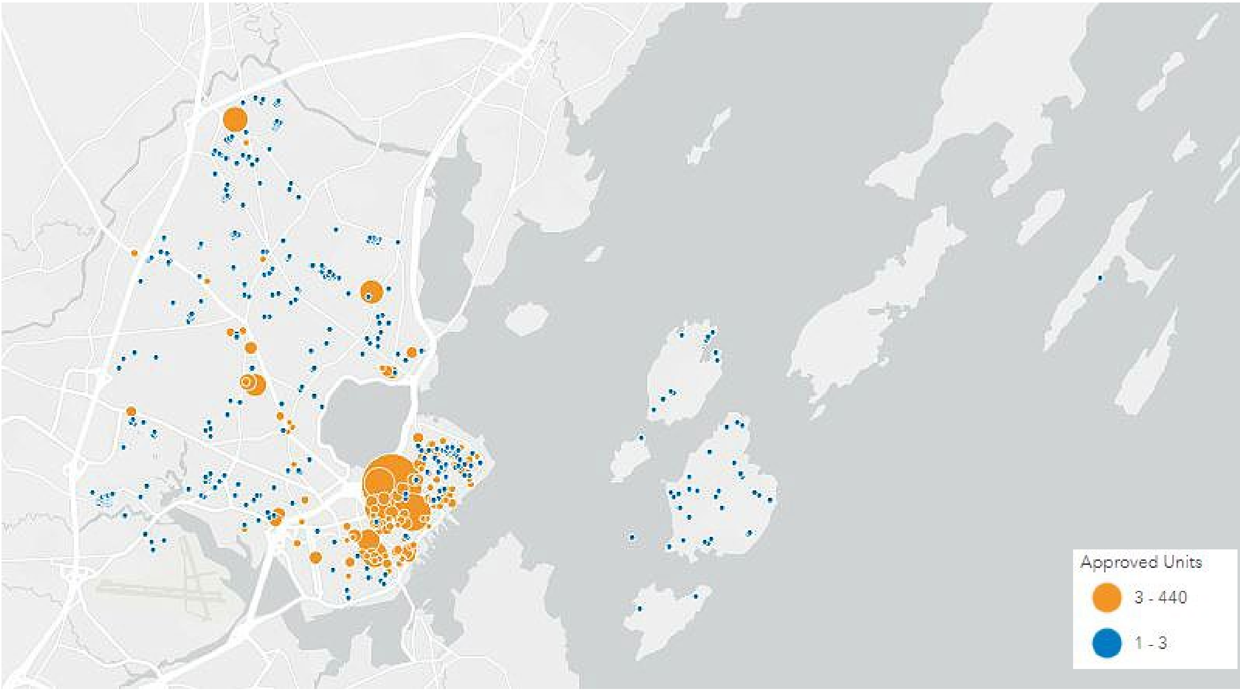
When looking at unit size, data from the last 12 years shows that a large percentage of approved units are small – studios, one-bedroom, or two-bedroom units, particularly when looking at the multi-family context *(Figure 15)*. Altogether, these unit types constitute 92% of all new multi-family units created in the past 12 years. 2022 was generally consistent with this trend.

E. LOCATION

In the past 12 years, the areas of the city with the most approved new housing have generally been Bayside, Downtown, and the West End (including recent developments at the former Mercy Hospital campus and in the vicinity of York/High Streets) *(Figure 16)*. New housing, particularly multi-family housing, is significantly more common in on-peninsula neighborhoods, where the zoning generally allows additional density and there is easier access to public transit, jobs, and services. Some on-peninsula neighborhoods have seen virtually no single- and two-family housing construction in the past twelve years, while this type of housing is the only residential development common in some off-peninsula neighborhoods.

2022 saw a different pattern of residential development, with more development approved for off-peninsula than for on. As noted above, this pattern is largely the product of several large developments, two in Libbytown (43 & 91 Douglas Street) and one multi-building development in Deering Center (Stevens Square on McAuley Way).

Figure 16: Units Approved by Location (2010-2022)



F. INCLUSIONARY ZONING

The City's inclusionary zoning (IZ) policy requires that all residential projects of 10 or more dwelling units either create affordable units or pay an in-lieu fee to the Housing Trust Fund. This policy represents an attempt to leverage the private market to create affordable housing.

2022 saw 10 multi-family approvals, three of which were more than 10 units in size and thus theoretically subject to inclusionary zoning. One of the three projects is an affordable housing project exceeding the inclusionary zoning requirements by nature; another met IZ requirements with sixteen off-site units through a prior agreement, and the remaining project agreed to pay the fee-in-lieu ($649,356). As of June 1, 2023, only one multi-family project (not subsidized by the City) has triggered the Inclusionary Zoning Ordinance; they have chosen to pay the fee-in-lieu of creating workforce housing.

4. HOUSING-SUPPORTIVE LAND USE POLICY

The City's guiding policy documents place a strong value on housing creation, diversity, and affordability. These concepts are a centerpiece of *Portland's Plan 2030*, and have been Council priorities for many years. The housing component of *Portland's Plan* states, "[w]hile Portland has welcomed much needed new housing construction in recent years, both the lack of sufficient housing supply and the affordability of that housing for a healthy socio-economic cross-section of the population remain urgent challenges." It goes on to assert that the city must "recognize that [its] vitality rests on the availability of diverse, secure housing options for existing residents, new arrivals, and all stages of life" (p. 47).

A. EXISTING LAND USE CODE

POLICIES TO ENCOURAGE HOUSING PRODUCTION

In keeping with *Portland's Plan,* Portland's existing land use code includes a number of provisions designed to support the production of housing of a wide range of types and sizes, as well as the creation of legally-binding affordable and workforce housing targeted specifically for residents of low or moderate incomes. These provisions include:

1. *Housing replacement ordinance.* The City's land use code has included provisions since the early 2000s that require any development proposals that remove existing housing to replace those units, either within the same geographic area or by contributing to the City's Housing Trust Fund. These provisions help to counter any potential net losses in housing supply associated with development.
2. *Base zoning to encourage housing creation.* In the past decade, the City has adjusted base zoning in several districts to support greater housing creation, modifying dimensional standards to allow for higher densities and smaller lots. These provisions have been targeted towards higher density residential zones and mixed-use zones well-served by transit, including the B-1, B-2, B-3, and R-6, on the grounds that they create opportunities for housing development in areas of the city that are particularly well-prepared for them. Generally, these adjustments have been successful in producing housing; when looking at production by zone, the City's mixed-use zones and higher density residential zones regularly outpace other zoning districts in terms of housing creation.
3. *Accessory Dwelling Units (ADUs).* Under ReCode Phase I, the city revised Accessory Dwelling Unit (ADU) standards in the interest of eliminating barriers to ADU creation. The 2020 revisions streamlined ADU regulations, eliminated restrictive dimensional and parking requirements, removed procedural hurdles, and increased the number of ADUs permitted per lot (up to two ADUs), making it not only significantly easier to build an ADU in the city, but significantly easier to build significantly more ADUs. ADUs don't have affordability restrictions or requirements, the result of a deliberate policy decision to focus these recently revised regulations on paving the way for smaller, naturally affordable units across the city. Though total number of ADUs remains relatively modest, ADU permits have roughly tripled since the new ADU framework was implemented, from an average of less than five a year prior to 2020 to 15 per year in 2022.
4. *Parking exemptions.* Off-street parking requirements are often cited as a barrier to housing production, forcing housing developers to devote valuable lot area to vehicles, rather than housing units. The City's land use code has long included a great deal of flexibility for developers

when it comes to parking, including but not limited to exemptions in certain zones, shared parking provisions, and off-site parking allowances. As of December 2020, the City's land use code includes lower residential parking requirements city-wide and offers an off-street parking exemption to any use within a ¼ mile of a transit route, essentially freeing much of the city from parking requirements altogether.

POLICIES TO SUPPORT AFFORDABLE HOUSING

1. *Affordable housing bonuses.* As of the mid-2000s and as refined in the late 2010s, the City's land use code has included dimensional bonuses for affordable and workforce housing in many of the City's mixed-use zones and for PRUDs in residential zones, scaled to the level of affordability provided. These bonuses allow increased height, increased density, and reduced setbacks for affordable housing projects.
2. *Expedited permitting for affordable housing.* In addition, affordable housing applications have been eligible for a reduction in fees and priority review since the mid-2000s. With the passage of the impact fee ordinance, the affordable housing fee reductions were extended to include these fees.
3. *Inclusionary zoning.* As noted above, in 2015 the City adopted inclusionary zoning, which requires that projects of 10 or more dwelling units provide a share of workforce housing or make a contribution to the City's Housing Trust Fund. A second inclusionary zoning policy was adopted in 2019 for hotels. These policies are intended to ensure that affordable housing is constructed in tandem with market rate housing and hotel development, and to support the creation of this housing in a mixed-income setting. The inclusionary zoning policy was modified by referendum in 2020 to increase the affordable housing share and to target lower median incomes.

B. CURRENT AND ONGOING INITIATIVES

Additional land use work focused around housing creation, diversity, and affordability city-wide is ongoing. At present, this work includes:

NYU HOUSING SOLUTIONS LAB & HOUSING SUPPLY BOOT CAMP

Throughout 2022, the City of Portland participated as a member of the Peer Cities Network of the Housing Solutions Lab at NYU. The network was a group of small and mid-size cities with housing strategies in various stages of development. The group was led by an interdisciplinary team from NYU's Furman Center, who provided the city with housing data, technical assistance, professional development, and facilitated discussion on housing policy throughout the year. Staff from the City's Department of Planning & Urban Development, who prepared the application to be selected for the network, and well from Housing and Economic Development, and the Assistant City Manager participated throughout. The goal of the City's participation in the network was to provide opportunities for staff across departments to reflect on the City's existing housing policy and programs, consider best practices in housing policy and programs that address the city's current needs around supply, diversity, and affordability, and coordinate on a broad plan for housing moving forward.

At the conclusion of the year-long cohort, representatives of the Housing Solutions Lab facilitated a one-day intensive 'housing supply boot camp' with a range of stakeholders invested in creating housing in Portland. The event was designed to help the City gain a broader understanding of challenges and opportunities around housing creation. It brought together 14 external stakeholders representing the development, architecture, construction, finance, affordable housing, and real estate industries for a facilitated discussion with housing policy experts from the Lab, with City staff in a supporting role. The discussion resulted in a list of ideas to encourage additional housing production in Portland. In the time since the boot camp, staff has been incorporating some of these ideas into its ongoing work, particularly through the ReCode lens. The work of pursuing concepts from the boot camp is expected to continue over the coming months and years.

RECODE PHASE II

The City also continued its housing work under ReCode Phase II in 2022. The early part of the year focused on public engagement around the City's land use code evaluation. Engagement opportunities included a web-based code evaluation comment portal, public forums, surveys, and Planning Board and Council workshops. Generally, the findings from this engagement showed widespread agreement on many of the housing-related policy concepts from the code evaluation. For instance, there was significant support for the concept of aligning housing opportunities with transit investments through transit-oriented zoning and for changing use permissions and dimensional standards to promote housing more generally.

Throughout the second half of 2022, the City worked with the ReCode consultant to begin drafting amendments to the land use code, integrating principles from the code evaluation. The first stage of drafting will conclude in the coming month with the release of several revised articles of the land use code, including Definitions, Zones, Use Standards, and Dimensional Standards. These core elements of the code are central to housing potential, as they establish the basis for what types of housing can be built, how it can be built, and where. Public engagement around these elements is expected to proceed through the summer.

L.D. 2003

In April 2022, Governor Mills signed into law L.D. 2003, or "An Act To Implement the Recommendations of the Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions." This law intends to remove local regulatory barriers to housing production in Maine and, to this end, includes requirements around minimum densities, Accessory Dwelling Units (ADUs), parking, affordability, and residential uses.

In March of 2023, staff summarized the City's existing status with respect to L.D. 2003 compliance in a memo to the City Council. This memo found that, by and large, Portland's existing land use code meets and in most cases exceeds many of the requirements of L.D. 2003. For instance, parking requirements are already lower than that outlined in L.D. 2003 in most respects, Portland's ADU ordinance is more permissive than the L.D. 2003 standard, and in many areas of the city, maximum residential densities far exceed anything that L.D. 2003 contemplates or sets for state minimums. However, there are several areas where Portland's code addresses the goals of L.D. 2003 in slightly different ways than required by the state law, and these will need to be addressed.

Following discussion in the legislature on L.D. 2003 and state rule-making that concluded this spring, the deadline for compliance with L.D. 2003 has been extended to January 1, 2024. In the intervening time, staff intends to bring a slate of short-term changes to the land use code to comply with LD 2003. These will dovetail with work on ReCode Phase II, drafts of which will begin public review in summer 2023.

1. HOUSING PROGRAMS

A. FEDERAL REVENUE SOURCES

The U. S. Department of Housing and Urban Development's (HUD) mission is to "create strong, sustainable, inclusive communities and quality affordable homes for all." To fund this mission, HUD allocates money directly to state and local governments for community planning and development projects through a variety of programs such as HOME Investment Partnership Program (HOME), Community Development Block Grants (CDBG), and Housing Development Services (HDF).

2022 HOUSING PROGRAMS AT A GLANCE

63 rental units (46 affordable units and 17 market rate units) supported with Affordable Housing Tax Increment Financing

$864,764 deposited into the Jill C. Duson Housing Trust Fund from Inclusionary Zoning

$649,356 Inclusionary Zoning fee-in-lieu payments designated for deposit into the Jill C. Duson Housing Trust Fund

HOME

HOME is a federal block grant program that provides funding to states and localities to be used exclusively for affordable housing activities to benefit low-income households. Funds for HOME are appropriated annually to the Department of Housing and Urban Development (HUD), which in turn distributes funding to participating jurisdictions. HOME is also designed to expand the capacity of states and localities to meet their long-term affordable housing needs by leveraging federal funding to attract state, local, and private investment in affordable housing and by strengthening the ability of government and nonprofit organizations to meet local housing needs.

Table 4: HOME Funding (FY 09-10 to FY 22-23)

Fiscal Year	Total Funding	Portland	Cumberland County
FY 23-24	$1,037,237	$635,826	$401,411
FY 22-23	$1,070,677	$656,325	$414,352
FY 21-22	$991,679	$607,899	$383,780
FY 20-21	$1,053,039	$645,647	$407,611
FY 19-20	$1,020,693	$625,685	$395,008
FY 18-19	$1,151,710	$705,998	$445,712
FY 17-18	$824,856	$505,637	$319,219
FY 16-17	$832,642	$510,410	$322,232
FY 15-16	$820,832	$473,597	$347,236
FY 14-15	$913,178	$543,341	$369,837
FY 13-14	$866,153	$515,216	$350,937
FY 12-13	$898,543	$533,230	$365,313
FY 11-12	$1,221,812	$752,982	$468,830
FY 10-11	$1,379,749	$850,155	$529,594
FY 09-10	$1,387,142	$853,921	$533,221

Table 5: Portland Housing Projects Subsidized with HOME Funding (2012 - 2022)

	Project Type	Appropriation Year	Units	Low-/ Moderate-Income Units	HOME Funding
409 Cumberland	New Construction	2013	57	46	$500,000
Bayside Anchor	New Construction	2013	45	36	$500,000
Thomas Heights	New Construction	2014	18	18	$522,448
Rosa True	Rehabilitation	2015	10	10	$149,500
Motherhouse	Rehabilitation	2017	88	66	$627,223
58 Boyd Street	New Construction	2018	55	44	$200,000
Deering Place	Rehab/New Construction	2018	75	45	$500,000
37 Front Street	New Construction	2018	60	60	$306,104
63 Front Street	New Construction	2018	45	45	$204,070
178 Kennebec Street	New Construction	2018	51	40	$370,000
83 Middle Street	New Construction	2019	45	45	$193,266
155 Danforth Street	New Construction	2019	30	30	$299,999
577 Washington Avenue	Rehabilitation	2020	100	100	$400,000
73 Winter Street	New Construction	2021	43	43	$400,000
91 Winter Street	New Construction	2021	52	52	$200,000
Total			**774**	**680**	**$5,372,610**

Portland has been a participating jurisdiction in the U.S. Department of Housing and Urban Development (HUD) HOME Program since its inception by Congress in 1992. Prior to 2009, Portland received an annual allocation of HUD HOME funds but the communities of Cumberland County did not. The creation of the Portland/Cumberland County HUD HOME Consortium in 2009 brought additional funding for affordable housing activities into the region.   HOME funds are awarded annually as formula grants to participating jurisdictions.

HOME has been the largest funding source for the City, helping to develop approximately 1,321 units of housing, 84% as affordable housing, through the allocation of approximately $10.6 million in funds since 2000. In the last ten years (2012-2022), the City has invested $5.3 million in HOME funds which leveraged the creation of 782 units of housing, 680 of which were designated for households with low or moderate incomes.

CUMBERLAND COUNTY HOME CONSORTIUM

- 547 housing units proposed, rehabilitated, or created from July 2009 to December 2022
- 521 low and moderate-income units
- $2,574,887 invested over twelve years

Portland and Cumberland County have formed a HOME Consortium to receive an annual allocation of HOME Investment Partnership funds through the U.S. Departments of Housing and Urban Development (HUD). The HOME funds are used for the creation of affordable housing development throughout Cumberland County, but outside of Portland.

Table 6: Cumberland County HOME Consortium Funding (2009 – 2022)

Owner/Project	Community	Project	Appropriation Date	Low/Mod Units	Total Units	HOME
Oak Leaf 2	Freeport	3 new mobile homes	2011	3	3	$118,994
Sandy Creek	Bridgton	Rehabilitation	2013	20	20	$125,000
Steeple Square	Westbrook	Rehabilitation	2014	73	73	$173,650
Bartlett Woods	Yarmouth	New Construction	2015	28	28	$122,236
Blackstone Apartments	Falmouth	19 New (39 total)	2016	19	19	$123,125
Larrabee Commons/ Dr. Berry Apts	Westbrook	New Construction	2017	38	38	$220,000
Riverview Terr/Larrabee Commons	Westbrook	Rehabilitation	2017	83	83	$240,000
West End Phase I	South Portland	New Construction	2018	50	64	$246,046
Larrabee Heights/Harnois Apts	Westbrook	New Construction	2018	61	61	$100,000
West End Phase II	South Portland	New Construction	2019	40	52	$423,225
15 Harrison Road	Bridgton	New Construction	2020	48	48	$150,000
16 Hancock Street	Gray	New Construction	2020	27	27	$132,611
Village Commons	Scarborough	New Construction	2021	31	31	$275,378
County Sub Totals				**521**	**547**	**$2,450,265**

B. LOCAL SOURCES OF REVENUE

JILL C. DUSON HOUSING TRUST FUND

- $5,348,324 was deposited during 2022
- $941,886 in expenditures were spent during 2022
- Remaining balance of $9,314,156 (as of 12/31/22)

The Housing Trust fund was established to promote, retain, and create an adequate supply of housing, particularly affordable housing, for very-low, low, and median-income households. The remaining balance in the Housing Trust Fund includes City Council appropriations of $5,110,000 in American Rescue Plan Act (ARPA) funding for housing development.

Table 7: Sources of the Jill C. Duson Housing Trust Fund

Year	Source	Type	Amount
2002/03	Maine Medical Center	Housing Replacement	$315,580
2002	Sportsman's Grill	Housing Replacement	$40,000
2009	Berlin City Auto	Housing Replacement	$116,000
2010	Stop 'n' Shop	Housing Replacement	$289,250
2012	Rockbridge/Eastland Park	Housing Replacement	$42,500
2012	Riverwalk/Ocean Gateway	Housing Replacement	$250,000
2012	118 Congress LLC	License	$3,500
2017	91 & 97 Belfort Street	Sale of Tax-Acquired Property	$86,424
2017	116 Upper A Street	Sale of Tax-Acquired Property	$78,527
2017	443 Congress Street	Inclusionary Zoning	$280,000
2018	62 India Street	Inclusionary Zoning	$276,500
2018	Short Term Rental fees	Short-Term Rental Fees	$33,139
2018	0 Thames Street sale	Sale of City-Owned Property	$1,000,000
2019	20 Thames Street	Inclusionary Zoning	$270,000
2019	20 Thames Street	License	$7,500
2019	17 Sumac Street)	Sale of Tax-Acquired Property	$79,618
2019	Short Term Rental fees	Short-Term Rental Fees	$176,118
2019	Short Term Rental penalty fees	Penalty Fees	$15,200
2020	Short Term Rental penalty fees	Penalty Fees	$7,700
2019	56 Hampshire Street	License	$12,123
2019	121 Middle Street	Hotel Inclusionary Zoning	$41,866
2020	99 Capisic Street	Sale of Tax-Acquired Property	$163,169
2020	Short Term Rental fees	Short-Term Rental Fees	$122,965
2020	22 Bramhall Street	License	$3,799
2020	50 Monument Square	Inclusionary Zoning	$222,789
2020	121 Middle Street	Hotel Inclusionary Zoning	$30,448
2020	Council Order 89 20/21	Appropriation	$500,000
2021	56 Hampshire	Inclusionary Zoning	$198,928
2021	40 Free Street	Inclusionary Zoning	$10,609

Table 7 (continued): Sources of the Jill C. Duson Housing Trust Fund

Year	Source	Type	Amount
2021	1 Center Street	Hotel Inclusionary Zoning	$513,810
2021	Short Term Rental fees	Short-Term Rental Fees	$109,681
2021	Newell Street	Sale of Tax-Acquired Property	$900
2021	10 Hammond Street	Inclusionary Zoning	$169,744
2021	22 Hope Avenue	Inclusionary Zoning	$150,000
2021	American Rescue Plan, Council Order 84 21/22	Appropriation	$1,000,000
2022	5 India Street	Inclusionary Zoning	$261,086
2022	18 Luther Street	Loan Repayment	$36,000
2022	Short Term Rental fees	Short-Term Rental Fees	$79,460
2022	City Manager Appropriation	Appropriation	$250,000
2022	American Rescue Plan, Council Order 100 22/23	Appropriation	$4,110,000
2022	Newell Street	Sale of Tax-Acquired Property	$8,100
2022	Stroudwater Development	Inclusionary Zoning	$16,234
2022	75 Chestnut Street	Inclusionary Zoning	$587,444
	Previous Interest Earned	Interest	$51,556
		Total Deposits	**$12,018,266**

Table 8: Uses of the Jill C. Duson Housing Trust Fund

Year	Expenditure	Amount
2011	Avesta Oak Street Lofts	-$380,585
2014	Housing First Pre-Development Request for Proposal	-$75,000
2015	65 Hanover & 52 Alder Streets Feasibility Study	-$9,250
2017	65 Munjoy Street	-$175,000
2018	60 Parris down payment Assistance	-$24,000
2018	37 Front Street (not spent yet)	-$55,500
2019	63 Front Street (not spent yet)	-$370,000
2019	977 Brighton Avenue	-$300,000
2020	Affordable Rental Housing Incentive	-$1,000
2019	83 Middle Street (not spent yet)	-$136,734
2020	200 Valley Street (not spent yet)	-$49,154
2021	18 Luther Street	-$36,000
2021	155 Danforth Street (not spent yet)	-$150,000
2022	37 Front Street	-$499,500
2022	200 Valley Street	-$442,386
	Total Expenditures	**-$2,704,109**

INCLUSIONARY ZONING FEE IN LIEU

During 2022, the Planning Board approved a $649,356 fee-in-lieu payment at 54 York Street for the Jill C. Duson Housing Trust fund.

Fee-in-lieu payments are paid and deposited into the Housing Trust Fund when the certificate of occupancy is issued, which typically occurs at the time tenants or homeowners move into the building. Hotel fee-in-lieu payments are also paid and deposited when the certificate of occupancy is issued at the time the hotel is completed.

Table 9: Residential Inclusionary Zoning Projects (2015-2022)

	Status	Units	Type	IZ Units	Location	Fee-in-lieu
169 Newbury St.	Completed	26	Ownership	2	Off-site	$0
62 India St	Completed	29	Ownership	-	-	$276,500
443 Congress St.	Completed	28	Rental	-	-	$280,000
20 Thames St.	Completed	27	Ownership	-	-	$270,000
1 Joy Place	Completed	12	Ownership	1	On-site	$0
60 Parris St.	Completed	23	Ownership	2	On-site	$0
70 Anderson St.	Completed	10	Rental	1	On-site	$0
132 Marginal Way	Completed	196	Rental	23	On-site	$0
50 Monument Square	Completed	21	Rental	-	-	$222,789
605 Stevens Ave. (Building 1)	Completed	21	Ownership	2	Off-site	$0
383 Commercial St.	Completed	85	Ownership	8	Off0site	$0
56 Hampshire St.	Completed	29	Ownership	1	Off-site	$198,928
40 Free St.	Completed	51	Rental	5	On-site	$10,609
10 Hammond St.	Completed	16	Ownership	-	-	$169,744
1006 Congress St.	Completed	16	Rental	2	On-site	$0
5 India St.	Completed	24	Rental	-	-	$261,086
104 Grant St.	Completed	23	Ownership	3	On-site	$0
75 Chestnut St.	Completed (in 2023)	54	Ownership	-	-	$587,444
Winchester Woods	Under Construction	48	Rental	12	On-site	$0
1700 Westbrook St. (Phase 1)	Under Construction	44	Ownership	4	On-site	$0
201 Federal St.	Under Construction	266	Rental	27	On-site	$0
52 Hanover St.	Under Construction	171	Rental	20	On-site	$0
387 Commercial St.	Under Construction	64	Ownership	-	-	$707,130
65 McAuley Way (Building 2)	Under Construction	28	Ownership	3	Off-site	$0
120 State St.	Under Construction	165	Rental	17	On-site	$0
45 Forest Ave.	Under Construction	81	Rental	21	On-site	$0
218-220 Washington Ave.	Under Construction	45	Ownership	-	-	$461,250
22 Hope Ave. Subdivision	Under Construction	16	Ownership	-	-	$150,000
54 York St.	Under Construction	14	Rental	-	-	$649,356
1700 Westbrook St. (Phase 2)	Approved (2017)	41	Ownership	4	On-site	$16,234
1700 Westbrook St. (Phase 3)	Approved (2017)	25	Ownership	3	On-site	$0
86 Newbury St.	Approved (2018)	10	Rental	1	On-site	$0
58 Fore St.	Approved (2020)	14	Rental	2	On-site	$0
126 North St.	Approved (2020)	6	Rental	1	On-site	$21,757
19 Willis St.	Approved (2021)	12	Rental	-	-	$132,588
65 McAuley Way (Bldgs. 3-5)	Approved (2022)	112	Ownership	13	Off-site	$0

HOTEL INCLUSIONARY ZONING

- 477 Congress Street, Planning Board approved pending fee-in-lieu of $707,916

Table 10: Hotel Inclusionary Zoning Development Projects (2019-2022)

Address	Status	Rooms	Fee-in-lieu
121 Middle Street (3rd floor)	Completed	11	$41,866
121 Middle Street (2nd floor)	Completed	8	$30,448
1 Center Street (Canopy by Hilton)	Completed	135	$513,810
754 Congress Street (Longfellow Hotel)	Building permit 12-6-21	48	$182,688
477 Congress Street (Time and Temperature)	Approved	186	$707,916
Total			**$1,476,728**

AFFORDABLE HOUSING TAX INCREMENT FINANCING (TIF)

MaineHousing, the state's Housing Authority, created the Affordable Housing Tax Increment Financing (AHTIF) program in 2004 as a tool for jurisdictions to finance affordable housing. Municipalities may designate up to two percent of their land in an AHTIF district. This creates a funding source for housing by allowing municipalities to capture the new property tax revenue generated in the AHTIF district. A portion of that revenue can be used to support affordable housing in the district. Through AHTIF, rental units must be maintained as affordable for 30 years and homeownership units must remain affordable for 10 years.

The approval process to establish an AHTIF district involves four steps. The process begins with the request for funding through submission of a completed Affordable Housing Development and Tax Increment Financing application to the City of Portland. Then the City Council's Housing and Economic Development Committee provides a recommendation to the City Council regarding the establishment of an Affordable Housing TIF district. If the City Council approves the recommendation, the City submits an application to the Maine State Housing Authority. After reviewing the application from the City to ensure compliance with the Affordable Housing Tax Increment Financing Statute, MaineHousing issues a Certificate of Approval.

During 2022, the City Council approved Affordable Housing Tax Increment Funding for the Douglass Commons project (also known as 45 Dougherty), which will create 63 units of rental housing; 46 of which will be reserved for households earning at or below 60% AMI (i.e. $67,000 for a family of four). The remaining 17 units will be leased at market rate. The AHTIF for 45 Dougherty was approved by the City Council during their October 17, 2022 meeting.

2. SUBSIDIZED HOUSING DEVELOPMENT

The City has leveraged $17,866,366 in federal and local funding, and invested $42,302,265 in newly created tax revenue from the increase in the property value of 18 affordable housing development districts to subsidize the creation of 1,760 units of affordable housing since 2000.

45 Dougherty: Maine Workforce Housing
63 new units of affordable and market rate housing
46 units affordable to households earning up to 60% AMI
35 one-bedroom units, 18 two-bedroom units, and 10 three-bedroom units
Rendering: Archetype Architects

83 Middle Street (Phoenix Flats), approved in 2020, is a five-story mixed-use building of 45 affordable apartments consisting of 27 efficiency units and 18 one-bedroom units for age 55+ residents. 27 units will be affordable to households earning up to 50% of the area median income ($39,100 for one person; $44,700 for two people), and 18 units will be affordable to households earning up to 60% of the area median income ($46,900 for one person, $53,000 for two people). Eleven units will be set-aside for long-term stayers from a local City shelter. This project, on formerly city-owned property, includes a commercial storefront along Middle Street, and a covered parking garage. The City Council approved $499,066 in HOME funding, $200,000 in CDBG, $136,734 in Housing Trust funding, and Affordable Housing Tax Increment Funding for this India Street neighborhood development.

Anticipated opening date June 2023.

155 Danforth Street (Phoenix at Danforth), approved in 2019, is a four-story building with 30 affordable rental units comprised of 15 efficiency units and 15 one-bedroom units within the West End. 23 units will be affordable to households earning up to 50% of the Area Median Income ($39,100 for one person; $44,700 for two people), and 7 units will be affordable to households earning up to 60% of the Area Median Income ($46,900 for one person, $53,000 for two people). Three units will be set-aside for long-term stayers from a local City shelter.

This new building creates a transitional opportunity for the residents of 66 State Street. 66 State Street (Freedom Place) is a 38-unit lodging house for women experiencing homelessness, addiction, and related challenges, operated by Amistad. The City Council approved an Affordable Housing TIF for 66 State, and approved $299,999 in HOME funding and $150,000 in Housing Trust Funding for 155 Danforth Street.

Washington Gardens Apartments is a renovation of 100 affordable apartments within fifteen two-story garden-style residential buildings serving seniors and persons with disabilities. The unit mix includes 60 studios, 36 one-bedroom, and 4 two-bedroom apartments. Ten units are set-aside for long-term stayers from a local City shelter. 60 units will be affordable to households earning up to 50% of the Area Median Income ($39,100 for one person; $44,700 for two people), and 40 units will be affordable to households earning up to 60% of the Area Median Income ($46,900 for one person, $53,000 for two people).

Built in 1973, the buildings were in fair-to-poor condition with major systems nearing the end of their useful life. The scope of work included: installing new siding and insulated sheathing, replacing windows and exterior doors, selectively replacing plumbing lines, improving building ventilation, creating new accessible units, upgrading sidewalks and accessible ramps, replacing cabinets and countertops, replacing flooring, repainting units, installing new energy-efficient light fixtures and appliances, remediating asbestos, removing chimneys, and installing rooftop solar photovoltaic (PV) panels. Upgrades were made to the Community Center and laundry facility to modernize and made them more accessible.

The City Council approved $400,000 in HOME, $184,150 in CDBG and an Affordable Housing TIF to assist with subsidizing this major renovation project in East Deering.

200 Valley Street (Porter Station), approved in 2020, is a five-story, 60 mixed-income housing apartments comprising of 11 studio, 25 one-bedroom, 14 two-bedroom, and 10 three-bedrooms units in the St. John Valley neighborhood. 36 units affordable to households earning up to 50% of the area median income ($39,100 for one person; $44,700 for two people), 12 units affordable to households earning up to 60% of the area median income ($46,900 for one person, $53,000 for two people), and 12 market rate units. Six units will be set-aside for long-term stayers from a local City shelter. The name Porter Station was chosen in honor of the St. John Valley neighborhood's history, specifically the countless railroad workers who lived in the neighborhood and worked at the former Union Station. The City Council approved $491,540 in Housing Trust Funding and an Affordable Housing TIF for Porter Station.

Anticipated opening August 2023.

37 Front Street: Building 2, 13 Rental Apartments opened on December 2, 2022

Located in the East Deering neighborhood, Phase 1 of the Front Street Redevelopment project will create 60 apartments (3 studio, 11 one-bedroom, 12 two-bedroom, 22 three-bedroom, 10 four-bedroom, and 2 five-bedrooms) in four buildings.   43 units will be affordable to households earning up to 50% of the area median income ($39,100 for one person; $44,700 for two people), 5 units affordable to households earning up to 60% of the area median income ($46,900 for one person, $53,000 for two people), and 12 units will be at market rate. Six units will be set-aside for long-term stayers from a local City shelter.

The City Council approved $306,104 in HOME funding, $250,000 in CDBG funding, $555,000 in Housing Trust Funding, and an Affordable Housing TIF for 37 Front Street.

Table 11: Subsidized Housing Development in Portland (2000-2022)

Owner/Project	Date	Units	HOME	HDF	CDBG	HTF	TIF	NSP
Unity Village at Bayside	2000	33	$86,500	$0	$363,863	$0	$0	$0
Island View Apartments	2001	70	$71,015	$192,639	$136,346	$0	$0	$0
St. Dominic's	2002	12	$0	$436,500	$0	$0	$0	$0
Brannigan House	2002	10	$93,000	$0	$0	$0	$0	$0
Wellesley Estates	2002	45	$0	$256,000	$0	$0	$0	$0
Logan Place	2003	30	$435,000	$0	$0	$0	$0	$0
Yale Court	2002	30	$150,000	$200,000	$0	$0	$0	$0
Peninsula Community I	2003	12	$300,000	$0	$0	$0	$0	$0
Peninsula Community II	2004	16	$307,700	$0	$0	$0	$0	$0
IRIS Park Apartments	2004	30	$0	$250,000	$0	$0	$0	$0
Fay Garman House	2004	12	$150,000	$0	$0	$0	$0	$0
Peninsula Community III	2005	10	$200,000	$0	$0	$0	$0	$0
Walker Terrace	2004	40	$382,000	$220,000	$0	$0	$0	$0
Fore River	2006	20	$388,474	$0	$0	$0	$0	$0
Valley Apts.	2006	24	$320,000	$0	$0	$0	$0	$0
Pearl Place I Apartments	2007	60	$427,000	$0	$0	$0	$615,502	$0
Bayside East	2007	20	$250,000	$0	$0	$0	$0	$0
53 Danforth Street	2008	43	$325,000	$0	$0	$0	$0	$0
Florence House	2008	25	$240,000	$0	$0	$0	$0	$0
Oak Street Lofts	2011	37	$0	$0	$0	$380,585	$0	$0
Pearl Place II Apartments	2011	54	$400,000	$0	$0	$0	$0	$0
Elm Terrace	2011	38	$403,795	$0	$0	$0	$0	$0
409 Cumberland	2013	57	$500,000	$0	$0	$0	$759,392	$0
Adams School	2013	16	$0	$0	$0	$0	$0	$1,710,000
Thomas Heights	2014	18	$522,448	$0	$0	$0	$207,116	$0
Bayside Anchor	2015	45	$500,000	$0	$0	$0	$0	$0
17 Carleton Street Apts.	2015	37	$0	$0	$0	$0	$726,000	$0
Rosa True School	2015	10	$149,500	$0	$0	$0	$0	$0
Motherhouse	2017	88	$627,223	$0	$0	$0	$0	$0
65 Munjoy	2017	8	$0	$0	$0	$175,000	$0	$0
58 Boyd Street	2018	55	$200,000		$30,000		$2,144,566	
977 Brighton Avenue	2018	40	$0	$0	$0	$300,000	$1,954,486	$0
Deering Place	2018	75	$500,000	$0	$0	$0	$4,185,757	$0
37 Front Street	2018	60	$306,104	$0	$250,000	$555,000	$6,056,916	$0
63 Front Street	2018	45	$204,070	$0	$0	$370,000	$0	$0
178 Kennebec Street	2018	51	$370,000	$0	$0	$0	$2,889,164	$0
83 Middle Street	2019	45	$499,066	$0	$200,000	$136,734	$1,559,287	$0
66 State Street	2019	38	$0	$0	$0	$0	$2,672,169	$0
155 Danforth Street	2019	30	$299,999	$0	$0	$150,000		$0
18 Luther Street	2019	2	$0	$0	$0	$36,000	$0	$0
200 Valley Avenue	2020	60	$0	$0	$0	$491,540	$4,092,269	$0
337 Cumberland Ave.	2020	60	$0	$0	$220,000		$2,722,057	$0
577 Washington Ave.	2020	100	$400,000	$0	$184,150	$0	$3,809,991	$0
104 Grant Street	2020	23	$0	$0	$0	$0	$2,749,457	$0
73 Winter	2021	43	$400,000	$0	$0	$0	$1,337,426	$0
91 Winter	2021	52	$200,000	$0	$0	$0	$1,473,978	$0
45 Dougherty	2022	63	$0	$0	$0	$0	$2,347,832	$0
Total		**1,792**	**$10,607,894**	**$1,555,139**	**$1,384,359**	**$2,594,859**	**$42,303,365**	**$1,710,000**

3. 2022 INCOME AND RENTAL DATA

A. 2022 INCOME LIMITS- PORTLAND HUD METRO AREA

- HUD describes households in the 30% AMI bracket as extremely low-income households
- 80% AMI households are described as low-income households

Table 12: 2022 Income Limits - Portland HUD Metro FMR Area

	Household Size						
AMI	**1**	**2**	**3**	**4**	**5**	**6**	**7**
30%	$23,450	$26,800	$30,150	$33,500	$36,200	$38,900	$41,550
50%	$39,100	$44,700	$50,300	$55,850	$60,350	$64,800	$69,300
60%	$46,900	$53,000	$60,300	$67,000	$72,400	$77,750	$83,100
80%	$62,550	$71,500	$80,450	$89,350	$96,500	$103,650	$110,800
100%	$78,200	$89,400	$100,550	$111,700	$120,650	$129,600	$138,550
110%	$86,000	$98,300	$110,600	$122,850	$132,700	$142,550	$152,350
120%	$93,850	$107,250	$120,650	$134,050	$144,800	$155,500	$166,250

The U.S Department of Housing and Urban Development (HUD) computes income limits for Portland based on local Area Median Income (AMI). Portland applies HUD's income limits to determine and monitor household eligibility with the City's Inclusionary Zoning and Low-Income Housing programs.

B. 2022 MAXIMUM MONTHLY RENT LIMITS- PORTLAND HUD METRO AREA

- HUD's measure of housing affordability is spending 30% or less of gross monthly income towards housing expense

Table 13: Maximum Rent Limits

	Bedroom Count					
AMI	**1**	**2**	**3**	**4**	**5**	**6**
30%	$586.25	$670.00	$753.75	$837.50	$905.00	$972.50
50%	$977.50	$1,117.50	$1,257.50	$1,396.25	$1,508.75	$1,620.00
60%	$1,172.50	$1,325.00	$1,507.50	$1,675.00	$1,810.00	$1,943.75
80%	$1,563.75	$1,787.50	$2,011.25	$2,233.75	$2,412.50	$2,591.25
100%	$1,955.00	$2,235.00	$2,513.75	$2,792.50	$3,016.25	$3,240.00
120%	$2,346.25	$2,681.25	$3,016.25	$3,351.25	$3,620.00	$3,887.50

The chart above presents the maximum rent limits (which includes rent plus utilities) broken down by household size and area median income levels.

4. MONITORING

The City of Portland's Housing and Community Development Division administers, monitors, and supports the creation of affordable housing. Monitoring occurs throughout the development process; however, this section of the report refers specifically to the annual monitoring that takes place after the project is completed. Monitoring requirements vary based on the type of housing (workforce housing versus affordable housing), and the type of funding in the project.

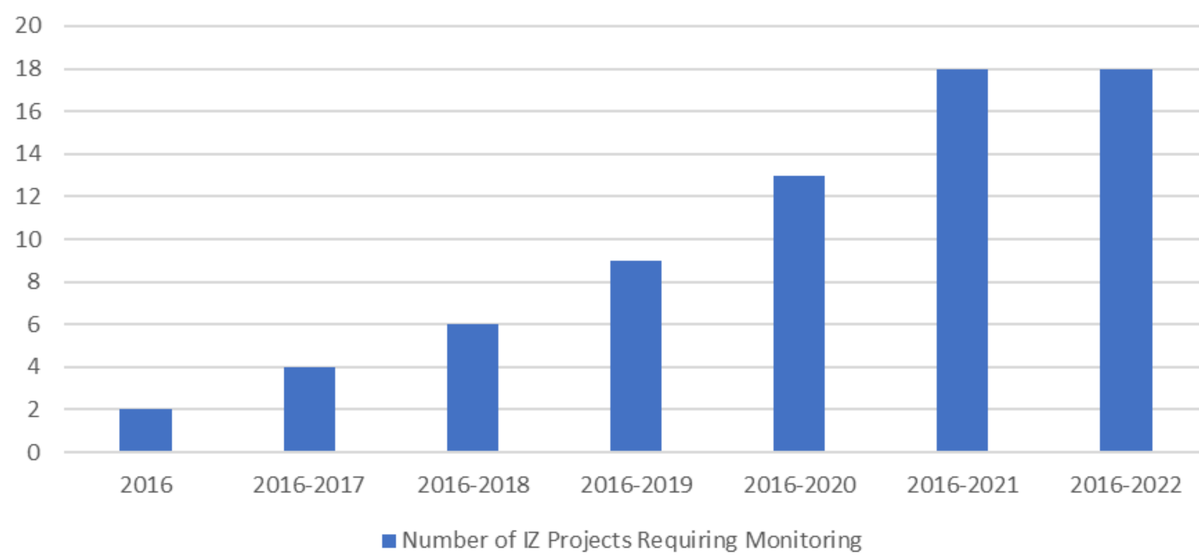
As discussed below, the monitoring of Inclusionary Zoning, HOME, Housing Trust Fund, and Affordable Housing Tax Increment Funding (TIF) units is dramatically increasing.

A. INCLUSIONARY ZONING: WORKFORCE HOUSING

Before a tenant is approved for a workforce rental unit, the household must be "income qualified" to ensure the household's income is at or below income requirements. The City works with property managers to collect all relevant information needed to assess a household's income at the time of lease-up and annually thereafter. The City also works with the property manager to ensure the rent is within the maximum rent guidelines based on bedroom count and tenant-paid utilities.

For workforce homeownership projects, staff works with the developer to determine the maximum sale price of each workforce unit. The maximum sale price calculation consists of the mortgage payment, less real estate taxes, less mortgage insurance, less condo fees, less homeowner's insurance, less utilities. During the resale of a unit, staff recalculates the maximum sale price for the seller. And as with rental units, each household is "income qualified" to ensure compliance with income guidelines.

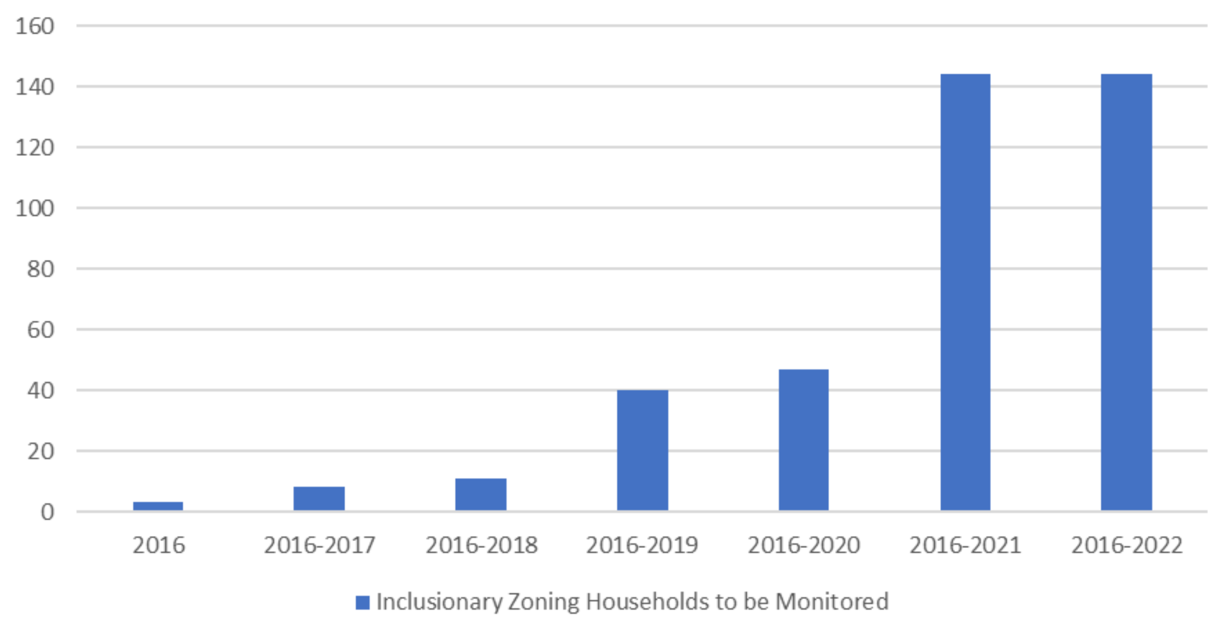
Figure 17: Number of Inclusionary Zoning Housing Development Projects Requiring Monitoring by Year



Based on the above chart, from 2016 to 2021, the number of Inclusionary Zoning housing projects that require monitoring has grown from 2 projects in 2016 to a total of 17 projects by year end 2021 (no projects requiring inclusionary zoning monitoring were approved in 2022). The number of households in those projects that require annual income and rent monitoring has grown from 3 households in 2016 to a total of 144 households.

Prior to adoption of the Citizens Initiative, also known as the Green New Deal, ten percent of the units in a housing development project of ten or more units were required to be set-aside as workforce units to be sold or rented to households that income-qualify. With the adoption of the Green New Deal, twenty-five percent of the units are now set-aside as workforce units, greatly increasing the number of households required to be monitored at lease up/sale and annually/re-sale. The Green New Deal applies to all residential development projects that had not received workshop review by the Planning Board as of December 6, 2020. The total number of households required to be monitored from 2016 to 2020 grew from 5 to 47 over five years. The total number of households monitored for just 2021 is 97 (more than double the number of households from just the year before), for a total of 144 households. The percentage increase from the first five years of monitoring to the sixth year of monitoring is a one year increase of 67%.

Figure 18: Inclusionary Zoning Households to be Monitored

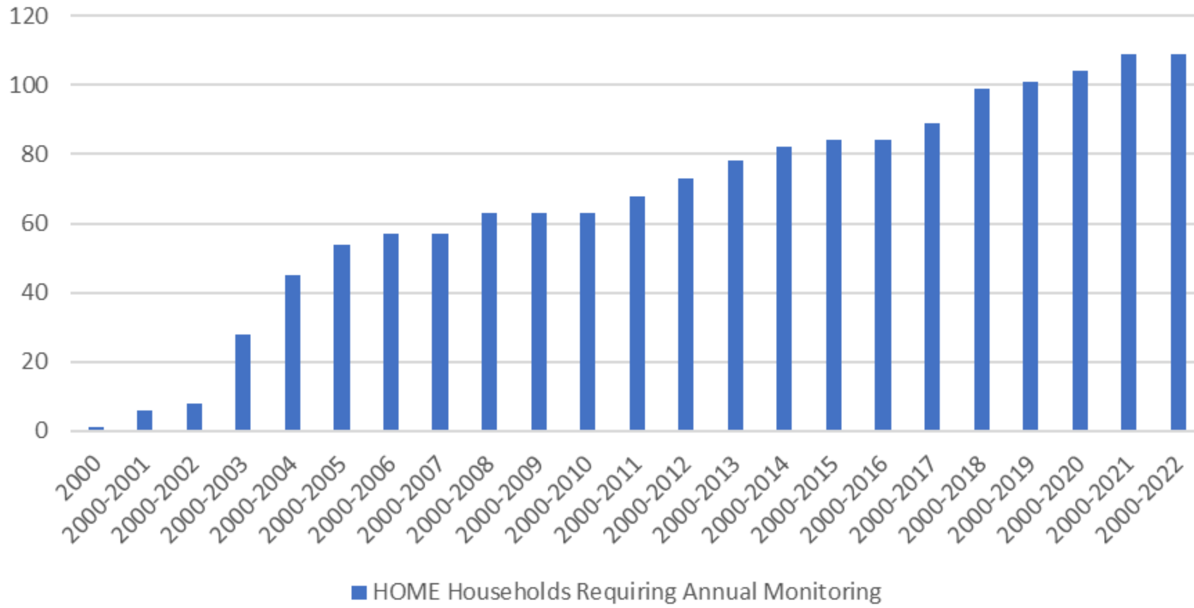


B. HOME

Affordable housing projects that receive HOME funding are required to be monitored by the City to ensure compliance with regulations established by the Department of Housing and Urban Development (HUD). Monitoring includes confirming the number and type of HOME assisted units, confirming units are leased to households at or below the HOME income limits for their household size, ensuring the rents plus tenant-paid utilities do not exceed rent limits, ensuring utilities costs are accurate, and ensuring exceptions are only allowed when households also receive project-based vouchers.

The total number of households requiring annual monitoring has grown from two households in 2000 to 109 households in 2022.

Figure 19: HOME Households Requiring Annual Monitoring



C. HOUSING TRUST FUND AND AFFORDABLE HOUSING TAX INCREMENT FINANCING UNITS

Though not as extensive as the monitoring required for HOME units, affordable housing projects that receive Housing Trust Funds and/or Affordable Housing Tax Increment Financing (TIF) are also required to be monitored by the City to ensure compliance. Compliance for rental units includes ensuring units are leased to households at or below set income limits for their household size, and ensuring the rents plus tenant-paid utilities do not exceed rent limits. For homeownership units, potential homebuyers are required to establish income eligibility.

From 2005 to 2022, four unique residential housing projects were approved for a subsidy from the Housing Trust Fund. For a period of thirty years, a total of 114 households are monitored annually to ensure apartments are occupied by households that earn at or below the agreed-upon area median income (typically 50% or 60% AMI) and the rent is restricted in a similar manner. Similarly, from 2005 to 2022, 18 residential housing projects received Affordable Housing Tax Increment Financing. At least thirty three percent of the households in these projects are also required to be monitored annually to ensure apartments are occupied by households that earn at or below the agreed-upon area median income (typically 50% or 60% AMI) and the rent is similarly restricted.

D. ON-SITE MONITORING

The financial health and physical maintenance of the property are also monitored for projects with ten or more HOME units. Financial reviews require the property manager to provide the most recent operating budget, income statement and balance sheet. Regular on-site inspections of the property are conducted to ensure the property continues to meet the required property maintenance standards.

Figure 20: Housing Inspection Scoring Mythology

HOME Monitoring Rent and Occupancy Report

Property Name __________________

Reporting Period: 1-1-2022 thru 12-31-2022

Property Address __________________

Date __________________

Manager Name

Total Units _____

HOME Units Required ___

Total HOME Units ____

Low HOME Units ____

High HOME Unit ____

Fixed or Floating __________________

Unit #	No. of Bedrooms	Low or High HOME Rent Unit Designation	Tenant Name	House hold Size	Annual (Gross) Income	Low- or Very Low-Income (L or VL)	Date of Initial Income Examination	Date of Last Income Re-Examination	Unit has a TBV (Y or N)?	Unit has a PBV (Y or N)?	Unit has a Low Income Tax Credit (LIHTC) (Y or N) ?	Low or High HOME Rent	Utility Allowance	Maximum Actual Rent

Finding- Level of Violation:

C:	A **Critical** Violation of health/safety, and/or building inspection standards has occurred. **Correct within 24 hours.**
F:	A single item has **Failed** inspection. **A plan for corrective action is due to MaineHousing within 30 days.**
M:	A **Major** violation of health, safety, and/or building inspection standards has occurred. **Correct within 10 days.**
P:	In general, a pattern of minor violations exists.
O:	**Other** findings not represented by "C", "M", or "P" above.
NF:	Indicate that **No Findings** or Violations were noted

Scoring Ranges:

• Level 5:	Superior	100-95
• Level 4:	Above Average	94-86
• Level 3:	Satisfactory	85-71
• Level 2:	Below Average	70-60
• Level 1:	Unsatisfactory	59 and below

NOTE: a Below Average score may require a re-inspection and an Unsatisfactory score will require re-inspection, generally within 30 to 60 days.

Scoring Parameters (PPF = Points(s) Per Finding):

- Critical Findings: 1 to 20 Units Inspected: 4 PPF
- Critical Findings: 21 or More Units Inspected: 2 PPF
- Major Findings: 1 to 20 Units Inspected: 2 PPF
- Major Findings: 21 or More Units Inspected: 1 PPF
- Problematic Findings: 3 PPF
- Other Findings: 1 to 5 Units Inspected: 1.5 PPF
- Other Findings: 6 to 210 Units Inspected: 1 PPF
- Other Findings: 11 to 20 Units Inspected: .75 PPF
- Other Findings: 21 to 30 Units Inspected: .5 PPF
- Other Findings: 31 or More Units Inspected: .25 PPF

City of Portland | Housing and Economic Development Department
Mary P. Davis, Interim Director

MEMORANDUM

To: Councilor Pious Ali, Chair
Members of the Housing and Economic Development Committee

From: Mary Davis, Interim Director, Housing and Economic Development Department

Date: June 20, 2023

RE: Preview of June 28 City Council Workshop re: Affordable Housing Development

Attached is a preview of the packet for the City Council's Affordable Housing Development workshop. The packet may be amended or updated prior to the workshop.

389 Congress Street, Portland, ME 04101 – www.portlandmaine.gov – (207) 874-8683

City Council Workshop – Affordable Housing
June 28, 2023

The Life Cycle of a City Subsidized Housing Project
1. See attached flow chart

City Resources
1. **<u>HOME Program</u>**
    a. Past/Current Projects
    (See attached HOME Subsidized Housing Since 2000 spreadsheet)
    b. Rules and Regulations
        i. Income/Rent Restrictions
        (See attached HUD 2023 Adjusted HOME Income and Rent Limits effective 6/15/2023)

        ii. Long Term Affordability Requirements/Ongoing Monitoring

HOME Investment per Unit	Length of the Affordability Period
Less than $15,000	5 years
$15,000 - $40,000	10 years
More than $40,000	15 years
New construction of *rental* housing	20 years
Refinancing of *rental* housing	15 years

The length of the affordability period depends on the funding source, but it is not generally less than 30 years, and in some cases may be 90 years (as noted in the City's Affordable Housing Development and TIF Application).

Rental housing projects funded with HOME must have a minimum affordability period of 90 years, secured by a land use restriction covenant in the deed.

Must conduct ongoing monitoring for the applicable affordability period. Typically, that means the HCD office is monitoring projects for HOME compliance for 30 years and for city compliance for an additional 60 years.

    c. Other Federal Requirements – In addition to the HOME Statute and regulations, there are several other federal laws and regulations that apply to the use of HOME and other HUD funding such as Fair Housing, Davis-Bacon, Uniform Relocation Act, Lead Safe Housing Rule, and Part 58 or environmental review).

2. **CDBG/HDF Program** (HDF or Housing Development Fund is CDBG program income derived from housing rehabilitation projects funded in prior years).
    a. Past/Current Projects
    (See attached CDBG/HDF Subsidized Housing Since 2000 Spreadsheet)
    b. Rules and Regulations
        i. Challenges with new construction – generally new construction of housing is not eligible under the CDBG program; however, CDBG can be used to support new construction; examples include assistance with public infrastructure improvements such as sidewalks or water/sewer connections, site clearance, demolition, relocation costs.
        ii. Income/Rent Restrictions – 51% of the units must be occupied by households earning at or below 80% of the area median income. (See attached CDBG 2023 Income Limits effective 6/15/2023)
        iii. Long Term Affordability Requirements/Ongoing Monitoring – The CDBG Program has not required affordability period for rental units beyond the initial lease-up where 51% of the units must be occupied by households earning at or below 80% of the area median income. The City may elect to impose long-term affordability requirements as part of its funding agreements. There are additional requirements related to any change of use of the building.
    c. Other Federal Requirements – In addition to the CDBG Statute and regulations, there are several other federal laws and regulations that apply to the use of CDBG and other HUD funding such as Fair Housing, Davis-Bacon, Uniform Relocation Act, Lead Safe Housing Rule, and Part 58 or environmental review).

3. **Jill C. Duson Housing Trust Fund** (See attached Sources and Uses Spreadsheet)
    a. Past /Current Projects
    (See attached HTF Subsidized Housing spreadsheet)
    b. Rules and Regulations (See attached Jill C. Duson Housing Trust Fund Ordinance)
        i. Allowable Use/Purpose (promotion, retention and creation of an adequate supply of housing, particularly affordable housing, for all economic groups and to limit the net loss of housing units in the city; and to serve as a vehicle for addressing very low, low, and median income housing needs)

            Cannot be used for City administrative expenses; cannot be used for property operating expenses or supportive services.

            Priority use given to the creation of new housing stock, through either new construction or conversion of nonresidential buildings to residential use.

Council must adopt an annual plan that outlines the use of the funds.

ii. Income Priorities – very low, low, and median income
(See attached 2023 Income and Rent Limits Spreadsheet)

Chapter 14 income definitions:
Low-income household – income not exceeding 80% of median income
Median income – not defined in Chapter 14 (we assume 100%)
Very low-income households – income not exceeding 50% of median income

iii. Long Term Affordability Requirements/Ongoing Monitoring after occupancy

Rental housing projects funded with Housing Trust Funds must have a minimum affordability period of 30 years, secured by a land use restriction covenant in the deed. It has been a long-standing policy that affordable housing subsidized by the City has a 90-year affordability requirement. Affordability restrictions are documented in a Declaration of Covenant which is recorded in the Registry of Deeds. The HCD Office monitors compliance for the required period.

4. **Affordable Housing Tax Increment Financing (AHTIF)**
   a. Past /Current Projects
      (See attached AHTIF Subsidized Housing spreadsheet)
   b. State Statute and Local TIF Policy
      i. State Statute (See attached)
      ii. Income Targeting
      Affordable housing is defined in the state stature as "…a decent, safe and sanitary dwelling, apartment or other living accommodation for a household whose income does not exceed 120% of the median income for the area as defined by the United States Department of Housing and Urban Development…).
      iii. Local TIF Policy (See attached)
         1. Prevailing Wage Rates – must use State prevailing wage rates except when a project is required to comply with Davis-Bacon wage rates, in that case Davis-Bacon wage rates suffice to meet the requirement.
         2. Compliance with Green Building Ordinance – must comply with the City's Green Building Ordinance
      iv. Long Term Affordability Requirements
         1. Ongoing Monitoring after occupancy

AHTIF projects must have an affordability period that matches the term of the district and is secured by a declaration of covenants and restrictions recorded in the Cumberland County Registry of Deeds. The HCD Office monitors compliance for the required period.

5. **City-Owned and Tax Acquired Property**
   (See attached link to City-Owned Property map)
   a. Current Housing Projects
      21 Randall Street – Greater Portland Community Land Trust – development team continues to work with city staff on development proposal, including financial requests.

      165 Lambert Street – Maine Cooperative Development Partners – Limited equity cooperative housing development; finalizing financial commitments and proforma; project has site plan approval.

      622 Auburn Street/0 Gray Rd Falmouth – Maine Cooperative Development Partners – project has site plan approval and is applying to MaineHousing for 9% Low Income Housing Tax Credits in the fall; will be requesting an amendment to the Purchase and Sale Agreement with the City to switch from limited equity co-op to LIHTC project.

      Dougherty Court/43 Douglass Street – Maine Cooperative Development Partners – project has site plan approval and is finalizing financial commitments and proforma

      45 Dougherty/91 Douglass Street – Szanton Company/Maine Workforce Housing – project has site plan approval and is in the bid phase and should be under construction in 2023
   b. COTAPC Rules (See attached)

6. Planning Board Approvals 2020, 2021 and 2023 through 5/10/2023 – See attached spreadsheet

LIFE CYCLE OF A CITY SUBSIDIZED HOUSING DEVELOPMENT

Application

- Includes Affordable Housing Development Application
- If applicable Planning Dept./Planning Board Applications

Underwriting

- Financial analysis to determine appropriate level of city investment

Council Approval

- Staff recommendations reviewed by HEDC who makes recommendation to the City Council
- City Council approves and appropriates funding (HOME, JCD HTF and AHTIF)
- If applicable, approval of any Planning Board recommendations

Pre-construction Preparation

- Plan Review/Building Permit Process
- Affordable Housing TIF Application filed with MaineHousing
- Preparation of legal documents required for city investment program or other city licenses, etc.

Construction Monitoring

- HCD weekly wage rate compliance review
- Planning Dept Development Review
- Permitting & Inspections Code Enforcement Inspections
- HCD review of payment requisitions; processing funding payments

Occupancy

- Long term affordability monitoring
- Permitting & Inspections Rental Registration Program and Housing Safety Inspections

HOME PROGRAM

Subsidized Housing Development in Portland Since 2000

Owner/Project	Date	Units	HOME
Unity Village at Bayside	2000	33	$ 86,500
Island View Apartments	2001	70	$ 71,015
Brannigan House	2002	10	$ 93,000
Logan Place	2003	30	$ 435,000
Yale Court	2002	30	$ 150,000
Peninsula Community I	2003	12	$ 300,000
Peninsula Community II	2004	16	$ 307,700
Fay Garman Senior Housing	2004	12	$ 150,000
Peninsula Community III	2005	10	$ 200,000
Walker Terrace	2004	40	$ 382,000
Fore River	2006	20	$ 388,474
Valley Apts. (Shalom House)	2006	24	$ 320,000
Pearl Place I Apartments	2007	60	$ 427,000
Bayside East	2007	20	$ 250,000
53 Danforth Street	2008	43	$ 325,000
Florence House	2008	25	$ 240,000
Pearl Place II Apartments	2011	54	$ 400,000
Elm Terrace	2011	38	$ 403,795
409 Cumberland	2013	57	$ 500,000
Thomas Heights (134 Washington	2014	18	$ 522,448
Bayside Anchor	2015	45	$ 500,000
Rosa True School	2015	10	$ 149,500
Motherhouse	2017	88	$ 627,223
58 Boyd Street	2018	55	$ 200,000
Deering Place (510 Cumberland)	2018	75	$ 500,000
37 Front Street *	2018	60	$ 306,104
63 Front Street *	2018	45	$ 204,070
178 Kennebec Street	2018	51	$ 370,000
83 Middle Street *	2019	45	$ 499,066
155 Danforth Street *	2019	30	$ 299,999
577 Washington Avenue *	2020	100	$ 400,000
73 Winter (Equinox) *	2021	43	$ 400,000
91 Winter (Winter Landing) *	2021	52	$ 200,000
		Units	HOME
Total		1321	$10,607,894
Total City Investment		$10,607,894	
Avg. City Contribution/Unit		**$8,030.20**	

U.S. DEPARTMENT OF HUD
STATE:MAINE

2023 ADJUSTED HOME INCOME LIMITS

	PROGRAM	1 PERSON	2 PERSON	3 PERSON	4 PERSON	5 PERSON	6 PERSON	7 PERSON	8 PERSON
Bangor, ME HUD Metro FMR Area									
	30% LIMITS	18100	20700	23300	25850	27950	30000	32100	34150
	VERY LOW INCOME	30150	34450	38750	43050	46500	49950	53400	56850
	60% LIMITS	36180	41340	46500	51660	55800	59940	64080	68220
	LOW INCOME	48250	55150	62050	68900	74450	79950	85450	90950
Penobscot County, ME (part) HUD Metro FMR Area									
	30% LIMITS	15950	18200	20500	22750	24600	26400	28250	30050
	VERY LOW INCOME	26550	30350	34150	37900	40950	44000	47000	50050
	60% LIMITS	31860	36420	40980	45480	49140	52800	56400	60060
	LOW INCOME	42450	48500	54550	60600	65450	70300	75150	80000
Lewiston-Auburn, ME MSA									
	30% LIMITS	17750	20250	22800	25300	27350	29350	31400	33400
	VERY LOW INCOME	29550	33750	37950	42150	45550	48900	52300	55650
	60% LIMITS	35460	40500	45540	50580	54660	58680	62760	66780
	LOW INCOME	47250	54000	60750	67450	72850	78250	83650	89050
Portland, ME HUD Metro FMR Area									
	30% LIMITS	24850	28400	31950	35500	38350	41200	44050	46900
50%	VERY LOW INCOME	41450	47350	53250	59150	63900	68650	73350	78100
	60% LIMITS	49740	56820	63900	70980	76680	82380	88020	93720
80%	LOW INCOME	66250	75700	85150	94600	102200	109750	117350	124900
York-Kittery-South Berwick, ME HUD Metro FMR Area									
	30% LIMITS	25600	29250	32900	36550	39500	42400	45350	48250
	VERY LOW INCOME	42650	48750	54850	60900	65800	70650	75550	80400
	60% LIMITS	51180	58500	65820	73080	78960	84780	90660	96480
	LOW INCOME	66300	75750	85200	94650	102250	109800	117400	124950
Cumberland County, ME (part) HUD Metro FMR Area									
	30% LIMITS	19500	22300	25100	27850	30100	32350	34550	36800
	VERY LOW INCOME	32550	37200	41850	46450	50200	53900	57600	61350
	60% LIMITS	39060	44640	50220	55740	60240	64680	69120	73620
	LOW INCOME	52050	59450	66900	74300	80250	86200	92150	98100
Sagadahoc County, ME HUD Metro FMR Area									
	30% LIMITS	19450	22200	25000	27750	30000	32200	34450	36650
	VERY LOW INCOME	32400	37000	41650	46250	49950	53650	57350	61050
	60% LIMITS	38880	44400	49980	55500	59940	64380	68820	73260
	LOW INCOME	51800	59200	66600	74000	79950	85850	91800	97700

Effective: June 15, 2023

2023 HOME PROGRAM RENTS

	PROGRAM	EFFICIENCY	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR
Bangor, ME HUD Metro FMR Area								
	LOW HOME RENT LIMIT	753	807	968	1119	1248	1378	1506
	HIGH HOME RENT LIMIT	802	907	1166	1421	1566	1709	1852
	For Information Only:							
	FAIR MARKET RENT	802	907	1166	1469	1672	1923	2174
	50% RENT LIMIT	753	807	968	1119	1248	1378	1506
	65% RENT LIMIT	960	1030	1238	1421	1566	1709	1852
Penobscot County, ME (part) HUD Metro FMR Area								
	LOW HOME RENT LIMIT	663	711	853	985	1100	1213	1326
	HIGH HOME RENT LIMIT	718	747	983	1234	1321	1495	1618
	For Information Only:							
	FAIR MARKET RENT	718	747	983	1234	1321	1519	1717
	50% RENT LIMIT	663	711	853	985	1100	1213	1326
	65% RENT LIMIT	843	904	1087	1247	1371	1495	1618
Lewiston-Auburn, ME MSA								
	LOW HOME RENT LIMIT	738	791	948	1096	1222	1349	1475
	HIGH HOME RENT LIMIT	747	834	1060	1391	1533	1672	1812
	For Information Only:							
	FAIR MARKET RENT	747	834	1060	1393	1576	1812	2049
	50% RENT LIMIT	738	791	948	1096	1222	1349	1475
	65% RENT LIMIT	940	1008	1212	1391	1533	1672	1812
Portland, ME HUD Metro FMR Area								
	LOW HOME RENT LIMIT	1036	1110	1331	1538	1716	1893	2070
	HIGH HOME RENT LIMIT	1243	1421	1708	1964	2171	2377	2584
	For Information Only:							
	FAIR MARKET RENT	1243	1448	1859	2344	2732	3142	3552
	50% RENT LIMIT	1036	1110	1331	1538	1716	1893	2070
	65% RENT LIMIT	1325	1421	1708	1964	2171	2377	2584
York-Kittery-South Berwick, ME HUD Metro FMR Area								
	LOW HOME RENT LIMIT	1066	1142	1371	1583	1766	1949	2131
	HIGH HOME RENT LIMIT	1115	1247	1642	2024	2239	2451	2664
	For Information Only:							
	FAIR MARKET RENT	1115	1247	1642	2263	2797	3217	3636
	50% RENT LIMIT	1066	1142	1371	1583	1766	1949	2131
	65% RENT LIMIT	1366	1465	1759	2024	2239	2451	2664
Cumberland County, ME (part) HUD Metro FMR Area								
	LOW HOME RENT LIMIT	813	871	1046	1208	1347	1486	1625
	HIGH HOME RENT LIMIT	1003	1113	1338	1537	1695	1851	2008
	For Information Only:							
	FAIR MARKET RENT	1003	1123	1478	1863	2014	2316	2618
	50% RENT LIMIT	813	871	1046	1208	1347	1486	1625
	65% RENT LIMIT	1038	1113	1338	1537	1695	1851	2008

For all HOME projects, the maximum allowable rent is the HUD calculated High HOME Rent Limit and/or Low HOME Rent Limit.

Effective: June 15, 2023

CDBG/HDF

Subsidized Housing Development in Portland Since 2000

Owner/Project	Date	Units	HDF	CDBG
Unity Village at Bayside	2000	33	$ -	$ 363,863
Island View Apartments	2001	70	$ 192,639	$ 136,346
St. Dominic's Family Housing	2002	12	$ 436,500	$ -
Wellesley Estates	2002	45	$ 256,000	$ -
Yale Court	2002	30	$ 200,000	$ -
IRIS Park Apartments	2004	30	$ 250,000	$ -
Walker Terrace	2004	40	$ 220,000	$ -
58 Boyd Street	2018	55		$ 30,000
37 Front Street	2018	60	$ -	$ 250,000
83 Midde Street	2019	45	$ -	$ 200,000
337 Cumberland Avenue	2020	60	$ -	$ 220,000
577 Washington Avenue	2020	100	$ -	$ 184,150
		Units	HDF	CDBG
Total		580	$1,555,139	$1,384,359

Total City Investment		$2,939,498
Avg. City Contribution/Unit		**$5,068.10**

CDBG Income Limits

2023 Portland Metro, Maine

Percent of Average Median Income (AMI)	Income Limits per Household Residents							
	1	**2**	**3**	**4**	**5**	**6**	**7**	**8**
30%	$24,850	$28,400	$31,950	$35,500	$38,350	$41,200	$44,050	$46,900
50%	$41,450	$47,350	$53,250	$59,150	$63,900	$68,650	$73,350	$78,100
60%	$49,740	$56,820	$63,900	$70,980	$76,680	$82,380	$88,020	$93,720
80%	$66,250	$75,700	$85,150	$94,600	$102,200	$109,750	$117,350	$124,900

Sources and Uses of Jill C. Duson Housing Trust Fund

YEAR	DEPOSITS INTO HOUSING TRUST FUND	AMOUNT
2002/03	Maine Medical Center HRO	$ 315,580.00
2002	Sportsman's Grill HRO	$ 40,000.00
2009	Berlin City Auto HRO	$ 116,000.00
2010	Stop n Shop HRO 2010	$ 289,250.00
2012	Rockbridge/Eastland Park HRO	$ 42,500.00
2012	Riverwalk/Ocean Gateway HRO	$ 250,000.00
2012	118 Congress LLC Easement	$ 3,500.00
2017	91 & 97 Belfort Street (sale of TAP)	$ 86,423.99
2017	116 Upper A Street (sale of TAP)	$ 78,526.74
2017	443 Congress Street IZ	$ 280,000.00
2018	62 India Street IZ	$ 276,500.00
2018	Short Term Rental Fee transfer	$ 33,138.80
2018	0 Thames Street (WEX) sale	$ 1,000,000.00
2019	20 Thames Street IZ & easement	$ 270,000.00
2019	20 Thames Street (for balcony overhang)	$ 7,500.00
2019	Short Term Rental Penalty	$ 1,500.00
2019	Short Term Rental Penalty	$ 2,500.00
2019	Short Term Rental Penalty	$ 500.00
2019	Short Term Rental Penalty	$ 1,000.00
2019	Short Term Rental Penalty	$ 2,000.00
2019	Short Term Rental Penalty	$ 100.00
2019	Short Term Rental Penalty	$ 500.00
2019	Short Term Rental Penalty	$ 3,000.00
2019	Short Term Rental Penalty	$ 500.00
2019	Short Term Rental Penalty	$ 500.00
2019	Short Term Rental Penalty	$ 1,000.00
2019	Short Term Rental Penalty	$ 500.00
2019	Short Term Rental Penalty	$ 100.00
2019	Short Term Rental Penalty	$ 1,500.00
2020	Short Term Rental Penalty	$ 7,700.00
2019	Short Term Rental Fee transfer	$ 176,118.00
2019	56 Hampshire St Easement Fee	$ 12,123.00
2019	17 Sumac Street (sale of TAP)	$ 79,617.86
2019	121 Middle Street HOTEL IZ	$ 41,866.00
2020	99 Capisic Street (sale of TAP)	$ 163,168.93
2020	Short Term Rental Fee transfer	$ 122,964.50
2020	22 Bramhall (MMC overhang)	$ 3,799.00
2020	50 Monument Square IZ	$ 222,789.00
2020	121 Middle Street HOTEL IZ	$ 30,448.00
2020	Order 89 20/21 Appropriation	$ 500,000.00
2021	40 Free Street IZ	$ 10,609
2021	56 Hampshire Street IZ	$ 198,928.00
2021	1 Center Street HOTEL IZ	$ 513,810.00
2021	Short Term Rental Fee transfer	$ 109,681.26
2021	Newell Street sale	$ 900.00
2021	10 Hammond Street IZ	$ 169,744.00
2021	22 Hope Avenue IZ	$ 150,000.00
2021	ARP Appropriation Order 84 21/22	$ 1,000,000.00
2022	5 India Street IZ	$ 261,086.40
2022	18 Luther Street (repayment of loan)	$ 36,000.00
2022	City Manager Appropriation	$ 250,000.00
2022	Short Term Rental Fee transfer	$ 79,459.60
2022	ARP Appropriation Order 100 22/23	$ 4,110,000.00
2022	Newell Street (sale of TAP)	$ 8,100.00
2022	Stroudwater (partial IZ fee)	$ 16,233.90
2022	75 Chestnut Street IZ	$ 587,444.00
	Previous INTEREST EARNED	$ 51,555.81
	A. ACTUAL DEPOSITS	**$ 12,018,265.79**

YEAR	FEE-IN-LIEU OF APPROVED PROJECTS, NOT UNDER CONSTRUCTION (EITHER *UNCERTAIN TO RECEIVE OR NOT YET RECEIVED*)	AMOUNT
2017	161 York (approval expired)	
2017	221 Congress (approval exp.)	
2017	218 Washington (under cons)	$ 461,250
2019	300 Allen (approval expired)	
2020	754 Congress Street: HOTEL	$ 182,688
2020	126 North Street IZ	$ 21,757
2021	387 Commercial Street IZ	$ 707,130
2021	19 Willis IZ	$ 132,586.80
2022	54 York Street IZ	$ 649,356
2022	477 Congress Street: HOTEL	$ 707,916
2023	385 Congress Street: HOTEL	$ 767,881.36
	C. FEE-IN-LIEU OF APPROVED PROJECTS NOT UNDER CONSTRUCTION	**$ 3,630,565**

YEAR	EXPENDITURES (SPENT)	AMOUNT
2011	Avesta Oak Street Lofts	$ (380,585)
2014	Housing First Pre-Development RFP	$ (75,000)
2015	65 Hanover & 52 Alder Sts Feasibility Study	$ (9,250)
2017	65 Munjoy Street	$ (175,000)
2019	60 Parris Terr Downpayment Assistance	$ (24,000)
2019	977 Brighton Avenue	$ (300,000)
2020	Affordable Rental Housing Incentive Program	$ (1,000)
2021	18 Luther Street	$ (36,000)
2022	200 Valley Street	$ (442,386)
2022	37 Front Street	$ (499,500)
	D. EXPENDITURES	**$ (1,942,721)**

YEAR	COMMITTED EXPENDITURES (NOT YET SPENT)	AMOUNT
2018	37 Front Street	$ (55,500)
2018	63 Front Street	$ (370,000)
2019	83 Middle Street	$ (136,734)
2020	200 Valley Street	$ (49,154)
2021	155 Danforth	$ (150,000)
	E. COMMITTED EXPENDITURES	**$ (761,388)**

SOURCES

A. ACTUAL DEPOSITS	**$ 12,018,265.79**
C. FEE-IN-LIEU OF APPROVED PROJECTS NOT UNDER CONSTRUCTION	**$ 3,630,565.16**
TOTAL: ACTUAL DEPOSITS, FEE-IN-LIEU OF APPROVED PROJECTS NOT UNDER CONSTRUCTION	**$ 15,648,830.95**

BALANCE

ACTUAL DEPOSITS LESS EXPENDITURES AND COMMITTED EXPENDITURES	**$ 9,314,156.79**

HRO - Housing Replacement Ordinance; IZ = Inclusionary Zoning Fee-in-lieu
as of 3-15-23

* building permit issued
updated 12.08.21 mpd

JILL C. DUSON HOUSING TRUST FUND

Subsidized Housing Development in Portland Since 2000

Owner/Project	Date	Units	HTF
Oak Street Lofts	2011	37	$ 380,585
65 Munjoy	2017	8	$ 175,000
977 Brighton Avenue	2018	40	$ 300,000
37 Front Street *	2018	60	$ 555,000
63 Front Street *	2018	45	$ 370,000
83 Middle Street *	2019	45	$ 136,734
155 Danforth Street *	2019	30	$ 150,000
18 Luther Street, Peaks Island	2019	2	$ 36,000
200 Valley Avenue *	2020	60	$ 491,540
		Units	HTF
Total		327	$2,594,859

Total City Investment		$2,594,859
Avg. City Contribution/Unit		**$7,935.35**

review on the condition that they comply with the requirements of this Subsection 18.2.5.

D. **Low-income housing minimum.** All hotel projects shall provide one unit of low-income housing for rent in the City of Portland for every 28 rooms in the hotel project, which shall meet the standards outlined in Subsections 18.2.3(C)(3), (4), and (5) and in the implementing regulations governing low-income units. This amount shall be rounded up to the nearest increment of 28 rooms. These units shall be deed restricted for the longest period permitted by law, shall not be used for short-term rentals of less than 30 days, and must be provided with distinct entrances from the street to delineate them from the hotel itself.

E. **Fee-in-lieu alternative.** As an alternative to providing low-income housing units under Subsection 18.2.5(D) above, a hotel project may pay a fee-in-lieu of $3,806 per hotel guest room. This amount shall be paid into the City's Housing Trust Fund and used for the purposes set forth in the ordinance and regulations applicable to that trust.

F. **Annual adjustments.** The amounts in Subsection 18.2.5(E) above shall be adjusted annually in the same way as the fee under Section 18.1.8.

G. **Regulations.** The Planning Board may promulgate implementing regulations based on this subsection.

18.3 JILL C. DUSON HOUSING TRUST FUND

18.3.1 Purpose

The purpose of enacting this section is:

A. To establish a City of Portland Housing Trust Fund for the promotion, retention, and creation of an adequate supply of housing, particularly affordable housing, for all economic groups and to limit the net loss of housing units in the city.

B. To serve as a vehicle for addressing very low, low, and median income housing needs through a combination of funds as set out in this article.

18.3.2 Establishment of the Jill C. Duson Housing Trust Fund

The City Council shall establish a special revenue account under the name "City of Portland Jill C. Duson Housing Trust Fund" (Housing Trust Fund). Deposits into the fund shall include:

A. Contributions from the City's housing replacement ordinance under Subsection 18.1.8.

B. In-lieu fees under Subsections 18.2.3 and 18.2.5.

C. Funds appropriated to be deposited into the fund by vote of the City Council.

D. Voluntary contributions of money or other liquid assets to the fund.

E. Any federal, state, or private grant or loan funds provided to the fund.

F. Interest from fund deposits and investments.

G. Repayments of loans made from the fund.

18.3.3 Management of the trust fund

The City Manager, or his or her designee, shall serve as the manager of the Housing Trust Fund. The responsibilities of the manager, subject to the orders of the City Council, shall include:

A. Maintaining the financial and other records of the Housing Trust Fund.

B. Disbursing and collecting Housing Trust Fund monies in accordance with the Housing Trust Fund annual plan.

C. Monitoring the use of monies distributed to successful applicants for Housing Trust Fund support to assure on-going compliance with the purposes of the fund and the conditions under which these monies were granted or loaned.

18.3.4 Housing Trust Fund annual plan

A. Each fiscal year, the City Council shall adopt a Housing Trust Fund annual plan. The City Manager shall submit to the City Council a recommended Housing Trust Fund annual plan, utilizing the revenues of the Housing Trust Fund as well as any other funds the manager may propose as appropriate. The housing committee of the City Council or such other committee as the council shall designate shall conduct public hearings on the recommended plan and refer the matter to the council for action.

B. The Housing Trust Fund annual plan shall include:

1. A description of all programs to be funded in part or in full by the Housing Trust Fund.
2. A description of how funds from the Housing Trust Fund will be distributed among very low-income, low-income and moderate-income households.
3. The amount of funds budgeted for programs funded in part or in full from the Housing Trust Fund.

C. Priority for the expenditure of funds collected pursuant to Section 18.1 shall be given to the creation of new housing stock, through either new construction or conversion of nonresidential buildings to residential use.

18.3.5 Distribution and use of the Housing Trust Fund's assets

A. All distribution of principal, interest, or other assets of the Housing Trust Fund shall be made in furtherance of the public purposes set out in Section 18.1.

B. During each year, the Housing Trust Fund shall disburse as grants or loans so much of the Housing Trust Fund's assets as the City Council in its discretion has approved in the Housing Trust Fund annual plan.

C. Funds shall not be used for City administrative expenses.

D. Funds shall not be used for property operating expenses or supporting services.

E. No grants or loans shall be awarded by the Housing Trust Fund to corporations, partnerships, or individuals who are delinquent at the time of application in the payment of property taxes or other fees to the City of Portland, who have been convicted of arson, who have been convicted of discrimination in the sale or lease of housing under the fair housing laws of the State of Maine, or who have pending violations of current City electrical, plumbing, building, or housing codes or zoning ordinances.

18.3.6 Term of affordability

A. Whenever funds from the Housing Trust Fund are used for the acquisition, construction, or substantial rehabilitation of an affordable rental or cooperative unit, the City of Portland shall impose enforceable requirements on the owner of the housing unit that the unit remain affordable for the remaining life of the housing unit, assuming good faith efforts by the owner to maintain the housing unit and rehabilitate it as necessary. The remaining life of the housing unit shall be presumed to be a minimum of 30 years.

B. Whenever funds from the Housing Trust Fund are used for the acquisition, construction, or substantial rehabilitation of ownership housing, the City of Portland shall impose enforceable resale restrictions on the owner to keep the housing unit affordable for the longest feasible time, while maintaining and equitable balance between the interests of the owner and the interests of the City of Portland.

C. The affordability restriction requirements described in this subsection shall run with the land and the City of Portland shall develop appropriate procedures and documentation to enforce these requirements and shall record such documentation in the Cumberland County Registry of Deeds.

18.4 CONDOMINIUM CONVERSION

18.4.1 Purpose

The purpose of this section is to regulate the conversion of rental housing to condominiums, to minimize the potential adverse impacts of such conversion on tenants, to ensure that such converted housing is safe and decent, and to maintain a reasonable balance of housing alternatives within the city for persons of all incomes.

18.4.2 Applicability

This section shall apply to the conversion of any rental unit to a condominium unit. For the purposes of this section, developer shall mean any person or other legal entity, but not including an established lending institution unless it is an active participant in a common promotional scheme, who, whether acting as principal or agent, records a declaration of condominium that includes real estate, any portion of which was previously a rental unit.

18.4.3 Protection of tenants

A. **Notice of intent to convert.** A developer shall give to each tenant, meaning any occupant in lawful possession of a rental unit, whether by lease, sublease, or otherwise, written notice of intent to convert at least one 120 days before the tenant is required by the developer to vacate. If a tenant has been in possession of any unit within the same building for more than four consecutive years, the notice period shall be increased by 30 additional days for each additional year, or fraction thereof, to a maximum of 240 additional days. The notice shall set forth specifically the rights of tenants under (A), (B), and (C) of this subsection and Subsection 18.4.4, and shall contain the following statement:

If you do not buy your apartment, the developer of this project is required by law to assist you in finding another place to live and in determining your eligibility for relocation payments. If you have questions about your rights under the law, or complaints about the way you have been treated by the developer, you may contact the Department of Permitting & Inspections, City of Portland, 389 Congress Street, Portland, Maine 04101.

B. If the notice specifies a date by which the tenant is required to vacate, the notice may also serve as a notice of termination under the applicable law of forcible entry and detainer, if it meets the requirements thereof. The notice

2023 Income Limits - Portland HUD Metro FMR Area

Household Size

AMI	1	2	3	4	5	6	7
30%	$ 24,850	$ 28,500	$ 31,950	$ 35,500	$ 38,350	$ 41,200	$ 45,420
50%	$ 41,450	$ 47,350	$ 53,250	$ 59,150	$ 63,900	$ 68,650	$ 73,350
60%	$ 49,700	$ 56,800	$ 63,900	$ 71,000	$ 76,700	$ 82,400	$ 88,050
80%	$ 66,250	$ 75,700	$ 85,150	$ 94,600	$ 102,200	$ 109,750	$ 117,350
100%	$ 82,850	$ 94,650	$ 106,500	$ 118,300	$ 127,800	$ 137,250	$ 146,700
110%	$ 91,150	$ 104,150	$ 117,150	$ 130,150	$ 140,600	$ 151,000	$ 161,400
120%	$ 99,400	$ 113,600	$ 127,800	$ 141,950	$ 153,350	$ 164,700	$ 176,050

Maximum Rents

Bedroom Count

AMI	1	2	3	4	5	6
30%	$ 621.25	$ 712.50	$ 798.75	$ 887.50	$ 958.75	$ 1,030.00
50%	$ 1,036.25	$ 1,183.75	$ 1,331.25	$ 1,478.75	$ 1,597.50	$ 1,716.25
60%	$ 1,242.50	$ 1,420.00	$ 1,597.50	$ 1,775.00	$ 1,917.50	$ 2,060.00
80%	$ 1,656.25	$ 1,892.50	$ 2,128.75	$ 2,365.00	$ 2,555.00	$ 2,743.75
100%	$ 2,071.25	$ 2,366.25	$ 2,662.50	$ 2,957.50	$ 3,195.00	$ 3,431.25
120%	$ 2,485.00	$ 2,840.00	$ 3,195.00	$ 3,548.75	$ 3,833.75	$ 4,117.50

AFFORDABLE HOUSING TAX INCREMENT FINANCING			
Owner/Project	**Date**	**Units**	**TIF**
Pearl Place I Apartments	2007	60	$ 615,502
409 Cumberland	2013	57	$ 759,392
Thomas Heights (134 Washingt	2014	18	$ 207,116
17 Carleton Street Apts.	2015	37	$ 726,000
58 Boyd Street	2018	55	$ 2,144,566
977 Brighton Avenue	2018	40	$ 1,954,486
Deering Place (510 Cumberland	2018	75	$ 4,185,757
37 Front Street *	2018	60	$ 6,056,916
178 Kennebec Street	2018	51	$ 2,889,164
83 Middle Street *	2019	45	$ 1,559,287
66 State Street	2019	38	$ 2,672,169
200 Valley Avenue *	2020	60	$ 4,092,269
337 Cumberland Avenue *	2020	60	$ 2,722,057
577 Washington Avenue *	2020	100	$ 3,809,991
104 Grant Street	2020	23	$ 2,749,457
73 Winter (Equinox) *	2021	43	$ 1,337,426
91 Winter (Winter Landing) *	2021	52	$ 1,473,978
45 Doherty (LITHC) *	2022	63	$ 2,329,683
		Units	TIF
Total		937	$42,285,216
Total City Investment		$42,285,216	
Avg. City Contribution/Unit		**$45,128.30**	

CHAPTER 206

DEVELOPMENT DISTRICTS

SUBCHAPTER 3

MUNICIPAL AFFORDABLE HOUSING DEVELOPMENT DISTRICTS

§5245. Findings and declaration of necessity

1. Legislative finding. The Legislature finds that there is a need for the development of affordable, livable housing and the containment of the costs of unplanned growth in Maine municipalities.
[PL 2003, c. 426, §1 (NEW).]

2. Authorization. For the reasons set out in subsection 1, a municipality may develop a program to provide impetus for affordable housing development within a district of the municipality, as provided in the comprehensive plan adopted by the legislative body of the municipality.
[PL 2003, c. 426, §1 (NEW).]

3. Declaration of public purpose. It is declared that the actions required to assist the implementation of affordable housing development programs are a public purpose and that the execution and financing of these programs are a public purpose.
[PL 2003, c. 426, §1 (NEW).]

SECTION HISTORY

PL 2003, c. 426, §1 (NEW).

§5246. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 2003, c. 426, §1 (NEW).]

1. Affordable housing. "Affordable housing" means a decent, safe and sanitary dwelling, apartment or other living accommodation for a household whose income does not exceed 120% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended.
[RR 2017, c. 1, §27 (COR).]

2. Affordable housing development district. "Affordable housing development district" or "district" means a specified area within the corporate limits of a municipality that has been designated as provided under sections 5247 and 5250 to be developed under an affordable housing development program and financed under section 5250-A.
[PL 2003, c. 426, §1 (NEW).]

3. Affordable housing development program. "Affordable housing development program" or "program" means a statement of means and objectives designed to encourage the development and maintenance of affordable housing within an affordable housing development district.
[PL 2003, c. 426, §1 (NEW).]

4. Amenities. "Amenities" means items of street furniture, signs and landscaping, including, but not limited to, plantings, benches, trash receptacles, street signs, sidewalks and pedestrian malls.
[PL 2003, c. 426, §1 (NEW).]

5. Authority. "Authority" means the Maine State Housing Authority.

[PL 2003, c. 426, §1 (NEW).]

6. Captured assessed value. "Captured assessed value" means the amount, as a percentage or stated sum, of increased assessed value that is utilized from year to year to finance the project costs contained within the affordable housing development program.
[PL 2003, c. 426, §1 (NEW).]

7. Current assessed value. "Current assessed value" means the assessed value of the district certified by the municipal assessor as of April 1st of each year that the affordable housing development district remains in effect.
[PL 2003, c. 426, §1 (NEW).]

8. Director. "Director" means the Director of the Maine State Housing Authority.
[PL 2003, c. 426, §1 (NEW).]

9. Financial plan. "Financial plan" means a statement of the project costs and sources of revenue required to accomplish the affordable housing development program.
[PL 2003, c. 426, §1 (NEW).]

10. Increased assessed value. "Increased assessed value" means the valuation amount by which the current assessed value of an affordable housing development district exceeds the original assessed value of the district. If the current assessed value is equal to or less than the original, there is no increased assessed value.
[PL 2003, c. 426, §1 (NEW).]

11. Maintenance and operation. "Maintenance and operation" means all activities necessary to maintain affordable housing after development and all activities necessary to operate the affordable housing, including, but not limited to, informational, promotional, safety and surveillance activities.
[PL 2003, c. 426, §1 (NEW).]

12. Original assessed value. "Original assessed value" means the assessed value of an affordable housing development district as of March 31st of the tax year preceding the year in which it was designated, and, for affordable housing development districts designated on or after April 1, 2014, "original assessed value" means the taxable assessed value of an affordable housing development district as of March 31st of the tax year preceding the year in which it was designated by the municipality or plantation.
[PL 2013, c. 312, §1 (AMD).]

13. Project costs. "Project costs" means any expenditures or monetary obligations incurred or expected to be incurred that are authorized by section 5249, subsection 1 and included in an affordable housing development program.
[PL 2003, c. 426, §1 (NEW).]

14. Tax increment. "Tax increment" means real property taxes assessed by a municipality, in excess of any state, county or special district tax, upon the increased assessed value of property in the affordable housing development district.
[PL 2003, c. 426, §1 (NEW).]

15. Tax shifts. "Tax shifts" means the effect on a municipality's state revenue sharing, education subsidies and county tax obligations that results from the designation of an affordable housing development district and the capture of increased assessed value.
[PL 2003, c. 426, §1 (NEW).]

16. Tax year. "Tax year" means the period of time beginning on April 1st and ending on the succeeding March 31st.
[PL 2003, c. 426, §1 (NEW).]

SECTION HISTORY

PL 2003, c. 426, §1 (NEW). PL 2013, c. 312, §1 (AMD). RR 2017, c. 1, §27 (COR).

§5247. Affordable housing development districts

1. Creation. A municipal legislative body may designate an affordable housing development district within the boundaries of the municipality in accordance with the requirements of this subchapter. If the municipality has a charter, the designation of an affordable housing development district may not be in conflict with the provisions of the municipal charter.
[PL 2003, c. 426, §1 (NEW).]

2. Considerations for approval. Before designating an affordable housing development district within the boundaries of a municipality, or before establishing an affordable housing development program for a designated affordable housing development district, the legislative body of a municipality must consider whether the proposed district or program will contribute to the expansion of affordable housing opportunities within the municipality or to the betterment of the health, welfare or safety of the inhabitants of the municipality. Interested parties must be given a reasonable opportunity to present testimony concerning the proposed district or program at the hearing provided for in section 5250, subsection 1. If an interested party claims at the public hearing that the proposed district or program will result in a substantial detriment to that party's existing property interests in the municipality and produces substantial evidence to that effect, the legislative body shall consider that evidence. When considering that evidence, the legislative body also shall consider whether any adverse economic effect of the proposed district or program on that interested party's existing property interests in the municipality is outweighed by the contribution made by the district or program to the availability of affordable housing within the municipality or to the betterment of the health, welfare or safety of the inhabitants of the municipality.
[PL 2003, c. 426, §1 (NEW).]

3. Conditions for approval. Designation of an affordable housing development district is subject to the following conditions.

A. At least 25%, by area, of the real property within an affordable housing development district must:

(1) Be suitable for residential use;

(2) Be a blighted area; or

(3) Be in need of rehabilitation or redevelopment. [PL 2003, c. 426, §1 (NEW).]

B. The affordable housing development district is subject to the area cap established in section 5223, subsection 3, paragraph B. [PL 2003, c. 426, §1 (NEW).]

C. The original assessed value of a proposed affordable housing development district plus the original assessed value of all existing affordable housing development districts within the municipality may not exceed 5% of the total value of taxable property within the municipality as of April 1st preceding the date of the director's approval of the designation of the proposed affordable housing development district. [PL 2003, c. 426, §1 (NEW).]

D. [PL 2013, c. 312, §2 (RP).]

E. The affordable housing development program must show that the development meets an identified community housing need. The affordable housing development program must provide a mechanism to ensure the ongoing affordability for a period of at least 10 years for single-family, owner-occupied units and 30 years for rental units. [PL 2003, c. 426, §1 (NEW).]

F. [PL 2013, c. 312, §2 (RP).]

G. The district must be primarily a residential development on which at least 33% of the dwelling units are affordable housing and that may be designed to be compact and walkable and to include internal open space, other common open space and one or more small-scale nonresidential uses of service to the residents of the development. [PL 2003, c. 426, §1 (NEW).]

[PL 2013, c. 312, §2 (AMD).]

4. Powers of municipality. Within an affordable housing development district and consistent with an affordable housing development program, a municipality may acquire, construct, reconstruct, improve, preserve, alter, extend, operate or maintain property or promote development intended to meet the objectives of the affordable housing development program. Pursuant to the affordable housing development program, the municipality may acquire property, land or easements through negotiation or by using eminent domain powers in the manner authorized for community development programs under section 5204. The municipality's legislative body may adopt ordinances regulating traffic in and access to any facilities constructed within the affordable housing development district. The municipality may install public improvements.

[PL 2003, c. 426, §1 (NEW).]

SECTION HISTORY

PL 2003, c. 426, §1 (NEW). PL 2013, c. 312, §2 (AMD).

§5248. Affordable housing development programs

1. Adoption. The legislative body of a municipality shall adopt an affordable housing development program for each affordable housing development district. The affordable housing development program must be adopted at the same time as the district as part of the district adoption proceedings or, if at a different time, in the same manner as adoption of the district, with the same notice and hearing requirements of section 5250. Before adopting an affordable housing development program, the municipal legislative body shall consider the factors and evidence specified in section 5247.

[PL 2003, c. 426, §1 (NEW).]

2. Requirements. The affordable housing development program must include:

A. A financial plan in accordance with subsection 3; [PL 2003, c. 426, §1 (NEW).]

B. A description of facilities, improvements or programs to be financed in whole or in part by the affordable housing development program; [PL 2003, c. 426, §1 (NEW).]

C. Plans for the relocation of persons displaced by the development activities; [PL 2003, c. 426, §1 (NEW).]

D. The environmental controls to be applied; [PL 2003, c. 426, §1 (NEW).]

E. The proposed operation of the affordable housing development district after the planned improvements are completed; [PL 2003, c. 426, §1 (NEW).]

F. An assurance that the program complies with section 4349-A; [PL 2003, c. 426, §1 (NEW).]

G. The duration of the program, which may start during any tax year specified in the approval of the affordable housing development program by a municipal legislative body, except that the program may not exceed 30 years after the tax year in which the designation of the district is approved by the director as provided in section 5250, subsection 3; and [PL 2013, c. 312, §3 (AMD).]

H. All documentation submitted to or prepared by the municipality under section 5247, subsection 2. [PL 2003, c. 426, §1 (NEW).]

[PL 2013, c. 312, §3 (AMD).]

3. Financial plan for affordable housing development district. The financial plan for an affordable housing development district must include:

A. Cost estimates for the affordable housing development program; [PL 2003, c. 426, §1 (NEW).]

B. The amount of public indebtedness to be incurred; [PL 2003, c. 426, §1 (NEW).]

C. Sources of anticipated revenues; [PL 2003, c. 426, §1 (NEW).]

D. A description of the terms and conditions of any agreements, contracts or other obligations related to the affordable housing development program; and [PL 2003, c. 426, §1 (NEW).]

E. For each year of the affordable housing development program:

(1) Estimates of increased assessed values of the district;

(2) The portion of the increased assessed values to be applied to the affordable housing development program as captured assessed values and resulting tax increments in each year of the program; and

(3) A calculation of the tax shifts resulting from designation of the affordable housing development district. [PL 2003, c. 426, §1 (NEW).]

[PL 2003, c. 426, §1 (NEW).]

4. Limitation. For affordable housing development districts, a municipality may expend the tax increments received for any affordable housing development program only in accordance with the financial plan.

[PL 2003, c. 426, §1 (NEW).]

SECTION HISTORY

PL 2003, c. 426, §1 (NEW). PL 2013, c. 312, §3 (AMD).

§5249. Project costs

1. Authorized project costs. The director shall review proposed project costs to ensure compliance with this subsection. Authorized project costs are:

A. Costs of improvements made within the affordable housing development district, including, but not limited to:

(1) Capital costs, including, but not limited to:

(a) The acquisition of land or construction of public infrastructure improvements for affordable housing development;

(b) The demolition, alteration, remodeling, repair or reconstruction of existing buildings, structures and fixtures;

(c) Site preparation and finishing work; and

(d) All fees and expenses that are eligible to be included in the capital cost of such improvements, including, but not limited to, licensing and permitting expenses and planning, engineering, architectural, testing, legal and accounting expenses;

(2) Financing costs, including, but not limited to, closing costs, issuance costs and interest paid to holders of evidences of indebtedness issued to pay for project costs and any premium paid over the principal amount of that indebtedness because of the redemption of the obligations before maturity;

(3) Real property assembly costs;

(4) Professional service costs, including, but not limited to, licensing, architectural, planning, engineering and legal expenses;

(5) Administrative costs, including, but not limited to, reasonable charges for the time spent by municipal employees in connection with the implementation of an affordable housing development program;

(6) Relocation costs, including, but not limited to, relocation payments made following condemnation;

(7) Organizational costs relating to the establishment of the affordable housing district, including, but not limited to, the costs of conducting environmental impact and other studies and the costs of informing the public about the creation of affordable housing development districts and the implementation of project plans;

(8) Costs of facilities used predominantly for recreational purposes, including, but not limited to, recreation centers, athletic fields and swimming pools;

(9) Costs for child care, including finance costs and construction, staffing, training, certification and accreditation costs related to child care located in the affordable housing development district;

(10) Costs of case management and support services; and

(11) Operating costs, including but not limited to property management and administration, utilities, routine repairs and maintenance, insurance, real estate taxes and funding of a projects capital reserve account; and [PL 2013, c. 312, §4 (AMD).]

B. Costs of improvements that are made outside the affordable housing development district but are directly related to or are made necessary by the establishment or operation of the district, including, but not limited to:

(1) That portion of the costs reasonably related to the construction, alteration or expansion of any facilities not located within the district that are required due to improvements or activities within the district, including, but not limited to, sewage treatment plants, water treatment plants or other environmental protection devices; storm or sanitary sewer lines; water lines; electrical lines; improvements to fire stations; and amenities on streets;

(2) Costs of public safety improvements made necessary by the establishment of the district;

(3) Costs of funding to mitigate any adverse impact of the district upon the municipality and its constituents. This funding may be used for funding public kindergarten to grade 12 costs and public facilities and improvements; and

(4) Costs to establish permanent housing development revolving loan funds or investment funds. [PL 2003, c. 426, §1 (NEW).]

[PL 2013, c. 312, §4 (AMD).]

2. Limitation. Tax increments received from any affordable housing development program may not be used to circumvent other tax laws.

[PL 2003, c. 426, §1 (NEW).]

SECTION HISTORY

PL 2003, c. 426, §1 (NEW). PL 2013, c. 312, §4 (AMD).

§5250. Procedure

1. Notice and hearing. Before designating an affordable housing development district or adopting an affordable housing development program, the municipal legislative body or the municipal legislative body's designee must hold at least one public hearing on the proposed district. Notice of the hearing must be published at least 10 days before the hearing in a newspaper of general circulation within the municipality.

[PL 2003, c. 426, §1 (NEW).]

2. Review by director. Before final designation of an affordable housing development district, the director shall review the proposal for the district to ensure that the proposal complies with statutory requirements.
[PL 2003, c. 426, §1 (NEW).]

3. Effective date. A designation of an affordable housing development district is effective upon approval by the director.
[PL 2003, c. 426, §1 (NEW).]

4. Administration of district. The legislative body of a municipality may create a department, designate an existing department, office, agency, municipal housing or redevelopment authority or enter into a contractual arrangement with a private entity to administer activities authorized under this subchapter.
[PL 2003, c. 426, §1 (NEW).]

5. Amendments. A municipality may amend a designated affordable housing development district or an adopted affordable housing development program only after meeting the requirements of this section for designation of an affordable housing development district or adoption of an affordable housing development program. A municipality may not amend the designation of an affordable housing development district if the amendment would result in the district's being out of compliance with any of the conditions in section 5247, subsection 3.
[PL 2003, c. 426, §1 (NEW).]

SECTION HISTORY

PL 2003, c. 426, §1 (NEW).

§5250-A. Affordable housing tax increment financing

1. Designation of captured assessed value. A municipality may retain all or part of the tax increment revenues generated from the increased assessed value of an affordable housing development district for the purpose of financing the affordable housing development program. The amount of tax increment revenues to be retained is determined by designating the captured assessed value. When an affordable housing development program for an affordable housing development district is adopted, the municipal legislative body shall adopt a statement of the percentage of increased assessed value to be retained as captured assessed value in accordance with the affordable housing development program. The statement of percentage may establish a specific percentage or percentages or may describe a method or formula for determination of the percentage. The municipal assessor shall certify the amount of the captured assessed value to the municipality each year.
[PL 2003, c. 426, §1 (NEW).]

2. Certification of assessed value. Upon or after the formation of an affordable housing development district, the assessor of the municipality in which the district is located shall certify the original assessed value of the taxable property within the boundaries of the affordable housing development district. Each year after the designation of an affordable housing development district, the municipal assessor shall certify the amount by which the assessed value has increased or decreased from the original value.

Nothing in this subsection allows or sanctions unequal apportionment or assessment of the taxes to be paid on real property in the State. An owner of real property within the affordable housing development district pays real property taxes apportioned equally with property taxes paid elsewhere in the municipality.
[PL 2003, c. 426, §1 (NEW).]

3. Affordable housing development program fund; affordable housing tax increment revenues. If a municipality has designated captured assessed value under subsection 1, the municipality shall:

A. Establish an affordable housing development program fund that consists of the following:

(1) A project cost account that is pledged to and charged with the payment of project costs that are outlined in the financial plan and are paid in a manner other than as described in subparagraph (2); and

(2) In instances of municipal indebtedness, a development sinking fund account that is pledged to and charged with the payment of the interest and principal as the interest and principal fall due and the necessary charges of paying interest and principal on any notes, bonds or other evidences of indebtedness that were issued to fund or refund the cost of the affordable housing development program fund; [PL 2003, c. 426, §1 (NEW).]

B. Annually set aside all affordable housing tax increment revenues on captured assessed values and deposit all such revenues to the appropriate affordable housing development program fund account established under paragraph A in the following order of priority:

(1) To the affordable housing development sinking fund account, an amount sufficient, together with estimated future revenues to be deposited to the account and earnings on the amount, to satisfy all annual debt service on bonds and notes issued under section 5250-D and the financial plan; and

(2) To the affordable housing project cost account, an amount sufficient, together with estimated future revenues to be deposited to the account and earnings on the amount, to satisfy all annual affordable housing project costs to be paid from the account; [PL 2003, c. 426, §1 (NEW).]

C. Make transfers between affordable housing development program fund accounts established under paragraph A as required, provided that the transfers do not result in a balance in the affordable housing development sinking fund account that is insufficient to cover the annual obligations of that account; and [PL 2003, c. 426, §1 (NEW).]

D. Annually return to the municipal general fund any tax increment revenues remaining in the affordable housing development sinking fund account established under paragraph A in excess of those estimated to be required to satisfy the obligations of the development sinking fund account after taking into account any transfers made under paragraph C. The municipality, at any time, by vote of the municipal officers, may return to the municipal general fund any tax increment revenues remaining in the project cost account established under paragraph A in excess of those estimated to be required to satisfy the obligations of the development project cost account after taking into account any transfer made under paragraph C. In either case, the corresponding amount of local valuation may not be included as part of the captured assessed value as specified by the municipality. [PL 2019, c. 607, Pt. A, §2 (AMD).]

[PL 2019, c. 607, Pt. A, §2 (AMD).]

SECTION HISTORY

PL 2003, c. 426, §1 (NEW). PL 2019, c. 607, Pt. A, §2 (AMD).

§5250-B. Rules

The director may adopt rules necessary to carry out the duties imposed by this subchapter and to ensure municipal compliance with this subchapter following designation of an affordable housing development district. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. [PL 2003, c. 426, §1 (NEW).]

SECTION HISTORY

PL 2003, c. 426, §1 (NEW).

§5250-C. Grants

A municipality may receive grants or gifts for any of the purposes of this subchapter. The tax increment revenues within an affordable housing development district may be used as the local match for certain grant programs. [PL 2003, c. 426, §1 (NEW).]

SECTION HISTORY

PL 2003, c. 426, §1 (NEW).

§5250-D. Bond financing

The legislative body of a municipality may authorize, issue and sell bonds, including but not limited to general obligation or revenue bonds or notes, that mature within 30 years from the date of issue to finance all project costs needed to carry out the affordable housing development program within the affordable housing development district. The municipal officers authorized to issue the bonds or notes may borrow money in anticipation of the sale of the bonds for a period of up to 3 years by issuing temporary notes and notes in renewal of the bonds. All revenues derived under section 5250-A received by the municipality are pledged for the payment of the activities described in the affordable housing development program and used to reduce or cancel the taxes that may otherwise be required to be expended for that purpose. The notes, bonds or other forms of financing may not be included when computing the municipality's net debt. Nothing in this section restricts the ability of the municipality to raise revenue for the payment of project costs in any manner otherwise authorized by law. [PL 2013, c. 312, §5 (AMD).]

SECTION HISTORY

PL 2003, c. 426, §1 (NEW). PL 2013, c. 312, §5 (AMD).

§5250-E. Administration

1. Reports. The legislative body of a municipality must report annually to the director regarding the status of an affordable housing development district. The report must:

A. Certify that the public purpose of the affordable housing district, as outlined in this subchapter, is being met; [PL 2003, c. 426, §1 (NEW).]

B. Account for any sales of property within the district; and [PL 2003, c. 426, §1 (NEW).]

C. Certify that rental units within the affordable housing development district have remained affordable. [PL 2003, c. 426, §1 (NEW).]

[PL 2003, c. 426, §1 (NEW).]

2. Recovery of public funds. The authority shall develop by rule provisions for recovery of public revenue if conditions for approval of an affordable housing development district are not maintained for the duration of the district. Rules adopted by the authority pursuant to this subsection must be submitted to the Legislature in accordance with Title 5, chapter 375, subchapter 2-A.

[PL 2003, c. 426, §1 (NEW).]

SECTION HISTORY

PL 2003, c. 426, §1 (NEW).

§5250-F. Advisory board

The legislative body of a municipality may create an advisory board, a majority of whose members must be owners or occupants of real property located in or adjacent to the affordable housing development district they serve. The advisory board shall advise the legislative body on the planning and implementation of the affordable housing development program, the construction of the district and the maintenance and operation of the district after the program has been completed. [PL 2003, c. 426, §1 (NEW).]

SECTION HISTORY

PL 2003, c. 426, §1 (NEW).

§5250-G. Unorganized territory

For the purposes of this subchapter, a county may act as a municipality for the unorganized territory within the county and may designate affordable housing development districts within the unorganized territory. When a county acts under this section, the county commissioners act as the municipality and as the municipal legislative body, the State Tax Assessor acts as the municipal assessor and the unorganized territory fund receives the funds designated for the municipal general fund. [PL 2003, c. 426, §1 (NEW).]

SECTION HISTORY

PL 2003, c. 426, §1 (NEW).

PORTLAND TIF POLICY

June, 2023

I. INTRODUCTION

Tax Increment Financing (TIF) is an economic development program authorized under state law to support municipal projects. The TIF program allows municipalities to provide financial assistance to local economic development projects and programs – from infrastructure, municipal economic development programs and staff, to business expansions - by using new property taxes that result from new commercial or residential investment associated with the corresponding increase in property value.

Portland TIF Policy supports investment in municipal economic development programs, infrastructure investment (which is generally through the establishment of area wide or neighborhood TIF districts), and individual project site-specific TIF districts to support either infrastructure or individual private project financing needs.

The City is committed to invest in infrastructure located within the public rights-of-way that encourage economic development. Use of TIF investment to invest in infrastructure recognizes the savings which occurs through the TIF Program tax sheltering benefits.

"Infrastructure" is defined, but not limited to: traffic upgrades, public parking facilities, roadway improvements, lighting, sidewalks, water and sewer utilities, storm water management improvements and placing above ground overhead electric and telecommunications lines underground.

II. STATE TIF LIMITATION

There are acreage and value cap limitations for municipalities to establish TIF districts along with term limits. Term limits include bonds which may be issued for a maximum of 20 years (anticipation notes for three years). TIF districts may be designated for a maximum of 30 years.

III. PURPOSE

The primary purposes of the TIF Policy include:

A. To support Portland Economic Development and Housing Plans and Policies;
B. To stimulate expansion of the City's commercial and industrial tax base;
C. To stimulate new affordable and market rate housing investment;
D. To retain and create quality employment;
E. To support Portland's Capital Improvement Plan; and,
F. To establish standards upon which the City Council will authorize TIF.

IV. GENERAL PRINICPLES

The three primary general principles for the City Council to establish TIF districts include:

A. Investment

***Minimum Real Property Investment*.** A minimum of $1 million in new taxable investment property value for commercial and industrial development and $500,000 for affordable housing development is needed to qualify for a TIF. This is the minimum amount which makes practical sense to consider use of the TIF program due to the amount of new municipal property tax revenue generated from new private investment.

B. Jobs Associated with Commercial and Industrial Development

Applicants for TIF participation will be required to provide a plan outlining the number and quality of jobs retained or created associated with each TIF district. While there is not a specific formula for the numbers of jobs associated with the amount of TIF financial assistance, the number and quality of the jobs will be taken into consideration for each TIF district. It is recognized that housing projects do not create many permanent jobs.

C. Maximize Tax Sheltering Benefits

A municipality's total equalized assessed value is used to calculate General Purpose Aid to Education (subsidy), State Revenue Sharing (subsidy) and County taxes (expense). When a municipality's equalized assessed value increases, State Aid for Education decreases, municipal revenue sharing decreases, and the municipality pays a greater portion of County taxes. TIF allows municipalities to "shelter" new value resulting from private investment from the calculation of its State subsidies (education and revenue sharing) and County taxes. In other words, specific municipal shelter benefits, for the term of the TIF, include:

1) No reduction in State aid for education,
2) No reduction in municipal revenue sharing and
3) No increase in County taxes.

Annually, the Council Committee with jurisdiction over housing and community development and City Council will evaluate available TIF district capacity related to State acreage and value limitations to determine whether existing TIF districts need amending and/or new TIF district establishment. Scheduled public infrastructure investments included in the City's Capital Improvement Plan will inform decisions about adjustments to existing TIF districts or establishment of new TIF districts.

V. APPROACH, POLICY, and TERM REQUIREMENTS

Must meet or exceed the below requirements.

A. Approach

There are three approaches to consider establishing TIF districts. They include:

1) ***Municipal Economic Development Programs funded directly through a pay-as-you-go approach.***

   Examples of municipal economic development programs include paying for economic development staff, annual funding to Creative Portland for city marketing/branding, and other TIF law allowable activities.

2) Area wide TIF districts financed by City Bond/Debt Issuance

   Issuance of municipal general obligation bonds or limited obligation bonds is a mechanism that may be used to fund a TIF district program. Allowable uses are spelled out in state TIF law. Generally, municipalities will issue debt to cover the cost of infrastructure investment.

3) Individual Site Specific TIF districts utilizing Credit Enhancement Agreements (CEAs)

   A CEA is a contract between a municipality and developer to assist an individual development project by using a percentage or all of the tax revenue generated by the investment to pay certain authorized project costs which could include site specific infrastructure or private individual project financing needs. Allowable project costs are spelled out in state TIF law.

B. Policy for the Three Approaches

1. Policy for Municipal Economic Development Programs.

Requires annual review and City Council financial appropriations.

2. Policy for Area wide TIF District Locations (for City Bond/Debt Issuance)

a) Area wide TIF will be established for infrastructure investment which has applications beyond one individual project.

b) City TIF emphasis will be placed upon the following general "Priority Revitalization Areas" to support commercial development, housing development, redevelopment, or to support buildings in need to redevelopment, address blight or historic preservation:

- Affordable housing projects off peninsula;
- Riverside Street commercial and industrial zoned areas;
- Forest Avenue corridor from I-295 to Woodfords Corner;

- Washington Avenue corridor from Congress Street to I-295;
- Portland Technology Park ;
- Areas in which future significant wastewater and/or stormwater infrastructure investments are planned;
- West Commercial Street vacant property;
- Libbytown;
- St. Johns Street Valley;
- Other areas based upon scheduled public infrastructure investment included in the City's Capital Improvement Plan.

The above list of general priority revitalization areas serve as guides to establish specific boundaries for TIF districts at time of district establishment.

c) Market Rate Housing. Market rate rental housing projects must be located in priority revitalization areas to stimulate housing investment for the purpose of attracting 24/7 pedestrian activity. Pursuant to State Law, TIF for condominium projects are not allowed.

d) Affordable Housing. Affordable Housing TIF (AHTIF) may be designated on an area wide or site specific basis.

The relevant City Council Committee will complete an annual assessment of housing needs and priorities. This assessment will include a determination regarding designation of an area wide AHTIF. Site specific AHTIF requests submitted by developers will be considered on a case-by-case basis. Area wide or site specific AHTIF designations must address an identified community need.

State law requires that at least 25% of the district area must be suitable for residential use, development must be primarily residential, and at least 1/3 of the units must be for households at or below 120% of area median income which allows for individual mixed income projects or area wide affordable housing TIF districts.

Allowable uses of AHTIF revenues are defined by State law.

e) City preference is to invest in area wide public infrastructure TIF districts versus establishing individual private site specific TIF districts.

f) Area wide TIF districts also should seek to maximize the benefit of downtown and transit oriented development (TOD) districts which are exempt from State TIF law for acreage and value limitations.

g) Terms for area wide TIF districts will be considered for up to 100% of new tax revenue and upwards of thirty (30) years, the maximum allowed by State law, due to the long-term need to invest in neighborhood infrastructure.

NOTE 1: As of this Amended TIF Policy date, there are two existing area wide TIF Districts, i.e., Bayside and Waterfront TIF Districts.

NOTE 2: As of this Amended TIF Policy date, there also exists two Transit Oriented Development (TOD) District, namely the Thompson Point TOD TIF District and the Downtown TOD TIF District to support new or expanded transit services and improved transit connections between the Portland Transportation Center, Jetport and Downtown.

3. Policy for Individual Site Specific TIF Districts Utilizing Credit Enhancement Agreements (CEAs)

a) CEAs for individual site specific TIF districts will be considered for investment in infrastructure or project financing need and cannot be applied to any agreed upon public infrastructure improvements associated with a City Council approved conditional rezone agreement. Additional provisions related to CEAs include:

i) City Green Building Code

Compliance with the City's Green Building Code is required when TIF assistance is provided to individual private project CEAs.

ii) Affordable Housing

Affordable Housing TIF (AHTIF) may be designated on an area wide or site specific basis. Developments are encouraged to promote economic diversity.

The City Council Committee will complete an annual assessment of housing needs and priorities. This assessment will include a determination regarding designation of an area wide AHTIF. Site specific AHTIF requests submitted by developers will be considered on a case-by-case basis. Area wide or site specific AHTIF designations must address an identified community need.

State law requires that at least 25% of the district area must be suitable for residential use, development must be primarily residential, and at least 1/3 of the units must be for households at or below 120% of area median income which allows for individual mixed income projects or area wide AHTIF districts.

Affordable means that the percentage of income a household is charged in rent and other housing expenses including utilities, or must pay in monthly mortgage payments (including real estate taxes, mortgage insurance, condominium/HOA fees, insurance and utilities), does not exceed 30% of a household's gross income, or other amount established in city regulations that does not vary significantly from this amount. These restrictions must remain in place for the full term of the AHTIF district.

Allowable uses of AHTIF revenues are defined by State law.

(iii) State Prevailing Wage Requirement

Any firms employed in the construction phase of a TIF-assisted project must compensate all employees the current wage rates and fringe benefits as required under applicable state prevailing wage law under 26 M.R.S.A. §1306, or Portland City Ordinance Ch. 33, §33-1 to 33-12, whichever is greater. If a project is required to use Davis-Bacon wage rates as a result of another funding source, Davis-Bacon wage rates will suffice to meet this requirement, provided the minimum wage for each job is greater than the Portland City Ordinance Ch.33, §33-1 to 33-12.

City staff shall provide to the relevant City Council Committee an annual update on:

a) the impact of this prevailing wage requirements on CEAs;
b) feasibility of construction firms to pay prevailing wages and benefits; and
c) compliance with this section.

(iv) <u>Equal Employment Opportunities and Nondiscrimination</u>

The developer and its contractors employed in the construction phase of a TIF-assisted project shall adhere to a policy of non-discrimination in all employment actions, practices, policies, procedures, phases, and conditions of employment. All employment-related decisions (including but not limited to hiring, discharge, transfers, promotions, discipline, training, job opportunities, and wage and salary levels) will be made without discrimination based on an individual's race or color, religion, age, sex (including pregnancy), sexual orientation, gender identity or expression, ancestry or national origin, physical or mental disability, veteran status, genetic information, previous assertion of a claim or right under Maine's

Workers' Compensation Act, previous actions taken protected under Maine's Whistleblowers' Protection Act, or any other protected group status as defined by applicable law. Provisions in applicable laws providing for bona fide occupational qualifications, business necessity, or age limitations will be adhered to by the developer and its contractors where appropriate. This policy shall not be construed to prohibit any employment action or policy which is required by federal law, rule or executive order.

b) Applicants for CEA participation must demonstrate and pay the following:

i) Financial Necessity.

The applicant must demonstrate the City's participation is financially necessary in order for the project to proceed.

ii) Financial Capacity**.**

The applicant must demonstrate financial capacity to support their project.

iii) Fees

A financial underwriting analysis will be conducted by a third party on all projects requesting CEA participation. Applicants for CEA assistance will be responsible for reimbursing the City for all project third party legal and financial underwriting costs***.***

C. Terms for CEA Projects

1) Maximum Percentages.

A maximum average percentage of 65% for the entire term associated with individual project CEA's. Notwithstanding the previous sentence, the maximum average percentage for the entire term associated with individual project CEAs for affordable housing shall be 75%. For the purposes of this policy, the term affordable housing shall be defined as in "V. Approach, Policy, and Term Requirements" Section B(3)(a)(ii) (Affordable Housing) of the Portland TIF Policy.

2) Maximum Number of Years.

Up to twenty (20) years to match individual private sector commercial financing terms; for Affordable Housing projects, up to thirty (30) years (affordability must be maintained for the full term of the TIF). The term of a TIF may start upon agreed trigger event, such as an increased assessed value. This would be included in a CEA on that negotiated triggering event.

3) Use of Maine Services for CEA Projects Encouraged.

VI. TIF APPLICATION AND ADMINISTRATION PROCESS

A. Application Information and Contact.

The Housing and Economic Development Department handle all TIF inquires and processes requests for TIF. An applicant must submit a letter or application to the Housing and Economic Development Department outlining the proposed project, including TIF project financial information, a plan outlining both the number of permanent and construction jobs associated with the proposed project, detailed information on housing affordability, and a demonstrated ability to meet the requirements under Section B(3)(a) of this policy.

B. Approval Process.

There is a two-step approval process which includes obtaining a recommendation from the City Council Committee and City Council approval. Two meetings (or readings) by the City Council are needed. The City Council vote on the TIF occurs at the second meeting.

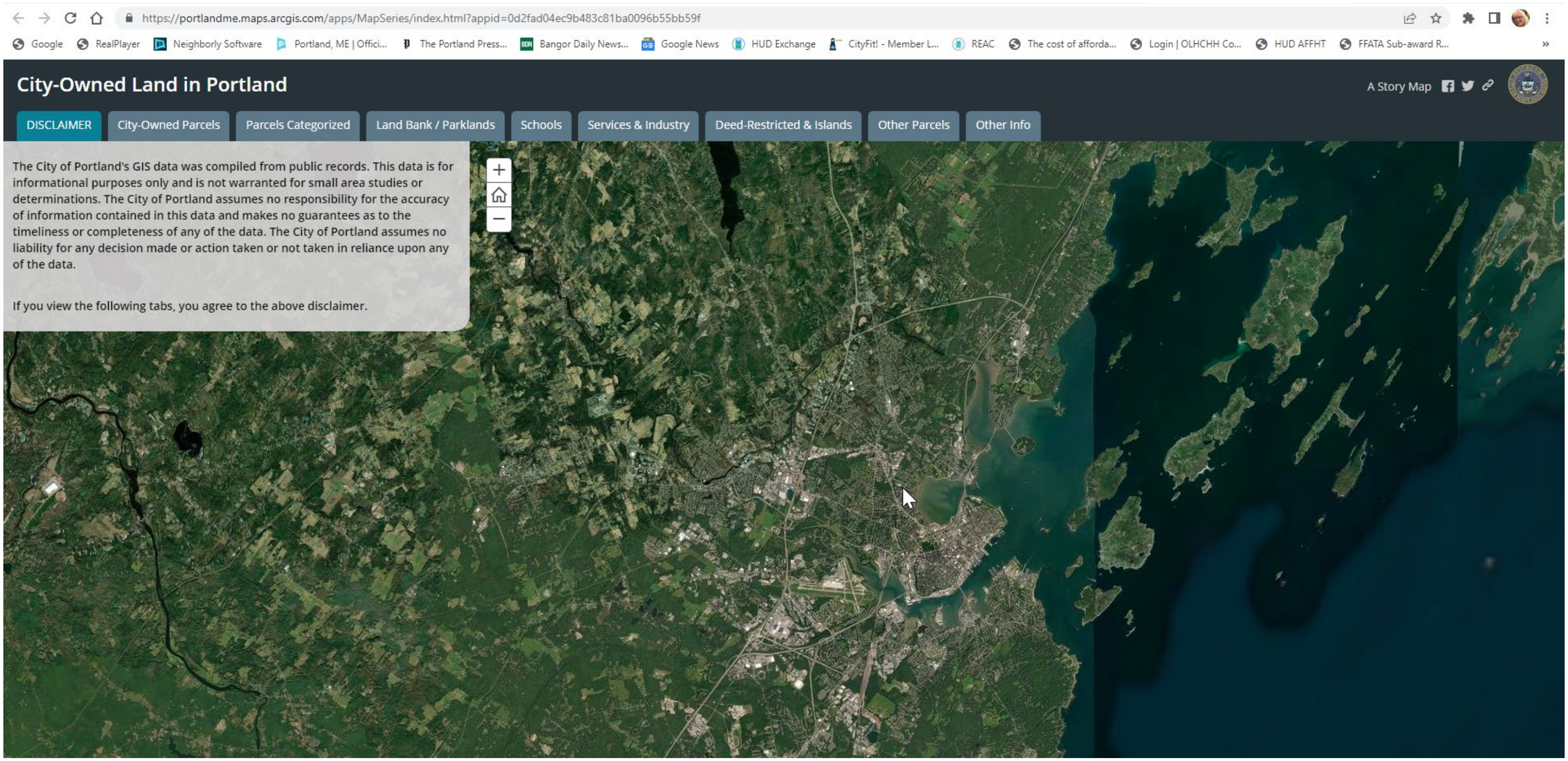
C. Post-Construction Report to City Council.

The Housing and Economic Development Department shall provide a post-construction report to the City Council Committee and City Council regarding each TIF-assisted project which shall include, but not be limited to, an analysis of the adherence to Section (V)(B)(3)(a) of this policy.

D. Annual Report to City Council.

The Housing and Economic Development Department shall provide annual reports to the City Council Committee and City Council regarding TIF district activity.

[City-Owned Land Map]



City of Portland

Rules for the Disposition of City-Owned and Tax-Acquired Property

Adopted by City Council October 18, 1999
Amended by City Council December 7, 2009 by Order 116-08/09
Amended by City Council April 4, 2016 by Order #190, 15/16; any further amendments to these Rules shall be effective upon approval by the City Manager pursuant Section 2-313 of the City Code.

Pursuant to Section 2-313 of the City Code, the following rules will apply to the sale of City-owned and tax-acquired property.

I. Background and Goals and Objectives of the Disposition Process:

A. Background for Tax-Acquired Property

These rules govern the process by which the City disposes of tax-acquired property **after** the lien process established under Maine law which automatically confers ownership of these properties to the City by operation of law. The process that has occurred up to the date of the application of these Rules is set forth in Title 36 of the Maine statutes and takes nearly two years to complete. First, within eight months and a year of the original commitment day of the real estate taxes, the municipality must send out a "30-day notice" letter, notifying the property owner that if their property taxes are not paid within thirty days, the municipality will file a lien against the property in the Registry of Deeds. 36 M.R.S.A. § 942. This creates a tax lien mortgage on the property which has priority over most other mortgages, liens, attachments and encumbrances. *See* 36 M.R.S. § 552.

Next, once the lien is recorded, the 18-month redemption period begins to run. Between 45 and 30 days before the expiration of the 18-month redemption period, Treasury must send out a Notice of Impending Automatic Foreclosure. If the tax lien mortgage, interest, and costs are not paid before the expiration of the 18-month redemption period, then the mortgage is automatically foreclosed and the municipality owns the property. 36 M.R.S. § 943. From this point forward, these Rules govern the disposition of this property.

B. Goals and Objectives of Disposition Process for Tax-Acquired and other City-owned Properties

There are two major goals of the property disposition process. First, to find the highest and best use for property for the benefit of the City, its neighborhoods and its citizens. Second, to establish a clear and fair policy for the disposition of property. In establishing this policy for the sale and reuse of property, both land and buildings, the City has several goals/objectives, including but not limited to:

- Eliminate neighborhood blight
- Assist with neighborhood preservation and revitalization efforts
- Improve the City's housing stock
- Put properties back on the tax rolls

II. City-Owned and Tax-Acquired Property Committee (COTAPC):

The responsibility of implementing the City's Property Disposition Guidelines and Procedures will be delegated to the City-Owned and Tax-Acquired Property Committee (COTAPC). COTAPC is an internal staff committee representing all City departments involved with the disposition of tax-acquired and other City-owned property. The Committee has four major functions:

- Selecting properties for sale using pre-established criteria
- Establishing conditions for the sale of individual properties
- Selecting the method of marketing and disposition
- Reviewing bids/proposals to purchase and making a recommendation to the City Manager

Members of COTAPC include:

- Director of Economic Development, or designee
- Director of Finance, or designee
- Associate Corporation Counsel
- Director of Planning and Urban Development, or designee
- Tax Assessor, or designee
- Deputy City Manager, or designee
- Public Works Director, or designee
- Parks, Recreation, and Facilities Department Director, or designee

III. Conditions for the Retention or Sale and Reuse of Properties:

A. All Tax-Acquired Properties

1. Except as otherwise set forth below, all tax-acquired properties are eligible for disposition immediately following foreclosure by the City pursuant to City Code Section 2-313.

2. Upon approval to sell a tax-acquired property, the Treasurer may send a letter, in substantially the form attached hereto as <u>Exhibit A</u> (a "60-Day Letter") by First Class Mail with Certificate of Mailing to the owner's(s') last known address and the address of the property to provide the owner a final opportunity to redeem their interest in the property through the payment of back taxes, interest, and costs. To do so, owners must pay their taxes, interest, and costs in full within 60 days of the date of the 60-Day Letter. In the event that the owner fails to redeem their interest in the property within the 60-day time period, the City will proceed with the sale of the property pursuant to these Rules. Any notice of these rules shall be deemed complete by regular mailing

3. Notwithstanding anything to the contrary in these Rules, in cases where the City wishes to retain ownership of a tax-acquired property for municipal purposes, including, but not limited to, open space, public improvements, sewers, storm drains, parks and recreation, public safety, transportation and education, the Treasurer shall not send the property owner a 60-Day Letter or otherwise provide the owner an opportunity to redeem their interest in the property.

4. Notwithstanding anything to the contrary in these Rules, in cases where the City wishes to retain tax-acquired property in the Land Bank for purposes of preservation of open space, the Treasurer shall not send the property owner a 60-Day Letter or otherwise provide the owner an opportunity to redeem their interest in the property.

B. Conditions for Sale of Property (City-owned and Tax-acquired)

1. All properties will be sold for a price acceptable to meet the City's priorities for reuse, taking into consideration the assessed value and/or its current condition, as well as back taxes, interest, and costs if tax-acquired. In cases where two or more acceptable bids/proposals are received for the same use of the property, COTAPC will recommend the highest offer. Excess sale funds, above and beyond back taxes, interest and costs, will go to the City's Housing Trust Fund until the end FY2017, at which time this will be further evaluated.

2. It is the responsibility of the purchaser to obtain all required federal, state, and local approvals.

3. COTAPC, on behalf of the City, may place criteria on the disposition of individual properties or groups of properties that meet the City's objectives. More specifically, these conditions may be in the form of: affordability covenants and restrictions for residential property; type and density of development; design standards; and required local approvals and easements. Also, for properties with potential commercial/industrial uses, job creation standards may be required.

4. COTAPC, when determining the reuse of a property, may consider a role that property has historically played in the neighborhood and any benefits it has provided to area residents.

5. For properties that are occupied, the City will provide notice to the occupant(s) by First Class Mail with Certificate of Mailing that the City intends to sell or retain the property. For occupied properties, the City Manager, on COTAPC's recommendation, shall decide whether to evict the occupant(s) or sell/retain the property as occupied.

6. In the event that a property is occupied when sold, the purchaser shall be responsible for any and all occupants of the purchased property and shall, in writing, forever indemnify, defend, and save harmless the municipality from any and all claims arising out of the sale of the property brought by the previous owners, occupants and tenants of the property.

7. Properties will be sold to buyers who can show evidence of financial resources and expertise

8. The City will provide title only through a quitclaim deed without covenant to all purchasers of property.

9. Prior to conveyance, the City Manager has the right to reject any and all bids/proposals at any time during the process, if it is determined to be in the best interest of the City. The City Manager will give the bidder/proposer reasons whenever a rejection of a bid occurs.

IV. Disposition Process:

A. Tax-acquired Properties

1. Tax-acquired property foreclosures occur annually each December. As soon as practicable thereafter, the Treasurer will provide the City Council, the City's Land Bank Commission (LBC), and COTAPC with a list of tax-acquired properties. Within 60 days of its receipt of the

list, the LBC shall recommend to COTAPC which properties should be retained by the Land Bank for open space purposes. COTAPC will then make a recommendation to the City Manager as to which properties should be recommended to be forwarded for a Department-wide survey to determine if the property is excess or not to the City's needs. If survey results are to retain, City Manager will authorize retention of those properties by the Land Bank or for City use.

a. If the property is to be retained by the Land Bank, the City Council will need to vote to put the properties in the Land Bank.

b. If the City is retaining for a municipal purpose, this will be done administratively.

2. Contemporaneously, COTAPC will begin to determine which tax-acquired properties should be retained for municipal purposes and which properties should be sold in accordance with these Rules. Its recommendations for retention or sale shall be forwarded to the City Manager for approval to conduct the Department-wide survey to determine if property is excess or not to the City's needs.

a. If survey results are to retain for a municipal use (not Land Bank), City Manager will authorize retention of those properties, which will be handled administratively.

b. If the survey results are to sell, COTAPC will move forward with the disposition process described in Section B below. COTAPC will meet as needed throughout the year to implement the disposition process.

3. Proposals/bids to re-purchase tax-acquired properties will not be accepted from the prior owner(s) or any entity where the prior owner(s) is part owner of that entity.

B. Process for Sale of Tax-Acquired and Other City-Owned Property

1. In all cases, upon approval of the City Manager, staff will survey City Departments, the District Councilor, At-Large Councilors, and the Mayor to obtain information on whether to sell or retain a specific property for municipal use, to ascertain whether there are neighborhood issues involving the use of the property, or whether conditions should be placed on a sale.

2. A field survey will be conducted, if necessary, by a combination of staff from the Housing and Community Development Division, Inspections, Corporation Counsel, Executive, Public Works, and the Economic Development Department (as staff members determine the most appropriate representation for a particular piece of property) to determine the general conditions of the building and/or land and its potential use.

3. Corporation Counsel's Office will determine status of title and degree of difficulty to clear using either the quiet title process or negotiations with other owner of record to release their interest.

4. Assessors Office will confirm assessed value of property.

5. After the survey is completed and a tax-acquired property is determined to be excess to the City's needs, COTAPC, upon City Manager approval, may have the Treasurer issue a 60-day letter to the prior owner as a last attempt for the prior owner to redeem the property (as detailed previously in Section III(A)(2)). In the event the owner fails to redeem their interest within the 60-day time period, COTAPC will follow steps 7 through 13 below.

6. After the survey is completed and a City-owned property is determined to be excess to the City's needs, COTAPC will follow steps 7 through 13 below.

7. COTAPC will meet to determine if a minimum acceptable purchase price can and should be set for a particular parcel based on assessed value, potential for reuse, current condition of the property, and, if tax-acquired, the amount of outstanding back taxes, interest, and costs. When minimum purchase prices are set, they will be included in the marketing materials. Excepting those lots that are vacant and undersized to be offered directly to abutters upon approval by the City Manager and pursuant to Section IV(C), COTAPC's recommendations, including method of marketing and conditions to be placed on sale, if any, will be forwarded to the City Manager for approval and recommendation to move forward with the disposition process as follows:

   a. For tax-acquired properties under the City Manager's parameters, the City Manager authorizes the disposition process, after prior notice to the District Councilor, following Steps 8 to 13 below and will execute any and all documents to close the sale by the City Manager and Finance Director; and,

   b. For City-owned properties and other tax-acquired properties outside the City Manager's parameters, the City Manager will recommend to the City Council that it authorize the disposition process, with prior notice to the District Councilor. City Council to authorize staff or the appropriate City Council Committee to review bids/proposals for a recommendation to the City Council for a Purchase and Sale Agreement. After approval of the City Council to begin the disposition process, COTAPC will move forward with Steps 8 to 13 below.

8. All property owners within a 500-foot radius of the subject property, measured from the property line of the subject property, will be notified that the City intends to sell the property as detailed in Section IV(D)(1) below. Immediate abutters will be re-notified if the City is considering a change of use.

9. Upon reaching a stated due date to make an offer to purchase to the City, COTAPC will then proceed with the sale process with the offers it has received. If the City receives no response, the property may be further marketed in accordance with these Rules and the City Code.

10. Staff will keep all bidders/proposers informed throughout the sale process to ensure they have the information regarding the status of the process, the procedures from that point on, and the timeframe for a decision.

11. In cases where only one bid or proposal is received and COTAPC recommends to the City Manager rejection of the bid/proposal, the sale process will automatically terminate, unless the process is extended by the City Manager.

12. In cases where more than one proposal is received for the same property but for different uses, the COTAPC may recommend to the City Manager the proposal and use that will best accomplish the City objectives as detailed in Section I of these Rules, regardless of price offered.

C. Vacant Undersized Lots (properties under $5,000 in assessed value)

1. Vacant lots that do not meet minimum lot size for construction will be offered first to direct abutting property owners giving abutters 30 days to respond. If the City receives no response, these properties may be marketed per Section V below.

2. Vacant lots that do not meet minimum lot size for construction, and are less than $5,000 in assessed value, where no neighborhood issues or municipal uses have been identified, will proceed directly to the City Manager for review. If the City Manager approves the sale, he will sign the Purchase and Sale Agreement. The Finance Director will sign the Quit Claim Deed and Corporation Counsel's Office will prepare the closing. City Council approval will not be required.

3. The sale of vacant lots that do not meet minimum lot size for construction, and are less than $5,000 in assessed value, where neighborhood issues have been identified, will proceed to the City Council for review and recommendation for the City Manager and Finance Director to execute any and all documents to close the sale.

4. Vacant lots that do not meet minimum lot size for construction, and are less than $5,000 in assessed value, will be sold for a price acceptable to meet the City's priorities for reuse, taking into consideration the assessed value and/or its current condition. In cases where two or more acceptable bids/proposals are received for one property, for the same reuse, the COTAPC will recommend the highest offer to the City Manager.

D. All Other Properties (properties over $5,000 in assessed value)

1. The Finance Department, Housing and Community Development Division and/or the Economic Development Department, will market specific property or groups of properties, utilizing one or more of the methods described in Section V below. In this marketing, all property owners within a 500-foot radius will be notified.

2. COTAPC will evaluate bids/proposal(s) received for a specific property and will select a bid/proposal to recommend to the City Manager for approval to sell.

3. The City Manager will review all bids/proposals and COTAPC's recommendation. The City Manager can either endorse the recommended bid/proposal, endorse a different bid/proposal, hold his decision for additional information, or reject all bids/proposals. If all bids or proposals are rejected, City Manager may terminate the sale process or continue to market the property and seek bids or proposals in accordance with these Rules.

4. For tax-acquired properties under the City Manager's parameters, the City Manager will sign the Purchase and Sale Agreement and other documents approved by the Corporation Counsel's office. The Finance Director will sign the Quitclaim Deed, and Corporation Counsel's Office will prepare the closing.

5 For City-owned properties, and other tax-acquired properties outside the City Manager's parameters, the City Manager will forward his or her recommendation to the City Council or to the appropriate City Council Committee. The Committee can either endorse the recommended bid/proposal, endorse a different bid/proposal, table the decision for additional information, or reject all bids/proposals.

6. The City Council will review the City Manager's or the City Council Committee's recommendation for authorization of the sale of property, one reading required.

V. Methods of Marketing:

Depending on the type of property and its value, COTAPC may use a variety of methods to market property to the general public. In some cases more than one method may be employed. Regardless of the method used, prior to conveyance, the City reserves the right to reject any and all bids/proposals at any time during the process if it is determined to be in the best interest of the City. The City will give the bidder/proposer reasons whenever the rejection of a bid/proposal occurs.

1. Real Estate Broker Contract:

For a specific property or groups of properties, COTAPC may recommend to contract with a pre-qualified approved Real Estate Broker to find a buyer. The City's contract with the Broker will contain the City's terms and conditions of sale. The City will negotiate the amount of the commission with the Broker based on market rate and the assessed values of the properties involved. Broker commissions will be paid from the price received.

2. Public Offering – Straight Bid Process:

COTAPC may recommend soliciting sealed proposals with an advertised public offering of a property or grouping of properties. Under this method, the offer with the highest bid will be selected.

3. Public Offering - Request for Proposals:

COTAPC may recommend soliciting proposals using a Request for Proposals (RFP) process.

4. Auction

COTAPC may recommend to contract a pre-qualified approved Auctioneer or Attorney for the sale of property.

Planning Board Approvals - 2020, 2021 and 2023 (as of 5/10/23)

Address	Project	Approval Date	# of Units Approved	Subsidized	COP Subsidy Type	Status as of 5/10/23	Total # of Affordable units	# of IZ units
58 Fore Street	58 Fore Street: Phase I	1/28/2020	14	No	N/A	Under Construction	2	2
32 Pleasant Street	32 Pleasant Street Condos	3/10/2020	3	No	N/A	Expired	0	0
50 (AKA 5-7) India Street	5-7 India Street	3/10/2020	24	No	N/A	Complete	0	0
6 White Birch Lane	6 White Birch Lane	3/10/2020	3	No	N/A	Complete	0	0
104 Grant Street	The Goodwin	4/21/2020	23	Yes	AHTIF	Complete	12	3
77 Lambert Street	77 Lambert Street	4/28/2020	6	No	N/A	Complete	0	0
844 Stevens Avenue	844 Stevens Avenue	7/21/2020	20	No	N/A	Expired	0	0
148 Newbury Street	148 Newbury Street	7/28/2020	3	No	N/A	Complete	0	0
14 Churchill Street (AKA 577 Washington Avenue)	Washington Gardens	8/10/2020	0	Yes	HOME/CDBG	Under Construction	0	0
83 Middle Street	Pheonix Flats	8/18/2020	45	Yes	AHTIF/HOME/HTF	Under Construction	45	0
210 Valley Street	Porter Station	8/18/2020	60	Yes	HTF/AHTIF	Under Construction	48	0
128 R North Street (MHNCOD) & 126 North Street	128 R North Street (MHNCOD) & 126 North Street	9/8/2020	12	No	N/A	10/3/22: Condo Building CO issued. Rental Building still under permit review.	2	1
337 Cumberland Avenue	337 Cumberland Avenue	9/15/2020	60	Yes	AHTIF/HTF	Extension granted until 9/15/2023	48	0
1006 Congress Street	1006 Congress	10/20/2020	16	No	N/A	Complete	2	2
12 White Birch Lane	Birch Meadows Apartments	12/8/2020	3	No	N/A	Under Construction	0	0
1844 Forest Avenue	1844 Forest	2/9/2021	17	No	N/A	Expired	2	2
44 (AKA 52) Hanover	52 Hanover Street	3/23/2021	171	No	N/A	Under Construction	20	20
200 Federal Street	200 Federal Street	5/25/2021	263	No	N/A	Under Construction	27	27
387 Commercial Street	Hobson's Landing Phase III	5/25/2021	64	No	N/A	Under Construction	0	0
73 Winter Street	Equinox	7/13/2021	43	Yes	AHTIF,HOME	11/16/22: Building permit under review	43	0
91 Winter Street	Winter Landing	7/13/2021	52	Yes	AHTIF,HOME	11/16/22: Building permit under review	52	0
120 State Street	Mercy Hospital Reno	8/24/2021	165	No	N/A	Under Construction	17	17
29 (AKA 0) Dalton Street	Winchester Drive	10/12/2021	48	No	N/A	Under Construction	12	12
45 Forest Avenue	45 Forest Avenue	11/23/2021	81	No	N/A	Under Construction	21	21
37 Montreal Street (AKA 19 Willis Street)	19 Willis Street	12/14/2021	12	No	N/A	Approved with conditions	1	0
30-32 Atlantic Street	30-32 Atlantic Street	12/14/2021	4	No	N/A	Approved with Conditions	0	0
583 Stevens Avenue (AKA 65 McAuley Way)- Stevens Square Building 2	65 McAuley Way	1/25/2022	28			Under Construction	0	0
583 Stevens Avenue (AKA 65 McAuley Way)- Stevens Square Building 3	65 McAuley Way	1/25/2022	42			Approved	0	0
583 Stevens Avenue (AKA 65 McAuley Way)- Stevens Square Building 4	65 McAuley Way	1/25/2022	28			Approved	0	0
583 Stevens Avenue (AKA 65 McAuley Way)- Stevens Square Building 5	65 McAuley Way	1/25/2022	42			Approved	0	0

387 Deering Avenue	387 Deering Ave	2/22/2022	8	No	N/A	Approved with partial satisfaction of condition (Still needs to execute a stormwater maintenance agreement). No building permit filed.	0	0
50 Exchange Street (reno from office to housing)	50 Exchange Street	3/8/2022	4	No	N/A	Under Construction	0	0
102 State Street	102 State Street (AKA 39 Winter)	3/8/2022	9	No	N/A	Approved with Conditions	0	0
94 Portland Stret	94 Portland Street	3/22/2022	4	No	N/A	Approved. Building Permit application not filed.	0	0
54 York Street	54 York Street	4/26/2022	14	No	N/A	Under Construction	0	0
392 St. John Street	392 St. John Street	4/26/2022	9	No	N/A	Approved with Conditions	0	0
91 Douglass Street	Douglass Commons (AKA 45 Dougherty)	5/24/2022	63	Yes	City-owned property; AHTIF	Approved with Conditions	46	16
43 Douglass Street	Dougherty Court	5/24/2022	62	Yes	City-owned property	Approved with Conditions	62	17
7 Marion Street	7 Marion Street	6/14/2022	3	No	N/A	Approved with Conditions	0	0
26 E. Oxford Street	26 E. Oxford Street	7/12/2022	6	No	N/A	Approved with Conditions	0	0
31 Forest Street	31 Forest Street	1/24/2023	3	No	N/A	Approved with Conditions	0	0
385 Congress Street	385 Congress Street (Phase 1)	2/14/2023	9	No	N/A	Approved with conditions	0	0
185 Commercial Street	185 Commercial Street	2/28/2023	4	No	N/A	Approved with conditions	0	
165 Lambert Street	165 Lambert Street	2/28/2023	162		City-owned property	Approved with conditions	162	40
73 Powsland Street	73 Powsland Street	4/11/2023	9	No	N/A	Approved with Conditions	0	0

CITY OF PORTLAND
Housing and Economic Development Department
Housing and Community Development Division

TO:	Councilor Ali, Chair Members of the Housing and Economic Development Committee
FROM:	Victoria Volent, Housing Program Manager, Housing and Community Development Division
MEETING DATE:	June 20, 2023
SUBJECT:	2023 Affordable Housing and TIF Development Funding Request

Introduction

Equality Community Center (ECC) has submitted for review and a recommendation by the Housing and Economic Development Committee to the City Council, a request for Affordable Housing Tax Increment Financing in response to the release of the *2023 Affordable Housing Development and Tax Increment Financing Application.*

15 Casco Street

Equality Community Center is requesting an Affordable Housing TIF (75% for 30 years) to construct a five story elevator-assisted building with 45 rental units for low income households at 15 Casco Street. The parcel would be carved out of the larger site known as 48 Brown Street. The current owner of the lot is Ocean Gate, LLC; they are in the process of preparing the necessary documents intended to transfer site control to ECC LLC.

The building would be comprised of 12 studio (8 at 50% AMI and 4 at 60% AMI), 34 one-bedroom (21 at 50% AMI and 13 at 60% AMI) and, 8 two-bedroom apartments (4 at 50% AMI and 4 at 60% AMI). Of the 54 units, 21 would be reserved for households earning at or below 60% AMI (i.e. $56,800 for two people) while the remaining 33 units would be reserved for households earning at or below 50% AMI (i.e. $47,350 for two people). The property would feature a commercial suite, laundry room, community room, lobby, trash room and bike storage. After completion, the project would be managed by C & C Realty Management who would provide an on-site Resident Services Coordinator for the tenants. The building would meet or exceed Portland's Green Building Ordinance. The project would be called Equality Community Housing.

This project is seeking a 9% Low Income Housing Tax Credit and tax-exempt debt with Maine Housing.

The applicant anticipates receiving Planning Board review in August, 2023.

According to the developer's application:

The ECC is located in the B3 Downtown Business zone, a mixed-use zone that permits multifamily dwellings and has a stated purpose "to encourage increased housing opportunity downtown for a diverse residential population."

Portland's economy depends upon the availability of a diverse and affordable array of rental housing options. However, Portland has the highest housing costs in the state of Maine, and rising rental housing costs have become increasingly out-of-reach for many lower- and moderate-income citizens. According to MaineHousing, the median 2BR rent in Portland in 2020 was unaffordable to 71.1% of households, or approximately 13,000 households. The ECC project will provide affordable rental rates and restrict units to low- and moderate-income residents. The ECC project also aligns with Portland's Comprehensive Plan, which was adopted by City Council on June 5, 2017, and which identified a desire to "increase, preserve, and modify the overall supply of housing City-wide to meet the needs, preferences and financial capabilities of all Portland households."

The ECC project is requesting $3,286,014 in Affordable Housing Development Funding, which is an estimate based on 75% of TIF Revenues being reimbursed to the Project's operating expenses over 30 years. The City's participation is financially necessary as the project requires the tax increment revenues from the district to be financially feasible. The tax increment revenues will be used to offset project operating expenses and support additional interest-only debt. The feasibility of the project also depends upon receiving a 9% Low-Income Housing Tax Credit ("LIHTC") from to be financially feasible. The LIHTC program is highly competitive and based upon a scoring system that favors communities that grant TIFs, which extend the value of limited state and federal tax credit funds. The ECC project will be more competitive and therefore more likely to receive the tax credits with the City's participation via the designation of the site within an Affordable Housing Development and Tax Increment Financing District.

Affordable Housing Tax Increment Financing

The developer is requesting a 75%, 30% AHTIF. However, staff is recommending the Affordable Housing TIF financing would be provided through a Credit Enhancement Agreement at 55% of the increased assessed value tax revenue for 30-years, currently estimated at a 30-year annual average of $69,201, with an estimated total of $2,076,033 in captured increased assessed value tax revenue returned to the project/developer to off-set project operating costs. The proposed project would be taxable, with an estimated annual assessment of $7,168,579 and estimated annual tax of $99,500 at the current 23FY millage rate. The remaining increased taxable value, currently estimated at a 30-year annual average of $56,619, with an estimated total of $1,698,572, will be non-captured general fund revenue. TIF projections and proposed site map are included in the backup to this memo.

Financial Impact

The project has an estimated total development cost of $13,186,786. When completed, this project's new total assessed value is estimated at $7,168,579 million, which would yield $99,500 in annual assessed property value at the current FY23 millage rate. The increased assessed value is estimated at an annual amount of $6,702,376 or $201,071,280 over the 30 year term of the district.

Fifty-five (55%) percent of the increased assessed value tax revenue would be captured increased assessed value tax revenue returned to the project/developer through a Credit Enhancement Agreement. The remaining non-captured revenue from the increased assessed value of forty-five (45%) percent (approximately $1,698,572 over the 30-year term) will be general fund revenue. The Credit Enhancement Agreement would return approximately $2,076,033 in captured increased assessed value tax revenue to the project/developer (averaged at $69,201 annually over thirty years) to off-set project operating costs. Non-captured general fund revenues are estimated at $1,698,572 (average at $56,619 annually over thirty years). In addition, the City would receive revenue from the taxes on the original assessed value (OAV), estimated at $262,561 (average at $8,752 annually over 30 years).

	Captured Revenue to Developer (assumes 2% increase/year to mill rate) (Tax Dollars returned to the Developer's District Account)	Captured Revenue Returned to City (assumes 2% increase/year to mill rate) (Tax Dollars returned to the City's District Account)	Non -Captured General Fund Revenue (Tax Dollars in General Fund)
30 Year TIF Total	$2,076,033	$0	$1,698,572
30 Year Average	$69,201	$0	$56,169

With the tax sheltering benefits of TIF Districts, overall savings to the City during the term of the district averages an estimated annual amount of $32,358 +, or $970,734 + over the life of the district.

	1. Sheltered Valuation (same as Captured Valuation	2. Avoided Loss of State Aid for Education	3. Avoided Loss of State Municipal Revenue Sharing	4. Avoided Increase in County Tax	5. Total Avoided Impacts (2+3+4)
30 Year TIF Total	$110,589,204	$757,167	$159,200	$54,367	$970,734
30 Year Average	$3,686,307	$25,239	$5,307	$1,812	$32,358

Staff is requesting the Housing and Economic Development Committee approve and recommend to the City Council support of the Affordable Housing TIF proposal at 55% for 30 years conditioned upon the final underwriting recommendation which is anticipated to be completed for any City Council action on this request, and evidence of site control also to be available for any City Council action on this request.

Attachments:

15 Casco Street: Project Summary
15 Casco Street: Development Schedule
15 Casco Street: Site Map/ Floor Plans/Elevations
15 Casco Street: TIF Projection Table
15 Casco Street: Tax Shifts – Avoided Formula Impacts

Equality Community Housing

The Equality Community Center (“ECC”), located at 15 Casco Street, will provide new construction of fifty-four units of affordable rental housing. Approximately sixty percent (or 33) of units will be reserved for households earning 50% of area median income (AMI) or less, and the remaining units (or 21) will be reserved for households earning 60% of area median income (AMI) or less. The building will offer twelve efficiency units, thirty-four one-bedroom units, and eight two-bedroom units. The building will also include a commercial suite (673 square feet), laundry room, community room, lobby, trash room, and bike storage on the first floor. The primary building entrance will be located on Casco Street. The site includes two exterior patios, bike hitches, and seven covered parking spaces. The ECC will be operated by C&C Realty Management, who will provide an on-site Resident Services Coordinator free of charge to residents.

The ECC is located in the B3 Downtown Business zone, a mixed-use zone that permits multifamily dwellings and has a stated purpose “to encourage increased housing opportunity downtown for a diverse residential population.” The project will not require the relocation of any existing commercial or residential tenants. No persons will be temporarily or permanently displaced by development activities related to the project.

Portland’s economy depends upon the availability of a diverse and affordable array of rental housing options. However, Portland has the highest housing costs in the state of Maine, and rising rental housing costs have become increasingly out-of-reach for many lower- and moderate-income citizens. According to MaineHousing, the median 2BR rent in Portland in 2020 was unaffordable to 71.1% of households, or approximately 13,000 households. The ECC project will provide affordable rental rates and restrict units to low-and moderate-income residents.

The ECC project also aligns with Portland’s Comprehensive Plan, which was adopted by City Council on June 5, 2017, and which identified a desire to “increase, preserve, and modify the overall supply of housing City-wide to meet the needs, preferences and financial capabilities of all Portland households.”

The ECC project is requesting $3,286,014 in Affordable Housing Development Funding, which is an estimate based on 75% of TIF Revenues being reimbursed to the Project’s operating expenses over 30 years. The City’s participation is financially necessary as the project requires the tax increment revenues from the district to be financially feasible. The tax increment revenues will be used to offset project operating expenses and support additional interest-only debt. The feasibility of the project also depends upon receiving a 9% Low-Income Housing Tax Credit (“LIHTC”) from MaineHousing to be financially feasible. The LIHTC program is highly competitive and based upon a scoring system that favors communities that grant TIFs, which extend the value of limited state and federal tax credit funds. The ECC project will be more competitive and therefore more likely to receive the tax credits with the City’s participation via the designation of the site within an Affordable Housing Development and Tax Increment Financing District.

15 Casco Street

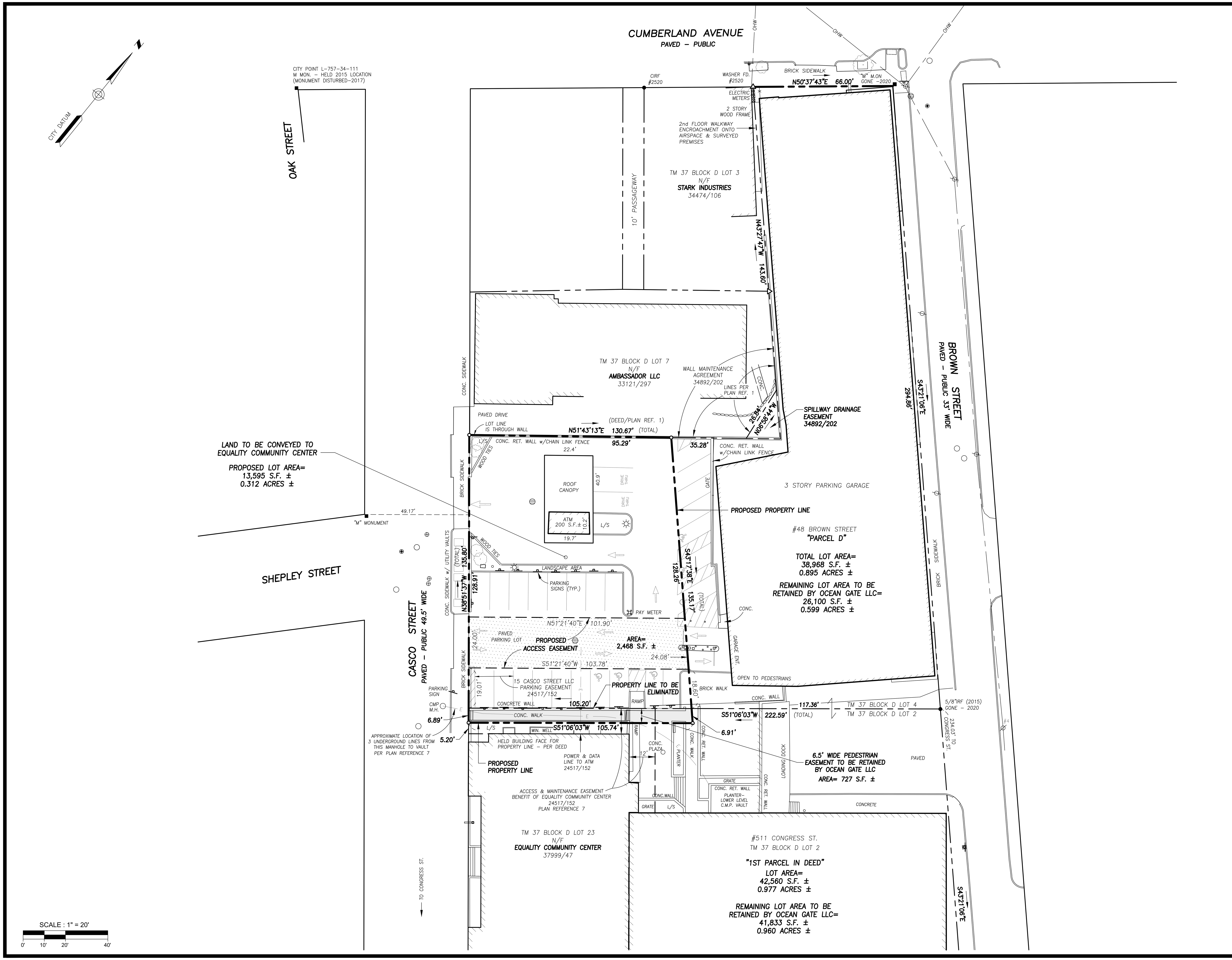
<u>Estimated project schedule:</u>

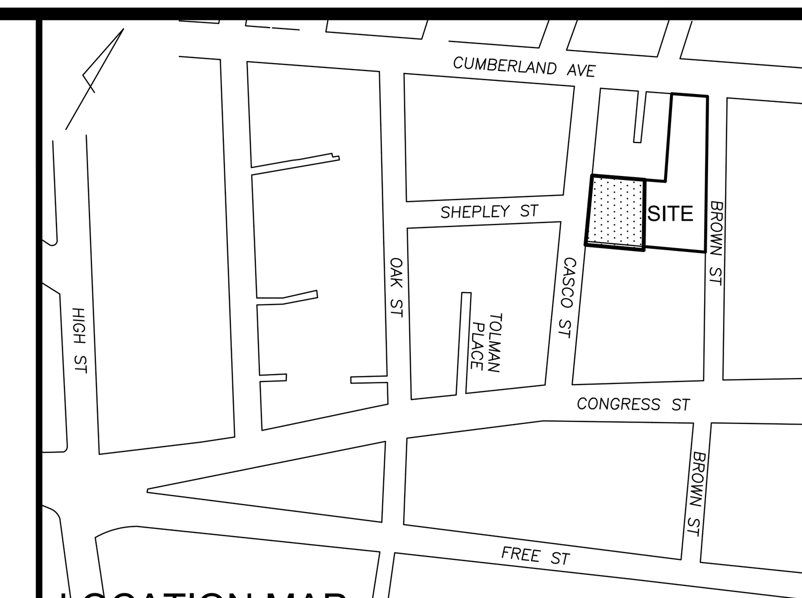
Planning Board Approval	August 2023
LIHTC Application	September 2023
MaineHousing Notice to Proceed	December 2023
Construction Loan Closing	August 2024
Construction Start	August 2024
Construction Completion/ Occupancy	November 2024


Brown St Garage
511 Congress
Proposed site
15 Casco St.
27-99 Brown St Garage
Monument Square Garage
Ambassador Apartments
Amec Foster Wheeler
Maine Historical Society and the
Soakology
Portland Adult Education
Prism Analog
The Studio Portland
Pizzaiolo
Morian Store
Maine Oyster Company
Spot Parking
Bonney Staffing Center
Congress St

CASCO STREET | VIEW FROM CASCO STREET

ALA
ACETO LANDSCAPE ARCHITECTURE + URBAN DESIGN





LOCATION MAP

N.T.S.

LEGEND

●	IRON PIPE OR ROD FOUND	—x—x—	FENCE
■	MONUMENT FOUND		STONEWALL
○	CAPPED IRON ROD SET		CURB
	UTILITY POLE	—OHW—	OVERHEAD WIRES
	MANHOLE	IPF/IRF	IRON PIPE OR ROD FOUND
EM/GM	ELECTRIC/GAS METER	N/F	NOW OR FORMERLY
	SIGN	000/000	DEED BOOK / PAGE
	CATCH BASIN		
	HYDRANT		
	WATER VALVE OR SHUTOFF		
	LIGHT POLE		
	DECIDUOUS TREE		
	CONIFEROUS TREE		

PLAN REFERENCES

1. PLAN OR PROPERTY IN PORTLAND, MAINE MADE FOR MAINE SAVINGS BANK," BY H.I. & E.C. JORDAN, DATED FEB. 14, 1972 AND REVISED THROUGH MAR. 13, 1973.
2. PLAN OF PROPERTY IN PORTLAND, MAINE, MAINE SAVINGS PLAZA MADE FOR THE MAINE SAVINGS BANK, LAND LEASE PLAN EXHIBIT A DATED 6-27-1973 REV. 7-20-95 BY H.I. & E.C. JORDAN SURVEYORS.
3. STANDARD BOUNDARY SURVEY OF FLEET BANK PROPERTIES FOR FLEET FINANCIAL GROUP, INC. DATED 4-08-1996 BY SEBAGO TECHNICS.
4. PLAN OF PROPERTY IN PORTLAND, MAINE MADE FOR MAINE SAVINGS BANK DATED SEPT. 20, 1958 BY H.I. & E.C. JORDAN.
5. PLAN OF PROPERTY IN PORTLAND, MAINE MADE FOR MAINE SAVINGS BANK DATED MAY 1943 BY H.I. JORDAN.
6. ALTA/ACSM LAND TITLE SURVEY ON CASCO STREET, SHEPLEY STREET & OAK STREET, PORTLAND, MAINE MADE FOR 511 PLAZA LIMITED PARTNERSHIP DATED OCT. 21, 2002 REV. 3 12-12-12 BY OWEN HASKELL, INC.
7. EXISTING CONDITIONS PLAN ON CASCO STREET, SHEPLEY STREET & OAK STREET, PORTLAND, MAINE MADE FOR ANEW DEVELOPMENT JAN. 14, 2016 BY OWEN HASKELL, INC.
8. ALTA/NSPS LAND TITLE SURVEY AT 511 CONGRESS STREET & 48 BROWN STREET, PORTLAND, CUMBERLAND COUNTY, MAINE MADE FOR BUSH WATSON JANUARY 27, 2023 BY OWEN HASKELL, INC.

GENERAL NOTES

1. OWNER OF RECORD: OCEAN GATE LLC
CUMBERLAND COUNTY REGISTRY OF DEEDS BOOK 31452 PAGE 305
TAX MAP 37 BLOCK D LOT 4

2. BEARINGS ARE BASED ON MAGNETIC STATE PLANE COORDINATE SYSTEM, MAINE WEST ZONE, NAD83 BASED ON CITY CONTROL POINTS:

	T124-11-1087		T124-12-1096
N:	300446.78	N:	299913.92
E:	2927558.71	E:	2926805.42

CERTIFICATE

OWEN HASKELL, INC. HEREBY CERTIFIES THAT THIS PLAN IS BASED ON, AND THE RESULT OF, AN ON THE GROUND FIELD SURVEY AND THAT TO THE BEST OF OUR KNOWLEDGE, INFORMATION AND BELIEF, IT CONFORMS TO THE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS CURRENT STANDARDS OF PRACTICE.

SAMUEL D. GLIDDEN, PLS #2520

DATE

Lot Division Plan

Casco Street, Portland, Maine

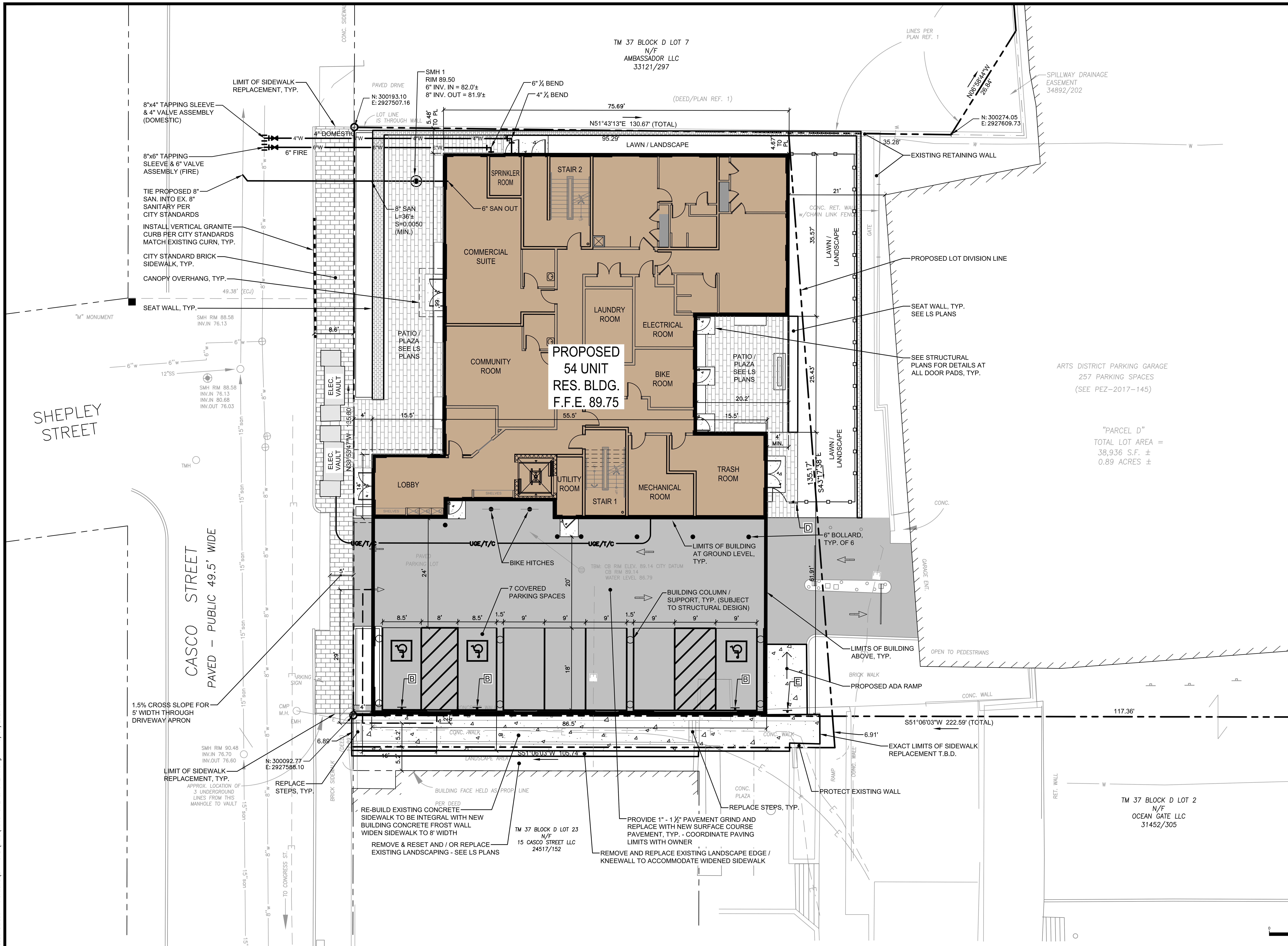
Made for

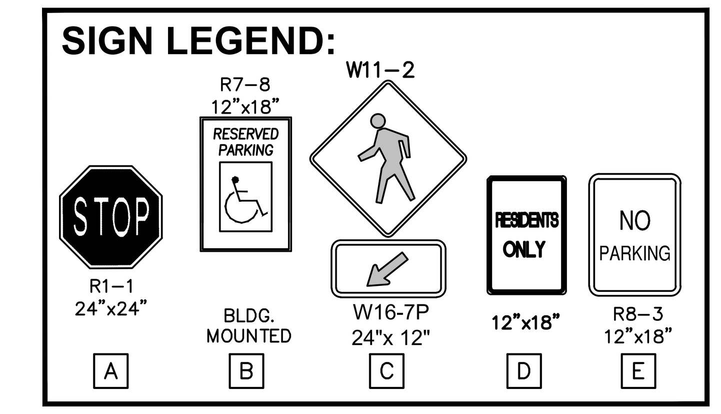
Equality Community Limited Partnership

15 Casco Street, Portland, Maine

OWEN HASKELL, INC.
PROFESSIONAL LAND SURVEYORS
390 US ROUTE 1, UNIT 10, FALMOUTH, ME 04105 TEL. 207-774-0424

DRAWN BY:	JLW	DATE:	MAR. 24, 2023	JOB NO.	2023-032 P
CHECKED BY:	SDG	SCALE:	1" = 20'	DRWG. NO.	1





SPACE AND BULK REGULATIONS		
SPACE AND BULK REGULATION	REQUIRED - B3 ZONE	PROVIDED
MINIMUM LOT SIZE	NONE	13,565 SF
MIN. STREET FRONTAGE	15 FT	128.91 FT
MAX. FRONT YARD SETBACK	5 FT	0 FT
SIDE / REAR SETBACK	N / A	
MAX. BUILDING HEIGHT	*	58 FT
LENGTH OF UNDIFFERENTIATED BLANK WALL ALONG PUBLICLY ACCESSIBLE WAY	30 FT (MAX.)	< 30 FT (MAX.)

* MAXIMUM BUILDING HEIGHT ACCORDING TO THE DOWNTOWN HEIGHT OVERLAY DISTRICT

NOTE: THIS PLAN SET IS ISSUED FOR PERMITTING PURPOSES & SHALL NOT BE USED FOR CONSTRUCTION.

STATE OF MAINE
STEPHEN R. BUSHEY
03.21.23
LICENSED PROFESSIONAL ENGINEER
STEPHEN R. BUSHEY, P.E.
LIC. #7429

U:\4043 54 Unit Apartment Casco Street - Portland\Z - CAD\DWG\4043-SITE & UTILITY.dwg 3/30/2023 5:19 PM

Rev.	Date	Revision
1	2023.03.21	SITE PLAN APPLICATION

Design: SRB | Draft: CDD | Date: OCT. 2022
Checked: SRB | Scale: AS NOTED | Job No.: 4043
File Name: 4043-SITE & UTILITY.dwg

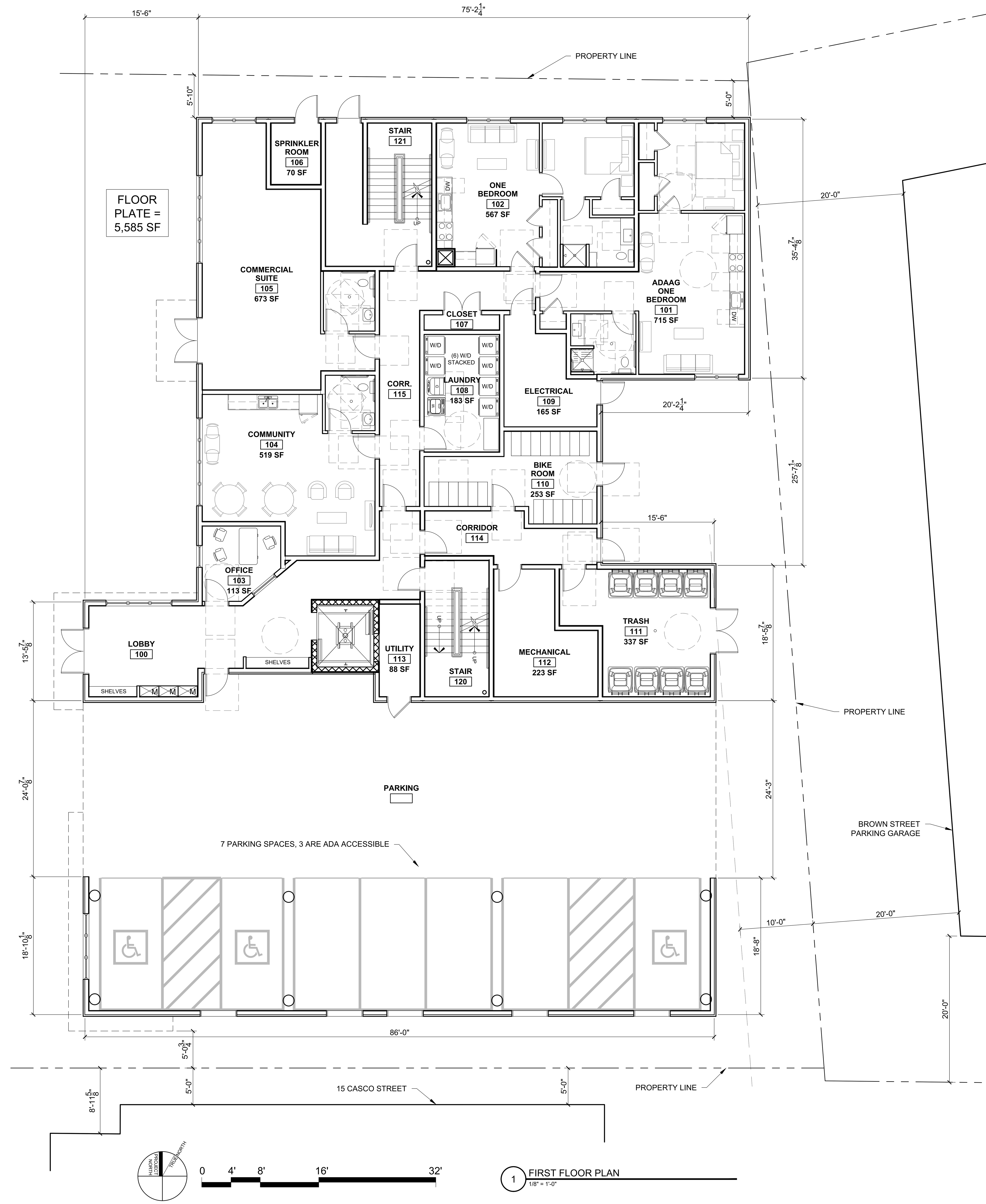
This plan shall not be modified without written permission from Gorrill Palmer. Any alterations, authorized or otherwise, shall be at the user's sole risk and without liability to Gorrill Palmer.

GORRILL PALMER
300 Southborough Drive, Suite 200
South Portland, Me 04106
207.772.2515 / www.gorrillpalmer.com
Relationships. Responsiveness. Results.

Drawing Name: SITE LAYOUT & UTILITY PLAN
Project: PROPOSED MULTI-UNIT RESIDENTIAL DEVELOPMENT, CASCO STREET, PORTLAND, MAINE
Client: DEVELOPERS COLLABORATIVE PREDEVELOPMENT, LLC, 631 STEVENS AVENUE, SUITE 203, PORTLAND, MAINE 04103

Drawing No. C-3.0

NOTE: AT ALL EXTERIOR WALL PANELS, ALL PANEL JOINTS, BOTH VERTICAL AND HORIZONTAL, TO HAVE TWO CONTINUOUS BEADS OF ELASTOMERIC SEALANT INSTALLED.



1 FIRST FLOOR PLAN
1/8" = 1'-0"

TOTAL = (54) UNITS

12 STUDIO UNITS 34 ONE BEDROOM UNITS 8 TWO BEDROOM UNITS

TOTAL = (21) ADAAG UNITS

(8)	ADAAG - STUDIO
(9)	ADAAG - ONE BED
(4)	ADAAG - TWO BED

FIRST FLOOR (2 UNITS)

2 ONE BEDROOM UNITS

(1)	ADAAG - ONE BED

SECOND FLOOR (13 UNITS)
(SAME FOR 3RD, 4TH, 5TH)

3 STUDIO UNITS 8 ONE BEDROOM UNITS 2 TWO BEDROOM UNITS

(2)	ADAAG - STUDIO
(2)	ADAAG - ONE BED
(1)	ADAAG - TWO BED

APARTMENTS
CASCO STREET
PORTLAND, MAINE

RSA
RYAN SENATORE
ARCHITECTURE
500 CONGRESS STREET, SUITE 2
PORTLAND, MAINE 04101
O: 207-747-5159
C: 207-650-6414
senatorearchitecture.com

CONSULTANTS:

REVISIONS:

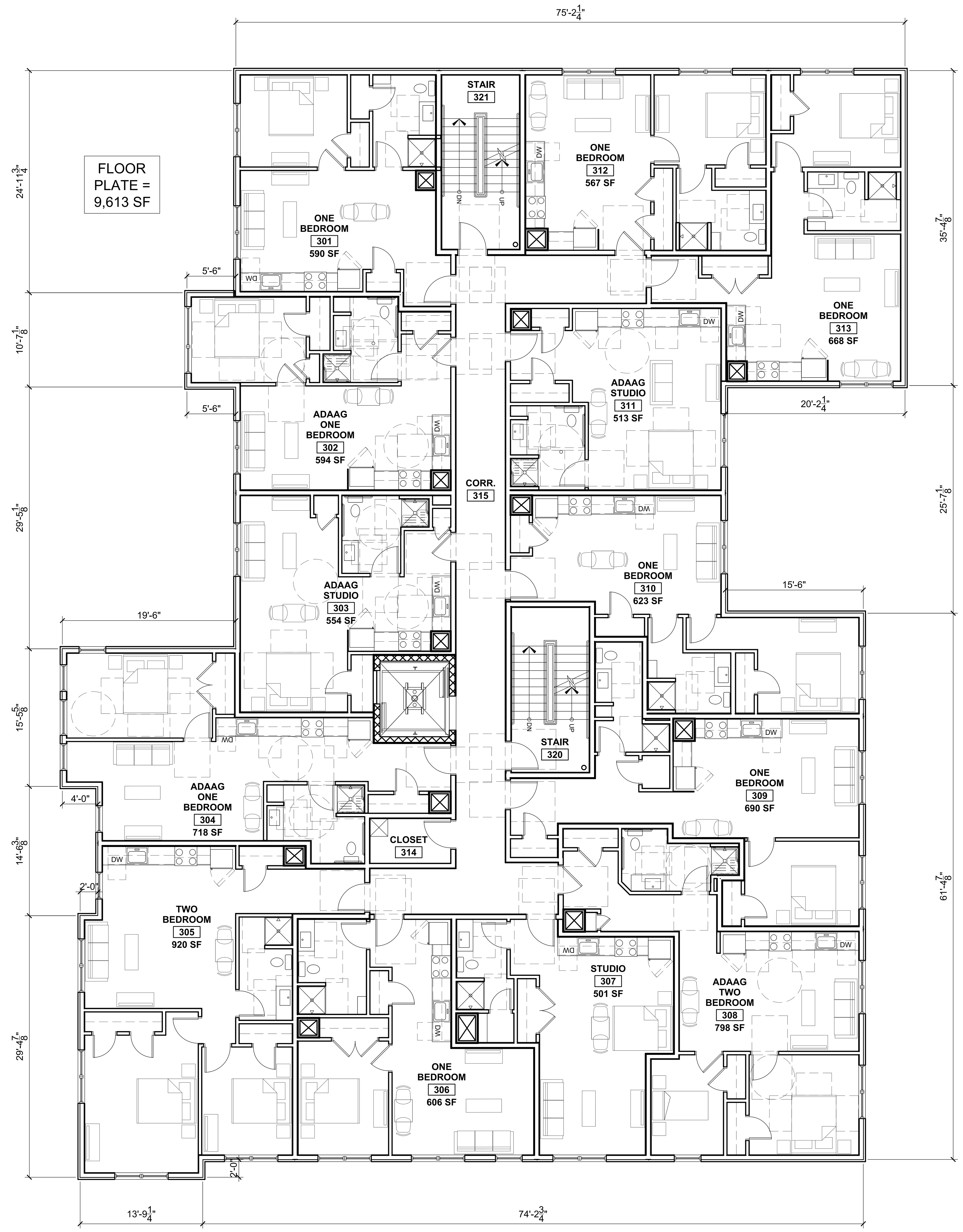
PROGRESS PRINT ONLY
Not for Construction
MARCH 22, 2023

DATE:	
PROJECT No.	2236
DRAWN BY:	RRT, RJS
CHECKED BY:	RJS
SCALE:	AS NOTED

SHEET TITLE:
FIRST FLOOR PLAN

A1-1

NOTE: AT ALL EXTERIOR WALL PANELS, ALL PANEL JOINTS, BOTH VERTICAL AND HORIZONTAL, TO HAVE TWO CONTINUOUS BEADS OF ELASTOMERIC SEALANT INSTALLED.



0 4' 8' 16' 32'

1 THIRD FLOOR PLAN
1/8" = 1'-0"

© 2023 RYAN SENATORE ARCHITECTURE

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DATE:	
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CHECKED BY:	RJS
SCALE:	AS NOTED

SHEET TITLE:
THIRD FLOOR PLAN

A1-3

1 EAST ELEVATION COLOR RENDERING
NTS

1 EAST ELEVATION
1/8" = 1'-0"

APARTMENTS
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PORTLAND, MAINE

RSA
RYAN SENATORE **ARCHITECTURE**
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CONSULTANTS:

REVISIONS:

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DATE:	
PROJECT No.	2236
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SCALE:	AS NOTED

SHEET TITLE:
EAST ELEVATION

A2-2

1 NORTH ELEVATION COLOR RENDERING
NTS

1 NORTH ELEVATION
1/8" = 1'-0"

APARTMENTS
CASCO STREET
PORTLAND, MAINE

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CONSULTANTS:

REVISIONS:

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DATE:

PROJECT No.	2236
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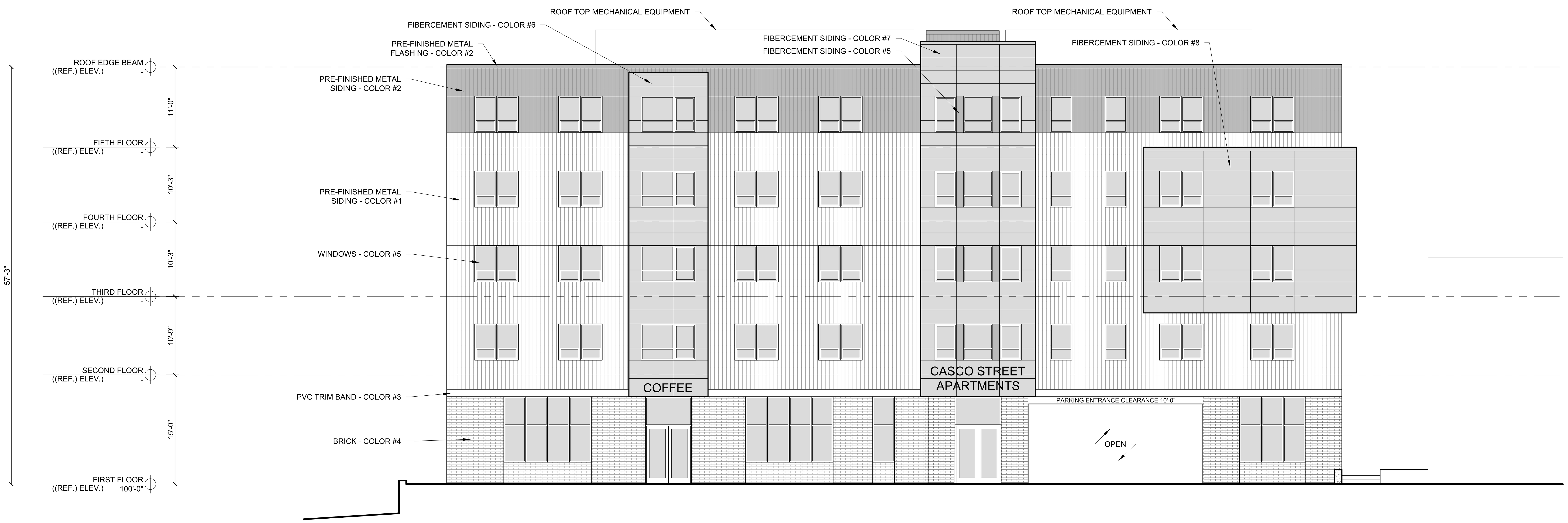
CHECKED BY:	RJS
SCALE:	AS NOTED

SHEET TITLE:
NORTH ELEVATION

A2-3

1 EAST ELEVATION COLOR RENDERING
NTS



1 EAST ELEVATION
1/8" = 1'-0"

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CHECKED BY:	RJS
SCALE:	AS NOTED

SHEET TITLE:
WEST ELEVATION

A2-0

City of Portland - TIF Model
15 Casco Street
OAV as of 3/31/2023: $466,203, Assessor Chart, Block, & Lot No. 037 D004, a/ka 48 Brown Street
16-Jun-23

City of Portland- TIF Projection Table - 15 Casco Street AHTIF										
TIF Year	Tax Year-April 1	Increased Assessed Value Real Prop.	% of Value Captured	Captured Valuation	Projected Mill Rate	Total Projected New Taxes Captured	Captured Revenue to Business Project Account	Captured Revenue to Municipal Project Account	City Non-Captured General Fund Revenues	OAV Taxes General Fund Revenue
1	2024	$6,702,376	55.00%	$3,686,307	13.88	$51,174	$51,174	$0	$41,870	$6,471
2	2025	$6,702,376	55.00%	$3,686,307	14.16	$52,198	$52,198	$0	$42,707	$6,601
3	2026	$6,702,376	55.00%	$3,686,307	14.44	$53,241	$53,241	$0	$43,561	$6,732
4	2027	$6,702,376	55.00%	$3,686,307	14.73	$54,306	$54,306	$0	$44,432	$6,867
5	2028	$6,702,376	55.00%	$3,686,307	15.03	$55,392	$55,392	$0	$45,321	$7,007
6	2029	$6,702,376	55.00%	$3,686,307	15.33	$56,500	$56,500	$0	$46,228	$7,147
7	2030	$6,702,376	55.00%	$3,686,307	15.63	$57,630	$57,630	$0	$47,152	$7,287
8	2031	$6,702,376	55.00%	$3,686,307	15.95	$58,783	$58,783	$0	$48,095	$7,436
9	2032	$6,702,376	55.00%	$3,686,307	16.27	$59,959	$59,959	$0	$49,057	$7,585
10	2033	$6,702,376	55.00%	$3,686,307	16.59	$61,158	$61,158	$0	$50,038	$7,734
11	2034	$6,702,376	55.00%	$3,686,307	16.92	$62,381	$62,381	$0	$51,039	$7,888
12	2035	$6,702,376	55.00%	$3,686,307	17.26	$63,628	$63,628	$0	$52,060	$8,047
13	2036	$6,702,376	55.00%	$3,686,307	17.61	$64,901	$64,901	$0	$53,101	$8,210
14	2037	$6,702,376	55.00%	$3,686,307	17.96	$66,199	$66,199	$0	$54,163	$8,373
15	2038	$6,702,376	55.00%	$3,686,307	18.32	$67,523	$67,523	$0	$55,246	$8,541
16	2039	$6,702,376	55.00%	$3,686,307	18.68	$68,874	$68,874	$0	$56,351	$8,709
17	2040	$6,702,376	55.00%	$3,686,307	19.06	$70,251	$70,251	$0	$57,478	$8,886
18	2041	$6,702,376	55.00%	$3,686,307	19.44	$71,656	$71,656	$0	$58,628	$9,063
19	2042	$6,702,376	55.00%	$3,686,307	19.83	$73,089	$73,089	$0	$59,800	$9,245
20	2043	$6,702,376	55.00%	$3,686,307	20.22	$74,551	$74,551	$0	$60,996	$9,427
21	2044	$6,702,376	55.00%	$3,686,307	20.63	$76,042	$76,042	$0	$62,216	$9,618
22	2045	$6,702,376	55.00%	$3,686,307	21.04	$77,563	$77,563	$0	$63,460	$9,809
23	2046	$6,702,376	55.00%	$3,686,307	21.46	$79,114	$79,114	$0	$64,730	$10,005
24	2047	$6,702,376	55.00%	$3,686,307	21.89	$80,696	$80,696	$0	$66,024	$10,205
25	2048	$6,702,376	55.00%	$3,686,307	22.33	$82,310	$82,310	$0	$67,345	$10,410
26	2049	$6,702,376	55.00%	$3,686,307	22.78	$83,956	$83,956	$0	$68,692	$10,620
27	2050	$6,702,376	55.00%	$3,686,307	23.23	$85,636	$85,636	$0	$70,065	$10,830
28	2051	$6,702,376	55.00%	$3,686,307	23.70	$87,348	$87,348	$0	$71,467	$11,049
29	2052	$6,702,376	55.00%	$3,686,307	24.17	$89,095	$89,095	$0	$72,896	$11,268
30	2053	$6,702,376	55.00%	$3,686,307	24.65	$90,877	$90,877	$0	$74,354	$11,492
30 Year TIF Total		**$201,071,280**		**$110,589,204**		**$2,076,033**	**$2,076,033**	**$0**	**$1,698,572**	**$262,561**
30 Year TIF Average		**$6,702,376**		**$3,686,307**		**$69,201**	**$69,201**	**$0**	**$56,619**	**$8,752**

Tax Shifts-Avoided Formula Impacts from Sheltering of Valuation: City of Portland- TIF Model - 15 Casco Street AHTIF

55% Sheltered - 30 years - 55% to Developer Project Account - 45% to City General Fund

TIF Year	Tax Year-April 1	Total Added Valuation	Sheltered Valuation	Avoided Formula Impacts from Sheltering of Valuation			
				Avoided Loss of State Aid to for Education	Avoided Loss of State Municipal Revenue Sharing	Avoided Increase in County Tax	Total Avoided Impacts
1	2023	$6,702,376	$3,686,307	$0	$5,307	$1,812	$7,119
2	2024	$6,702,376	$3,686,307	$0	$5,307	$1,812	$7,119
3	2025	$6,702,376	$3,686,307	$0	$5,307	$1,812	$7,119
4	2026	$6,702,376	$3,686,307	$9,707	$5,307	$1,812	$16,826
5	2027	$6,702,376	$3,686,307	$19,415	$5,307	$1,812	$26,533
6	2028	$6,702,376	$3,686,307	$29,122	$5,307	$1,812	$36,241
7	2029	$6,702,376	$3,686,307	$29,122	$5,307	$1,812	$36,241
8	2030	$6,702,376	$3,686,307	$29,122	$5,307	$1,812	$36,241
9	2031	$6,702,376	$3,686,307	$29,122	$5,307	$1,812	$36,241
10	2032	$6,702,376	$3,686,307	$29,122	$5,307	$1,812	$36,241
11	2033	$6,702,376	$3,686,307	$29,122	$5,307	$1,812	$36,241
12	2034	$6,702,376	$3,686,307	$29,122	$5,307	$1,812	$36,241
13	2035	$6,702,376	$3,686,307	$29,122	$5,307	$1,812	$36,241
14	2036	$6,702,376	$3,686,307	$29,122	$5,307	$1,812	$36,241
15	2037	$6,702,376	$3,686,307	$29,122	$5,307	$1,812	$36,241
16	2038	$6,702,376	$3,686,307	$29,122	$5,307	$1,812	$36,241
17	2039	$6,702,376	$3,686,307	$29,122	$5,307	$1,812	$36,241
18	2040	$6,702,376	$3,686,307	$29,122	$5,307	$1,812	$36,241
19	2041	$6,702,376	$3,686,307	$29,122	$5,307	$1,812	$36,241
20	2042	$6,702,376	$3,686,307	$29,122	$5,307	$1,812	$36,241
21	2043	$6,702,376	$3,686,307	$29,122	$5,307	$1,812	$36,241
22	2044	$6,702,376	$3,686,307	$29,122	$5,307	$1,812	$36,241
23	2045	$6,702,376	$3,686,307	$29,122	$5,307	$1,812	$36,241
24	2046	$6,702,376	$3,686,307	$29,122	$5,307	$1,812	$36,241
25	2047	$6,702,376	$3,686,307	$29,122	$5,307	$1,812	$36,241
26	2048	$6,702,376	$3,686,307	$29,122	$5,307	$1,812	$36,241
27	2049	$6,702,376	$3,686,307	$29,122	$5,307	$1,812	$36,241
28	2050	$6,702,376	$3,686,307	$29,122	$5,307	$1,812	$36,241
29	2051	$6,702,376	$3,686,307	$29,122	$5,307	$1,812	$36,241
30	2052	$6,702,376	$3,686,307	$29,122	$5,307	$1,812	$36,241
30 Year TIF Total		**$201,071,280**	**$110,589,204**	**$757,167**	**$159,200**	**$54,367**	**$970,734**
30 Year TIF Average		**$6,702,376**	**$3,686,307**	**$25,239**	**$5,307**	**$1,812**	**$32,358**

Lori Paulette <ljn@portlandmaine.gov>

Public Comment - 15 Casco Street TIF Request: Once Again Portland is Subsidizing Under-Building

George Rheault <george.rheault@gmail.com> Mon, Jun 19, 2023 at 11:59 AM
To: edd@portlandmaine.gov, Pious Ali <pali@portlandmaine.gov>, Roberto Rodríguez <rrodriguez@portlandmaine.gov>, Regina Phillips <rphillips@portlandmaine.gov>, Mark Dion <mdion@portlandmaine.gov>
Cc: Kate Snyder <ksnyder@portlandmaine.gov>, April Fournier <afournier@portlandmaine.gov>, Anna Trevorrow <atrevorrow@portlandmaine.gov>, Victoria Pelletier <vpelletier@portlandmaine.gov>, Andrew Zarro <Azarro@portlandmaine.gov>

1. POSTPONE ACTION

The HECD Committee should postpone action on the request for an Affordable Housing TIF for the 18 Casco Street project.

2. CLARIFY DEVELOPER TEAM & PROJECT HISTORY

To begin with, the actual developer here is not being correctly identified: Developers Collaborative (DC) is the "boots-on-the-ground" developer here and the main beneficiary of the funds flow here (including the all-important developer's fee and possible ongoing management/tax compliance fees).

DC is of course the alter ego of Kevin Bunker & Family famous for his political connections to Portland City Hall, meticulously cultivated over many years, and always available to give cover to our City Council when they badly need press releases to look like they are doing something when in reality they are mostly sitting on their hands (regarding the housing crisis among many other things).

ANEW Development, a/k/a Ethan Boxer Macomber, was initially in the driver's seat here, but apparently Mr. Boxer Macomber has either given up completely or is still somehow involved but taking second chair to Team Bunker. See the bottom of this email for some (apparently now dated) information about ANEW's involvement in 18 Casco Street that is available at this link: https://www.anew-development.com/Properties/equality-community-center/ The role of ANEW, and their architect partner, should be clarified - are they still involved here or not - and why others are stepping into their shoes and why (particularly if those entities cannot see a path forward here, the public deserves a full understanding why others CAN make this project work and how City Hall is helping to grease the wheels here). Ed Gardner, the owner of the overall parcel prior to subdivision (511 Congress Street office complex, Arts District Garage, and 18 Casco Street bank ATM drive-thru & parking lot) also stands to benefit here and that should be drawn out before the public is asked to provide a massive subsidy here.

Finally, who EXACTLY stands behind the management entity named in the project details: "C&C Realty Management" and what is their experience with long term management of low-income housing tax credit communities and why should the City Council entrust them with the ongoing management of this TIF project?

3. WHY SHOULD THE CITY WASTE A CITY SUBSIDY ON A BUILDING THAT IS ONLY USING 27.3% OF THE ALLOWED HEIGHT FOR THIS ZONE?

Planning Board materials noted this structure is planned to be 57.25 feet, despite being in a zone that would allow a building as tall as 210 feet.

Why should the public PAY to underbuild this parcel so severely? This is FAR WORSE than the under-building at 83 Middle Street, where the City also PAID to get LESS HOUSING.

Instead the City should invite representatives of MaineHousing to the Committee to explain why LIHTC projects cannot do more with sites like these and why we should NOT waste city subsidies on such opportunities.

EQUALITY COMMUNITY CENTER

In 2016, five distinct Portland-based, LGBTQ+ oriented non-profits came together under one roof to form a safe and collaborative work place for organizations providing services to the LGBTQ+ community. This new collaborative, The Equality Community Center (ECC), is currently housed in an office space leased by the ECC at 511 Congress Street in Portland. Current participating ECC organizations currently include Equality Maine, GLSEN, Sage Maine, PFLAG, and Maine TransNet, and Pride Portland

The initial coming together of these organizations represents the first stage of the Equality Community Center's long-term vision to develop and own a commercial property where the ECC can strengthen and expand its service to the LGBTQ+ community. To that end, the next stage in the evolution of the Equality Community Center will be the development of a newly constructed, mixed-use building in downtown Portland (the "Project"). The ECC is currently working with Portland-based real estate developer Anew Development and the architecture firm of Bild Architecture to advance the ECC Building Project.

A highly viable project site has been secured in the vicinity of 23-25 Casco Street and a preliminary Project design concept has been created. The Project concept is a 5-story, approximately 40,000 square foot building. The ground floor houses Center and retail space, approximately 20 parking spaces, and lobbies and other spaces ancillary to upper floor uses. The 2nd floor has been designed as flex office spaces to house the existing organizations of the ECC as well as other area non-profits operating in the civil rights and social justice arena. Finally, floors 3-5 will house between 27 and 30 residential apartments allowing the ECC to serve the housing needs of the communities they serve.

The total development cost of the ECC Building Project is estimated at $10MM. The ECC and Anew will finance the Project using a combination of private bank financing, owner equity raised though a community capital campaign, and private investment capital which may be enhanced by the Project being a structured as a qualified Opportunity Zone fund.

Construction is targeted to commence in the Spring of 2021 and wrap up in the Spring of 2022.

Highlights

Mixed-Use; Retail, Offices, and Rental Housing

Arts District, Portland, Maine

New Construction

Total Development Cost estimated at $16MM

MEMORANDUM

To: Councilor Pious Ali, Chair
Members of the Housing and Economic Development Committee

From: Mary Davis, Interim Director, Housing and Economic Development Department

Date: June 16, 2023

RE: 2023 Housing and Economic Development Committee Proposed Work Plan

The work plan and draft schedule for the Housing and Economic Development Committee is attached.

As has been the practice of the committee, the work plan and schedule will be included on every HEDC meeting agenda to provide an opportunity for committee members to provide updates and direction on the agenda schedule.

DRAFT
Housing & Economic Development Committee
2023 Work Plan Schedule
as of June 16, 2023

<u>June 20, 2023</u>

1. Review of 2022 Annual Housing Report
2. Preview of Agenda for City Council Affordable Housing Workshop (June 28)
3. (Public Comment) Approve and Recommend an Affordable Housing TIF - 15 Casco Street (tentative)

<u>July 18 2023</u>

1. USL Soccer Proposal (Tentative)
2. Analysis of the Role of the Rental Housing Advisory Committee (Tentative)

<u>August 15, 2023</u>

1. USL Soccer Proposal (Tentative)

<u>September 19, 2023</u>

1. Consideration of year-round outdoor dining on public property (excluding streets) (Tentative)
2.

<u>October 17, 2023</u>

1.

<u>November 21, 2023</u>

1.

<u>December 19, 2023</u>

1.
2.

COMPLETED WORK

January 17, 2023

1. Facilitated Work Plan Discussion

February 21, 2023

1. Workshop - Responsibilities of the Housing and Economic Development Department
2. Review Letter from the Rental Housing Advisory Committee
3. (Public Hearing) Review and Recommendation to the City Council – FY24 Housing Program Budget
4. (Public Hearing) Review and Recommendation to the City Council - HOME-ARP Program Plan
5. (Public Hearing) Review and Recommendation to the City Council - Thames Street Purchase and Sale Agreement

March 21, 2023

1. (Public Hearing) Review and Recommendation to the City Council – 2023 Jill C. Duson Housing Trust Fund Annual Plan
2. (Public Hearing) Review and Vote to Approve the Issuance of 2023 Affordable Housing TIF and Affordable Housing Development Fund Application for the Jill C. Duson Housing Trust Fund, HOME Program
3. (Public Hearing) Review and Recommendation to the City Council to continue to Participate in the Cumberland County HOME Consortium
4. Executive Session Review and Direction to Staff on Negotiations with USL Soccer Proposal at Fitzpatrick Stadiums

April 4, 2023

1. Presentation of Annual Report from Permitting & Inspections Dept. Re: Short/Long Term Rental Registration Program and Housing Safety.
2. Communication - Memo from City Staff regarding the Franklin Street Redesign Plan
3. Communication - Findings of January 2023 Housing Supply Boot Camp
4. Communication - Memo from City Staff regarding City Owned Property - 0 Marginal Way Parking Lot

April 25, 2023

1. (Public Hearing) Review and Recommendation to the City Council - Amendment to the City's Tax Increment Financing Policy
2. (Public Hearing) Review and Recommendation to the City Council - Report to HUD on Analysis of Impediments to Fair Housing
3. (Public Hearing) Review and Update regarding Portland Adult Ed FY23 Workforce Development Programs and FY24 Funding Request.
4. (Public Hearing) Review and Recommendation to the City Council - Regarding establishing a Tourism Improvement District.

May 16, 2023 - Canceled

2023 Housing and Economic Development Committee Draft Work Plan June 15, 2023

	Annual Committee Work	Staff Recommendations	Committee Members' Priorities	Status
ECONOMIC DEVELOPMENT POLICY				
Review Tax Increment Financing (TIF) investment in workforce training for FY2024 funding.		X		4.25.23
Vote on Tourism Improvement District proposal		X		4.25.23
Research and present options for public-private partnerships to support parking garage and possible new affordable housing - City-owned Bayside Lot 6, (corner of Somerset & Chestnut St) acquired by the City Council through eminent domain		X		
Waterfront Activity Workshop including - Harbor Dredge Project, Portland Harbor Commons, Off-Shore Wind, and other items		X	X	
Accessibility of Public Buildings, ADA Compliance			X	
Consideration of year-round outdoor dining on public property (excluding streets)				

	Annual Committee Work	Staff Recommendations	Committee Members' Priorities	Status
AFFORDABLE HOUSING POLICY AND BUDGETS				
Policy Discussion re: (1) Guidelines and Priorities for the allocation of city resources for housing development (2) use of priority nodes and corridors for housing development (possible committee workshop with Planning Dept staff)	X	X	X	3.21.23
Review of FY 2024 Housing Program Budget	X			2.21.23
Review of 2023 Jill C. Duson Housing Trust Fund Annual Plan and the 2023 Affordable Housing Development Application	X			3.21.23
Review and Analysis of the Role of the Rental Housing Advisory Committee		X	X	

	Annual Committe e Work	Staff Recommendations	Committee Members' Priorities	Status
AFFORDABLE HOUSING/ECONOMIC DEVELOPMENT - PUBLIC-PRIVATE PARTNERSHIPS, REAL ESTATE TRANSACTIONS				
Review/ Vote to Approve Funding Requests Received from the Affordable Housing Development Applications -Housing Trust, HOME & AHTIF CEA Requests.	X	X		
Review City Owned property to sell/lease to support affordable housing		X		
Portland United Soccer League Proposal				
Purchase & Sale Agreement - Sale of a portion of City-owned Thames St. Property		X		2.21.23
Kennebec Street Realignment (from Brattle to Forest)				
Review of Franklin Street Plan and Possible Use of Federal Reconnecting Communities Grant - Possible Joint Meeting with Sustainability & Transportation			X	4.4.23

	Annual Committe e Work	Staff Recommendations	Committee Members' Priorities	Status
ANNUAL REPORTS AND ACTIONS				
Presentation of 2022 Housing Report Part I and Part II	X			
FY24 Annual Allocation Plan (Jan-April) & Analysis of Impediments to Fair Housing	X	X		4.25.23
Annual Presentation,-Permitting & Inspections, Short/Long-term Rental Housing Registration, Safety & Inspection Program - Implementation & Financial Report Discussion of Dept. Staff Needs	X		Process established under prior Housing Committee X	4.4.23
City TIF District Annual Activity Report (November)	X			
Committee Annual Accomplishment Report (November)	X			