

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL FOURNIER (A/L)
BENJAMIN GRANT (A/L)



SARAH MICHNIEWICZ (1)
WESLEY PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

CITY COUNCIL MEETING - MAY 5, 2025

The Portland City Council will hold a City Council Meeting in Council Chambers. The Honorable Mark Dion, Mayor, will preside.

To submit written public comment on an agenda item, email publiccomment@portlandmaine.gov. Submissions must be received by 12:00 pm the day before the Council 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 order number (see below).

The City Council will conduct this meeting from Council Chambers, located on the second floor of City Hall.

<https://portlandme.portal.civicclerk.com/event/7609/media>

PLEDGE OF ALLEGIANCE:

ROLL CALL:

5:00 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:

ANNOUNCEMENTS:

PRESENTATIONS:

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Special City Council Meeting Minutes-April 28, 2025

PROCLAMATIONS:

Proclamation 33-24/25 Recognizing May 18 as National Asian American and Pacific Islander Day Against Bullying and Hate - Sponsored by Mark Dion, Mayor

Proclamation 34-24/25 Declaring May 5, 2025 Missing and Murdered Indigenous Women's Day - Sponsored by Mark Dion, Mayor

Proclamation 35-24/25 Recognizing May 12 to May 16, 2025 as National Police Week - Sponsored by Mark Dion, Mayor

CONSENT ITEMS:

Order 179-24/25 Declaring June 21, 2025 the Pride Portland! Parade and Festival - Sponsored by Danielle P. West, City Manager

Pride Portland would like to host their Parade & Festival again in Portland. The event will take place this year on June 21, 2025. There will be a parade down Congress Street, High Street and Park Avenue followed by a festival at Deering Oaks Park. The parade will start at 1:30pm and the festival will start at 1:30pm and conclude at 7pm. The

festival will consist of music, speakers, food trucks, non-food vendors and a beer garden.

Five affirmative votes are required for passage of items on the consent calendar after public comment.

Order 180-24/25 Granting Municipal Officers' Approval of GT Peaks LLC, dba Jones Landing. Application for Class I FSE with Outdoor Entertainment and Outdoor Dining on Private Property at 6 Welch Street - Sponsored by Danielle P. West, City Manager

Application was filed on 4/11/25. Change of ownership of an existing establishment.

Five affirmative votes are required for passage of items on the consent calendar after public comment.

BUDGET ITEMS:

THE CITY COUNCIL WILL HOLD A FIRST READ ON THE FISCAL YEAR 2026 SCHOOL BUDGET AT THIS COUNCIL MEETING (MAY 5, 2025) AND WILL ACCEPT PUBLIC COMMENT. THE SECOND READ AND A PUBLIC HEARING ON THE SCHOOL BUDGET WILL BE HELD ON MAY 19, 2025 AT 5:00 PM.

The City Council Finance Committee voted on April 29, 2025 to recommend passage of FY26 School Board Recommended Budget as presented by Superintendent Scallon in the amount of \$162,800,974.00. Passed (3-0).

Order 181-24/25 Approving State/Local EPS Funding Allocation for Public Education from Kindergarten to Grade 12 for Portland Public Schools for Fiscal Year 2026 - Sponsored by Finance Committee, April Fournier, Chair

The following School Budget Orders are required by 20A M.R.S. §15690 in order to comply with what is known as LD1, a set of state laws passed to control increases in property taxes.

This order provides \$107,918,121 as the amount determined by state law to be the minimum amount the City must appropriate in order to receive the full amount of state funding under the Essential Programs and Services Funding Act.

This order requires the city to raise \$88,191,157 as the city's contribution to the total cost of funding public education from K12 as described in the EPS law. The City's tax levy based on the budget submitted by the Portland Board of Public Education for the total for school budget programs of \$153,703,807 will be \$125,019,522.

This item must be read on two separate days. This is its first reading.

Order 182-24/25 Approving Non-State Funded School Construction Debt Service for Portland Schools for Fiscal Year 2026 - Sponsored by Finance Committee, April Fournier, Chair

Nonstate funded debt service is the amount of money needed for the annual payments on the City's long-term debt for major capital school construction projects and portions of school construction projects that are not approved for state funding. The bonding of this

long-term debt was previously approved by the voters or the City Council.

This order appropriates \$414,168 for the annual payments on debt service previously approved by the voters or the City Council for non-state (local only) funded school construction projects. The state no longer includes minor capital projects in this calculation. The \$414,168 is in addition to the funds appropriated as the EPS required local share (amount of the City's contribution to the total cost of funding public education from kindergarten to grade 12).

This item must be read on two separate days. This is its first reading.

Order 183-24/25 Raising and Appropriating Additional Local Funds for Portland Schools for Fiscal Year 2026 - Sponsored by Finance Committee, April Fournier, Chair

This order appropriates \$36,828,365 in additional city funds over and above regional Essential Programs and Services amount and the nonstate funded debt service amount.

This exceeds the EPS funding model by \$36,828,365 and is needed to cover the School Department's costs that the state's funding model does not recognize or recognize fully, including costs to maintain class size; Special Education costs; Regular Instruction costs; Facilities Maintenance costs to address deferred maintenance; technology costs; transportation costs; professional development costs; debt service for pension obligation; and debt service capital renovation costs.

This item must be read on two separate days. This is its first reading.

Order 184-24/25 Approving Total School Operating Budget For Portland Schools for Fiscal Year 2026 - Sponsored by Finance Committee, April Fournier, Chair

This order is required by 20A M.R.S.A. §15690(4)(A). It sets the School Budget required by state law.

This will be sent to the voters for approval at a citywide Referendum Election on June 10, 2025. \$127,225,989 of the \$162,800,974 would come from would come from property taxes.

This order does not provide money unless the other General Fund budget orders are passed.

This item must be read on two separate days. This is its first reading.

Order 185-24/25 Appropriating and Raising Funds for Adult Education for Fiscal Year 2026 as required by the Maine Revised Statutes, Title 20-a M.R.S §8603-a(1) - Sponsored by Finance Committee, April Fournier, Chair

This order raises the sum of \$3,463,530 for Adult Education for Fiscal Year 2025-2026 and \$2,206,457 as the local share with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and for the well-being of the adult education program.

This item must be read on two separate days. This is its first reading.

Order 186-24/25 To Raise and Appropriate Local Funds for Food Service in the Portland Public Schools for Fiscal Year 2026 - Sponsored by Finance Committee, April Fournier, Chair

This order raises and appropriates \$0 for the Food Service Program for Fiscal Year 2025-2026. The Portland School Department is authorized to expend any un-expended balances and additional, incidental or miscellaneous receipts in the interest and for the well-being of the food service program.

This item must be read on two separate days. This is its first reading.

Order 187-24/25 Authorizing the Disposition of Any Additional State Subsidy Received for Portland Schools in Fiscal Year 2026 - Sponsored by Finance Committee, April Fournier, Chair

Disposition of Any Additional State Subsidy Received: In the event that Portland Public Schools receives more state education subsidy than the amount included in its budget, the City authorizes the Portland Board of Education to use all or part of the additional state subsidy to increase expenditures for school purposes in cost center categories approved by the Portland Board of Education, subject only to approval by the City Council.

This item must be read on two separate days. This is its first reading.

COMMUNICATIONS:

Communication 9-24/25 Committee Work Plans - by Mark Dion, Mayor

As a communication this item requires no public comment or formal Council action.

Communication 11-24/25 Regarding FY26 Municipal Budget Hearings - By Brendan O'Connell, Finance Director

The Public Hearing on the Fiscal Year 2026 Municipal Budget and Fiscal Year 2026 Appropriation Resolve originally scheduled for tonight's City Council Meeting has been postponed to the May 19, 2025 City Council Meeting.

As a communication this item requires no public comment or formal Council action.

RESOLUTIONS:

Resolve 9-24/25 Adopting the Fiscal Year 2025-2026 Annual Action Plan Including Appropriations for the Community Development Block Grant Program, HOME Program, and Emergency Solutions Grant Programs and Certifications Pertaining Thereto - Sponsored by Danielle P. West, City Manager

The 2025-2026 Housing and Community Development Program Annual Action Plan reports to the U.S. Department of Housing and Urban Development (HUD) a total estimated budget of \$7,830,113 (Community Development Block Grant ("CDBG") Entitlement Funds \$1,833,541; CDBG Contingency Funds \$142,545; \$120,000 Downtown TIF funding; \$20,000 Cotton St proceeds; HOME Program Grant \$839,923; Program Income and Recapture \$131,660; Lead Safe Housing Program Income \$122,744; local Housing Trust Fund \$863,559; HOME-ARP \$3,594,143; \$161,998 Emergency Solutions Grant ("ESG") funds).

The CDBG Annual Allocation Committee, appointed by the City Council, reviewed each application and made funding recommendations that will be presented to the Council. The City Manager reviewed the Committee's recommendations and submitted her funding recommendations to the Council. The Housing and Economic Development Committee reviewed the Housing Program Budget at their meeting on February 25, 2025, and voted unanimously (3-0) to recommend City Council approval of the budget.

The City's public participation process requires two public hearings to consider the City's Housing and Community Development Program proposal. The hearings allow the public to comment on the City's Consolidated Annual Action Plan. Public hearings for FY25 are set for April 28 and May 5. People who wish to speak may do so once; they may not speak at both public hearings.

This item must be read on two separate days. It received its first reading and first public hearing on April 28, 2025. Five affirmative votes are required for passage after public comment.

UNFINISHED BUSINESS:

Order 174-24/25 Accepting and Appropriating a \$28,000 Gulf of Maine Research Institute Community Resilience Education Project Grant - Sponsored by Danielle P. West, City Manager

The order accepts and appropriates \$28,000 from the Gulf of Maine Research Institute to support the development of a project to educate the community about climate hazards and community adaptation and resilience strategies.

This item must be read on two separate days. It received its first reading on April 28. Five affirmative votes are required for passage after public comment.

Order 175-24/25 Approving the Collective Bargaining Agreement between The City of Portland and Portland Police Superior Officers Association, Fraternal Order of Police Lodge ME 109 - Sponsored by Danielle P. West, City Manager

This item approves a negotiated successor collective bargaining agreement between the City of Portland and the Portland Police Superior Officers Association, Fraternal Order of Police Lodge ME 109, for the period of January 1, 2025, through December 31, 2027. This proposal is presented after previously receiving guidance from the City Council executive sessions held on January 13 and March 31, 2025, and after having been approved by the Portland Police Superior Officers Association.

This item must be read on two separate days. It received its first reading on April 28. Five affirmative votes are required for passage after public comment.

Order 176-24/25 Accepting and Appropriating a \$5,995.00 Donation from Paul Rollins for the Police Department Dive Team - Sponsored by Danielle P. West, City Manager

If approved, this donation would be used to fund specialized equipment for the Portland Police Department's (PPD) Dive Team. Specifically, the donated funds would be used for the purchase of an Aqua Eye handheld sonar for the Dive Team's use. The Aqua Eye is a

handheld, all-weather device that uses sonar to identify anomalies in the water column that are consistent with a submerged body.

The Dive Team conducts search and recovery operations for victims of motor vehicle crashes, homicides, and other water-related deaths. The team also conducts searches for evidence in criminal investigations.

The donor, Paul Rollins, owner of Rollins Scuba Associates in South Portland, is the team's civilian administrator.

This item must be read on two separate days. It received its first reading on April 28. Five affirmative votes are required for passage after public comment.

Order 177-24/25 Extending for 180 Days the Moratorium on New Hotel Projects in the City of Portland Established by Order 77-24/25 - Sponsored by the Housing & Economic Development Committee, Pious Ali, Chair

On November 4, 2024, the City Council passed Order 77-24/25, which established a 180-day moratorium on new hotel projects. The moratorium expires on June 2, 2025. The moratorium was put in place following the Council's finding that the current hotel inclusionary zoning ordinance (the "Hotel IZ Ordinance") is inadequate to ensure sufficient affordable housing for hotel employees and to otherwise prevent a worsening of the housing crisis in Portland. As required by the moratorium order, the Housing and Economic Development Committee met on April 15, 2025, and considered a presentation by Planning staff for potential amendments to the Hotel IZ Ordinance and gave Planning staff guidance for further research on the matter and preparing draft amendments to the ordinance for the Planning Board's consideration. Staff anticipate presenting amendments to the Planning Board in June, which means that the moratorium will expire before the Planning Board and City Council have an opportunity to consider the proposed amendments. Because the problems that gave rise to the ordinance still exist (i.e. the Hotel IZ Ordinance is inadequate to ensure sufficient affordable housing for hotel employees) and because the City is making reasonable progress to alleviate the problem by actively pursuing changes to the ordinance in accordance with the order, the Housing and Economic Development Committee voted 4-0 to recommend that the Council extend the moratorium for an additional 180 days pursuant to 30-A MRS 4356(2).

This item must be read on two separate days. It received its first reading on April 28. Five affirmative votes are required for passage after public comment.

Order 178-24/25 Amendment to Portland City Code Chapters 15 and 30 Re: Vehicles for Hire - Sponsored by the Sustainability & Transportation Committee, Regina Phillips, Chair

On September 11, 2024, the Sustainability and Transportation Committee reviewed and recommended the attached revisions to Chapter 30. The proposed changes would require non-motorized and most motorized multi-seat bicycles used for commercial purposes to be licensed with the City.

This item must be read on two separate days. It received its first reading on April 28. Five affirmative votes are required for passage after public comment.

ORDERS:

Order 188-24/25 Accepting and Adopting the 2025 Jill C. Duson Housing Trust Fund Annual Plan - Sponsored by the Housing & Economic Development Committee, Pious Ali, Chair

The Housing and Economic Development Committee held a public hearing on February 25, 2025, and voted 3-0 to recommend to the City Council approval of the *2025 Jill C. Duson Housing Trust Fund Annual Plan*.

The Annual Plan establishes the priorities for allocating Housing Trust Funds. The 2025 Plan would make available \$363,558 of the \$863,558 total housing trust fund balance for the development of affordable housing while maintaining a balance of \$500,000 in the fund.

Five affirmative votes are required for passage after public comment.

Order 189-24/25 Approving the 2025 Affordable Housing Development and Tax Increment Financing Application - Sponsored by the Housing & Economic Development Committee, Pious Ali, Chair

The Housing and Economic Development Committee met on February 25, 2025, and voted 3-0 to forward this item to the City Council with a recommendation for passage.

The City of Portland has made the development of affordable housing a priority, as identified in the City of Portland's 2022-2026 HUD 5-Year Consolidated Plan, City Council Common Goals, and the Comprehensive Plan. To accomplish this priority, the City issues the *Affordable Housing Development and Tax Increment Financing Application* for the allocation of city resources budgeted for the development of affordable housing. The application establishes the goals for distribution of funds and/or the designation of an affordable housing tax increment financing district.

The *Affordable Housing Development and Tax Increment Financing Application* is amended on an annual basis to reflect the City Council's housing policy goals. Since 2002, the City of Portland has utilized an annual application and/or RFP process for the allocation of city resources budgeted for the development of affordable housing. In 2013, with the approval of the City Council's Housing Committee, the current application format was implemented.

In addition to the above-mentioned annual amendments, this year the *Affordable Housing Development and Tax Increment Financing Application* proposes the following:

- Amend the Application requiring Planning Board approval of development projects (prior to submitting an Application);
- Amend the Application requiring Notice to Proceed notification from MaineHousing for projects requesting HOME and/or Housing Trust Funding;
- Amend the Application notifying Applicants that applications deemed incomplete would be informed of the status of their application along with the missing components. Applicants requesting an Affordable Housing TIF and applying for the 9% LIHTC from MaineHousing would be provided a deadline for resubmission; applicants provided the opportunity to redress their submission and

are still deemed incomplete would not be included in the priority funding requests for the 9% LIHTC program;

- Amend the Application notifying Applicants they will be responsible for reimbursing the City for all third-party legal and financial underwriting associated with Affordable Housing TIF requests.

Utilizing the *2025 Affordable Housing Development and Tax Increment Financing Application*, the City would make available an estimated \$878,481 (estimated HOME funding of \$514,923 + \$363,558 from the Jill C. Duson Housing Trust Fund) along with access to the City's Affordable Housing Tax Increment Financing Program. City staff would determine which funding source(s) is best for each project and then make funding recommendations to the Housing and Economic Development Committee and ultimately the City Council for final approval.

Five affirmative votes are required for passage after public comment.

Order 190-24/25 Accepting an Easement from the Portland Housing Development Corporation at 17 Riverton Drive for Pump Station and Drainage Installation - Sponsored by Michael Goldman, Corporation Counsel

This easement supports the City of Portland's infrastructure by formalizing access to maintain critical existing drainage systems and an existing pump station on land owned by the Portland Housing Development Corporation near 2 Riverton Drive. The easement is required as a condition of approval for Portland Housing's Riverton Park development, which includes the construction and rehabilitation of 182 affordable housing units.

Five affirmative votes are required for passage after public comment.

Order 191-24/25 Accepting an Easement from the Portland Housing Development Corporation at 17 Riverton Drive for a Public Sidewalk - Sponsored by Michael Goldman, Corporation Counsel

This easement supports the City of Portland's infrastructure by formalizing public access over new sidewalk areas on land owned by the Portland Housing Development Corporation near 2 Riverton Drive. The easement grants the City the right to install, maintain, and repair ADA-compliant sidewalks for pedestrian and non-motorized uses. These improvements will support connectivity between private development and the City's public right-of-way while promoting long-term pedestrian mobility. The easement is required as a condition of approval for Portland Housing's Riverton Park development, which includes the construction and rehabilitation of 182 affordable housing units.

Five affirmative votes are required for passage after public comment.

Order 192-24/25 Approving an Amendment to the Riverton Park Affordable Housing Development and Tax Increment Financing District RE: 2 Riverton Park - Sponsored by Michael Goldman, Corporation Counsel

The Housing and Economic Development Committee met on September 19, 2023, and voted (3-0, Dion absent) to forward this item to the City Council with a recommendation for passage. The Riverton Park Affordable Housing Development and Tax Increment Financing District was approved by the Portland City Council on November 13, 2023

(Order 55-23/24 and Order 58-23/24) and received a Certificate of Approval from MaineHousing on January 8, 2024.

Portland Housing Development Corporation, through Riverton Park LP, is proposing changes to the previously approved Riverton Park Affordable Housing Development and Tax Increment Financing District.

The previously approved development district includes a slightly different unit mix (130 units at or below 50% of the area median income, 34 units at or below 60% of the area median income and 18 units at 80% of the area median income), and the construction of a neighborhood center. The proposed affordable housing project would include the rehabilitation of 20 residential buildings and two non-residential buildings (an administration building and a resident service delivery building). The neighborhood center will not be constructed. The Declaration of Covenants needs to be amended to reflect the proposed new development program. The new development program will include 91 units at or below 50% of the area median income (\$64,900 for a family of four), 77 units at or below 60% of the area median income (\$77,900 for a family of four) and 14 units at or below 80% of the area median income (\$103,850 for a family of four).

Five affirmative votes are required for passage after public comment. To make this item effective immediately, staff is requesting that this item be passed as an emergency. Seven affirmative votes are required for passage as an emergency after public comment.

Order 193-24/25 Approving an Amended Credit Enhancement Agreement for the Riverton Park Affordable Housing and Tax Increment Financing District RE: 2 Riverton Park - Sponsored by Michael Goldman, Corporation Counsel

The Housing and Economic Development Committee met on September 19, 2023, and voted (3-0, Dion absent) to forward this item to the City Council with a recommendation for passage. The City Council approved the original Riverton Park Affordable Housing and Tax Increment Financing District on November 13, 2023.

This is a companion order to the order above.

To make this item effective immediately, staff is requesting that this item be passed as an emergency. Seven affirmative votes are required for passage as an emergency after public comment.

Order 194-24/25 Accepting and Appropriating a \$10,000 Donation from the Maine Community Foundation for an Asylum-Seeker Soccer Program at the City's Shelters - Sponsored by Danielle P. West, City Manager

If accepted, this order would appropriate a \$10,000 donation from the Maine Community Foundation to assist with the costs of a pilot program for an indoor soccer program for asylum seekers in the City's emergency shelters. Hearts of Pine will organize the soccer pickup games, while the City of Portland's Parks and Recreation Department will provide gym space for the games. Additionally, the City of Portland Shelter Program will recruit asylum seekers, transport them to the gym, and cover any associated costs. The goal is to launch the program in May 2025. The initial cost to start the program is \$10,000 for program development, equipment (jerseys, soccer balls, cones, speaker fees) and other expenses. The Spring gym rental fees are waived for the pilot. Should the program prove

to be successful, the total year-round program cost is estimated at \$40,000.

This item must be read on two separate days. Staff is requesting that the second reading be waived, which requires seven affirmative votes. Staff also requests that this item be passed as an emergency. Seven votes are required for passage as an emergency following public comment.

AMENDMENTS:

Order 195-24/25 Amendment to Portland City Code Chapter 14 RE: Institutional Overlay Zone for the University of New England Campus - Sponsored by the Planning Board, Brandon Mazer, Chair

On February 25, 2025, the Planning Board voted unanimously (5-0, Mazer recused, Silk absent) to recommend that the City Council adopt zoning map and text amendments to establish an Institutional Overlay Zone (IOZ) for the University of New England (UNE) campus and rezone the campus to B-2 Community Business and OS-P Open Space Preservation zones. The proposed amendments would create a uniform zoning designation across the entire UNE Portland campus, replacing the current mix of residential (RN-1 and RN-3), commercial (B-2), and industrial (I-M and I-H) zones with B-2 Community Business and OS-P Open Space Preservation, the latter of which would apply to portions of undeveloped land along the Capisic Brook. The City's major medical and higher education institutions are eligible to apply for IOZ designation, which is encouraged particularly when future development may be inconsistent with existing base zoning. These zoning changes aim to support the long-term evolution of the UNE campus by providing flexibility for academic spaces, residential housing, and publicly accessible open space to better serve students, faculty, staff, and visitors.

This item must be read on two separate days. This is its first reading.

Order 196-24/25 Amendments to Zoning Map RE: B-2 Community Business, Open Space Preservation, and Institutional Overlay Zone for the University of New England Campus - Sponsored by the Planning Board, Brandon Mazer, Chair

This is a companion order to the order above.

This item must be read on two separate days. This is its first reading.

Order 197-24/25 Amendment to Portland City Code Chapters 15 and 35 RE: Requirements for Marijuana Retail Licenses Offering Non-Alcoholic Beverages Prepared on-Site - Sponsored by Health & Human Services & Public Safety Committee, Anna Bullett, Chair

On April 15, 2025, the Health & Human Services and Public Safety Committee unanimously recommended to the City Council approval of Order 196, which would allow marijuana retail stores to prepare and sell non-alcoholic beverages on site. Currently, these retailers may only sell prepackaged food and drinks.

There are currently 38 licensed marijuana retailers in the City of Portland. To facilitate the co-location of marijuana retail and beverage preparation, City staff will need to increase training, food safety education, and inspections. A fiscal note that reflects the work required to effectively implement this change is included in backup materials.

This item must be read on two separate days. This is its first reading.

EXECUTIVE SESSION:

ADJOURNMENT:

ZOOM INFORMATION:

The City Council will conduct this meeting from Council Chambers, located on the second floor of City Hall, and via Zoom pursuant to the Remote Meeting Policy adopted by the Portland City Council. 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.

To join this meeting remotely, please visit: <https://portlandmaine-gov.zoom.us/j/81114228884?pwd=bjHvOixYFFy9Jjdzq5FbpqabKd8pDa.1>

PLEDGE OF ALLEGIANCE:

Mayor Dion led all present in the Pledge of Allegiance.

ROLL CALL:

Mayor Dion called the meeting to order at 5:00pm.

Councilors Present: Councilor Fournier, Councilor Grant, Councilor Sykes, Councilor Ali, Councilor Pelletier, Councilor Michniewicz, Councilor Bullett, Councilor Phillips, Mayor Dion

5:00 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:

Mayor Dion opened the floor for public comment. The following individuals spoke: Elizabeth Stoddard (Monument Square), Nancy English (Park Avenue), Judy Manson (West End), Bill Stauffer (Portland Business Owner), Ted Arcand (Bayview Drive), Ari (Longfellow Books), Jon Donnelly (Monument Square), Melissa Donnelly (Monument Square)

ANNOUNCEMENTS:

No announcements by the Council.

ANNUAL MEETING:

Annual Meeting of the Corporator of the Portland Fish Pier Authority

Motion was made by Councilor Bullett and seconded by Councilor Sykes to recess the meeting of the City Council and convene the annual meeting of the Corporator of the Portland Fish Pier Authority. Passed 9-0

Greg Jordan (Assistant City Manager) gave an annual report regarding the Portland Fish Pier Authority 2025 Summary of Activity and Financial Statement.

Motion was made by Councilor Phillips and seconded by Councilor Michniewicz to adjourn the Annual Meeting of the Corporator of the Portland Fish Pier Authority and reconvene the regular meeting of the City Council. Passed 9-0

APPROVAL OF MINUTES OF PREVIOUS MEETING:

City Council Meeting - April 14, 2025

Motion was made by Councilor Sykes and seconded by Councilor Ali for passage.

Passage: 9-0

Mayor Dion opened the floor for public comment. No one spoke.

PROCLAMATIONS:

Proclamation 31-24/25 Recognizing the 56th Anniversary of Municipal Clerks Week from May 4, 2025 to May 10, 2025 - Sponsored by Mark Dion, Mayor

Councilor Sykes read Proclamation 31-24/25 Recognizing the 56th Anniversary of Municipal Clerks Week from May 4, 2025 to May 10, 2025 into the record.

Proclamation 32-24/25 Recognizing May 2025 Asian American, Native Hawaiian, and Pacific Islander Heritage Month - Sponsored by Mark Dion, Mayor

Councilor Fournier read Proclamation 32-24/25 Recognizing May 2025 Asian American, Native Hawaiian, and Pacific Islander Heritage Month into the record.

APPOINTMENTS:

Order 168-24/25 Appointing Warden and Ward Clerks for the 2025-2026 Election Year - Sponsored by Ashley Rand, City Clerk

Motion was made by Councilor Ali and seconded by Councilor Sykes for passage.

Passage: 9-0

Mayor Dion opened the floor for public comment. No one spoke.

CONSENT ITEMS:

Order 169-24/25 Declaring July 4, 2025 the July 4th Festival - Sponsored by Danielle P. West, City Manager

Orders 169-24/25 through Orders 172-24/25 were all read and passed as consent items. Public comment was taken on all orders together.

Motion was made by Councilor Sykes and seconded by Councilor Ali for passage.

Passage: 9-0

Mayor Dion opened the floor for public comment. No one spoke.

Order 170-24/25 Granting Municipal Officers' Approval of Bread and Friends LLC, dba Bread and Friends. Application for Outdoor Dining on Public Property at 505 Fore Street - Sponsored by Danielle P. West, City Manager

Orders 169-24/25 through Orders 172-24/25 were all read and passed as consent items. Public comment was taken on all orders together.

Motion was made by Councilor Sykes and seconded by Councilor Ali for passage.

Passage: 9-0

Mayor Dion opened the floor for public comment. No one spoke.

Order 171-24/25 Granting Municipal Officers' Approval of Board and Batten LLC, dba Jerome's. Application for Outdoor Dining on Public Property at 223 Congress Street - Sponsored by Danielle P. West, City Manager

Orders 169-24/25 through Orders 172-24/25 were all read and passed as consent items. Public comment was taken on all orders together.

Motion was made by Councilor Sykes and seconded by Councilor Ali for passage.

Passage: 9-0

Mayor Dion opened the floor for public comment. No one spoke.

Order 172-24/25 Granting Municipal Officers' Approval of Bodkin Enterprises LLC, dba Hot Liquor Tank. Application for Class XI Restaurant/Lounge at 43 Wharf Street - Sponsored by Danielle P. West, City Manager

Orders 169-24/25 through Orders 172-24/25 were all read and passed as consent items.

Public comment was taken on all orders together.

Motion was made by Councilor Sykes and seconded by Councilor Ali for passage.

Passage: 9-0

Mayor Dion opened the floor for public comment. No one spoke.

BUDGET ITEMS:

Order 173-24/25 Receiving and Referring to the Finance Committee the Portland Board of Public Education's Fiscal Year 2026 Budget Estimate and Setting a Public Hearing Thereon - Sponsored by Danielle P. West, City Manager

Motion was made by Councilor Grant and seconded by Councilor Michniewicz for passage. Passage: 9-0

Mayor Dion opened the floor for public comment. No one spoke.

RESOLUTIONS:

Resolve 9-24/25 Adopting the Fiscal Year 2025-2026 Annual Action Plan Including Appropriations for the Community Development Block Grant Program, HOME Program, and Emergency Solutions Grant Programs and Certifications Pertaining Thereto - Sponsored by Danielle P. West, City Manager

Resolve 9-24/25 will receive two public hearing periods. The second public hearing will take place on May 5, 2025. This is the first public hearing period.

Mayor Dion opened the floor for public comment. The following individuals spoke: Tom Dorherty (Noyes Street), Lucas Schrage (Quality Housing Coalition), Libby Catania (Our Place Inc), Madeline Saucier (Hope Acts), Kayla Sutton (Our Place Inc), Camila Batson (Portland), George Rheault (Hanover Street), Andrew Bode (Prebble Street)

Council action will be taken at the May 5, 2025 meeting.

UNFINISHED BUSINESS:

Order 161-24/25 Accepting and Appropriating a \$96,400 State of Maine Community Paramedicine Grant for the Portland Fire Department - Sponsored by Danielle P. West, City Manager

Motion was made by Councilor Sykes and seconded by Councilor Michniewicz to postpone until May 19, 2025. Passed 9-0

Item postponed until May 19, 2025

Order 162-24/25 Accepting and Appropriating a \$53,332.79 Donation from the Portland Parks Conservancy for the Portland Youth Corps - Sponsored by Danielle P. West, City Manager

Motion was made by Councilor Sykes and seconded by Councilor Bullett for passage.

Passage: 9-0

Mayor Dion opened the floor for public comment. The following individuals spoke:
Councilor Bullett, Mayor Dion

Order 163-24/25 Accepting and Appropriating a \$60,000 John T. Gorman Foundation Grant for the Portland Professional Connectors Program - Sponsored by Danielle P. West, City Manager

Motion was made by Councilor Bullett and seconded by Councilor Fournier for passage.

Passage: 9-0

Mayor Dion opened the floor for public comment. The following individuals spoke:
Eamonn Dundon (Portland Regional Chamber of Commerce), Councilor Bullett, Greg Watson (Assistant City Manager)

Order 164-24/25 Accepting and Appropriating a \$205,000 Greater Portland Council of Governments United States Environmental Protection Agency Brownfields Sub-Grant for Clean-up of a Stockpile of Contaminated Soil at Fitzpatrick Stadium - Sponsored by Danielle P. West, City Manager

Motion was made by Councilor Bullett and seconded by Councilor Michniewicz for passage. Passage: 9-0

Mayor Dion opened the floor for public comment. The following individuals spoke:
Stephen Scharff (Brackett Street), George Rheault (Hanover Street), Councilor Bullett, Ethan Hipple (Director of Parks), Councilor Sykes, Councilor Grant

Order 165-24/25 Establishing a 180-Day Moratorium on Theater and Performance Hall Projects with a Capacity Exceeding 2000 People in the City of Portland - Sponsored by Councilors Anna Bullett and Wesley Pelletier

Motion was made by Councilor Grant and seconded by Councilor Phillips to refer this item to the Sustainability and Transportation Committee for further review. Passed 8-1 (Councilor Pelletier-No)

Mayor Dion opened the floor for Council and staff comments. The following individuals spoke: Councilor Grant, Councilor Pelletier, Mayor Dion, Councilor Phillips, Councilor Michniewicz, Greg Jordan (Assistant City Manager), Councilor Sykes, Kevin Kraft (Director of Planning), Councilor Ali

Item referred to the S&T Committee

Order 166-24/25 Accepting and Appropriating at \$10,000 Maine Bureau of Highway Safety Grant - Sponsored by Danielle P. West, City Manager

Motion was made by Councilor Fournier and seconded by Councilor Ali for passage as an emergency. Passage: 9-0

Mayor Dion opened the floor for public comment. The following individuals spoke:
Stephen Scharff (Brackett Street), George Rheault (Hanover Street), Councilor Fournier, Councilor Pelletier

**Item passed as an emergency. Item goes into effect immediately.*

Order 167-24/25 Amendment to Portland City Code Chapter 9 RE: Proportional Ranked Choice Voting - Sponsored by Ashley Rand, City Clerk

Motion was made by Councilor Phillips and seconded by Councilor Ali for passage.

Passage: 9-0

Mayor Dion opened the floor for public comment. The following individuals spoke:
Stephen Scharff (Brackett Street)

ORDERS:

Order 174-24/25 Accepting and Appropriating a \$28,000 Gulf of Maine Research Institute Community Resilience Education Project Grant - Sponsored by Danielle P. West, City Manager

This is first reading.

Order 175-24/25 Approving the Collective Bargaining Agreement between The City of Portland and Portland Police Superior Officers Association, Fraternal Order of Police Lodge ME 109 - Sponsored by Danielle P. West, City Manager

This is first reading.

Order 176-24/25 Accepting and Appropriating a \$5,995.00 Donation from Paul Rollins for the Police Department Dive Team - Sponsored by Danielle P. West, City Manager

This is first reading.

Order 177-24/25 Extending for 180 Days the Moratorium on New Hotel Projects in the City of Portland Established by Order 77-24/25 - Sponsored by Councilor Kate Sykes and Councilor Pious Ali

This is first reading.

AMENDMENTS:

Order 178-24/25 Amendment to Portland City Code Chapters 15 and 30 Re: Vehicles for Hire - Sponsored by the Sustainability and Transportation Committee, Regina Phillips, Chair

This is first reading.

EXECUTIVE SESSION:

ADJOURNMENT:

Motion was made by Councilor Ali and seconded by Councilor Michniewicz to adjourn. Passage 9-0 at 7:15 pm.

A TRUE RECORD

Ashley Rand, City Clerk

P R O C L A M A T I O N
RECOGNIZING
MAY 18, 2025 AS NATIONAL ASIAN AMERICAN AND PACIFIC
ISLANDER DAY AGAINST BULLYING AND HATE

WHEREAS, the people of the United States and Maine join together each May to pay tribute to the contributions of generations of Asian Americans, Native Hawaiians, and Pacific Islanders who have enriched the history of our country and state; and

WHEREAS, the history of Asian Americans, Native Hawaiians, and Pacific Islanders in the United States and Maine is inextricably tied to the story of our country and state; and

WHEREAS, the Asian American, Native Hawaiian, and Pacific Islander community is an inherently diverse population, composed of more than 45 distinct ethnicities and more than 100 language dialects; and

WHEREAS, according to the Bureau of the Census, the Asian American population in the United States has been one of the fastest growing over the last decade, doubling between 2000 and 2020; and

WHEREAS, in Maine there are over 26,000 residents who identify as Asian and over 1,000 residents who identify as Native Hawaiian or other Pacific Islander; and

WHEREAS, observed annually on May 18, the birthday of Vincent Chin, who was brutally murdered in a hate crime, AAPI Day Against Bullying and Hate provides an opportunity for all Portlanders to pursue empathy, promote civility, and stand up against bigotry; and

WHEREAS, since the start of the COVID-19 pandemic, there has been a rise in bullying, discrimination, and hate crimes against the Asian American, Native Hawaiian, and Pacific Islander community; and

WHEREAS, according to national surveys, Asian American youth experience bullying both online and in school at significant rates;

NOW, THEREFORE, BE IT RESOLVED, THAT I, Mark Dion, Mayor of the City of Portland, Maine and members of the City Council, do hereby recognize May 18, 2025, as Asian American and Pacific Islander Day Against Bullying and Hate as an important time to celebrate their significant contributions in the United States and Maine.

Signed and sealed this 5th day of May, 2025



Mark Dion, Mayor
City of Portland

P R O C L A M A T I O N
DECLARING
MAY 5TH, 2025 AS MISSING AND MURDERED
INDIGENOUS WOMEN’S DAY

WHEREAS, the City of Portland stands in solidarity with our Maine tribal, regional, state and national governments to recognize this epidemic and support a National Day of Awareness for Missing Native American Women; and

WHEREAS, 4 out of 5 Native American and Alaska Native women have experienced violence in their lifetime; and

WHEREAS, as of 2023, there were over 5,800 known incidents of missing and murdered Native American and Alaska Native women, 74% of those identified as children, and that is estimated to be only fraction of all cases nationally due to unreported and misclassified cases; and

WHEREAS, in 2017, the U.S. Centers for Disease Control and Prevention identified homicide as the third leading cause of death for Native American women and girls between the ages of 1-44; and

WHEREAS, while just 0.2% of the population of the City of Portland and 0.7% of the population of Maine are Native American or Alaska Native, Native American women and girls are murdered or go missing at a higher rate than any other ethnic group in the United states; and

WHEREAS, the disappearances and murders of Native American women and girls directly correlate to the issues of domestic violence, sexual assault, or human trafficking and deserve continued attention, resources and urgency to be addressed in order to protect our future generations;

NOW, THEREFORE, BE IT RESOLVED, that I, Mark Dion, Mayor of the City of Portland, Maine and members of the Portland City Council do hereby declare May 5, 2025 Missing and Murdered Indigenous Women’s Day.

Signed and sealed this 5th day of May 2025



Mark Dion, Mayor
City of Portland, Maine

P R O C L A M A T I O N
RECOGNIZING
MAY 12 TO MAY 16, 2025
AS NATIONAL POLICE WEEK

- WHEREAS,** The President and Congress of the United States have designated May 15 as Peace Officers Memorial Day, and the week in which it falls as National Police Week; and
- WHEREAS,** We recognize and honor the selfless, heroic service provided by the members of the Portland Police Department; and
- WHEREAS,** We rely on law enforcement officers to keep our neighborhoods safe, respond in times of crisis, uphold the principle of justice, and enforce our laws; and
- WHEREAS,** Every day, the men and women of the Portland Police Department face the threat of violence and danger, routinely putting their lives in jeopardy to make our streets safer, our neighborhoods stronger, and our families more secure; and
- WHEREAS,** These men and women, through their patriotic service and dedicated sacrifice, have earned our gratitude and respect, by safeguarding the lives and property of our community, protecting them against violence, disorder, deception, and intimidation.

NOW, THEREFORE, BE IT PROCLAIMED, that I, Mark Dion, Mayor of the City of Portland, Maine and members of the City Council do hereby recognize May 12 through May 16, 2025 as National Police Week in the City of Portland, Maine, and honor police officers, both past and present, who through their faithful devotion to their responsibilities have rendered a dedicated service to their community in preserving the rights and security of all citizens. I call upon the people of Portland to honor our officers this week through ceremonies and activities that pay them the respect due their office and service.

Signed and sealed this 5th day of May, 2025



Mayor Mark Dion
City of Portland

MEMORANDUM
City Council Agenda Item

FROM: Andrew Keyek
DATE: April 2, 2025
SUBJECT: Order 179-24/25 Declaring June 21, 2025 the Pride Portland! Parade and Festival - Sponsored by Danielle P. West, City Manager
SPONSOR: Danielle West; City Manager
(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading 4/28/2025

**Final
Action 4/28/2025**

Can action be taken at a later date: No Organizers need event approval in order to plan their event.

Does this item involve a new contract with the City: No

PRESENTATION: Event organizers and a member of the Parks, Recreation and Facilities Management Department will be available to answer any questions.

I. SUMMARY

Oder declaring June 21st 2025 as Pride Portland! Parade & Festival.

II. AGENDA DESCRIPTION

Pride Portland would like to host their Parade & Festival again in Portland. The event will take place this year on June 21, 2025. There will be a parade down Congress Street, High Street and Park Avenue followed by a festival at Deering Oaks Park. The parade will start at 1:30pm and the festival will start at 1:30pm and conclude at 7pm. The festival will consist of music, speakers, food trucks, non-food vendors and a beer garden.

Five affirmative votes are required for passage of items on the consent calendar after public comment.

III. BACKGROUND

Pride Portland has a long standing history of holding the parade and festival in Portland.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

Council declaring Pride Portland! Parade and Festival on Saturday June 21st 2025.

V. FINANCIAL IMPACT

All permit fees, staffing costs and license fees for the festival will be paid by the organizer.

VI. STAFF ANALYSIS AND BACKGROUND

The Public Assembly Facilities Division has worked with the organizers on various events in our parks and public spaces and we are confident in their ability to host the festival and parade.

VII. RECOMMENDATION

It is recommended that the order be declared.

VIII. LIST ATTACHMENTS

1. Consent Item - Declaring June 21, 2025 Pride Portland! Parade and Festival
2. 2025 Pride Parade Route
3. 2025 Pride Street Closures
4. Barricade List - PRIDE!

5. Council Memo - Pride Festival and Parade 2025 (1)
6. Map of Pride Festival
7. Pride Area Impact Statement 2025
8. Pride parade and festival Application

Prepared by:

Andrew Keyek

Date: 04/02/2025

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL D. FOURNIER(A/L)
ROBERTO RODRÍGUEZ (A/L)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**ORDER DECLARING JUNE 21, 2025 THE PRIDE PORTLAND! PARADE AND
FESTIVAL**

ORDERED, that June 21, 2025, from 9:00 a.m. to 7:00 p.m. is hereby declared to be the Pride Portland! Parade and Festival, sponsored by Pride Portland!; and

BE IT FURTHER ORDERED, that that the Pride Portland! Parade and Festival area shall be Monument Square, City Hall Plaza, One City Center sidewalk, Preble Street (from Cumberland Ave. to Congress Street), Federal Street Extension, and Center Street (Free Street to Congress Street) for the Parade starting at 1:30 p.m., and Deering Oaks Park for the Festival, 1:30 p.m. to 7:00 p.m.; and

BE IT FURTHER ORDERED, that Congress Street (Myrtle Street to High Street, 12:30 to 2:30 p.m.), High Street (Spring Street to Park Avenue, 12:30 to 2:30 p.m.), Park Avenue (from Forest Avenue to Deering Avenue, 1:00 to 2:30 p.m.), Chestnut Street; (from Cumberland to Congress, 12:30-2:30) shall be closed on Festival day for the Parade,

BE IT FURTHER ORDERED, that No Parking signs will be posted on Park Avenue (Deering Oaks side between State Street to Deering Avenue) on Festival day; and

BE IT FURTHER ORDERED, that vehicles in violation of the “no parking” signs in the Festival Area shall be towed at owner’s expense; and

BE IT FURTHER ORDERED, that the Pride Portland! Parade and Festival Area shall be closed to licensed street vendors as provided in §19-17 and §19-22 of the Portland City Code; and

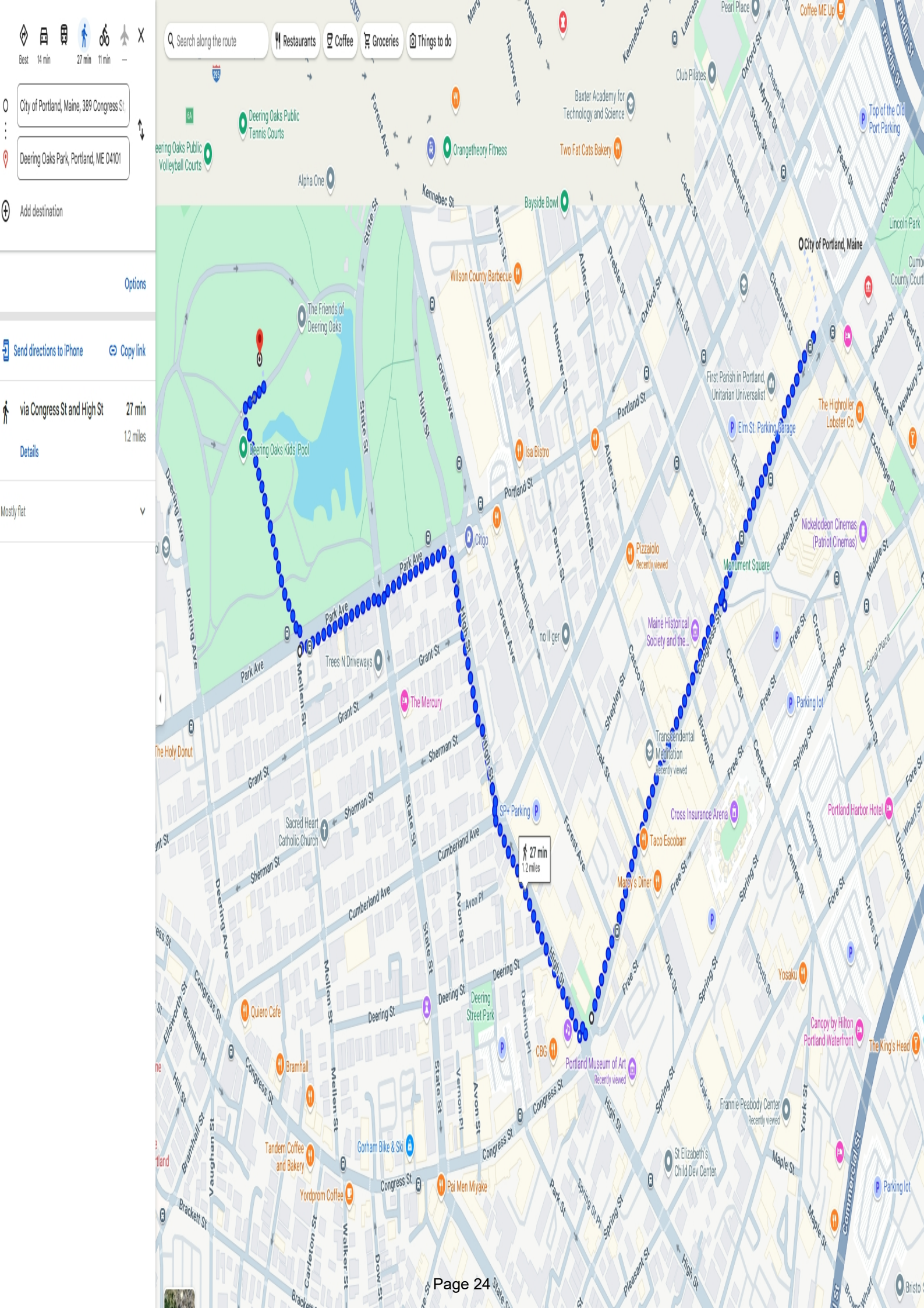
BE IT FURTHER ORDERED, that the City Manager is authorized to issue a revocable permit to Pride Portland! under §§25-26—25-28 of the Portland City Code to conduct said Festival, subject to the direction and control of the Interim City Manager and to the following specific conditions:

1. Pride Portland! shall defend, indemnify and hold harmless the City of Portland, its officers and employees, from and against all claims arising out of or resulting from the Festival and/or use of City streets and property for said Festival, and shall procure and maintain public liability insurance in the minimum amount of

\$1,000,000 per occurrence for personal or bodily injury, death or property damage and covering the obligation of indemnification hereunder. Pride Portland! shall provide the City with a certificate showing evidence of such insurance and showing the City as an additional insured on said insurance;

2. Pride Portland! will operate a Beer Garden in Deering Oaks Park, vending wine and beer, from 1:00 p.m. to 5:00 p.m. on the day of the Festival, with Portland Public Assembly staff monitoring the entrance and exit; Shipyard Brewing Company Limited Liability Company is applying for the Off-Premises Liquor Catering License;
3. Pride Portland! shall comply with all Public Assembly Facilities Division Conditions for use of grounds, and requirements for food service, vending sales, tent and stage installations and other items specified in that permit shall be adhered to, but the Public Assembly Facilities Division fees for the use of the park are waived;
4. Pride Portland! shall have sole authority over participating vendors at the Festival and may charge a fee to vendors for the opportunity to vend at the Pride Portland! Parade and Festival;
5. In addition, the Business Licensing Office shall charge the usual fees for licensing food vendors, and street goods vendors for the Festival to those vendors Pride Portland! has agreed shall participate; and
6. Public Assembly Facilities Division concert license conditions shall be complied with and any and all amplified music and public announcements shall be maintained at a reasonable noise level (under 92 decibels) and be configured by the event organizer to focus volume away from residential housing and neighboring business, limiting any impact in the area by the sound level; and

BE IT FURTHER ORDERED, that the City Manager is authorized to waive fees and to issue such other temporary licenses, including licenses for food service establishments, as may be required by the Portland City Code, provided that all other applicable Code requirements for the operation of the Festival have been met.



CONGRESS STREET

(Closed 1230-1530 hours)

Congress Street east and westbound will be closed from Myrtle/Market Street to High Street

HIGH STREET

(Closed 1230-1530 hours)

High Street will be closed from Spring Street to Park Avenue

PARK AVENUE

(Closed 1300-1530 hours)

Park Avenue will be closed in both directions (east / west) from Forest Avenue to Deering Avenue

Additionally, there will be "NO PARKING" signs posted along Park Avenue (Deering Oaks side) between State and Deering

Pride Parade

This Incident Action Plan is Law Enforcement sensitive and must not be shared with unauthorized persons

- **2 volunteers: Park Ave. @ High St. (Big Apple lot 2 Park Ave)**
- **1 volunteer: Park Ave. @ State St.**
- **1 volunteer: State St. Ext. @ Deering Oaks exit**
- **1 volunteer: Mellen St. @ Park Ave.**
- **2 volunteers: Park Ave. @ Deering Ave.**
- **1 volunteer: Mellen St. @ Grant St.**

Additional volunteers may be utilized at the organizers discretion. This is a minimum requirement.

BARRICADES WILL BE UTILIZED AT THE FOLLOWING LOCATIONS:

- 6 barricades: Congress @ Myrtle St.**
- 2 barricades: Preble @ Cumberland Ave.**
- 2 barricades: Preble @ Congress St.**
- 2 barricades: Temple @ Free St.**
- 4 barricades: Exchange @ Federal St. 2 each on north and west**
- 2 barricades: Center @ Free St.**
- 2 barricades: Brown @ Congress St. (one on each side of intersection)**
- 2 barricades: Casco @ Shepley St.**
- 1 barricade: Congress @ Casco St.**
- 2 barricades: Oak @ Congress St. (one on each side of intersection)**
- 4 barricades: Forest @ Congress St.**
- 2 barricades: Forest @ Cumberland Ave westbound**
- 3 barricades: High @ Spring St.**
- 4 barricades: High @ Congress St.**
- 1 barricades: High @ Deering St.**
- 1 barricade: Cumberland @ High St. westbound**
- 1 barricade: Cumberland @ High St. eastbound**
- 3 barricades: Cumberland @ State St. eastbound**
- 2 barricades: YMCA parking lot on High St.**
- 2 barricades: Grant @ State St.**
- 2 barricades: Grant @ High St.**
- 2 barricades: Park @ High St. westbound**
- 6 barricades State St. Ext. @ Forest Ave.**
- 1 barricade: Park Ave at Mellen St. eastbound**
- 2 barricades: Park @ Deering Ave. eastbound**
- 2 barricade: Mellen @ Grant St.**
- 2 barricades: Deering Oaks exit by Tiqa Cafe**

Additional barricades may be utilized at the organizers discretion. This is a minimum requirement.



TO: Danielle West, City Manager
FROM: Andrew J. Downs, Director of Public Assembly Facilities Division
DATE: April 28, 2025
RE: **Council Agenda Item – Pride Festival and Parade 2025**

I am requesting that the following order be placed on the next City Council agenda:

**Order authorizing and declaring Pride Festival and Parade 2025
to be held Saturday, June 21, 2025 as a Festival.**

Date: June 15, 2024

Pride Parade: Saturday, June 21, 2025, 1:30pm Kick-Off. The parade forms up on Preble Street (between Cumberland and Congress), Center Street (from Free to Congress), and Congress Street from Monument Square to Myrtle/Market Street. ***A new extended closure of Congress Street to Myrtle will allow organizers to do parade registration safely and efficiently in front of city hall in the plaza.*** Parade goes down Congress Street to High Street, Park Avenue to Mellen Street intersection, onto sidewalk and pathway to Deering Oaks. Organizers will hire Police Officers and PCO's to assist with traffic control. Many volunteers will staff the parade route intersections (barricades). A few of the streets will need to be posted "No Parking." Entertainment Licenses needed. Street closers needed: Federal Street, Preble Street, Brown Street, Center Street, Casco Street, Free Street, Oak Street, Forest Avenue, High Street, Congress Street.

Pride Festival: Saturday, June 21, 2025 1:30 – 7pm. Festival is held in Deering Oaks Park and includes the use of the grass areas and Bowling Green Path, Market Row and Bandstand Stage. A large stage will be erected on the grass beside the path (near the pond), and electricity at nearby green box for entertainment. Entertainment License and ELECTRICITY needed.

Stage comes in on the Friday before, gets removed on Sunday or Monday. Many tables are set up on the grass as well as some canopies.

We will have food trucks and non-food vendors at the festival. There will also be some gas grills used for cooking. The food trucks will park on Market Row. The Bowling Green will be used only for blanket seating.

Organizers will rent a number of porta-restrooms with 10+ to be positioned on the grass area just to the side of the Bowling Green Path and by the bandstand. A small number of parking spaces along Park Avenue, park side from State Street will need to be set aside for the festival producers.

A Beer Garden will be set up in the park, near the Bandstand, separate from the stage area. The festival organizers will secure a licensed vendor to serve alcohol. Only guests 21+ will be admitted to the beer garden. It will run from 1:30-6:00, with a last call. Additionally, 2 porta-restrooms will be inside of the beer garden. A DJ will be set up on the bandstand and will utilize a generator for power.

Trash Plan: The organizer will provide trash and recycling containers and will be responsible for the removal and site clean.

Security: Portland Police Department will be hired. Beer gardens will be staffed with staff hired from liquor license holder. One City Staff (Public Assembly Facilities) Event Manager staffed for the event.

Emergency Medical Service: Portland Fire Department will be hired.

Power: The majority of the power will use existing sources around the site as well as portable generators.

Stages: One stage will be erected on the grass beside the path (near the pond), and electricity at nearby green box for entertainment (DJs and bands). Entertainment License and ELECTRICITY needed.

Food Services: The food trucks will park on Market Row after the Farmer's Market breakdown.

Alcohol: One beer garden will be located inside **Deering Oaks Park**. The beer garden will have a secure entry/exit and will be staffed by Pride and Definitive Brewing.

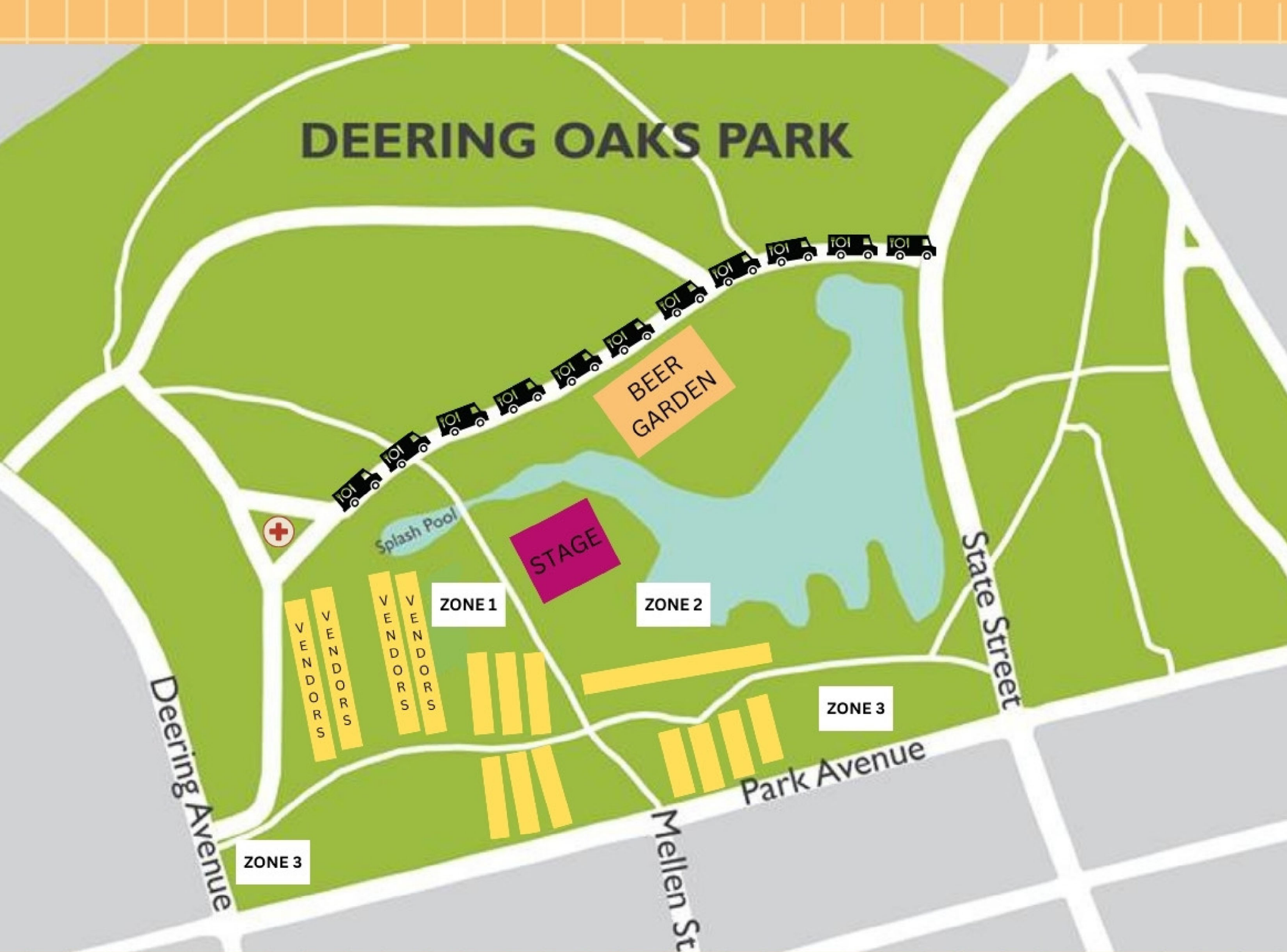
Portable Restrooms: The organizers will provide a bank of portable restrooms in the food truck area and inside the beer garden.

The City Manager is authorized to issue a revocable permit under Section 25-27 of the Municipal Code to the Pride 2024 organizer, for the use of the above-described area for said events, subject to the following conditions:

- Under no circumstances may alcoholic beverages be sold or consumed on City of Portland right-of-ways during said event, other than what is approved by City Council – taking place in the designated beer garden.
- PA Systems will be used at the stage and Deering Bandstand Stage (voice & music). Any and all public announcement (PA) and other speakers or amplifiers used to amplify music or other sound shall be maintained under 85 dB A's and be configured by the event organizer and the City to focus volume away from residential housing, limiting any sound impacts in residential areas;
- Organizer shall indemnify the City and hold it harmless from and against all claims arising out of activities during said event, and shall take out and maintain public liability insurance coverage (as well as alcohol liability coverage) in the amount of at least \$1,000,000 per occurrence for personal or bodily injury, death, or property for said purposes;
- Conditions for use of grounds, specified in a contract and permit issued from the Public Assembly Facilities Division, shall be adhered to;
- Organizer shall have sole authority over participating vendors at the events and may charge a fee to vendors for the opportunity to vend at the Festival; ● City permit fees, license fees, and costs for city staff assistance will be paid by the organizer (organizer will hire Police Officers and Medical Officers to assist with the festival and hire Public Assembly Facilities staff to oversee Festival; ● Times are subject to change depending on weather etc.

The City Manager is also authorized to issue such other temporary licenses and temporary permits, including licenses for food service establishments and permits for sales of non-food related items, as may be required by the Portland City Code, provided that all applicable requirements of said code have been met regarding the operation of said Festival.

Document prepared by Andrew Ransom-Keyek, PAFD Event Manager



TIER III / SPECIAL EVENT
PUBLIC PARK AND SPACE

Pride Parade: Saturday, June 21, 2025 1:30 pm Kick-Off. Parade forms up on Preble Street (between Cumberland and Congress), Center Street (from Free to Congress), and Monument Square. Congress Street will additionally be closed to Myrtle street for registration to take place in front of City Hall. Parade goes down Congress Street to High Street, Park Avenue to Mellen Street intersection, onto sidewalk and pathway to Deering Oaks. Organizers will hire some Police Officers and PCO's to assist with traffic control. Many volunteers will staff the parade route intersections (barricades). A few of the streets will need to be posted "No Parking." SOUND PERMIT needed. **Street closers needed:** Federal Street, Preble Street, Brown Street, Center Street, Casco Street, Free Street, Oak Street, Forest Avenue, High Street, Congress Street, Elm Street, Federal Street.

Pride Festival: Saturday, June 21, 2025 1:30 – 7pm. Festival is held in Deering Oaks Park (located on the Park Avenue and Bowling Green Path side of the Oaks) and includes the use of the grass areas and Bowling Green Path, a large stage will be erected on the grass beside the path (near the pond), and electricity at nearby green box for entertainment (DJ's and bands). SOUND PERMIT and ELECTRICITY needed.

Stage comes in on the Friday before, gets removed on Sunday or Monday. Many tables are set up on the grass as well as some canopies.

We will have food trucks and non-food vendors at the festival. There will also be some gas grills used for cooking. The food trucks will park on the main thorough path through the park (NOT on grass). The Bowling Green will be used only for blanket seating.

Organizers will rent a number of porta-restrooms with 10+ to be positioned on the grass area just to the side of the Bowling Green Path. Parking spaces along Park Avenue, park side from State Street and extending to Deering Avenue will need to be set aside for the festival.

A Beer Garden will be set up in the park, past the vendor tables, separate from the stage area. The festival organizers will secure a licensed vendor to serve alcohol. Only guests 21+ will be admitted to the beer garden. It will run from 1:00-6:00, with a last call. Additionally, 2 porta-restrooms will be inside of the beer garden. A small riser for a DJ will be set up on grass. Generator for power.

The Farmers Market will also be in Deering Oaks in the morning, therefore the area could be congested with pedestrians as well as vehicles.

WHAT WILL BE THE ANTICIPATED NEED FOR PARKING AND WHAT IS YOUR PARKING PLAN?

We will need parking for Pride Portland Staff and Event Suppliers on the day. Requested parking locations are the boat launch at Deering Oaks Pond for staff and Mellen Street and Park for Event Supplier POD units. Additionally this area will be drop off parking for vendor's



parks,
recreation
& facilities

**TIER III / SPECIAL EVENT
PUBLIC PARK AND
SPACE**

City of Portland, Public
Assembly Facilities Division
221 Canco Road Suite A
Portland, Maine 04103



207-808-5434

Rusty Groh - rgroh@portlandmaine.gov

TIER III APPLICATION FEE \$50.00

EXPECTED ATTENDANCE 2000+

PAYMENT MUST BE MADE WHEN SUBMITTING COMPLETED APPLICATION

(This is a transferable/non-refundable fee. If your event is permitted, the \$50.00 will be credited toward your permit fee.)

For uses of city property, there are typically: 1) fees charged for use of the area, 2) a security deposit required, 3) insurance required and 4) Area Impact Study. There may be fees due and applications required from other City Departments.

TODAY'S DATE		4/7/25		ORGANIZATION NAME		Pride Portland!		
ADDRESS (Street/City/State/Zip)								
CONTACT NAME(S)		Tanner Skilton & Max Brinn			TITLE(S)		Tanner-Chair Max-Secretary	
PHONE	Britney: (802) 793-8494			PHONE	(207) 809-9624		PHONE	
EMAIL	chair@prideportland.org			EMAIL	secreatary@prideportland.org		EMAIL	

PARK AREA / PUBLIC SPACE REQUESTED		Portland Streets (Mon Square/Preble St/Fed St Ext) -PARADE Deering Oaks Park (north side of Pond & Ravine)	
EVENT DAY(S) & DATE(S)		June 21, 2025 - FESTIVAL area - Small stage (rev)	
OVERALL EVENT START & END TIME (When setup will begin until cleanup is expected to be complete.)		RAIN DAY(S) & DATE(S) (50% added fee) EVENT START & END TIME 9am Set Up 7pm Strike Down Parade starts at 1pm	

Festival ends at 6pm

EVENT NAME	EVENT CLASSIFICATION Road Race, Parade, Public Assembly, Music Festival, Block Party	EXPECTED ATTENDANCE

AREA IMPACT STUDY: Please be as specific as possible regarding the area of public space/park that you would like to permit and please describe the event in detail using the **AREA IMPACT STUDY(AIS) CHECKLIST**.[\(add link to guide.\)](#)

AIS CHECKLIST COMPLETED

1. Description of event. Brief description of event and event history so that all departments may better understand your event request. (Downloadable format) **Attached**
2. Permits. Include all applicable permits from all pertinent city departments.(Fire,Police,City clerk...) **Attached**
3. Detailed site plans. Include maps of venue, parade and course routes, parking/shuttle plans, evacuation plans... (Downloadable format) **Attached**
4. Event components. Event time frame, sound levels, neighborhood impacts, road closures, security/police, EMS services. (Downloadable format) **Attached**

IS THERE A REGISTRATION FEE/PLEDGES COLLECTED FOR THIS EVENT?	YES Please check: _____ FEE _____ PLEDGES	
IF YES FOR FEES, HOW MUCH?	FEE	\$ TBD

1

STUDENT FEE	\$
-------------	----

PLEASE CHECK OFF AND ANSWER:

Fees for Police, Fire/EMS or Parking Control Staff will be invoiced by those individual departments & should be paid to them directly.				
		X-YES	X-NO	AIS
*	Are you setting up a canopy(s) ? (10'x10' size or smaller) How many?	X-2		
*	Do you wish to set up a tent(s) and/or stage(s) ? A canopy/tent or stage larger than 10'x10' needs a Temporary Tent or Stage Permit issued by Building Inspections. For permit application, please go to: https://content.civicplus.com/api/assets/376697a8-b6ac-4a4c-babc-9dbcf1e61eb8 or contact the Permitting and Inspections Department at buildinginspections@portlandmaine.gov or 207-874-8703 for more information. PLEASE apply at least 2-weeks before your event. Tent/Stage Size(s): Exact Location(s) of Tent/Stage Placement Requested: *** In order to drive tent stakes into the ground, DIG SAFE must be contacted: 888-344-7233. ***	X-Stage		Permit Required Include on Site Plan
*	Will you be setting up tables and/or chairs ? How many tables: chairs:	X-TBD		Include on Site Plan
*	Are other items or equipment being placed on City property? (i.e. Moon Bounce, Dunk Tank, Radio Station Van, Helium Tank, etc.) Please List:	X- Beer Garden		Include on Site Plan

*	Will there be refreshments at the event? Do you wish to sell food? If so, you will need approval from PAFD and possibly a Temporary Food Service License from the Business Licensing Office. PLEASE provide them at least 2 weeks advance notice (207-874-8557). List food and drink / Food Trucks, etc.: PLEASE NOTE: A Temporary Food Service License is NOT needed when: 1. Food Vendors have a current City of Portland Food License 2. Just pre-packaged refreshments, or food & drink items are purchased or donated from a licensed establishment 3. Bottled water / water is served A TFSL is needed when food vendors are not licensed or when food is being prepared and cooked at the event.	x-Food Trucks		License Required Include on Site Plan
*	Do you wish to sell non-food items (like T-shirts, crafts, cd's, etc.)? If so, please apply for a Street Goods Vendor License(s) at the Business Licensing Office (207-874-8557) – 2 week notice. List items you wish to sell:	X – T-shirts, crafts, and artworks		License Required Include on Site Plan
*	Do you wish to sell or provide Alcohol? If yes, you must complete the application for a Liquor License specific to your event through the State of Maine and submit the application to the City of Portland Business office first. Application will need City of Portland's approval prior to going to the State. Questions? please contact the Division of Liquor Licensing and Enforcement at (207) 624-7220/email- MaineLiquor@maine.gov.	X- Beer Garden		License Required
*	Are you setting up a PA (sound) system? Are you planning on having Amplified Music? Band? DJ? Boom Box? If so, your event may require a concert license. PAFD will advise upon review of your application. Amplified speech (i.e. Press Conference) does not require the license, however, a Sound Security Deposit may be required. There are time restrictions for amplified music/speech in Downtown Parks & Squares: limited to 11:45am – 1:15pm and 1 hour between 5pm - 8pm.	X – Main Stage performance and audio		License Required Include on Site Plan & Event Components
*	Will your event require electricity? Electricity is available at Deering Oaks Park, Monument Square, Congress Square, Tommy's Park, Post Office Park, Payson Park, Preble Street Grass Area, Eastern Prom, Fort Allen Park, and Lincoln Park. A \$40 activation fee is required.	X – Deering Oak Park & Congress Sqr Park		
*	Are you planning on bringing a Grill for a Barbecue? Grilling is subject to weather conditions and possibly Fire Dept. review.	X- TBD		
*	Will the event require reserved parking spaces / parking meters? How many? "No Parking" signs may be purchased at the PAFD Office, 212 Canco Rd.	X- 150		
*	Will your event need safety vests, signs, barricades and/or cones? Please list what you would like to borrow/rent: Limited safety vests, cones & barricades may be borrowed/rented from PAFD Office. Traffic signs may be borrowed/rented from Public Works if needed (207-874-8493).	X- Barricades		
*	Will your event require street closures? Will your event affect METRO BUS ROUTES? (Please be specific under "Description of Event")	X- Listed in Event		Include on Event Components

Description

*	Will your event require Police assistance? An event such as a road race, march or parade in the street, would typically require police assistance. To reserve & hire an Officer(s) to be on site at your event, please visit: https://portlandmaine-portal.app.transform.civicplus.com/forms/26740	X- Yes		Required
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*	Will your event require Fire/EMS assistance? (For a large walk/race, it may be required.) To hire or inquire about hiring city Fire/EMS staff to be on site, please email fireprevention@portlandmaine.gov well in advance of the event. For general questions, you may also call 207-874-8400.	X- Yes		Required
*	Will your event require Parking Control assistance? To hire a Parking Control Officer(s) to be on site at your event, please call 207-874-8910 well in advance to arrange.		X- No	
*	Will your event require portable-restroom rental(s) or need existing porta-restrooms cleaned? (Some of the parks already have porta-restrooms. Event participants may use these, but a \$25 fee is assessed for events where attendance is 150 or more.) Porta-restrooms may be rented from any of the local companies. Units currently on site are through Associated Septic. 1 unit/50 people when serving alcohol 1 unit/75 people with no alcohol		X-No	Include on Site Plan
*	Will your event require waste management and recycling? What is the waste management plan?		X-No, Garbage to Garden	Include on Site Plan & Event Components
	For events where more than two thousand (2,000) individuals anticipated to gather or participate in the event or activity in the park, the permittee shall provide a bond in the form of cash, certified check or surety bond from a surety company qualified to do business in the State of Maine in an amount of not less than two thousand dollars (\$2,000.00). Such a bond shall be utilized to guarantee cleanup of the area and shall be applied against claims by the city for excessive damage to real or personal property in the park.	X	will be managing cleanup	Required

INSURANCE CERTIFICATE INFORMATION

*	Will your event require liability Insurance? (Commercial liability insurance is required for a walkathon, race, festival, press conference, concert, etc. Product liability insurance is also required if the event has been approved for serving food.)	X		Required
♦ If you answered YES, you shall procure and maintain occurrence-based Commercial General Liability and Product Liability Insurance, when required, in an amount not less than Four Hundred Thousand Dollars (\$400,000.00) per occurrence for bodily injury, death and property damage. You shall name the City of Portland as an additional insured or shall obtain a general liability extension endorsement, for coverage only in those areas where government immunity has been expressly waived by 14 M.R.S. A. § 8104-A, as limited by § 8104-B, and § 8111. The terms of this permit and the insurance coverage shall not be deemed a waiver of any defenses, immunities or limitations of liability or damages available to the CITY under the Maine Tort Claims Act, other Maine statutory law, judicial precedent, common law, or any other defenses, immunities or limitations of liability available to the City. You shall also be responsible for any and all deductibles and/or self-insured retentions. ♦ Both the Certificate of Insurance and Additional Insured Endorsement shall be sent to rgroh@portlandmaine.gov and must state that the policy is endorsed to name the City of Portland as an additional insured pursuant to the date of the event (and rain date).				

PUBLIC ASSEMBLY FACILITIES DIVISION POLICIES

EVENT REVIEW

The PAFD Office holds a monthly meeting where proposed events are discussed and reviewed by City Departments. For some events, organizers will be asked to present before the committee. Some potential factors may necessitate your event receive City Council approval.

ELECTRICITY

All cords in the public way must be covered by rugs, mats or orange cones to avoid public hazard. If weather is inclement (drizzle, rain, snow, etc.) we require that you **not use** electricity, unless all connections and equipment are covered and protected from the elements. If a generator is used, please take all necessary measures to ensure safe operation. Bring a fire extinguisher, set generator up away from activities (and combustibles), store fuel source away from the generator and keep children away from the generator.

BARBECUES - GAS GRILLS ONLY

Only GAS GRILLS are allowed in parks/public spaces – i.e. No Charcoal Grills or open burning. Barbecuing must first be approved by PAFD Office and is subject to weather conditions, and possible further review by the Fire Dept. Grills must be set up away from children's activities. You are required to have a fire extinguisher with in the grilling area.

PORTA-RESTROOMS / BATHROOM FACILITIES

Porta-Restrooms are required for large events and events where refreshments are being served. Some of Portland's parks already have portable restrooms from Associate Septic on site (*Preble Street Grass Area at the Preble Street Parking Lot – across from Hannaford's, *Entrance to Dyer's Flat – beside Payson Park, *Deering Oaks Park – Playground + Ravine, *East End Beach - Winter & Early Spring: Just EEB.) If over 150 people are expected to attend the event, a \$25 user fee is required (paid to PAFD). If extra units are rented by the organizer, then no additional user fee is assessed. Porta-restrooms are cleaned M, W, & F. If you would like to guarantee that they are cleaned just prior to your event, then you need to

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call the porta-restroom company (Associated Septic / Royal Flush, 207-799-1980, M-F) to request and pay for a cleaning. If renting units, the organizer has the option of renting from Associated Septic / Royal Flush, or from other local companies.

TRASH

All groups must abide by our Carry In/ Carry Out Policy. Please bring extra trash bags and/or trash receptacles and remove all trash. Do not use existing trash barrels or the metal liners inside. You will need to haul all of your trash out of the park/public space or forfeit the security deposit(s). Please recycle whenever possible, (please do not use Styrofoam - it is NOT recyclable). The area will be checked following your event; if the park is clean and conditions for use adhered to, your security deposit will be returned to you. Thank you in advance!

MARKING OF GROUNDS

Please DO NOT mark city property in any permanent way.
DO NOT use SPRAY PAINT or SPRAY CHALK. DO NOT STAPLE or NAIL anything to trees.
Children's Art Chalk can be used on hardscape areas with permission from PAFD Office. Tape may also be used. If markings remain for more than a few rain storms, event organizers are responsible for removing them.
If city staff or contractors need to remove the markings, event organizers are responsible for the cost of staff time and materials. You may also place signs on stakes in the grass areas bordering trails/race routes (when applicable).
Please remove all signage immediately following the event.

USE OF CANDLES

It is preferred that LED lighted candles or glow sticks are used. If flammable candles are used this may need to be approved by the Portland Fire Department. Please make sure all candles have drip protectors to prevent wax from dripping on hardscape surfaces, which may cause permanent stains/damage. Please make sure all candles are extinguished before being thrown away. Please collect all spent candles so there is no trash left behind. Please take safety precautions: bring a fire extinguisher, gallon of water, etc. in case of fire. **Any damage** (dripped wax absorbed into hardscape causing stains, etc.) **will result in a forfeiture of your security deposit.**

ADA COMPLIANCE

Event organizer must comply with the Americans with Disabilities Act (ADA) and the Maine Human Rights Act (MHRA), including maintaining the permitted use area and all public rights-of-way accessible during the entirety of the permitted event. In the event the permitted area is rendered inaccessible to disabled persons, and/or by request of PAFD staff, the organizer shall act immediately to provide accessibility. All requests to provide interpretive services shall be the responsibility of the organizer to provide and pay for such services. The organizer shall defend, indemnify, and hold the City harmless from any and all liability and damages resulting from alleged violations of the ADA and/or MHRA.

PARKING ON GRASS AREAS / SIDEWALKS / ILLEGALLY PARKED VEHICLES

Vehicles are prohibited from parking on grass areas/sidewalks/park streets (unless specifically approved by city staff). \$20 will be deducted from your security deposit for each vehicle parked on grass/sidewalk areas or vehicles parked illegally. **Any tire ruts/damage to the grass areas will result in a forfeiture of your security deposit.**

RESERVED PARKING

To reserve parking for your event, please contact the PAFD Office (808-5400 x0). Staff will review your request and can issue you "No Parking" signs (\$25 each*). You will need to label signs and tape them to meters or signposts AT LEAST 24 HOURS PRIOR TO YOUR EVENT. (NOTE: If event is on a Sunday or Monday, NP Signs may need to be posted on the preceding Friday by Noon.) Please do not cover up coin slots on meters. If the reserved parking area has no actual parking meters, you may need to tape signs to sign posts, utility poles, trees, or orange cones (placed on the sidewalk beside the street). Please make sure signs are removed once the event is complete.

FIREWORKS

Organizers wishing to have fireworks as part of their event must contact the Portland Fire Department directly. Permits will need to be obtained through the Portland Fire Department, the State of Maine and possibly through the US Coast Guard.

ALCOHOL / SMOKE-FREE ZONES

By city ordinance, smoking a cigar, cigarette, pipe, marijuana, electronic cigarette, electronic cigar, electronic pipe, or other similar product that relies on vaporization or aerosolization, is prohibited at and within 20 feet of the following outdoor recreation and event areas: downtown squares and plazas, trails, parks, playgrounds, beaches, and athletic facilities. Consumption of alcohol is prohibited in public spaces unless specifically approved by City Council. Please inform all participants / attendees.

AMPLIFIED SOUND POLICY

Outdoor events with amplified sound may require an Entertainment License from the PAFD Office.
If the Police Dept./City Staff receive noise complaints, they will respond accordingly.
Please set the PA System up with speakers facing away from businesses/residences to lessen impact.
Please keep volume levels low out of consideration for nearby residents and businesses.
The Permittee (organizer) shall not allow the sound emanating from the event to exceed an A-weighted 85 decibels / C-weighted 95 decibels. One verbal warning shall be issued if the sound has been found to have exceeded those limits. The warning may be given to the sound board operator or the organizer/organizer's designee. If the decibel limit is found to have been exceeded a second time during the same event, the entertainment license (or permission to use a bullhorn/PA system) shall be immediately suspended, the PA system / amplification / bullhorn turned off, and the sound security deposit forfeited.

CANCELATION POLICY

Events must be canceled with PAFD prior to the event date in order to be eligible for a refund.
If canceled within 2 weeks of the scheduled event date, a \$75 cancellation fee may be charged.

NOTIFICATION

Please keep a copy of your event permit on site at all times. City staff may require proof of permit.
 If there are members of the public in the reserved space upon arrival, please present the permit as proof of reservation & approved usage. If you need assistance, please contact the Police Department at (207) 874-8574..
 You may put up temporary A-frame signs to alert the public to your event or place signage on orange cones, etc. Signs are to be up DAY OF EVENT ONLY. Please remove all signage immediately following the event.
 Please call Portland Police Dept. (874-8574) on the day of your event to remind them it is taking place.
 Please notify any nearby neighborhoods, businesses, including restaurants that may have tables out for dining, to alert them to your event.

STREET CLOSURE NOTIFICATION

Should an event involve a Street Closure, lasting longer than an hour, PAFD Office requires organizers to give advanced notification to area businesses, residents and bus companies (in the form of a "Street Closure Sign Off Sheet"). If an event impacts METRO Buses, the organizer (in advance) must discuss detour plans with Parks Rec and Facilities..

REVOCABLE PERMIT

- ◆ The City reserves the unconditional right to control or cancel events to protect and/or prohibit damage to public property.
- ◆ The City reserves the unconditional right to revoke or revise an issued permit.
- ◆ Police or City Staff on site may use their discretion to revise conditions of use.

I HAVE READ AND UNDERSTAND ALL OF THE ABOVE POLICIES	TYPE INITIALS	TS	DATE	4/7/2025
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ASSUMPTION OF RISK & LIABILITY

Users of the area agree to accept the grounds in an "as is" condition and shall be responsible for all risk and liability in using the park/public space area for the said event. By returning this form (should permission be granted to use city property), the above parties agree to indemnify, defend, and hold harmless the City of Portland, its employees and agents, from and against all claims arising out of activities during said event.

I have read the Assumption of Risk & Liability Agreement	TYPE INITIALS	TS	DATE	4/7/2025
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PLEASE INITIAL & DATE HIGH-LIGHTED YELLOW BOXES ABOVE.

PLEASE RETURN FORM AT LEAST 60 DAYS IN ADVANCE TO:

◆ Public Assembly Facilities Div. ~ 212 Canco Rd. ~ Portland ~ ME ~ 04103 **EMAIL PREFERRED:** rgroh@portlandmaine.gov

FEE SCHEDULE – UPDATED JULY 1, 2019
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Fees are tiered and assigned based on the level of demand placed on City resources and impact on City infrastructure.

Simple Event (no registration fee): \$75/hour Event with registration or pledges & attendance 25 - 300: \$125/hr Event with registration or pledges & attendance 301+: \$225/hr Film/Photo Shoot: \$150/day Public Space/Park Security Deposit: \$100 - \$1000 Sound Security Deposit: \$100 - \$1,000 Impact/Street Closure Fee (variable based on impact): \$100-\$500 Staff Fee (on site event support): \$37/hour Administrative Fee (event coordination support): \$40/hour or more Reserved Parking: \$25 each space Cancellation Fee: \$75	Electricity (activation/deactivation) Fee: \$40/flat Porta Restroom User Fee (if attendance is 150+): \$25 Entertainment License: \$50 Barricades: \$5/ea. Rental Fee + \$25/ea. Security Deposit Bike Racks: \$10/ea. Rental Fee + \$25/ea. Security Deposit Flashing Lights: \$10/ea. Rental Fee + \$40/ea. Security Deposit Cones: \$2/ea. Rental Fee + \$15/ea. Security Deposit Safety Vests: \$15/ea. Security Deposit Keys: \$50/ea. Security Deposit Equipment Delivery Fee: \$100 or more Fortification Fee: TBD
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TOTAL AMOUNT(S) DUE TO PUBLIC ASSEMBLY FACILITIES DIVISION (Please make all security deposit checks out separately)			
Permit Fee for use of area:	\$	Entertainment License Fee:	\$
Number of Hours of Use: Approx. 10		Equipment Rental Fee:	\$
Staff Fee (on site event support):	\$	Public Space / Park / Sound Security Deposit:	\$
Admin. Fee (event coordination support):	\$	Borrowed / Rented Equipment Deposit:	\$
Electricity Fee (activation/deactivation):	\$	Additional Fees: (Porta-Restroom User Fee, "No Parking" Signs, etc.)	\$
Impact/Street Closure Fee (variable based on impact):	\$		

CITY OF PORTLAND ACCEPTS CASH, CHECK, MONEY ORDER AND CREDIT / DEBIT CARDS FOR PAYMENT
Checks should be made payable to City of Portland There will be a 2.65% processing fee added to all Debit / Credit Card transactions.

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FOR OFFICE USE ONLY							
APPLICATION FEE:	\$ 25.00	PERMIT FEE:	\$	SECURITY DEPOSIT:	\$	INSURANCE NEEDED?	Y / N
DATE RECEIVED:		DATE RECEIVED:		DATE RECEIVED:		DATE RECEIVED:	

Merchandise -Do you wish to sell **non-food items** (like T-shirts, crafts, cd's, etc.)? If so, please apply for a **Street Goods Vendor License(s)** at the Business Licensing Office (207-874-8557)
<https://content.civicplus.com/api/assets/9ef5d795-ac26-4794-9e38-c2f0bb9c9f04?cache=1800>

Tents/Stages -Do you wish to set up a **tent(s)** and/or **stage(s)**? A canopy/tent or stage larger than 10'x10' needs a **Temporary Tent or Stage Permit** issued by Building Inspections
<https://content.civicplus.com/api/assets/376697a8-b6ac-4a4c-babc-9dbcf1e61eb8>

Alcohol sales -Do you wish to sell **alcohol**? You must complete the application for a **Liquor License** specific to your event through the State of Maine and submit the application to the City of Portland Business Licensing office first. Application will need City of Portland's approval prior to going to the State.

Questions? please contact the Division of Liquor Licensing and Enforcement at (207) 624-7220/email

MaineLiquor@maine.gov. <https://www.maine.gov/dafs/bablo/liquor-licensing/license-and-permit-applications>

Food Sales - Will there be food vendors? If so, you must apply for a **Temporary Food Service License** from the Business Licensing Office.

<https://content.civicplus.com/api/assets/12f35a2a-e2a4-4d87-bf05-9ec89545e996?cache=1800>

Police - Will your event require **Police** assistance?

<https://portlandmaine-portal.app.transform.civicplus.com/forms/26740>

Fire/EMS - Will your event require **Fire/EMS** assistance? Email Fire Department

- fireprevention@portlandmaine.gov

MEMORANDUM
City Council Agenda Item

FROM:

DATE: April 22, 2025

SUBJECT: Order 180-24/25 Granting Municipal Officers' Approval of GT Peaks LLC, dba Jones Landing. Application for Class I FSE with Outdoor Entertainment and Outdoor Dining on Private Property at 6 Welch Street - Sponsored by Danielle P. West, City Manager

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

Can action be taken at a later date: No If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: N/A

PRESENTATION: Please list the presenter(s), type, and length of presentation

I. SUMMARY

II. AGENDA DESCRIPTION

Application was filed on 4/11/25. Change of ownership of an existing establishment.

Five affirmative votes are required for passage of items on the consent calendar after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is \$50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 2025.05.05_Jones Landing_Council Order
2. Jones Landing_Council Packet

Prepared by:

Date: 04/22/2025

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL D. FOURNIER (A/L)
BENJAMIN GRANT (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

SARAH MICHNIEWICZ (1)
WESLEY PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

**GT Peaks LLC, dba Jones Landing. Application for Class I FSE with Outdoor
Entertainment and Outdoor Dining on Private Property at 6 Welch Street**

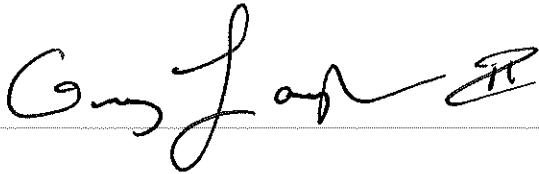
03/10/2025

Dear Sir,

This letter is to gain approval for outdoor dining at Jones Landing (Peaks Island) from you, the Mayor of Portland ME, as well as the City Council of Portland. The location of the Restaurant is 6 Welch St. Peaks Island ME, 04108. The outdoor deck, located on private property, overlooks Casco Bay and I intend to keep the long-standing tradition of *Jones Landing* serving lunch and dinner on the deck while enjoying the Maine Summer weather on Casco Bay. There will be no changes from last year, and operating hours will also remain the same, 11AM to 10PM Monday through Sunday.

Respectfully,

Guy Langelier II
GTPeaks LLC
5 Watts Farm Way
Falmouth, ME 04105
207-450-1954

A handwritten signature in black ink, appearing to read "Guy Langelier II", written over a horizontal line.



CITY OF PORTLAND, MAINE
Permitting and Inspections Department
Business Licensing and Housing Safety

Application for Food Service Establishment with Alcoholic Beverages License

Maine B.E.L.L.S. Application Information

File or Tracking Number from BELLS application: 51776	Date of Submission of BELLS application: 03-15-2025
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Business Information

Legal Business Entity Applicant Name (corporation, LLC): GT PEAKS LLC	Business Name (D/B/A): Jones Landing
Individual or Sole Proprietor Applicant Name(s): Guy Langelier II	Physical Location: 6 Welch St. Peaks Island 04108
If applicable, what was formerly at this location: Jones Landing Restaurant	Business Email Address: GUYLangelier10@yahoo.com
Mailing Address: 5 Watts Farm Way Falmouth 04105	Contact Person: Guy Langelier II
Contact Person Phone: 207-450-1954	Contact Person Email: GUYLangelier10@yahoo.com
Manager of Establishment: Amanda Cahoon	Date of Birth: NA
	Manager Phone: 207-229-5808
Owner of Premises (Landlord): Robin Clark	Address of Premises Owner (Landlord): 2 Welch St. Peaks Island

Sole Proprietor/Partnership Information (If Corporation, leave blank)

Name of Owner(s):	Date of Birth:	Residence Address:
Name of Owner(s):	Date of Birth:	Residence Address:

Corporate LLC Non-Profit Organization Applicants (If Sole Proprietor or Partnership, leave blank)

Corporate Name: GT Peaks LLC	Corporate Mailing Address: 5 Watts Farm Way Falmouth, ME 04105		
Contact Person: Guy Langelier II	Contact Phone: 207-450-1954		
Principal Officers	Title	Date of Birth	Residence Address
NA			
NA			
NA			



CITY OF PORTLAND, MAINE
Permitting and Inspections Department
Business Licensing and Housing Safety

Class of Liquor License (see fee schedule):		
Type of food served:	Basic Sea Food and Pub style menu	
Please select all that will be served:	☒ Beer ☒ Wine ☒ Liquor	
Projected percentage of sales:	Generated from Food: 60% Generated from Alcohol: 40%	
Hours & days of operation:	M-S 11:00 AM to 9:00 PM	
QUESTIONS	YES	NO
Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open?	☐	☒
If No, please explain: Pub style menu		
Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?	☐	☒
If yes, give the distance:		
Will you have entertainment on the premises? (If yes, a Supplemental Application for Entertainment is required.)	☒	☐
Will you permit dancing after 1:00 a.m.?	☐	☒
Will you have outside dining? (If yes, an Outdoor Dining Application is required)	☒	☐
If yes, will the outside dining be on: ☐ PUBLIC property or ☒ PRIVATE property		
Will you have any amusement devices (pinball, video games, juke box)?	☐	☒
If yes, please list: # of amusements: and # of pool tables:		
What is your targeted opening date? : 5/15/2025		
Does the Issuance of this license directly or indirectly benefit any City employee(s)?	☐	☒
If Yes, list name(s) of employee(s) and department(s):		
Have any of the applicants, including the corporation (if applicable), ever held a business license with the City of Portland?	☐	☒
If Yes, please list business name(s) and location(s):		
Is any principal officer under the age of 21?	☐	☒
Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?	☒	☐
If Yes, please explain: DWI 19 years ago - 2026		

I, Guy Langelier II do hereby swear and affirm that every employee in my establishment that serves alcohol to the public has attended server training, or will attend server training within 90 days of their hire. I also understand that at any time the City license administrator can, upon request, require me to produce Server Training certificates for each employee that serves alcohol to the public in my establishment. Failure to meet the training requirement imposed by section 15-41 may result in the denial of a liquor license pursuant to 28-A M.R.S.A. § 653 (2) (G).

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above licensee and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto. I/We, hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We, hereby waive any rights to privacy with respect thereto.

Signature Guy Langelier II Title Sole Owner Date 03/15/2025



CITY OF PORTLAND
Permitting and Inspections Department

**Outdoor Dining Permit on Private Property
Supplemental Application**

License accompanies a City of Portland Food Service Establishment or Food Service Establishment with Liquor License

☒ Outdoor Dining on Private Property \$125.00 ☐ Legal Advertisement Deposit \$100.00

Business Information	
Business Name (d/b/a):	Jones Landing Phone: 207-766-5652
Location Address:	6 Welch St. Peaks Island ME Zip: 04108
Mailing Address:	5 Watts Farm Way Falmouth Zip: 04105
Contact Person:	Guy Langelier Phone: 207-450-1954
Contact Person Email:	glangelier10@yahoo.com
Manager of Establishment:	Amanda Cahoon Date of Birth: NA Phone: 207-229-5808
Owner of Premises (Landlord):	Robin Clark
Address of Premises Owner:	2 Welch St. Peaks Island ME Zip: 04108

Owner Information

Corporate Name		Corporate Mailing Address	
GT Peaks LLC		5 Watts Farm Way Falmouth Zip: 04105	
Contact Person:	Guy Langelier	Phone:	207-450-1954
Principal Officers	Title	Date of Birth	Residence Address
Guy Langelier	owner	1-29-73	5 Watts Farm Way Falmouth
	100%		



CITY OF PORTLAND
Permitting and Inspections Department

- Outdoor dining components must be within the permitted area and allow safe passage of pedestrian traffic. Failure to comply may result in a revocation of the permit.
- The permit holder is responsible for keeping the outdoor seating area clean.
- No food shall be prepared in the designated outdoor dining area.
- All outdoor dining components shall be removed before snowfall and while any snow or ice exists within four feet of the outdoor dining area. The City will not be responsible for damage to any property that is not removed prior to sidewalk maintenance.
- Outdoor dining areas must meet ADA regulations and accessible seating is required.
- Request for the use of adjacent on street parking space for outdoor dining installations requires Parking Office and Building Authority review and approval.

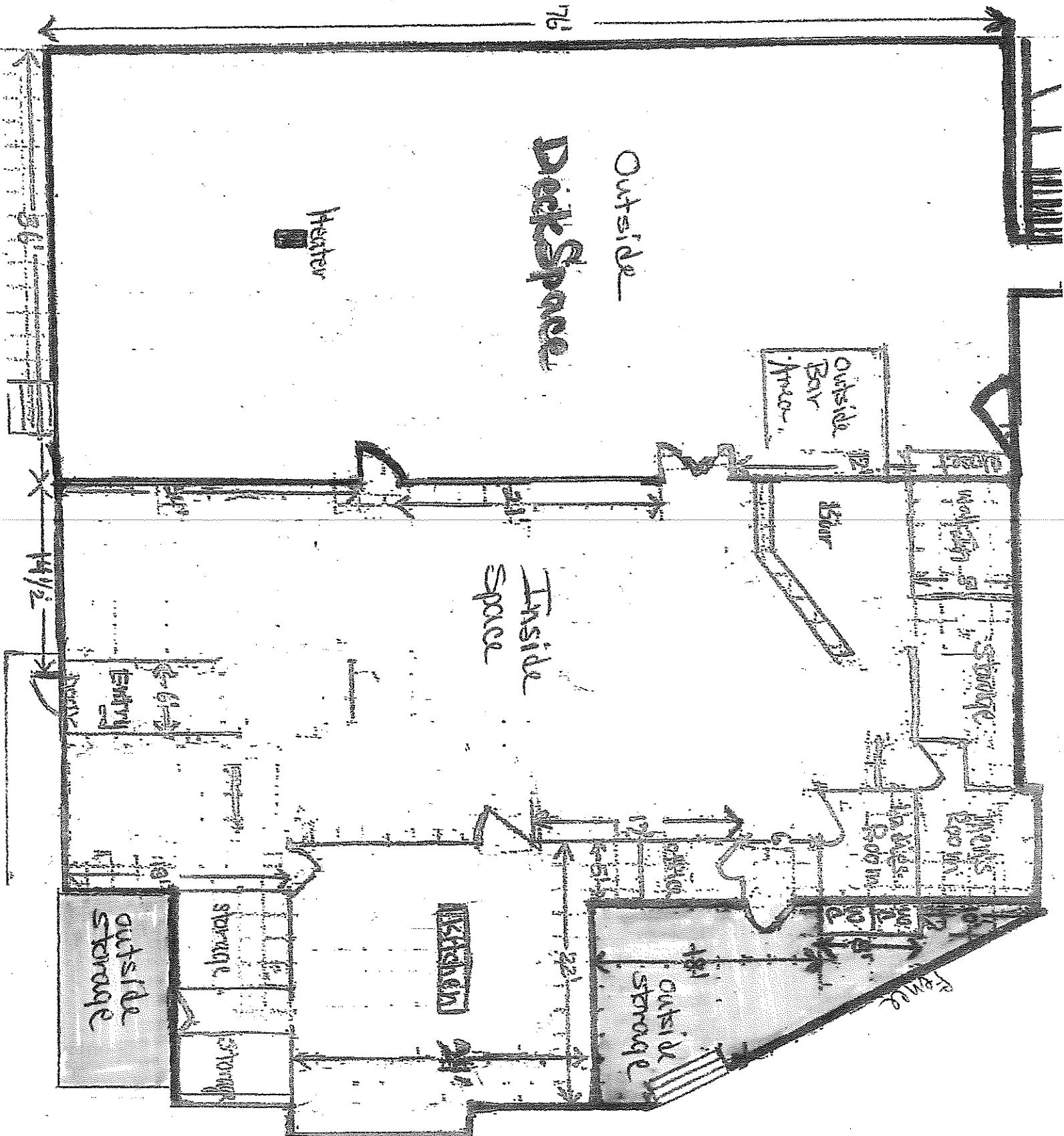
I/We fully understand that the City of Portland, its agents, officers and employees accept no responsibility and will not be liable for any injury, harm or damage to my/our person or property arising out of the establishment's occupancy of the sidewalk or park space. To the fullest extent permitted by law, I/We do hereby agree to assume all risk of injury, harm or damage to my/our person or property (including but not limited to all risk of injury, harm or damage to my/our property cause by the negligence of the City of Portland, its agents, officers or employees) arising out of the establishment's occupancy of the sidewalk or park space. I/We hereby agree, to the fullest extent permitted by law, to defend, indemnify and hold harmless the City of Portland, its agents, officers and employees, from and against all claims, damages, losses and expenses, just or unjust, including, but not limited to costs of defense and attorney's fees, arising out of the establishment's occupancy of the sidewalk or park space, provided that any such claims, damage, loss or expense (1) is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property including the loss of use there from, and (2) is caused in whole or in part by any negligent act or omission of the establishment, anyone directly or indirectly employed by it, or anyone for whose act it may be liable.

Signature *G. J. Large Jr* Title owner Date 3/10/2025

For Administrative Use Only

Amount: _____	Request Date / Approval	Notes: _____
Date Paid: _____	FD: _____	_____
CC _____ CA _____ CK _____	Health: _____	_____
	PD: _____	_____
Amount: _____	Treasury: _____	_____
Date Paid: _____	Zoning: _____	_____
CC _____ CA _____ CK _____		

Exhibit
2



2024

Exhibit 1

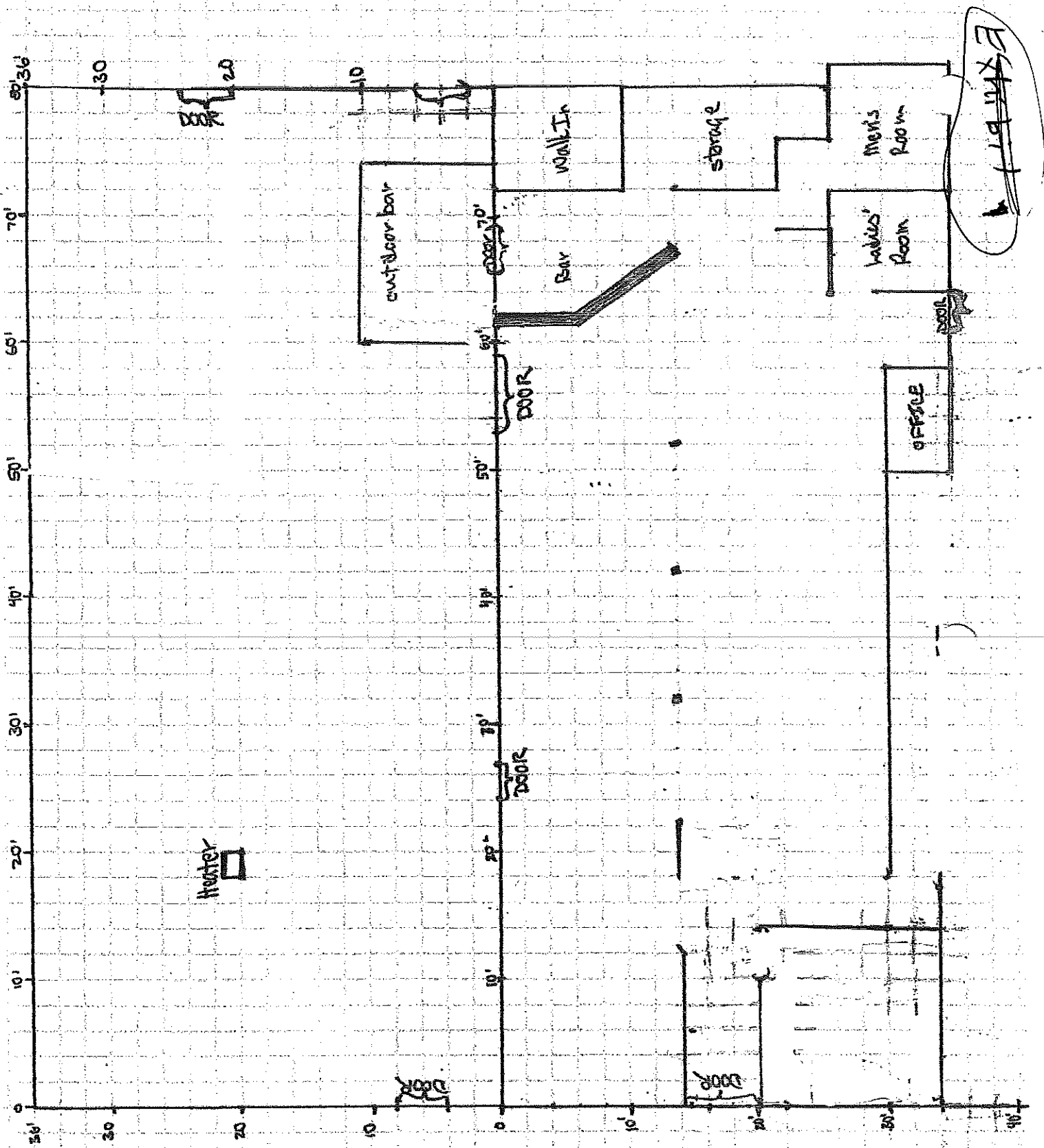


Exhibit 1



CATCH THE BOAT SNACKS

- Marinated Olives \$7
- Bar Nuts \$6
- Haddock Chowder \$5 cup
\$15 bowl
- Creamy New England style chowder
with potatoes and celery
- French Fries \$7

APPETIZERS

- Coconut Shrimp \$17
- Served with Bang Bang Sauce
- Cajun Haddock Bites \$18
- Served with Lemon Aioli
- Buffalo Cauliflower \$15
- Served with Blue Cheese and Croutons

SALAD

- Hesse Salad \$13
- Mixed greens, tomato, pickled cucurbit, pickled red onion,
honey vinaigrette

SANDWICHES

- Jones Smash Burger \$22
- Two 4 oz beef patties, American cheese, lettuce, tomato,
onion, Chef's burger sauce
- Fried Eggplant Sandwich \$17
- Crispy fried eggplant, roasted red peppers, baby greens, and
honey aioli
- Fish Sandwich \$21
- Coronated battered and fried OZ broiled blackened haddock,
lettuce, tomato, onion, and house-made tartar
- Lobster Roll \$12
- Traditional Maine lobster roll served with French fries
- Avocado Crab Melt \$28
- Crab salad, avocado, cheddar, tomato, and cheddar on an
open faced sandwich

ENTREES

- Fish and Chips \$27
- Coronated battered haddock and french fries served
with tartar sauce
- Seafood Sauté \$34
- Fresh Maine seafood and garlic sautéed in a lemon
butter cream sauce with cornstarch
- Steak and Rice Bowl \$27
- Grilled steak with pineapple, bell peppers, pickled
veggies, cilantro, and spicy mayo served over rice



CITY OF PORTLAND
Permitting and Inspections Department

Application for an Entertainment License

☐ Indoor Entertainment \$500.00	☒ Outdoor Entertainment \$700.00	☐ Combined Entertainment \$800.00
☒ Sound Mitigation Fee \$150.00		

Business Information	
Establishment Name (d/b/a):	Jones Landing Phone: 207-744-5652
Location Address:	6 Welch St. Peaks Island ME Zip: 04108
Owner Name:	Guy Langelier Phone: 207-450-1954
Owner Email:	GLangelier10@yahoo.com
Contact Person responsible for Entertainment:	Amanda Cahoon Phone: 207-229-5808
Contact Person Email:	JonesLandingmaine@gmail.com
Manager of Establishment:	Amanda Cahoon Phone: 207-229-5808
Manager Email:	JonesLandingmaine@gmail.com

About Your Establishment

Describe in detail the type and nature of the business and proposed entertainment:

Jones Landing is a indoor/outdoor restaurant serving a seafood and pub style menu. We will have some entertainment 1-3 days a week. Music is soft rock as well as classic rock.

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above license and further agrees that any misstatement of material fact may result in refusal of license or revocation, if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

Signature Guy Langelier Title owner Date 3/10/2025

For more information, refer to the City Code of Ordinance: Chapter 4 Amusements, at www.portlandmaine.gov

Jones Landing Sound Mitigation

6 Welch Street Peaks Island, ME 04108

Anticipated Sound Readings as well as **Anticipated Decibel Readings** for indoor stage location will be within **65-80 dB range** based on the stage location and size of the room, and kind of music.

The indoor stage is 40 feet straight across from the outer wall, which is the outer wall onto the deck. The stage is 30 feet from the outdoor wall to the left of the stage

The stage is 30 feet from the outdoor wall to the right of the stage
The estimated decibel from the stage to the left and right will range in the 65-80 dB range.

The estimated decibel to the outdoor wall across from the stage, to the right and left will be 55-65 range each way.

The estimated decibel to the property line to the right will be 45-55 range

The estimated decibel to the closet residence will be 25-35

One thing to note: The landlord of Jones Landing is the home owner of the nearest house. She is a frequent guest when there is music.

See attached diagram attached for the location of the stage. As well as the location of the nearest resident, which is 150 feet away from Jones Landing.

Anticipated Sound Readings as well as **Anticipated Decibel Readings** for outdoor location will range within **65-75 dB range** based on the stage set up and kind of music, as well as being outside.

The stage is 40 feet from the outer wall to the end of the deck, overlooking the ocean.

The stage is 30 feet left from the outdoor wall to the side deck of the stage. (Street side)

The stage is 30 feet from the outdoor wall to the right-side deck of the stage (property line)
The estimated decibel from the stage and to the left and right will range in the **65-75 dB range**.

The estimated decibel to the outdoor wall to the right and left, which is the street on one side and property line on the other will be **55-65 dB range**

The estimated decibel to the closet residence will be **20-30 dB range**

Jones Landing will take into effect.

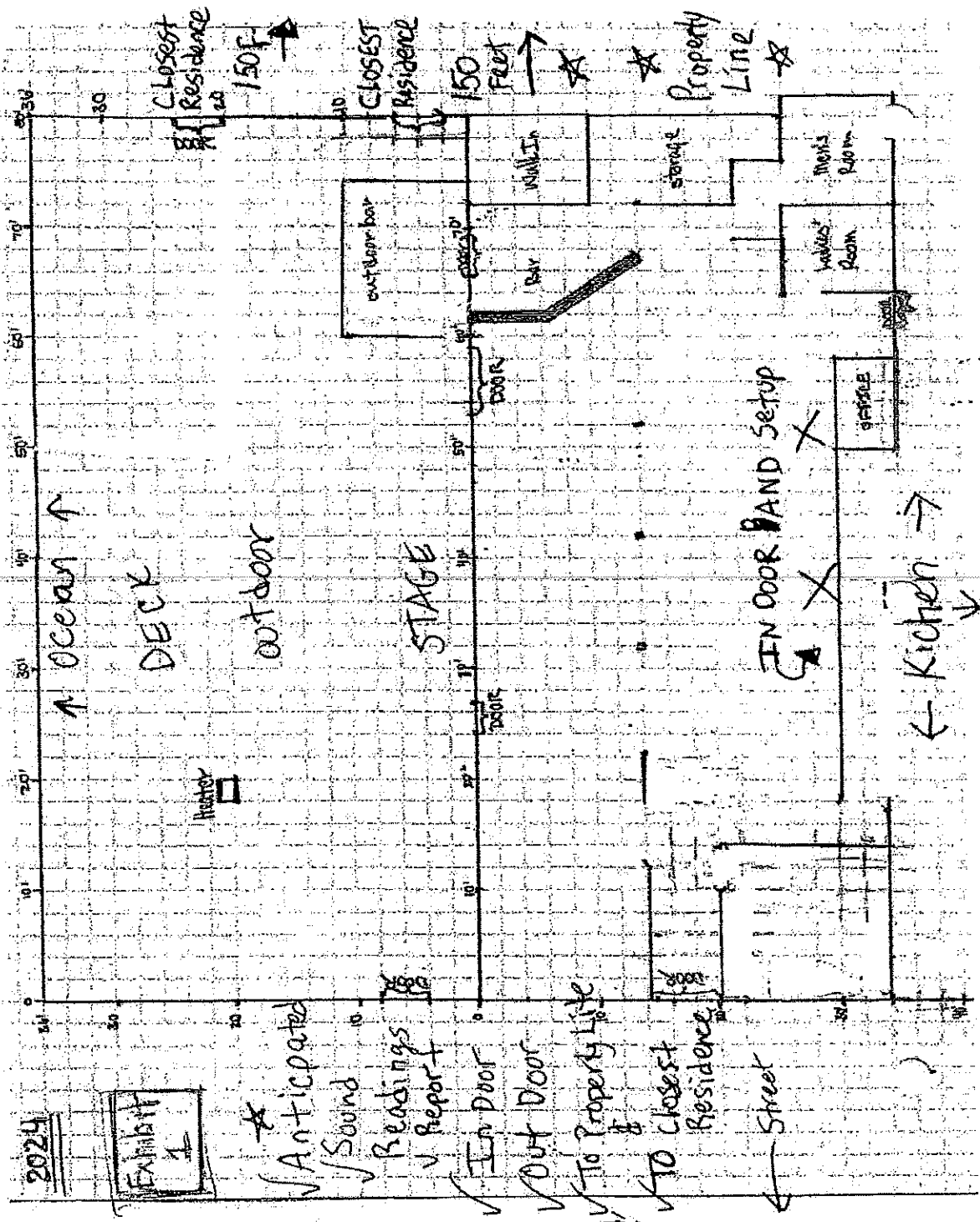
Fact: Generally, music decibel levels are anticipated to be higher indoors than outdoors due to the reverberation and amplification of sound within enclosed spaces. In 2024 there was only one band inside all year.

Fact: As distance from a sound source doubles, the sound level typically decreases by about 6 decibels (dB) due to the inverse square law, meaning sound intensity decreases with the square of the distance.

Soft Music: typically falls within the 65-80 dB range.

Sound levels: are measured in decibels (dB), with 70 dBA or lower generally considered safe for extended listening.

See attached diagram



4/11/25, 11:33 AM

16,457 unread - glangeller10@yahoo.com - Yahoo Mail

Kathryn Sawyer
Re: Jones Landing - Open messageCorporate Supplement.pdf
Page 1 of 1**Corporate Supplement**

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

1. Exact legal name: GT Peaks LLC
2. Doing Business As, if any: Jones Landing
3. Date of filing with Secretary of State: 04/01/2025 State in which you are formed: ME
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: NA
5. List the name and addresses, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

NAME	ADDRESS (5 YEARS)	TITLE	Ownership %
Guy Langelier	5 Watts Farm way Falmouth ME 04105	Owner	100%

Jones Landing_Class I FSE_6 Welch

Zoning <zoning@portlandmaine.gov>

Fri, Apr 25, 2025 at 12:50 PM

To: Zoning <zoning@portlandmaine.gov>

Cc: Zachary Lenhart <zlenhart@portlandmaine.gov>, Zachary Finley <zackf@portlandmaine.gov>, Ron Kelton <rkelton@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Katlyn Sawyer <ksawyer@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, "Lynch, Kim" <kim.lynch@maine.gov>, Benjamin Pearson <bnp@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, Business Licensing <bl@portlandmaine.gov>, cstacey <cstacey@portlandmaine.gov>

Good Afternoon,

The legal use for 6 Welch ST is restaurant. Zoning approves.

Thank you,

Mac

--

Mac Coldwell

City of Portland
Zoning Specialist
Permitting & Inspections Department
389 Congress ST, Room #315
Email: mcoldwell@portlandmaine.gov
he/him

[Quoted text hidden]

Legal Advertisement

Notice of Public Hearing City of Portland

A Public Hearing will be held on May 5, 2025 at 5:00 P.M., in City Council Chambers, 389 Congress St. for approval of GT Peaks LLC, dba Jones Landing. Application for Class I FSE with Outdoor Entertainment and Outdoor Dining on Private Property at 6 Welch Street - Sponsored by Danielle P. West, City Manager

City of Portland | Permitting and Inspections
Zachary Lenhert, Licensing and Housing Safety Manager



April 28, 2025

GT Peaks LLC
5 Watts Farm Way
Falmouth, Maine 04105

Re: GT Peaks LLC, dba Jones Landing. Application for Class I FSE with Outdoor Entertainment and Outdoor Dining on Private Property at 6 Welch Street

Dear GT Peaks LLC:

This letter shall serve as a reminder of the public hearing before the Portland City Council on Monday May 5, 2025 at 5:00 p.m., for the review of application for Class I FSE with Outdoor Entertainment and Outdoor Dining on Private Property at 6 Welch Street. The meeting will take place in person at Portland City Hall, in City Council Chambers on the 2nd Floor of 389 Congress Street.

You or a representative of the business must be present at this meeting in the event that the city council has questions regarding the license application. If there is no representation and questions arise, the item may be postponed.

Please contact our office directly with questions at (207) 874-8557 or at bl@portlandmaine.gov.

Sincerely,

Zachary J. Lenhert
Licensing and Housing Safety Manager



Application Copy

File Number: 51776

Job Type: New Application

LICENSE TYPE

On-Premises: Beer, Wine & Spirits

APPLICATION DATE RECEIVED

2025-03-05

SECONDARY LICENSE(S)

None selected

LICENSEE LEGAL NAME

GT Peaks LLC

LICENSEE TYPE

Limited Liability Company

DOING BUSINESS AS

Jones Landing

CORPORATE NUMBER

United States

INCORPORATION DATE

CORRESPONDENCE ADDRESS

5 Watts Farm Way Falmouth ME 04105

MAILING ADDRESS

PHYSICAL ADDRESS

CONTACT NAME

Guy Langelier

PREFERRED CONTACT METHOD

Email

CONTACT PHONE

(207) 450-1954

ALTERNATE PHONE

FAX

EMAIL

guylangelier10@yahoo.com

CORPORATE STRUCTURE

NAME	POSITION/TITLE	PARENT COMPANY	% INTEREST
GT Peaks LLC	Owner		100

ADDITIONAL INFORMATION

MANAGED BY AGENT

No

PREMISES TYPE

Class A Restaurant

PREMISES NAME

Jones Landing

OPERATOR

Guy Langelier

PHYSICAL ADDRESS

6 Welch Street Portland ME 04108

MAILING ADDRESS

5 Watts Farm Way Falmouth ME 04105

CONTACT NAME

Guy Langelier

PREFERRED CONTACT METHOD

Phone

CONTACT PHONE

(207) 450-1954

ALTERNATE PHONE

FAX

EMAIL

guylangelier10@yahoo.com

QUESTIONS

On-Premises: Beer, Wine & Spirit

1. Is your business and "Doing Business As" (DBA) name registered and in good standing with the Maine Secretary of State? If not, please address this with the Secretary of State before proceeding with this application.

Answer "No" if you are a Sole Proprietor.

No

2. What is your expected start date?

5/15

3. Has/have applicant(s) formerly held a Maine liquor license?

No

4. Do licensee or applicant(s) have any interest in any other Maine Liquor License?

No

5. Are all licensees/applicants citizens of the United States?

Yes

6. Are all licensees/applicants residents of the State of Maine?

Yes

7. Is your license for a club with a membership?

No

8. Is your license application for Vessel Corporation?

No

9. Do you have a valid and current health license issued by Maine Department of Health and Human Services OR the Department of Agriculture?"

No

- 10 Do you allow dancing or entertainment on the licensed premises?
If so, You need to have a a license from the Maine State Fire Marshal.
See <https://www.maine.gov/dps/fmo/plans-review/applications> for
more information.
- Yes
TBD
- 11 Will any law enforcement officer directly benefit financially from this
license, if issued?
- No
- 12 Is the licensee or applicant for a license receiving, directly or indirectly,
any money, credit, thing of value, endorsement of commercial paper,
guarantee of credit or financial assistance of any sort from any person
or entity within or without the State, if the person or entity is engaged,
directly or indirectly, in the manufacture, distribution, wholesale sale,
storage or transportation of liquor.
- No
- 13 Is the licensee/applicant(s) directly or indirectly giving aid or assistance
in the form of money, property, credit, or financial assistance of any
sort, to any person or business entity holding a liquor license granted
by the State of Maine?
- No
- 14 Do you have a manager employed?
- No
- 15 Has any of the listed applicants or an employed manager been denied
a liquor license within the last 5 years?
- No
- 16 Is any of the listed applicants the spouse, father, mother, child or other
immediate family member of a person whose liquor license has been
revoked or denied in the last 6 months?
- No

17 Has any licensee/applicant or employed manager ever been convicted of any violation of the liquor laws in Maine or any State of the United States within the last 5 years?

No

18 Has the licensee/applicant(s) or manager ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States?

No

19 Does the licensee/applicant(s) own the premises?

No

(document uploaded)

20 At which address are your business records located?

5 Watts Farm Way
Falmouth, ME 04105

21 What will be your business hours? Please indicate each day's open and close times.

11AM-9PM

22 Please provide the name and distance from the premises to the nearest school, school dormitory and place of place of worship, measured from the main entrance of the premises to the main entrance of the school, school dormitory and place of worship by the ordinary course of travel.

TBD there is on on the inland, but it's closed in the summer.

23 Is your application for a Hotel or Bed & Breakfast?

No

24 Do you have a food menu?

No

DOCUMENTS

TYPE	FILE NAME	DESCRIPTION
Lease/Rental Agreement	Jones Landing, Langelier.pdf	Lease

Corporate Supplemental Form

EIN and LLC Scanned
Document.pdf

EID and LLC

Premises Floor Plan

Jones Landing,
Langelier.pdf

Floor Plan is in the lease

APPLICANT

Guy Langelier

DECLARATION

- ☒ I certify that I am the applicant as described in this application, or that I am duly authorized to submit this application on the applicant's behalf.

All information provided in this application is accurate and correct. I understand that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

03/10/2025

Dear Sir,

This letter is to gain approval for a Liquor License for Jones Landing (Peaks Island) from you, the Mayor of Portland ME, as well as the City Council of Portland. The location of the Restaurant is 6 Welch St. Peaks Island ME, 04108. There will be no changes from last year, we will be selling Beer, Wine & Liquor and operating hours will also remain the same, 11AM to 10PM Monday through Sunday.

Respectfully,

Guy Langelier II
GTPeaks LLC
5 Watts Farm Way
Falmouth, ME 04105
207-450-1954

MEMORANDUM
City Council Agenda Item

FROM:

DATE: April 24, 2025

SUBJECT: THE CITY COUNCIL WILL HOLD A FIRST READ ON THE FISCAL YEAR 2026 SCHOOL BUDGET AT THIS COUNCIL MEETING (MAY 5, 2025) AND WILL ACCEPT PUBLIC COMMENT. THE SECOND READ AND A PUBLIC HEARING ON THE SCHOOL BUDGET WILL BE HELD ON MAY 19, 2025 AT 5:00 PM.

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

Can action be taken at a later date: No If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City:

PRESENTATION: Please list the presenter(s), type, and length of presentation

I. SUMMARY

II. AGENDA DESCRIPTION

The City Council Finance Committee voted on April 29, 2025 to recommend passage of FY26 School Board Recommended Budget as presented by Superintendent Scallon in the amount of \$162,800,974.00. Passed (3-0).

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is \$50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. FY26 Portland Public Schools Budget

Prepared by:

Date: 04/24/2025



Portland Public Schools

**Fiscal Year 2026
Board of Education
Recommended Budget**

April 8, 2025

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PORTLAND PUBLIC SCHOOLS

prepared & empowered

April 8, 2025

Mayor Dion and Members of the Portland City Council:

On behalf of the Portland Board of Public Education, I and Superintendent Ryan Scallon are presenting our recommended fiscal year 2026 budget for the Portland Public Schools to you, in accordance with the City Charter.

Our Board was unanimous at its April 8 meeting in approving this \$171.8 million Portland Public Schools budget for the 2025-2026 school year. Investments in this budget will increase academic rigor, foster a joyful and supportive school culture and set us on a path to providing more effective instruction to our students with disabilities. We feel strongly that this budget is a fair and responsible one that balances both the needs of our students and the pressure on Portland taxpayers.

Our recommended fiscal year 2026 (FY26) budget builds off a theme of “Funding our Priorities.” It is directly aligned to the five priorities of the district’s new Strategic Plan: achievement, equity, whole student, people and systems. The budget includes investments to strengthen the music program at the high schools, increase rigor and support at the middle schools, enhance reading support at the elementary schools, and provide additional staffing and programmatic support for special education district-wide.

This FY26 budget was developed after extensive engagement with the community, staff and school leadership, including a series of public hearings. The community’s involvement and support was vital in creating this budget. As with any budget, it entailed some hard decisions and trade-offs. However, the end result is a fair proposal focused on improving student experiences and outcomes – all within a fiscally responsible framework.

This budget would raise the school portion of the property tax rate by 5.33 percent (\$0.42 per \$1,000 of assessed value). For the owner of a median-priced \$500,000 home, the budget would raise property taxes by \$210 per year or \$17.50 per month.

Our recommended budget is \$28,000 higher than the budget that our Superintendent presented to the City’s Finance Committee. The Superintendent’s original budget proposal

on March 4, would have increased the school share of the property tax rate by 5.3 percent. Our recommended budget marginally increases that – it requires a 5.33 percent tax rate increase.

A key reason for that difference is that, at the time the Superintendent's and the Finance Committee's budgets were developed, the district had not yet received notice of the cost of employee medical premiums for FY26. Those budgets estimated that medical premium expenses would climb by 6 percent, but the district recently learned that the actual increase for medical premiums will be 9.6 percent. That's \$350,969 more than we originally budgeted.

In addition, we as a Board voted at our April 8 meeting to approve a new calendar for the 2025-2026 school year that includes the Jewish holiday of Yom Kippur and the Muslim holiday of Eid al-Fitr as school district holidays. That ensures that our students and staff at PPS, Maine's most diverse school district, can observe those major religious holidays with their families without having to miss school. The approximate cost of adding those two paid holidays is \$65,000 per day.

As a Board, we had the option of adding the full costs of the higher medical premiums and the two new holidays to the budget, increasing the budget's impact on local taxpayers. However, we instead opted to approve reductions in budgeted expenses to largely offset the new costs, adding just \$70,000 to the budget's bottom line.

While that boosts the budget's impact on the tax rate from 5.3 percent to 5.33 percent, the \$210 property tax increase for the owner of a \$500,000 median home would remain the same.

The reductions in the budget that we approved April 8 to realize savings were: reducing non-personnel costs to academics; restructuring the student enrollment process; changing to a free staff survey platform and reducing stipends in Human Resources; the elimination of the Multilingual Center's AmeriCorps contract and adjusting two positions from full time to four and three days a week respectively; and maintaining three physical therapists, as in FY25. Originally proposed for FY26 was four physical therapists (an increase of one), but we opted in our Board budget to instead have a small increase in contracted services for physical therapy.

Highlights of our Board recommended FY26 budget include:

Key investments:

- ***Access to Enrichment Subjects:*** Providing additional music teachers at Portland and Deering. That will move each school to two music teachers and also provide access to Casco Bay High School.
- ***Elementary Literacy:*** Adding early literacy education technicians at Title I schools in kindergarten classrooms.
- ***Special Education:*** Investing in staffing at Central Office to support programming in schools, and staffing and programming at the school level.
- ***Multilingual Learners:*** External evaluation of the current programming to ensure the most effective instruction and funding to increase the number of staff with ESOL credentialing.
- ***Early Childhood Capacity:*** Slight increase in staffing to prepare for the responsibility of special education services for three- and four-year-olds and the need to develop aligned district capacity.
- ***Adult Education:*** Consultant capacity to lead evaluation and planning process for the district's largest school, serving more than 2,000 adult learners each year.

Increased expenses:

Employee salaries: Budgeted to increase by just under 5 percent from FY25 to FY26.

Medical benefits: Increasing by 9.6 percent from FY25 to FY26. Before any adjustments in staffing, this would result in a \$2.2 million increase in expenses in FY26.

Debt Service: Increasing in FY26 by \$480,000.

Maine Paid Family Medical Leave program (PFML): The district's share will be \$505,000 in FY26.

Inflation: The overall costs of goods and services in the Northeast went up 3.7 percent in the past year.

Revenues: Unlike the City, which can raise fees for parking and other services to generate revenue, the school district is not able to raise revenue and so is dependent on such revenue sources as state education aid, grants and Title 1 funds. Here are some key revenue sources for FY26:

- ***Flat state funding:*** The state subsidy for the district is relatively flat for FY26, despite the increased needs of district students, including those with special needs and a high number of students experiencing homelessness. This is due to Portland's increasing property values. A community's property valuation is a key factor in the state school funding formula, and communities with a higher valuation are expected to bear a larger local share of their students' education costs. For FY25, the Portland Public Schools received \$26.21 million in state education aid and in FY26, the district's share of state aid is \$26.3 million.

- ***Use of fund balance:*** The Portland Public Schools has built up a fund balance. The budget calls for using a little more than \$3.9 million for one-time expenses to help lower the impact on property taxes while also increasing programming for students.
- ***Title Funding Decreasing:*** Title funds, which are federal funds that assist schools with high student concentrations of poverty in meeting educational goals, are going down \$604,000 or 18 percent.

In summary, for the second year in a row, the recommended FY26 budget is a comprehensive budget of all revenues and expenses, not only local funding. The recommended \$171.8 million budget consists of a local budget of approximately \$162.8 million and \$9 million in additional funds. This budget reflects a 6 percent or \$10.3 million increase compared to the \$161.4 million FY25 budget.

The budget requires an investment of \$127.2 million from local taxpayers. It would raise the school portion of the property tax rate by 5.33 percent (\$0.42 per \$1,000 of assessed value). For the owner of a median-priced \$500,000 home, the budget would raise property taxes by \$210 per year or \$17.50 per month.

As you know, the City of Portland is frequently cited as one of the most desirable places to live in our nation. Good schools are key to a great city, attracting the young families who help vitalize our community. Our budget makes key investments that will benefit our students, support our educators and ensure that we continue to be able to offer the quality education that helps our whole community thrive. We ask you to join us in supporting this budget and sending it to Portland voters for final approval on June 10. Thank you!

Respectfully submitted,

Sarah Lentz, Chair

Portland Board of Public Education

The background of the page features a large, light blue watermark of the Portland Public Schools logo. The logo consists of a circle with several triangular segments radiating from the center, resembling a compass rose or a stylized sun. The segments are of varying lengths and are arranged in a circular pattern.

Vision

All learners will be fully prepared to participate and succeed in a diverse and ever-changing world.

Mission

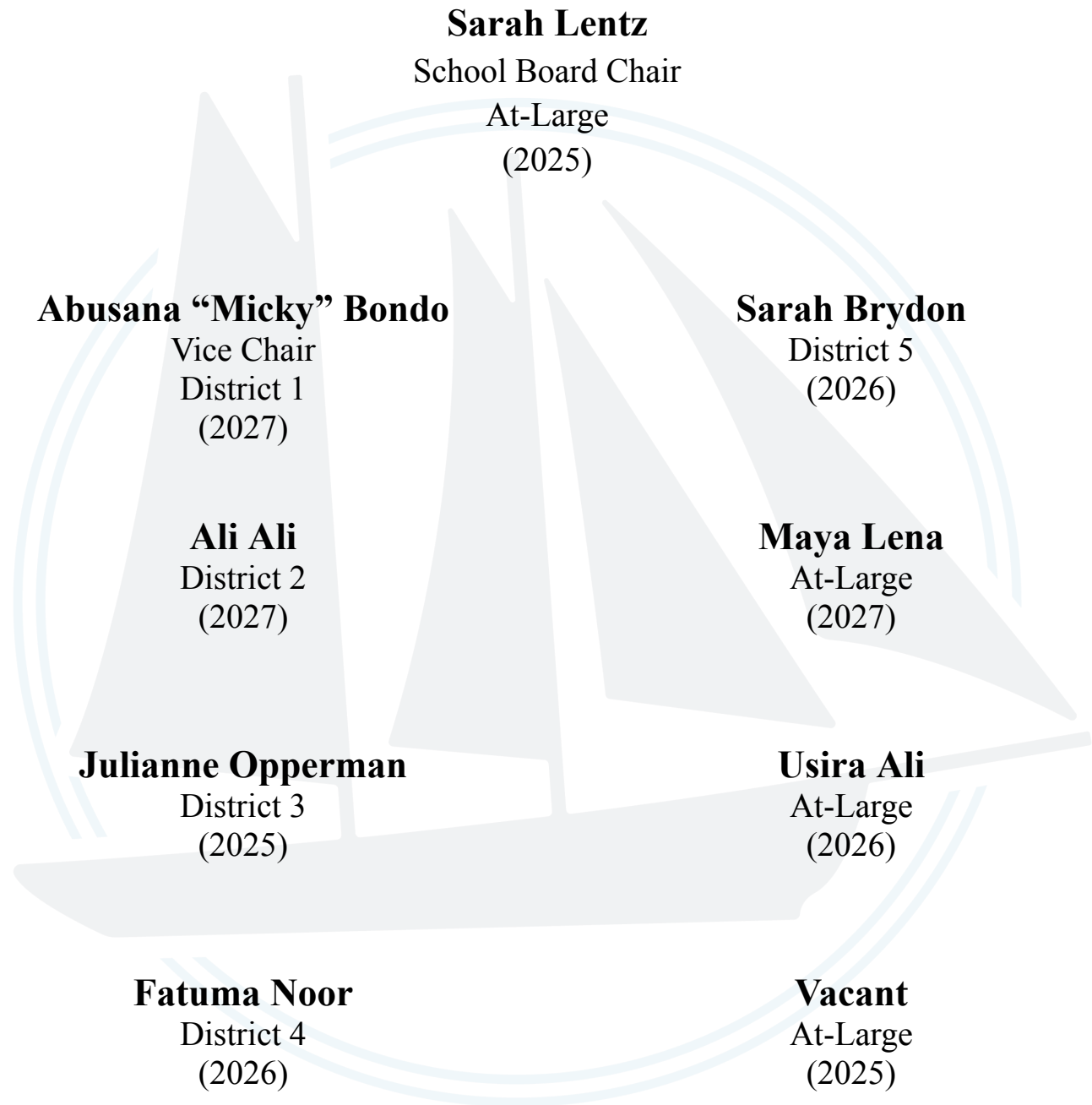
The Portland Public Schools is responsible for ensuring a challenging, relevant, and joyful education that empowers every learner to make a difference in the world. We build relationships among families, educators and the community to promote the healthy development and academic achievement of every learner.



Fiscal Year 2026 Budget Timeline

Date	Time	Activity	Location
Monday, December 9, 2024	6:00 PM	Finance Committee: Preview of Board Meeting Where Finance Team, Updates, and Finances Will Be Reviewed Board Exploration Questions	via Zoom
December 2024 - February 2025		Superintendent Works with District Staff	
Monday, January 27, 2025	7:00 PM	Finance Committee: Vote on CIP	via Zoom
Tuesday, February 4, 2025	6:00 PM	Public Forum on the 2026 School Year Budget	Board Meeting
Monday, February 10, 2025	6:00 PM	Finance Committee Review of Items From November	via Zoom
Tuesday, March 4, 2025	6:00 PM	Superintendent Presents Recommended Budget • <i>Must occur no later than 3.5 months before the end of the fiscal year</i>	School Board Meeting
Monday, March 10, 2025	6:00 PM	School Finance Committee Budget Review	via Zoom
Monday, March 17, 2025	6:00 PM	School Finance Committee Budget Review	via Zoom
Tuesday, March 18, 2025	6:00 PM	School Board Budget Workshop Following Regular Board Meeting	School Board Meeting
Thursday, March 20, 2025	5:00 PM	Joint City & School Finance Committee Meeting and Budget Review Meeting #1 • <i>Per City Charter, two (2) joint meetings must occur during the thirty (30) days following submission of the Superintendent's Proposed Budget to the School Board</i>	Joint Meeting via Zoom
Monday, March 24, 2025	6:00 PM	School Finance Committee Public Hearing and Vote on Budget to School Board For Approval	via Zoom
Thursday, March 27, 2025	5:00 PM	Joint City & School Finance Committee Meeting and Budget Review Meeting #2 • <i>Per City Charter, two (2) joint meetings must occur during the thirty (30) days following submission of the Superintendent's Proposed Budget to the School Board</i>	Joint Meeting via Zoom
Tuesday, April 1, 2025	6:00 PM	1st Reading of Recommended Budget and Public Hearing • <i>Per School Board Policy, at least two (2) public hearings on the school budget</i>	School Board Meeting
Tuesday, April 8, 2025	6:00 PM	2nd Reading of Recommended Budget and Public Hearing and Vote to Recommend Budget to City Council • <i>Per School Board Policy, at least two (2) public hearings on the school budget</i>	School Board Meeting
Tuesday, April 29, 2025	5:00 PM	Tenative: City Finance Committee Review & Refer School Board Budget and Vote to Recommend to City Council	City Finance Committee Meeting via Zoom
Monday, May 5, 2025	5:00 PM	Tenative: City Council 1st Reading of Budget at Public Hearing	City Council Meeting
Monday, May 19, 2025	5:00 PM	City Council 2nd Reading of Budget at Public Hearing and Vote for School Board Budget to Referendum	City Council Meeting
Tuesday, June 10, 2025		Public Referendum on School Budget • <i>Must occur 10 to 30 days following City Council approval</i>	

Portland Board of Public Education

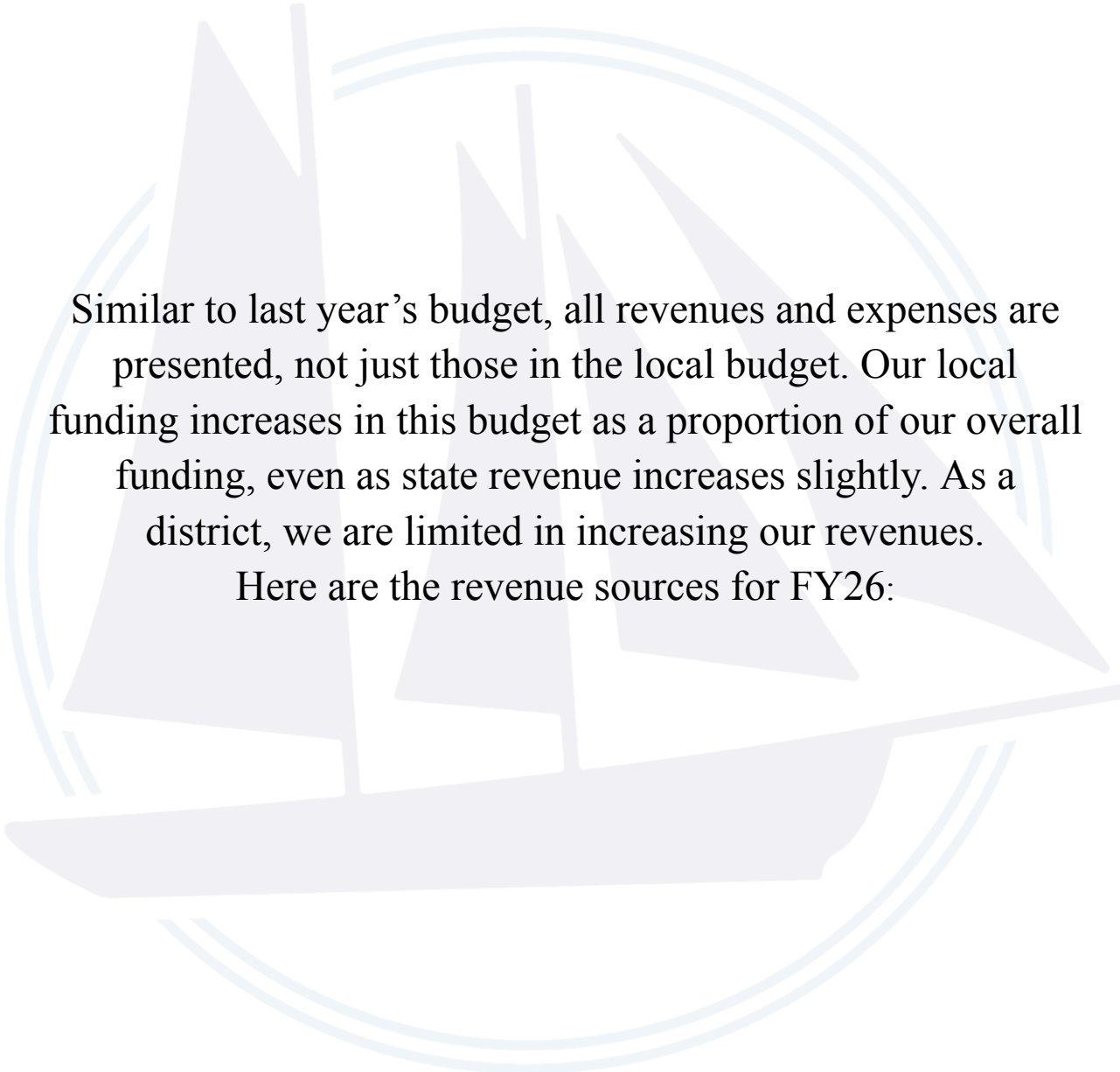


PORTLAND PUBLIC SCHOOLS



Fiscal Year 2026 Revenues

PORTLAND PUBLIC SCHOOLS



Similar to last year's budget, all revenues and expenses are presented, not just those in the local budget. Our local funding increases in this budget as a proportion of our overall funding, even as state revenue increases slightly. As a district, we are limited in increasing our revenues.

Here are the revenue sources for FY26:

Portland Public Schools
FY2026 Summary Revenue Budget
General, Adult Ed, and Food Service Funds - Summary
Board of Education Recommended Budget
April 8, 2025

	FY23	FY24	FY25	FY26 SUPT	FY26 Finance	FY26 Board		
	ACTUAL	ACTUAL	BUDGET	REC Mar 4	Comm Rev	Apr 1	Apr 8	\$ +/- v FY25
								% +/- v FY25
Local Revenue (non-tax)								
General	\$368,000	\$1,325,741	\$478,000	\$478,000	\$478,000	\$478,000	\$0	0.0%
Adult Ed	\$142,811	\$132,677	\$0	\$80,000	\$80,000	\$80,000	\$80,000	100.0%
Food Service	\$75,000	\$63,205	\$51,500	\$51,500	\$51,500	\$51,500	\$0	0.0%
Total Local Revenue	\$585,811	\$1,521,623	\$529,500	\$609,500	\$609,500	\$609,500	\$80,000	15.1%
State Revenue								
EPS	\$19,409,181	\$20,305,250	\$19,935,654	\$20,780,163	\$20,780,163	\$20,780,163	\$844,509	4.2%
Debt Service Reimb	\$2,108,369	\$3,214,721	\$3,108,476	\$2,855,075	\$2,855,075	\$2,855,075	-\$253,401	-8.2%
Multilingual Learner Hardship Funds	\$0	\$2,071,314	\$392,087	\$0	\$0	\$0	\$0	
Other	\$249,947	\$339,022	\$226,047	\$226,047	\$226,047	\$226,047	\$0	0.0%
Adult Ed	\$605,916	\$650,923	\$901,223	\$940,184	\$940,184	\$940,184	\$38,961	4.3%
Food Services	\$1,311,576	\$1,533,203	\$1,503,039	\$1,578,214	\$1,578,214	\$1,578,214	\$75,175	5.0%
Total State Revenue	\$23,684,989	\$28,114,433	\$26,066,526	\$26,379,683	\$26,379,683	\$26,379,683	\$705,244	1.2%
Federal Revenue								
General	\$259,730	\$282,040	\$345,000	\$445,000	\$445,000	\$445,000	\$100,000	29.0%
Food Services	\$2,508,976	\$3,000,577	\$3,019,337	\$3,147,141	\$3,147,141	\$3,147,141	\$127,804	4.2%
Total Federal Revenue	\$2,768,706	\$3,282,617	\$3,364,337	\$3,592,141	\$3,592,141	\$3,592,141	\$227,804	6.8%
Total Non-Tax Revenue	\$27,039,506	\$32,918,673	\$29,960,363	\$30,581,324	\$30,581,324	\$30,581,324	\$1,013,048	2.1%
Use of Fund Balance								
General	\$2,035,390	\$557,270	\$3,582,780	\$3,900,000	\$3,900,000	\$3,900,000	\$317,220	8.9%
Adult Education	\$20,000	\$190,736	\$100,000	\$236,889	\$236,889	\$236,889	\$136,889	136.9%
Food Services	\$125,000	\$18,048	\$1,000,000	\$856,782	\$856,782	\$856,782	-\$143,218	-14.3%
Total Fund Balance	\$2,180,390	\$766,055	\$4,682,780	\$4,993,671	\$4,993,671	\$4,993,671	\$310,891	6.6%
Property Taxes								
General Education	\$101,977,282	\$108,928,268	\$117,333,679	\$125,007,887	\$124,965,973	\$125,019,522	\$7,685,843	6.6%
Adult Education	\$1,869,211	\$1,921,740	\$2,068,945	\$2,190,006	\$2,190,006	\$2,206,457	\$137,512	6.6%
Food Services	\$4,578	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Total Property Tax	\$103,851,071	\$110,850,008	\$119,402,624	\$127,197,893	\$127,155,979	\$127,225,979	\$7,823,355	6.6%
Total Revenue	\$133,070,967	\$144,534,735	\$154,045,767	\$162,772,888	\$162,730,974	\$162,800,974	\$8,755,207	5.7%

Portland Public Schools
FY2026 Detailed Revenue Budget
General, Adult Ed, and Food Service Funds - Detail
Board of Education Recommended Budget
April 8, 2025

	FY23 ACTUAL	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/(-) v FY25	% +/- v FY25
GENERAL FUND								
<i>Local Revenue</i>								
Property Tax Revenue	\$101,977,282	\$108,928,268	\$117,333,679	\$125,007,887	\$124,965,973	\$125,019,522	\$7,685,843	6.6%
Tuition Public K-8	\$140,000	\$211,921	\$235,000	\$235,000	\$235,000	\$235,000	\$0	0.0%
Tuition Public 9-12	\$100,000	\$159,488	\$130,000	\$130,000	\$130,000	\$130,000	\$0	0.0%
Transportation - Other Org	\$90,000	\$63,772	\$50,000	\$50,000	\$50,000	\$50,000	\$0	0.0%
Interest on Investments	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$0	0.0%
Admissions 9-12	\$15,000	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Building Rentals	\$9,500	\$58,060	\$49,500	\$49,500	\$49,500	\$49,500	\$0	0.0%
Donations/Contributions	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Misc Local Revenue	\$10,000	\$818,650	\$10,000	\$10,000	\$10,000	\$10,000	\$0	0.0%
Sped revenue/Other Local Gov	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Refund Prior YR Expenditures	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Misc Sales and Refunds	\$500	\$0	\$500	\$500	\$500	\$500	\$0	0.0%
Proceeds from Disposal of Property	\$0	\$849	\$0	\$0	\$0	\$0	\$0	0.0%
Proceeds from Disposal of Buses	\$0	\$10,000	\$0	\$0	\$0	\$0	\$0	0.0%
Total Local	\$102,345,282	\$110,254,009	\$117,811,679	\$125,485,887	\$125,443,973	\$125,497,522	\$7,685,843	6.5%
<i>State Revenue</i>								
State Share EPS (State Subsidy)	\$19,409,181	\$20,305,250	\$19,935,654	\$20,780,163	\$20,780,163	\$20,780,163	\$844,509	4.2%
State Reimbursement Debt Service	\$2,108,369	\$3,214,721	\$3,108,476	\$2,855,075	\$2,855,075	\$2,855,075	-\$253,401	-8.2%
State Agency Client	\$196,047	\$213,689	\$226,047	\$226,047	\$226,047	\$226,047	\$0	0.0%
MultiLingual Learner Hardship Funds	\$0	\$2,071,314	\$392,087	\$0	\$0	\$0	-\$392,087	-100.0%
MLTI Distinguished Educator	\$0	\$82,333	\$0	\$0	\$0	\$0	\$0	0.0%
National Board - Salary Supplement	\$53,900	\$43,000	\$0	\$0	\$0	\$0	\$0	0.0%
Total State	\$21,767,497	\$25,930,307	\$23,662,264	\$23,861,285	\$23,861,285	\$23,861,285	\$199,021	0.8%
<i>Federal Revenue</i>								
MaineCare Medicaid Reimbursement	\$300,000	\$188,497	\$300,000	\$400,000	\$400,000	\$400,000	\$100,000	33.3%
Seed Withholding	(\$90,270)	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Federal Impact Aid	\$50,000	\$93,543	\$45,000	\$45,000	\$45,000	\$45,000	\$0	0.0%
Total Federal	\$259,730	\$282,040	\$345,000	\$445,000	\$445,000	\$445,000	\$100,000	29.0%
TOTAL GENERAL FUND	\$124,372,509	\$136,466,356	\$141,818,943	\$149,792,172	\$149,750,258	\$149,803,807	\$7,984,864	5.6%
USE OF FUND BALANCE	\$2,035,390	\$557,270	\$3,582,780	\$3,900,000	\$3,900,000	\$3,900,000	\$317,220	8.9%
TOTAL PRE-K-12 GENERAL FUND REVENUE & FUND BALANCE	\$126,407,899	\$137,023,625	\$145,401,723	\$153,692,172	\$153,650,258	\$153,703,807	\$8,302,084	5.7%
ADULT EDUCATION								
<i>Adult Education Local Revenue</i>								
Local Funds (tax levy)	\$1,869,211	\$1,921,740	\$2,068,945	\$2,190,006	\$2,190,006	\$2,206,457	\$137,512	6.6%
Tuition Individual Enrichment	\$67,811	\$130,706	\$0	\$0	\$0	\$0	\$0	0.0%
Tuition Individual Vocational	\$55,000	\$600	\$0	\$0	\$0	\$0	\$0	0.0%
Tuition Other Academic	\$20,000	\$1,372	\$0	\$80,000	\$80,000	\$80,000	\$80,000	100.0%
Adult Education Misc Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Fund Transfers	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Adult Education Local Revenue	\$2,012,022	\$2,054,417	\$2,068,945	\$2,270,006	\$2,270,006	\$2,286,457	\$217,512	10.5%
<i>Adult Education State Revenue</i>								
Adult Education State Subsidy	\$605,916	\$650,923	\$901,223	\$940,184	\$940,184	\$940,184	\$0	4.3%
Adult Education State Subsidy	\$605,916	\$650,923	\$901,223	\$940,184	\$940,184	\$940,184	\$0	4.3%
USE OF FUND BALANCE	\$20,000	\$190,736	\$100,000	\$236,889	\$236,889	\$236,889	\$136,889	136.9%
TOTAL ADULT EDUCATION REVENUE	\$2,637,938	\$2,896,077	\$3,070,168	\$3,447,079	\$3,447,079	\$3,463,530	\$393,362	12.8%
FOOD SERVICE								
<i>Food Service Local Revenue</i>								
Local Funds (tax levy)	\$4,578	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Daily Sales - Lunch	\$0	-\$57	\$0	\$0	\$0	\$0	\$0	0.0%
Daily Sales Non-Reimbursement	\$56,000	\$51,510	\$37,500	\$37,500	\$37,500	\$37,500	\$0	0.0%
Special Functions	\$10,000	\$1,532	\$5,000	\$5,000	\$5,000	\$5,000	\$0	0.0%
Building Rentals	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000	\$0	0.0%

Portland Public Schools
FY2026 Detailed Revenue Budget
General, Adult Ed, and Food Service Funds - Detail
Board of Education Recommended Budget
April 8, 2025

	FY23 ACTUAL	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/(-) v FY25	% +/- v FY25
Donations/Contributions	\$0	\$1,000	\$0	\$0	\$0	\$0	\$0	0.0%
Misc Sales and Refunds/Nutrition	\$3,000	\$3,220	\$3,000	\$3,000	\$3,000	\$3,000	\$0	0.0%
Food Services Local Revenue	\$79,578	\$63,205	\$51,500	\$51,500	\$51,500	\$51,500	\$0	0.0%
<i>Food Services State Revenue</i>								
State Reimbursement	\$1,306,576	\$1,097,799	\$1,090,814	\$1,148,765	\$1,148,765	\$1,148,765	\$57,951	5.3%
Local Produce	\$5,000	\$33,712	\$5,500	\$5,500	\$5,500	\$5,500	\$0	0.0%
Breakfast Reduced State	\$0	\$2,112	\$2,083	\$2,258	\$2,258	\$2,258	\$175	8.4%
Breakfast Paid State	\$0	\$399,580	\$404,642	\$421,691	\$421,691	\$421,691	\$17,049	4.2%
Food Services State Revenue	\$1,311,576	\$1,533,203	\$1,503,039	\$1,578,214	\$1,578,214	\$1,578,214	\$75,175	5.0%
<i>Food Service Federal Revenue</i>								
After School Snack	\$1,095	\$712	\$927	\$962	\$962	\$962	\$35	3.8%
Summer Food Program	\$139,155	\$13,606	\$119,525	\$118,276	\$118,276	\$118,276	-\$1,249	-1.0%
Performance Based Lunch	\$40,064	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Reimbursement Lunch - Regular	\$211,769	\$291,283	\$298,876	\$320,586	\$320,586	\$320,586	\$21,710	7.3%
Reimbursement Lunch - Reduced	\$28,028	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Reimbursement Lunch - Free	\$948,432	\$1,271,254	\$1,304,965	\$1,370,452	\$1,370,452	\$1,370,452	\$65,487	5.0%
Reimbursement Breakfast	\$716,425	\$774,496	\$808,285	\$790,258	\$790,258	\$790,258	-\$18,027	-2.2%
Federal Non-Food Assistance	\$0	\$10,448	\$0	\$0	\$0	\$0	\$0	0.0%
Payments in Lieu of Comm	\$227,508	\$234,290	\$227,257	\$282,870	\$282,870	\$282,870	\$55,613	24.5%
Fresh Fruits and Veggies	\$76,500	\$112,000	\$99,500	\$100,800	\$100,800	\$100,800	\$1,300	1.3%
Child/Adult Care Food Program	\$120,000	\$146,713	\$160,002	\$162,937	\$162,937	\$162,937	\$2,935	1.8%
Supply Chain Assistance Funds	\$0	\$145,774	\$0	\$0	\$0	\$0	\$0	0.0%
Food Services Federal Revenue	\$2,508,976	\$3,000,577	\$3,019,337	\$3,147,141	\$3,147,141	\$3,147,141	\$127,804	4.2%
USE OF FUND BALANCE	\$125,000	\$18,048	\$1,000,000	\$856,782	\$856,782	\$856,782	-\$143,218	-14.3%
TOTAL FOOD SERVICES REVENUE	\$4,025,130	\$4,615,033	\$5,573,876	\$5,633,637	\$5,633,637	\$5,633,637	\$59,761	1.1%
TOTAL REVENUE & OTHER FUNDING SOURCES	\$133,070,967	\$144,534,735	\$154,045,767	\$162,772,888	\$162,730,974	\$162,800,974	\$8,755,207	5.7%

**Portland Public Schools
FY2026 Detailed Revenue Budget
General, Adult Ed, and Food Service Funds - All Funds
Board of Education Recommended Budget
April 8, 2025**

	FY23 ACTUAL	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/- v FY25	% +/- v FY25
GENERAL								
Local Revenue								
General	\$102,345,282	\$110,254,009	\$117,811,679	\$125,485,887	\$125,443,973	\$125,497,522	\$7,685,843	6.5%
Adult Ed	\$2,012,022	\$2,054,417	\$2,068,945	\$2,270,006	\$2,270,006	\$2,286,457	\$217,512	10.5%
Food Service	\$79,578	\$63,205	\$51,500	\$51,500	\$51,500	\$51,500	\$0	0.0%
Total Local Revenue	\$104,436,882	\$112,371,631	\$119,932,124	\$127,807,393	\$127,765,479	\$127,835,479	\$7,903,355	6.6%
Local Grants								
Barr Grant - High School Redesign	\$166,667	\$48,000	\$0	\$195,000	\$195,000	\$195,000	\$195,000	100.0%
RREV: Outdoor/Experiential Learning	\$125,000	\$259,665	\$50,000	\$0	\$0	\$0	(\$50,000)	-100.0%
Total Local Grants	\$291,667	\$307,665	\$50,000	\$195,000	\$195,000	\$195,000	\$145,000	
Total Local Funds	\$104,728,549	\$112,679,296	\$119,982,124	\$128,002,393	\$127,960,479	\$128,030,479	\$8,048,355	
State Revenue								
State Share EPS (State Subsidy)	\$17,984,999	\$17,039,433	\$16,033,030	\$17,055,500	\$17,055,500	\$17,055,500	\$1,022,470	6.4%
Career & Technical Education Center Allocation	\$3,322,907	\$3,523,947	\$3,716,194	\$3,724,663	\$3,724,663	\$3,724,663	\$8,469	0.2%
Education Service Center Member Allocation	\$181,326	\$181,185	\$186,430	\$0	\$0	\$0	(\$186,430)	-100.0%
Less: MaineCare Seed (Private & Public)	(\$280,764)	(\$439,315)	\$0	\$0	\$0	\$0	\$0	0.0%
MultiLingual Learner Hardship Funds	\$672,501	\$2,071,314	\$392,087	\$0	\$0	\$0	(\$392,087)	-100.0%
MLTI Distinguished Educator	\$0	\$82,333	\$0	\$0	\$0	\$0	\$0	0.0%
State Reimbursement Debt Service	\$2,108,369	\$3,214,721	\$3,108,476	\$2,855,075	\$2,855,075	\$2,855,075	(\$253,401)	-8.2%
State Agency Client	\$196,047	\$213,689	\$226,047	\$226,047	\$226,047	\$226,047	\$0	0.0%
National Board - Salary Supplement	\$53,900	\$43,000	\$0	\$0	\$0	\$0	\$0	0.0%
Total State Programming Revenue	\$24,239,285	\$25,930,307	\$23,662,264	\$23,861,285	\$23,861,285	\$23,861,285	\$199,021	0.8%
State Grants								
Afghan Grant	\$0	\$26,091	\$0	\$0	\$0	\$0	\$0	0.0%
Community School Grant	\$0	\$236,575	\$0	\$0	\$0	\$0	\$0	0.0%
ESSER State Set-Aside	\$0	\$844,960	\$0	\$0	\$0	\$0	\$0	0.0%
Make It Happen	\$0	\$42,300	\$0	\$0	\$0	\$0	\$0	0.0%
MHA - Preventing Homelessness	\$0	\$0	\$0	\$443,141	\$443,141	\$443,141	\$443,141	100.0%
Miscellaneous Local Grants	\$0	\$86,882	\$0	\$0	\$0	\$0	\$0	0.0%
MLEH Grant	\$821,025	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
MLTI Grant	\$0	\$308,018	\$0	\$0	\$0	\$0	\$0	0.0%
NewSchools Venture Fund	\$0	\$110,000	\$0	\$0	\$0	\$0	\$0	0.0%
Perkins State	\$187,112	\$81,442	\$98,163	\$0	\$0	\$0	(\$98,163)	-100.0%
Reiche Summer Program	\$0	\$19,400	\$0	\$0	\$0	\$0	\$0	0.0%
Sewall Foundation	\$0	\$42,300	\$0	\$0	\$0	\$0	\$0	0.0%
Total State and Local Grants	\$1,008,137	\$1,797,968	\$98,163	\$443,141	\$443,141	\$443,141	\$344,978	351.4%
Federal Revenue								
MaineCare Medicaid Reimbursement	\$300,000	\$188,497	\$300,000	\$400,000	\$400,000	\$400,000	\$100,000	33.3%
Seed Withholding	(\$90,270)	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Federal Impact Aid	\$50,000	\$93,543	\$45,000	\$45,000	\$45,000	\$45,000	\$0	0.0%
Total Federal	\$259,730	\$282,040	\$345,000	\$445,000	\$445,000	\$445,000	\$100,000	29.0%
Title Funds								
ESEA Title IA	\$2,374,062	\$1,951,440	\$2,566,236	\$1,946,104	\$1,946,104	\$1,946,104	(\$620,132)	-24.2%
ESEA Title IIA	\$448,852	\$471,112	\$638,700	\$341,159	\$341,159	\$341,159	(\$297,541)	-46.6%
ESEA Title III	\$278,905	\$239,044	\$172,332	\$272,587	\$272,587	\$272,587	\$100,255	58.2%
ESEA Title IVA	\$217,951	\$218,507	\$17,321	\$230,209	\$230,209	\$230,209	\$212,888	1229.1%
Total Title Funds	\$3,319,770	\$2,880,104	\$3,394,589	\$2,790,059	\$2,790,059	\$2,790,059	(\$604,530)	-17.8%
Federal Grant Funds								
IDEA	\$2,033,781	\$2,205,660	\$2,213,694	\$2,223,754	\$2,223,754	\$2,223,754	\$10,060	0.5%
ARP Homeless Children & Youth I	\$8,474	\$18,844	\$0	\$0	\$0	\$0	\$0	0.0%
ARP Homeless Children & Youth II	\$43,186	\$114,174	\$0	\$0	\$0	\$0	\$0	0.0%
CARES Computer Science Mobile Lab	\$235,000	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
ESSERF 2	\$0	\$1,770,995	\$0	\$0	\$0	\$0	\$0	0.0%
ESSERF 3	\$4,948,448	\$10,654,100	\$433,000	\$0	\$0	\$0	(\$433,000)	-100.0%
McKinney-Vento Homelessness Assistance	\$31,111	\$37,965	\$0	\$0	\$0	\$0	\$0	0.0%
Perkins Career/Technical Ed Fed Funds	\$376,000	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Perkins Career/Technical Ed Reserve and Leadership	\$41,682	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Perkins Federal	\$240,521	\$233,363	\$299,698	\$212,686	\$212,686	\$212,686	(\$87,012)	-29.0%
Refugee Resettlement	\$0	\$136,254	\$0	\$0	\$0	\$0	\$0	0.0%
Total Federal Grant Funds	\$7,958,203	\$15,171,356	\$2,946,392	\$2,436,440	\$2,436,440	\$2,436,440	(\$509,952)	-17.3%
Total Federal Funds	\$11,537,703	\$18,051,460	\$6,340,981	\$5,226,499	\$5,226,499	\$5,226,499	(\$1,114,482)	-17.6%

**Portland Public Schools
FY2026 Detailed Revenue Budget
General, Adult Ed, and Food Service Funds - All Funds
Board of Education Recommended Budget
April 8, 2025**

	FY23 ACTUAL	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/- v FY25	% +/- v FY25
Child Development Services								
CDS PreK Special Ed Reimbursement	\$872,166	\$1,081,229	\$881,337	\$1,265,000	\$1,265,000	\$1,265,000	\$383,663	43.5%
USE OF FUND BALANCE	\$2,035,390	\$557,270	\$3,582,780	\$3,900,000	\$3,900,000	\$3,900,000	\$317,220	8.9%
TOTAL PRE-K-12 PROGRAMMING AND FUND BALANCE	\$142,329,630	\$158,261,947	\$152,772,200	\$160,821,812	\$160,779,898	\$160,833,447	\$8,061,243	5.3%
ADULT EDUCATION								
Adult Education Local Revenue	\$2,012,022	\$2,054,417	\$2,068,945	\$2,270,006	\$2,270,006	\$2,286,457	\$217,512	10.5%
Adult Education State Revenue								
Adult Education State Subsidy	\$605,916	\$650,923	\$901,223	\$940,184	\$940,184	\$940,184	\$38,961	4.3%
Adult Education Local Grants:								
AEFLA	\$0	\$243,310	\$0	\$170,000	\$170,000	\$170,000	\$170,000	100.0%
ARP SLFR Workforce Development	\$0	\$633,211	\$0	\$0	\$0	\$0	\$0	0.0%
Clean Energy Partnership	\$0	\$0	\$0	\$208,000	\$208,000	\$208,000	\$208,000	100.0%
Commercial Contracts/Other	\$0	\$39,301	\$0	\$100,000	\$100,000	\$100,000	\$100,000	100.0%
Cumberland County ARPA	\$31,004	\$25,364	\$0	\$0	\$0	\$0	\$0	0.0%
DTRR - Diverse Talent Recruitment and Retainment	\$0	\$0	\$0	\$83,000	\$83,000	\$83,000	\$83,000	100.0%
FPAE	\$0	\$175,834	\$0	\$250,000	\$250,000.00	\$250,000	\$250,000	100.0%
FTW - Foreign Trained Workers	\$0	\$28,327	\$0	\$75,000	\$75,000	\$75,000	\$75,000	100.0%
Learn to Earn / Preble Street	\$32,000	\$2,107	\$0	\$0	\$0	\$0	\$0	0.0%
Maine Apprenticeship Prog ARPA	\$0	\$84,496	\$0	\$0	\$0	\$0	\$0	0.0%
Maine College and Career Access	\$0	\$56,878	\$0	\$75,000	\$75,000	\$75,000	\$75,000	100.0%
Maine Connectivity Authority	\$0	\$0	\$0	\$150,000	\$150,000	\$150,000	\$150,000	100.0%
MDOE New Mainers Resource Center Expansion Grant	\$0	\$34,765	\$0	\$312,000	\$312,000	\$312,000	\$312,000	100.0%
MJRP CCSC - Maine Jobs and Recovery Plan	\$0	\$0	\$0	\$100,000	\$100,000	\$100,000	\$100,000	100.0%
Other (WF Agencies billing + Enrichment revenue)	\$0	\$25,409	\$0	\$60,000	\$60,000	\$60,000	\$60,000	100.0%
PAE Special Project	\$0	\$66,543	\$0	\$0	\$0	\$0	\$0	0.0%
Portland Housing Authority	\$0	\$10,618	\$0	\$24,500	\$24,500	\$24,500	\$24,500	100.0%
Tax Increment Financing (TIF)	\$0	\$151,101	\$0	\$200,000	\$200,000	\$200,000	\$200,000	100.0%
United Ways Thrive	\$0	\$0	\$0	\$27,585	\$27,585	\$27,585	\$27,585	100.0%
Total Adult Education Local Grants	\$63,004	\$1,577,264	\$0	\$1,835,085	\$1,835,085	\$1,835,085	\$1,835,085	100.0%
USE OF FUND BALANCE	\$20,000	\$190,736	\$100,000	\$236,889	\$236,889	\$236,889	\$136,889	136.9%
TOTAL ADULT EDUCATION REVENUE	\$2,700,942	\$4,473,341	\$3,070,168	\$5,282,164	\$5,282,164	\$5,298,615	\$2,228,447	72.6%
FOOD SERVICE								
Food Services Local Revenue	\$79,578	\$63,205	\$51,500	\$51,500	\$51,500	\$51,500	\$0	0.0%
Food Services State Revenue								
State Reimbursement	\$1,306,576	\$1,097,799	\$1,090,814	\$1,148,765	\$1,148,765	\$1,148,765	\$57,951	5.3%
Local Produce	\$5,000	\$33,712	\$5,500	\$5,500	\$5,500	\$5,500	\$0	0.0%
Breakfast Reduced State	\$0	\$2,112	\$2,083	\$2,258	\$2,258	\$2,258	\$175	8.4%
Breakfast Paid State	\$0	\$399,580	\$404,642	\$421,691	\$421,691	\$421,691	\$17,049	4.2%
Food Services State Revenue	\$1,311,576	\$1,533,203	\$1,503,039	\$1,578,214	\$1,578,214	\$1,578,214	\$75,175	5.0%
Food Service Federal Revenue								
After School Snack	\$1,095	\$712	\$927	\$962	\$962	\$962	\$35	3.8%
Summer Food Program	\$139,155	\$13,606	\$119,525	\$118,276	\$118,276	\$118,276	(\$1,249)	-1.0%
Performance Based Lunch	\$40,064	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Reimbursement Lunch - Regular	\$211,769	\$291,283	\$298,876	\$320,586	\$320,586	\$320,586	\$21,710	7.3%
Reimbursement Lunch - Reduced	\$28,028	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Reimbursement Lunch - Free	\$948,432	\$1,271,254	\$1,304,965	\$1,370,452	\$1,370,452	\$1,370,452	\$65,487	5.0%
Reimbursement Breakfast	\$716,425	\$774,496	\$808,285	\$790,258	\$790,258	\$790,258	(\$18,027)	-2.2%
Federal Non-Food Assistance	\$0	\$10,448	\$0	\$0	\$0	\$0	\$0	0.0%
Payments in Lieu of Comm	\$227,508	\$234,290	\$227,257	\$282,870	\$282,870	\$282,870	\$55,613	24.5%
Fresh Fruits and Veggies	\$76,500	\$112,000	\$99,500	\$100,800	\$100,800	\$100,800	\$1,300	1.3%
Child/Adult Care Food Program	\$120,000	\$146,713	\$160,002	\$162,937	\$162,937	\$162,937	\$2,935	1.8%
Supply Chain Assistance Funds	\$0	\$145,774	\$0	\$0	\$0	\$0	\$0	0.0%
Food Services Federal Revenue	\$2,508,976	\$3,000,577	\$3,019,337	\$3,147,141	\$3,147,141	\$3,147,141	\$127,804	4.2%
USE OF FUND BALANCE	\$125,000	\$18,048	\$1,000,000	\$856,782	\$856,782	\$856,782	(\$143,218)	-14.3%
TOTAL FOOD SERVICES REVENUE	\$4,025,130	\$4,615,033	\$5,573,876	\$5,633,637	\$5,633,637	\$5,633,637	\$59,761	1.1%
TOTAL REVENUE & OTHER FUNDING SOURCES	\$149,055,702	\$167,350,320	\$161,416,244	\$171,737,613	\$171,695,699	\$171,765,699	\$10,349,455	6.4%

Portland Public Schools
Five-Year Projection - Fund Balance Details
Board of Education Recommended Budget
April 8, 2025

		FY26	FY27	FY28	FY29	FY30
STARTING BALANCE		\$11,398,122	\$7,498,122	\$6,898,122	\$6,898,122	\$6,898,122
Pension Bond Obligation		\$2,675,747				
Priority #1: Equity	Adult Ed Consultant	\$150,000				
Priority #2: Achievement	Math Design	\$45,000	Math Professional Development	\$100,000		
	Multilingual	\$125,000	Math Curriculum	\$300,000		
Priority #3: Whole Student	Early Childhood Consultant	\$70,000	Community School Pilot	\$200,000		
Priority #4: People	Leadership Training	\$40,000				
Priority #5: Systems	MainePERS Reconciling	\$500,000				
Other	Food Service Equipment	\$90,000				
	Chef	\$120,000				
	Repair and Maintenance	\$84,253				
Operational Costs						
TOTAL FUND USE		<u>\$3,900,000</u>	<u>\$600,000</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

**Portland Public Schools
FY2026 Tax Rate Computation
Board of Education Recommended Budget
April 8, 2025**

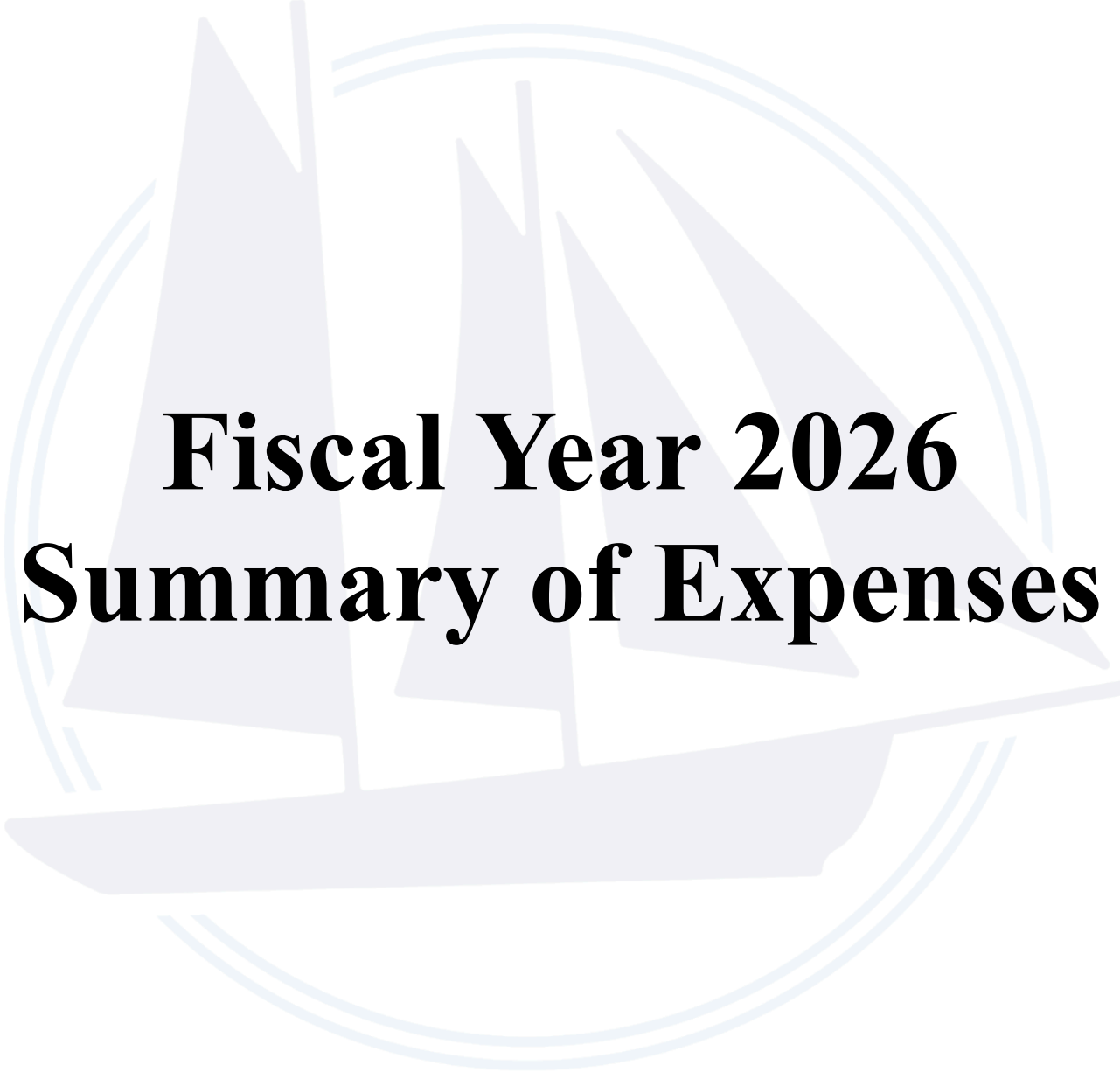
	FY2021	FY2022*	FY2023	FY2024	FY2025	<u>8-Apr-25</u> FY2026
Tax Levy	\$94,338,744	\$99,083,251	\$103,851,071	\$110,850,008	\$119,402,624	\$127,225,979
\$ Increase	\$993,606	\$4,744,507	\$4,767,820	\$6,998,937	\$8,552,616	\$7,823,355
% Increase	1.06%	5.03%	4.81%	6.74%	7.72%	6.55%
 Valuation	 \$8,070,000,000	 \$8,155,000,000	 \$14,729,000,000	 \$14,879,000,000	 \$15,145,000,000	 \$15,320,000,000
\$ Increase	\$85,000,000	\$85,000,000	\$93,364,697	\$150,000,000	\$145,480,100	\$175,000,000
% Increase	1.06%	1.05%	1.14%	1.02%	0.98%	1.16%
 Tax Rate (per \$1000)	 \$11.69	 \$12.15	 \$7.05	 \$7.45	 \$7.88	 \$8.30
\$ Increase	\$0.00	\$0.46	\$0.28	\$0.40	\$0.43	\$0.42
% Increase	0.00%	3.90%	4.10%	5.68%	6.60%	5.33%

*FY 22 Had a property re-evaluation. This also impacted Tax Rate Increases in FY 23.
They have been adjusted to account for the change in evaluation and the rate adjustment as a result.

Portland Public Schools
FY2026 Five-Year Projection
General, Adult Ed, and Food Service Funds - All Funds
Board of Education Recommended Budget
April 8, 2025

	FY26 Board Recommended Apr 8	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
GENERAL						
Local Funds						
Property Tax Levy	\$125,019,522	\$128,770,108	\$132,633,211	\$136,612,207	\$140,710,573	\$144,931,891
Total Local Programming Revenue	\$478,000	\$492,340	\$507,110	\$522,324	\$537,993	\$554,133
Total Local Grants	\$195,000	\$200,850	\$206,876	\$213,082	\$219,474	\$226,058
TOTAL LOCAL FUNDS	\$125,692,522	\$129,463,298	\$133,347,197	\$137,347,612	\$141,468,041	\$145,712,082
State Revenue						
State Share EPS (State Subsidy)	\$17,055,500	\$17,567,165	\$18,094,180	\$18,637,006	\$19,196,116	\$19,771,999
Career & Technical Education Center Allocation	\$3,724,663	\$3,944,418	\$4,177,139	\$4,423,590	\$4,684,582	\$4,960,972
State Reimbursement Debt Service	\$2,855,075	\$2,769,423	\$2,686,340	\$2,605,750	\$2,527,577	\$2,451,750
State Agency Client	\$226,047	\$226,047	\$226,047	\$226,047	\$226,047	\$226,047
Total State Programming Revenue	\$23,861,285	\$24,507,053	\$25,183,706	\$25,892,392	\$26,634,322	\$27,410,768
State Grants						
MHA - Preventing Homelessness	\$443,141					
Total State Grants	\$443,141	\$0	\$0	\$0	\$0	\$0
Federal Revenue						
MaineCare Medicaid Reimbursement	\$400,000	\$440,000	\$484,000	\$532,400	\$585,640	\$644,204
Seed Withholding	\$0	\$0	\$0	\$0	\$0	\$0
Federal Impact Aid	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000
Total Federal	\$445,000	\$485,000	\$529,000	\$577,400	\$630,640	\$689,204
Total Title Funds	\$2,790,059	\$2,762,158	\$2,734,537	\$2,707,191	\$2,680,120	\$2,653,318
Federal Grant Funds						
IDEA	\$2,223,754	\$2,268,229	\$2,313,594	\$2,359,866	\$2,407,063	\$2,455,204
Perkins Federal	\$212,686	\$212,686	\$212,686	\$212,686	\$212,686	\$212,686
Total Federal Grant Funds	\$2,436,440	\$2,480,915	\$2,526,280	\$2,572,552	\$2,619,749	\$2,667,890
Total Federal Funds	\$5,671,499	\$5,728,073	\$5,789,816	\$5,857,143	\$5,930,508	\$6,010,412
Child Development Services						
CDS PreK Special Ed Reimbursement	\$1,265,000	\$1,302,950	\$1,342,039	\$1,382,300	\$1,423,769	
USE OF FUND BALANCE	\$3,900,000	\$0	\$0	\$0	\$0	\$0
TOTAL PRE-K-12 PROGRAMMING AND FUND	\$160,833,447	\$161,001,374	\$165,662,757	\$170,479,447	\$175,456,640	\$179,133,263
TOTAL ADULT EDUCATION REVENUE	\$5,298,615	\$5,108,735	\$5,158,095	\$5,209,923	\$5,264,342	\$5,321,482
TOTAL FOOD SERVICES REVENUE	\$5,633,637	\$4,920,161	\$5,067,765	\$5,219,798	\$5,376,392	\$5,537,684
TOTAL REVENUE & OTHER FUNDING SOURCES	\$ 171,765,699	\$ 171,030,270	\$ 175,888,618	\$ 180,909,168	\$ 186,097,373	\$ 189,992,428

PORTLAND PUBLIC SCHOOLS



Fiscal Year 2026 Summary of Expenses

PORTLAND PUBLIC SCHOOLS

The FY26 budget includes targeted new investments in music at the high schools, rigor and support at the middle schools, reading support at our elementary schools, and special education District-wide. There also are increases in year-to-year expenses that include employees' salaries and benefits and debt service. Expenses also include inflation-driven higher costs for goods and services and our mandated contributions to Maine's new Paid Family Medical Leave program:

Portland Public Schools
FY2026 Expenditure Summary Budget - All Funds
Board of Education Recommended Budget
April 8, 2025

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/-(-) v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries							
Professional Salary	\$56,817,735	\$60,029,799	\$63,366,267	\$62,695,079	\$62,233,669	\$2,203,870	3.7%
Instructional Aide/Asst	\$8,199,027	\$8,373,100	\$9,425,170	\$9,406,203	\$9,464,895	\$1,091,795	13.0%
Administration/Regular Support	\$22,736,108	\$22,252,423	\$24,784,193	\$24,877,110	\$25,180,129	\$2,927,706	13.2%
Total Regular Salaries	\$87,752,870	\$90,655,323	\$97,575,630	\$96,978,392	\$96,878,693	\$6,223,370	6.9%
Temporary Salaries							
Temporary Salary	\$1,784,789	\$1,330,961	\$891,724	\$1,502,915	\$1,510,238	\$179,277	13.5%
Tutor	\$10,244	\$65,618	\$65,894	\$65,894	\$65,894	\$276	0.4%
Substitute	\$2,643,072	\$964,845	\$2,388,181	\$2,388,182	\$2,388,182	\$1,423,337	147.5%
Teacher Additional Pay	\$163,008	\$116,502	\$123,504	\$123,504	\$123,504	\$7,002	6.0%
Regular Support Overtime	\$110,223	\$86,893	\$42,197	\$42,197	\$42,197	-\$44,696	-51.4%
Stipend/Differential	\$926,040	\$1,608,976	\$1,475,556	\$1,478,221	\$1,546,293	-\$62,683	-3.9%
Stipend/Other	\$301,150	\$0	\$186,454	\$186,454	\$162,954	\$162,954	100.0%
Retirement Sick Payout	\$99,277	\$550,000	\$500,000	\$500,000	\$500,000	-\$50,000	-9.1%
Total Temporary Salaries	\$6,037,803	\$4,723,795	\$5,673,510	\$6,287,367	\$6,339,262	\$1,615,467	34.2%
Total Salaries	\$93,790,673	\$95,379,117	\$103,249,140	\$103,265,759	\$103,217,955	\$7,838,838	8.2%
Benefits							
Health Insurance	\$18,925,937	\$21,099,532	\$22,738,044	\$22,728,214	\$23,039,858	\$1,940,326	9.2%
Medicare	\$1,334,673	\$1,381,737	\$1,475,522	\$1,475,761	\$1,475,400	\$93,663	6.8%
Retirement	\$5,934,102	\$5,402,355	\$5,374,406	\$5,377,205	\$5,379,387	-\$22,968	-0.4%
Tuition Reimbursement	\$225,281	\$430,302	\$196,759	\$195,647	\$195,647	-\$234,655	-54.5%
Workers Compensation	\$552,485	\$512,861	\$511,572	\$511,572	\$511,572	-\$1,289	-0.3%
All Other	\$392,382	\$1,594,375	\$798,495	\$798,225	\$796,671	-\$797,704	-50.0%
Unemployment	\$72,362	\$0	\$0	\$0	\$0	\$0	
PFML	\$0	\$136,607	\$506,175	\$506,257	\$506,140	\$369,533	270.5%
Total Benefits	\$27,437,222	\$30,557,769	\$31,600,973	\$31,592,881	\$31,904,675	\$1,346,906	4.4%
TOTAL SALARIES & BENEFITS	\$121,227,895	\$125,936,887	\$134,850,114	\$134,858,640	\$135,122,630	\$9,185,743	7.3%
CONTRACTED SERVICES							
PreK - 12th							
Contractual Pre-K	\$0	\$175,000	\$0	\$0	\$0	-\$175,000	-100.0%
Employee Train & Development Services	\$408,843	\$415,106	\$218,107	\$215,107	\$200,107	-\$214,999	-51.8%
EBooks & Online Subscriptions	\$66,822	\$33,620	\$57,121	\$57,121	\$57,121	\$23,501	69.9%
Software/Annual Subscription	\$829,424	\$553,985	\$1,255,050	\$1,242,810	\$1,238,885	\$684,900	123.6%
Tuition to Post-Secondary	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Staff Travel	\$195,546	\$117,481	\$169,126	\$169,126	\$169,126	\$51,645	44.0%
Security	\$41,254	\$0	\$10,000	\$10,000	\$10,000	\$10,000	100.0%
Total PreK-12th Contracted Services	\$1,541,889	\$1,295,193	\$1,709,404	\$1,694,164	\$1,675,239	\$380,046	29.3%
Special Education							
Special Education Contracted Services	\$2,347,768	\$640,440	\$400,000	\$400,000	\$425,000	-\$215,440	-33.6%
Tuition To In-State SAU	\$101,757	\$3,950	\$3,950	\$3,950	\$3,950	\$0	0.0%
Tuition to Private Source	\$2,995,722	\$3,310,000	\$3,600,000	\$3,600,000	\$3,600,000	\$290,000	8.8%
Total SPED Contracted Services	\$5,445,247	\$3,954,390	\$4,003,950	\$4,003,950	\$4,028,950	\$74,560	1.9%
Adult Education							
Adult Ed Contracted Services	\$8,036	\$3,000	\$4,947	\$4,947	\$4,947	\$1,947	64.9%
Adult Education Advertising	\$20,792	\$25,000	\$18,150	\$18,150	\$18,150	-\$6,850	-27.4%
Adult Ed Travel	\$0	\$0	\$4,667	\$4,667	\$4,667	\$4,667	100.0%
Total Adult Ed Contracted Services	\$28,828	\$28,000	\$27,764	\$27,764	\$27,764	-\$236	-0.8%

Portland Public Schools
FY2026 Expenditure Summary Budget - All Funds
Board of Education Recommended Budget
April 8, 2025

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/-(-) v FY25	% +/- v FY25
Ops and Comms							
Purchased Prof & Technical Services	\$4,035,612	\$2,184,657	\$2,890,403	\$2,870,803	\$2,695,803	\$511,146	23.4%
Other Professional Services	\$222,000	\$11,000	\$11,000	\$11,000	\$11,000	\$0	0.0%
Computer Lease	\$46,000	\$126,824	\$0	\$0	\$0	-\$126,824	-100.0%
Other Purchased Services	\$640	\$1,600	\$1,600	\$1,600	\$1,600	\$0	0.0%
Tech Related Repairs and Maintenance	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Software Maintenance	\$134,401	\$265,000	\$265,000	\$265,000	\$265,000	\$0	0.0%
Postage	\$46,684	\$37,200	\$41,884	\$41,884	\$41,884	\$4,684	12.6%
Phone	\$166,961	\$228,431	\$226,638	\$226,638	\$226,638	-\$1,793	-0.8%
Internet Connectivity	\$51,045	\$11,723	\$8,543	\$8,543	\$8,543	-\$3,180	-27.1%
Advertising	\$3,886	\$26,000	\$26,500	\$26,500	\$26,500	\$500	1.9%
Printing/Binding	\$52,392	\$23,030	\$42,541	\$40,041	\$40,041	\$17,011	73.9%
Photocopying	\$132,121	\$162,336	\$160,814	\$160,814	\$160,814	-\$1,522	-0.9%
Total Ops & Comm Contracted Services	\$4,891,741	\$3,077,801	\$3,674,923	\$3,652,823	\$3,477,823	\$400,022	13.0%
Insurance & Legal							
Insurance - General Liability	\$685,580	\$839,334	\$846,644	\$846,644	\$846,644	\$7,310	0.9%
Legal Services	\$482,123	\$303,900	\$328,900	\$328,900	\$328,900	\$25,000	8.2%
Total Ins & Legal Contracted Services	\$1,167,703	\$1,143,234	\$1,175,544	\$1,175,544	\$1,175,544	\$32,310	2.8%
Facilities							
Alarms	\$4,675	\$4,636	\$5,000	\$5,000	\$5,000	\$364	7.9%
Architect/Engineering - NSA	\$10,559	\$10,000	\$10,000	\$10,000	\$10,000	\$0	0.0%
Water	\$55,322	\$52,364	\$53,652	\$53,652	\$53,652	\$1,288	2.5%
Sewer	\$131,836	\$166,000	\$122,242	\$122,242	\$122,242	-\$43,758	-26.4%
Waste Disposal Services	\$142,061	\$135,000	\$150,333	\$150,333	\$150,333	\$15,333	11.4%
Recycling Services	\$122,971	\$132,000	\$140,500	\$140,500	\$140,500	\$8,500	6.4%
Hazard Waste Disposal	\$7,519	\$8,000	\$4,000	\$4,000	\$4,000	-\$4,000	-50.0%
Repair and Maintenance Services	\$1,398,266	\$1,018,300	\$1,160,830	\$1,160,830	\$1,160,830	\$142,530	14.0%
HVAC Maintenance	\$728,836	\$765,159	\$865,000	\$865,000	\$865,000	\$99,841	13.0%
Mowing/Plowing/Field Maintenance	\$530,116	\$700,000	\$620,000	\$620,000	\$620,000	-\$80,000	-11.4%
Pest Management Services	\$22,876	\$22,967	\$22,967	\$22,967	\$22,967	\$0	0.0%
Fire Extinguisher Maintenance Services	\$1,414	\$10,000	\$10,000	\$10,000	\$10,000	\$0	0.0%
Asbestos/Mold Services	\$6,926	\$41,040	\$40,000	\$40,000	\$40,000	-\$1,040	-2.5%
Vehicle & Equipment Repair	\$44,296	\$32,000	\$32,000	\$32,000	\$32,000	\$0	0.0%
Rentals	\$616,707	\$442,204	\$525,701	\$525,701	\$525,701	\$83,497	18.9%
Total Facilities Contracted Services	\$3,824,381	\$3,539,669	\$3,762,225	\$3,762,225	\$3,762,225	\$222,556	6.3%
Transportation							
Student Transportation Services	\$28,762	\$0	\$2,000	\$2,000	\$2,000	\$2,000	100.0%
Student Transportation Purchase/Private (Sped OOD and Homeles	\$1,159,886	\$603,591	\$865,000	\$865,000	\$865,000	\$261,409	43.3%
Total Transport Contracted Services	\$1,188,648	\$603,591	\$867,000	\$867,000	\$867,000	\$263,409	43.6%
TOTAL CONTRACTED SERVICES	\$18,088,437	\$13,641,878	\$15,220,810	\$15,183,470	\$15,014,545	\$1,372,667	10.1%
SUPPLIES							
Academic							
General Supplies	\$1,073,841	\$1,861,069	\$674,167	\$673,567	\$661,867	-\$1,199,202	-64.4%
Instructional Supplies	\$583,340	\$597,600	\$479,179	\$479,178	\$479,178	-\$118,422	-19.8%
Books Periodicals	\$1,269,063	\$88,645	\$666,082	\$662,582	\$649,352	\$560,707	632.5%
Tech Related Supplies	\$1,488,806	\$115,490	\$174,457	\$165,457	\$165,457	\$49,967	43.3%
Software Licenses	\$2,417	\$268,299	\$54,451	\$54,451	\$54,451	-\$213,848	-79.7%
Audiovisual Supplies	\$1,987	\$1,000	\$2,589	\$2,589	\$2,589	\$1,589	158.9%
CTE Minor Equipment	\$107,165	\$74,418	\$90,000	\$90,000	\$90,000	\$15,582	20.9%
Total Academic Supplies	\$4,526,618	\$3,006,521	\$2,140,925	\$2,127,824	\$2,102,894	-\$903,627	-30.1%

Portland Public Schools
FY2026 Expenditure Summary Budget - All Funds
Board of Education Recommended Budget
April 8, 2025

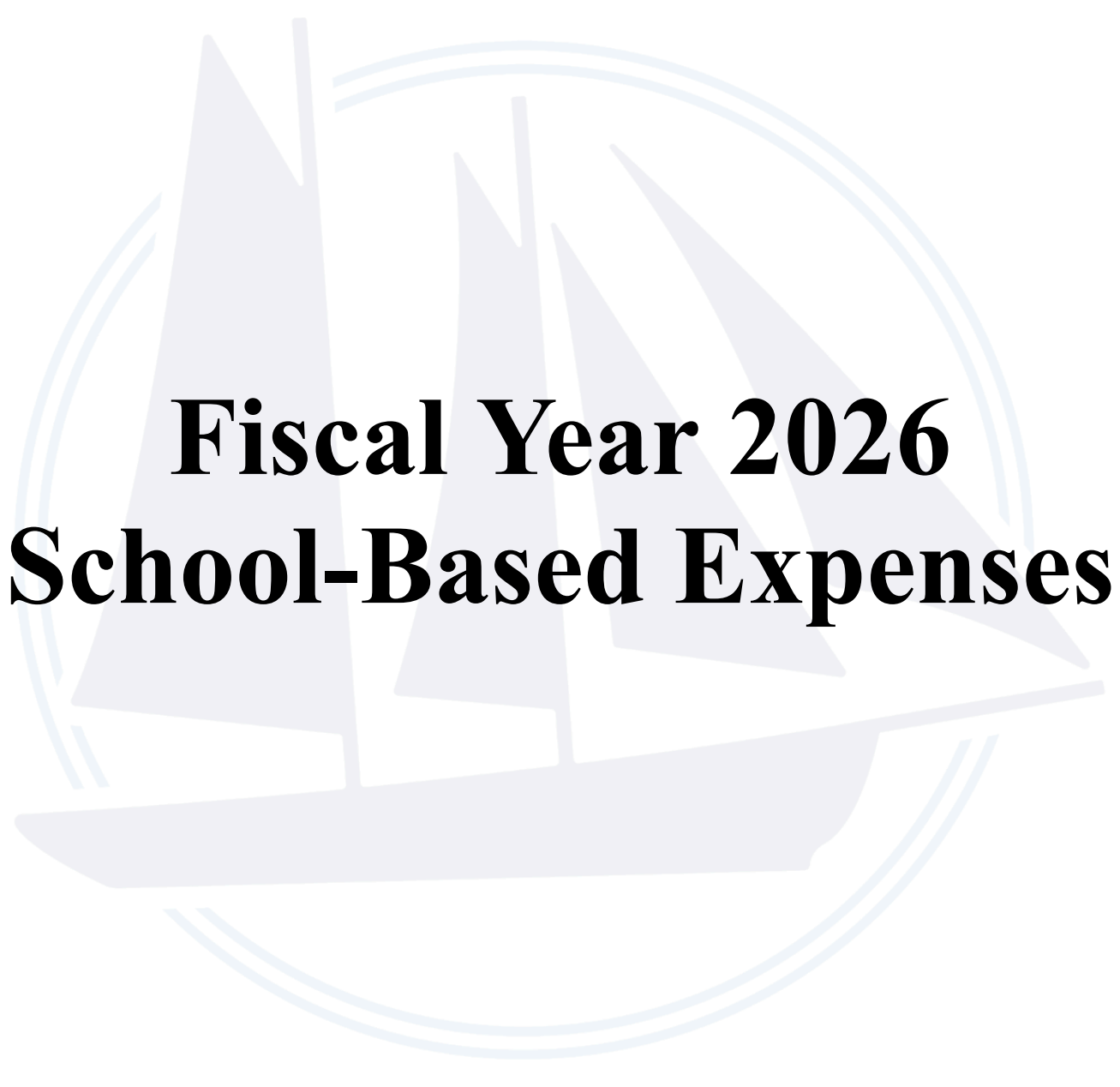
	FY24	FY25	FY26 SUPT	FY26 Finance	FY26 Board		
	ACTUAL	BUDGET	REC Mar 4	Comm Rev Apr 1	Apr 8	\$ +/-(-) v FY25	% +/- v FY25
Operations							
Custodial Supplies	\$255,395	\$250,000	\$262,804	\$262,804	\$262,804	\$12,804	5.1%
Energy	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Natural Gas	\$785,819	\$800,000	\$853,171	\$853,171	\$853,171	\$53,171	6.6%
Electricity	\$854,386	\$950,000	\$865,879	\$865,879	\$865,879	-\$84,121	-8.9%
Bottled Gas	\$5,454	\$4,500	\$5,000	\$5,000	\$5,000	\$500	11.1%
Oil	\$69,888	\$67,463	\$69,840	\$69,840	\$69,840	\$2,377	3.5%
Gasoline	\$211,789	\$255,000	\$259,000	\$259,000	\$259,000	\$4,000	1.6%
Food	\$2,165,040	\$2,142,000	\$2,250,000	\$2,250,000	\$2,250,000	\$108,000	5.0%
Non-Food Supplies	\$215,734	\$227,820	\$227,820	\$227,820	\$227,820	\$0	0.0%
Total Operations Supplies	\$4,563,505	\$4,696,782	\$4,793,514	\$4,793,514	\$4,793,514	\$96,732	2.1%
TOTAL SUPPLIES	\$9,090,123	\$7,703,304	\$6,934,439	\$6,921,338	\$6,896,408	-\$806,896	-10.5%
MISCELLANEOUS							
Dues and Fees	\$401,928	\$236,967	\$310,323	\$310,323	\$310,188	\$73,221	30.9%
Bank Fees	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Maine State Billing Fees	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
School Board Conference Fees	\$104	\$0	\$0	\$0	\$0	\$0	0.0%
Judgments Against SAU	\$133,749	\$0	\$0	\$0	\$0	\$0	0.0%
Field Trip Transportation	\$180,574	\$10,000	\$98,764	\$98,764	\$98,764	\$88,764	887.6%
Miscellaneous Expenditures	-\$118,266	\$21,086	\$264,383	\$264,383	\$264,383	\$243,297	1153.8%
Other Items	\$15,005	\$22,709	\$20,657	\$20,657	\$20,657	-\$2,052	-9.0%
Fund Transfers Out	\$24,954	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL MISCELLANEOUS	\$638,048	\$290,762	\$694,127	\$694,127	\$693,992	\$403,230	138.7%
CAPITAL EQUIPMENT							
Equipment Greater Than \$10,000	\$114,387	\$580,170	\$85,000	\$85,000	\$85,000	-\$495,170	-85.3%
Equipment Less Than \$10,000	\$119,876	\$65,000	\$115,000	\$115,000	\$115,000	\$50,000	76.9%
Vehicles (Non-Student)	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Tech Related Equip Greater Than \$10,000	\$338,230	\$0	\$0	\$0	\$0	\$0	0.0%
Tech Related Equipment Less Than \$10,000	\$167,553	\$123,020	\$282,400	\$282,400	\$282,400	\$159,380	129.6%
Student Transportation Vehicles	\$1,062,006	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL CAPITAL EQUIPMENT	\$1,802,052	\$768,190	\$482,400	\$482,400	\$482,400	-\$285,790	-37.2%
DEBT SERVICE							
Principal	\$8,478,861	\$8,992,170	\$9,967,132	\$9,967,132	\$9,967,132	\$974,962	10.8%
Interest	\$4,135,876	\$4,083,054	\$3,588,592	\$3,588,592	\$3,588,592	-\$494,462	-12.1%
Bond Issuance	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL DEBT SERVICE	\$12,614,737	\$13,075,225	\$13,555,724	\$13,555,724	\$13,555,724	\$480,499	3.7%
TOTAL NON SALARY AND BENEFITS	\$42,233,396	\$35,479,358	\$36,887,499	\$36,837,059	\$36,643,069	\$1,163,711	3.3%
TOTAL EXPENDITURES	\$163,461,291	\$161,416,245	\$171,737,613	\$171,695,699	\$171,765,699	\$10,349,454	6.4%

**Portland Public Schools
FY2026 Five-Year Projection
Board of Education Recommended Budget
April 8, 2025**

	FY26 Board Apr 8	FY 2027	FY2028	FY 2029	FY 2030	FY 2031
SALARIES & BENEFITS						
Regular Salaries						
Professional Salary	\$62,233,669	\$65,345,352	\$68,612,620	\$72,043,251	\$75,645,414	\$79,427,684
Instructional Aide/Asst	\$9,464,895	\$9,938,140	\$10,435,047	\$10,956,799	\$11,504,639	\$12,079,871
Administration/Regular Support	\$25,180,129	\$25,935,533	\$26,713,599	\$27,515,007	\$28,340,457	\$29,190,671
Total Regular Salaries	\$96,878,693	\$101,219,025	\$105,761,266	\$110,515,057	\$115,490,510	\$120,698,226
Temporary Salaries						
Temporary Salary	\$1,510,238	\$1,555,545	\$1,602,211	\$1,650,278	\$1,699,786	\$1,750,780
Tutor	\$65,894	\$67,871	\$69,907	\$72,004	\$74,164	\$76,389
Substitute	\$2,388,182	\$2,507,591	\$2,632,971	\$2,764,619	\$2,902,850	\$3,047,993
Teacher Additional Pay	\$123,504	\$129,679	\$136,163	\$142,971	\$150,120	\$157,626
Regular Support Overtime	\$42,197	\$43,463	\$44,767	\$46,110	\$47,493	\$48,918
Stipend/Differential	\$1,546,293	\$1,623,608	\$1,704,788	\$1,790,027	\$1,879,529	\$1,973,505
Stipend/Other	\$162,954	\$171,102	\$179,657	\$188,640	\$198,072	\$207,975
Retirement Sick Payout	\$500,000	\$505,000	\$510,050	\$515,151	\$520,302	\$525,505
Total Temporary Salaries	\$6,339,262	\$6,603,859	\$6,880,514	\$7,169,800	\$7,472,316	\$7,788,691
Total Salaries	\$103,217,955	\$107,822,884	\$112,641,780	\$117,684,857	\$122,962,826	\$128,486,917
Benefits						
Health Insurance	\$23,039,858	\$24,652,648	\$26,378,333	\$28,224,817	\$30,200,554	\$32,314,593
Medicare	\$1,475,400	\$1,563,432	\$1,633,306	\$1,706,430	\$1,782,961	\$1,863,060
Retirement	\$5,379,387	\$5,628,355	\$5,879,901	\$6,143,150	\$6,418,660	\$6,707,017
Tuition Reimbursement	\$195,647	\$201,516	\$207,562	\$213,789	\$220,202	\$226,808
Workers Compensation	\$511,572	\$526,919	\$542,727	\$559,009	\$575,779	\$593,052
All Other	\$796,671	\$852,438	\$912,109	\$975,956	\$1,044,273	\$1,117,372
PFML	\$506,140	\$539,114	\$563,209	\$588,424	\$614,814	\$642,435
Total Benefits	\$31,904,675	\$33,964,422	\$36,117,146	\$38,411,575	\$40,857,243	\$43,464,338
TOTAL SALARIES & BENEFITS	\$135,122,630	\$141,787,306	\$148,758,926	\$156,096,431	\$163,820,069	\$171,951,254
CONTRACTED SERVICES						
Total PreK-12th Contracted Services	\$1,675,239	\$1,725,496	\$1,777,261	\$1,830,579	\$1,885,496	\$1,942,061
Total SPED Contracted Services	\$4,028,950	\$4,149,819	\$4,274,313	\$4,402,542	\$4,534,619	\$4,670,657
Total Adult Ed Contracted Services	\$27,764	\$28,597	\$29,455	\$30,338	\$31,249	\$32,186
Total Ops & Comm Contracted Services	\$3,477,823	\$3,582,158	\$3,689,622	\$3,800,311	\$3,914,320	\$4,031,750
Total Ins & Legal Contracted Services	\$1,175,544	\$1,210,810	\$1,247,135	\$1,284,549	\$1,323,085	\$1,362,778
Total Facilities Contracted Services	\$3,762,225	\$3,875,091	\$3,991,344	\$4,111,085	\$4,234,417	\$4,361,450
Total Transport Contracted Services	\$867,000	\$893,010	\$919,800	\$947,394	\$975,816	\$1,005,091
TOTAL CONTRACTED SERVICES	\$15,014,545	\$15,464,981	\$15,928,930	\$16,406,798	\$16,899,002	\$17,405,972
TOTAL SUPPLIES	\$6,896,408	\$7,241,228	\$7,603,290	\$7,983,454	\$8,382,627	\$8,801,758
TOTAL MISCELLANEOUS	\$693,992	\$714,812	\$736,256	\$758,344	\$781,094	\$804,527
TOTAL CAPITAL EQUIPMENT	\$482,400	\$506,520	\$531,846	\$558,438	\$586,360	\$615,678
TOTAL DEBT SERVICE	\$13,555,724	\$10,407,285	\$8,937,526	\$8,643,875	\$8,287,243	\$7,421,471
TOTAL NON SALARY AND BENEFITS	\$36,643,069	\$34,334,826	\$33,737,848	\$34,350,910	\$34,936,327	\$35,049,407
TOTAL EXPENDITURES	\$171,765,699	\$176,122,132	\$182,496,774	\$190,447,341	\$198,756,396	\$207,000,662

Portland Public Schools
FY2026 Expenditure by State Budget Categoricals
Board of Education Recommended Budget
April 8, 2025

State Budget Category	FY23 ACTUAL	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance		\$ +/(-) v FY25	% +/- v FY25
					Comm Rev Apr 1	FY26 Board Apr 8		
1. Regular Instruction	\$50,463,058	\$51,894,182	\$56,313,778	\$59,724,103	\$59,672,191	\$59,628,553	\$3,314,775	5.9%
2. Special Education Instruction	\$20,227,084	\$23,242,110	\$26,187,943	\$26,303,205	\$26,272,939	\$26,381,408	\$193,465	0.7%
3. CTE (Vocational) Instruction	\$3,598,754	\$3,582,685	\$3,751,344	\$3,776,389	\$3,776,389	\$3,789,146	\$37,802	1.0%
4. Other Instruction	\$2,368,728	\$2,576,905	\$2,554,604	\$2,587,441	\$2,587,441	\$2,589,312	\$34,708	1.4%
5. Student & Staff Support	\$12,855,631	\$13,592,176	\$14,329,917	\$17,427,203	\$17,427,203	\$17,332,105	\$3,002,188	21.0%
6. System Administration	\$5,099,238	\$5,847,764	\$5,666,017	\$5,882,346	\$5,882,346	\$5,797,833	\$131,816	2.3%
7. School Administration	\$6,186,655	\$6,840,936	\$6,959,124	\$7,392,566	\$7,392,566	\$7,438,098	\$478,974	6.9%
8. Transportation & Buses	\$3,938,755	\$5,200,915	\$4,700,088	\$4,835,000	\$4,835,000	\$4,873,278	\$173,190	3.7%
9. Facilities Maintenance	\$15,066,707	\$10,847,014	\$15,289,103	\$15,278,060	\$15,318,324	\$15,386,271	\$97,168	0.6%
10. Debt Service	\$6,008,608	\$12,614,737	\$9,023,422	\$9,627,973	\$9,627,973	\$9,627,973	\$604,551	6.7%
11. All Other Expenditures	\$594,681	\$744,372	\$626,383	\$857,886	\$857,886	\$859,830	\$233,447	37.3%
Total General Fund	\$126,407,899	\$136,983,796	\$145,401,723	\$153,692,172	\$153,650,258	\$153,703,807	\$8,302,084	5.7%
Adult Education	\$2,637,938	\$2,896,077	\$3,070,168	\$3,447,079	\$3,447,079	\$3,463,530	\$393,362	12.8%
Food Service	\$4,025,130	\$4,615,033	\$5,573,876	\$5,633,637	\$5,633,637	\$5,633,637	\$59,761	1.1%
TOTAL EXPENDITURES	\$133,070,967	\$144,494,906	\$154,045,767	\$162,772,888	\$162,730,974	\$162,800,974	\$8,755,207	5.7%



Fiscal Year 2026 School-Based Expenses

PORTLAND PUBLIC SCHOOLS

Our student population has remained relatively stable since 2024. At the same time, the cost of staffing and supplies has increased based on collective bargaining agreements and inflation. In response to requests from school staff, principals budgeted for a 3% increase in supplies (compared to zero-based budget process in departments) and salaries increased by the rates in the collective bargaining agreements. This section includes total student enrollment and staffing, total school-based expenses, and staffing and expenditures per school:

Portland Public Schools
FY2026 Summary Revenue Budget
Eight Year Enrollment Pattern
Board of Education Recommended Budget
April 8, 2025

School Year	Total Enrollment	Economically Disadvantaged		Students with IEPs		English Learners (EL)	
2024-25	6,498	3,651	56%	1,154	18%	1,955	30%
2023-24	6,617	3,508	53%	1,174	18%	2,001	30%
2022-23	6,429	2,851	44%	1,112	17%	1,879	29%
2021-22	6,456	2,859	44%	1,136	18%	1,621	25%
2020-21	6,495	3,266	50%	1,109	17%	1,483	23%
2019-20	6,748	3,555	53%	1,079	16%	1,564	23%
2018-19	6,695	3,436	51%	1,054	16%	1,663	25%
2017-18	6,695	3,644	54%	1,023	15%	1,634	24%

**Portland Public Schools
FY2026 School Staffing Summary
Board of Education Recommended Budget
April 8, 2025**

	SY24-25	SY25-26
Teacher/Instructional Coaches	621.91	625.41
Education Technicians	238.85	246.7
Admin Staff	63.5	63.5
Administrative Staff	33.6	33.6
Support Staff	85.5	87
Facilities	67.23	67.75
Dedicated Subs	31	37
Total Staff	1141.59	1160.96

Portland Public Schools
FY2026 School Staffing Summary
Board of Education Recommended Budget
April 8, 2025

	Cliff Island		East End		Longfellow		Lyseth	
	SY24-25	SY25-26	SY24-25	SY25-26	SY24-25	SY25-26	SY24-25	SY25-26
Instructional Staff:	1.3	1.3	27.5	28.5	19.0	17.5	34.0	34.0
Pre-K Teacher	-	-	2.0	2.0	1.0	1.0	2.0	2.0
Teacher	1.0	1.0	19.0	19.0	14.0	13.0	25.0	25.0
Specials Teachers	0.3	0.3	3.5	3.5	2.5	2.5	4.0	4.0
Librarian	-	-	1.0	1.0	0.5	0.5	1.0	1.0
Reading Specialist	-	-	1.0	2.0	0.5	0.5	1.0	1.0
Math Specialist	-	-	1.0	1.0	0.5	-	1.0	1.0
Special Education Teachers	-	-	5.5	6.0	3.0	3.0	4.0	4.0
Resource Room Teacher	-	-	2.5	3.0	2.0	2.0	3.0	4.0
Specialized Programs Teacher	-	-	2.0	2.0	1.0	1.0	-	-
Pre-K Sped	-	-	1.0	1.0	-	-	1.0	-
Multilingual Teachers	-	-	8.0	8.0	0.5	0.5	5.0	4.5
ESOL Teachers	-	-	7.0	7.0	0.5	0.5	4.0	3.5
Pre-K ESOL Teacher	-	-	1.0	1.0	-	-	1.0	1.0
Education Technicians	-	-	21.0	23.5	8.4	8.8	14.5	11.5
Ed Tech III	-	-	0.5	2.0	-	-	3	-
Pre-K Ed Tech III	-	-	2.0	2.0	1.6	1.0	2	2.0
Pre-K Sped Ed-Tech III	-	-	1.0	1.0	-	-	2	2.0
Sped Ed Tech III	-	-	16.0	17.0	6.75	6.8	7	7.0
ML Ed Tech III	-	-	1.5	1.5	-	-	-	-
Health Ed Tech III	-	-	-	-	-	1.0	0.5	0.5
Admin Staff:	0.1	0.1	4.0	4.0	2.5	2.5	4.0	4.0
Principal	-	0.1	1.0	1.0	1	1.0	1.0	1.0
Assistant Principal	-	-	1.0	1.0	1	1.0	1.0	1.0
Teacher Leader	0.1	-	-	-	-	-	-	-
Special Education Coordinator	-	-	1.0	1.0	0.5	0.5	1.0	1.0
School Culture Coordinator	-	-	1.0	1.0	-	-	1.0	1.0
Director Co-Curricular	-	-	-	-	-	-	-	-
Administrative Staff	-	-	3.0	3.0	1.6	1.6	2.0	2.0
Secretary - FY	-	-	1.0	1.0	1.0	1.0	-	1.0
Secretary - SY	-	-	1.0	1.0	0.6	0.6	2.0	1.0
Community School Coordinator	-	-	1.0	1.0	-	-	-	-
Instructional Coaches	-	-	1.0	1.0	1.0	1.0	1.0	1.0
Instructional Coaches	-	-	1.0	1.0	1.0	1.0	1.0	1.0
Support Staff	-	-	4.0	4.0	3.0	3.0	3.0	3.0
Social Worker	-	-	2.0	2.0	2.0	2.0	2.0	2.0
Guidance Counselor	-	-	1.0	1.0	-	-	-	-
Speech Therapist	-	-	-	-	-	-	-	-
Nurse	-	-	1.0	1.0	1.0	1.0	1.0	1.0
OCC Therapist	-	-	-	-	-	-	-	-
Athletic Trainer	-	-	-	-	-	-	-	-
Extended Learning Coordinator	-	-	-	-	-	-	-	-
Make It Happen Coordinator	-	-	-	-	-	-	-	-
Health Assistant	-	-	-	-	-	-	-	-
Coordinator Student Services	-	-	-	-	-	-	-	-
Facilities	0.3	0.3	4.0	4.0	2.5	2.5	2.5	3.0
Building Custodian II - 1st Shift	0.3	0.3	-	-	-	-	-	-
Building Custodian II - 2nd Shift	-	-	2.0	2.0	1.5	1.5	1.5	2.0
Building Custodian III Head	-	-	-	-	1.0	1.0	-	1.0
Building Custodian III Shift Supervisor	-	-	1.0	1.0	-	-	-	-
Building Custodian IV Head	-	-	1.0	1.0	-	-	1.0	-
Substitutes	-	-	2.0	3.0	1.0	2.0	3.0	3.0
Dedicated Sub	-	-	2.0	3.0	1.0	2.0	3.0	3.0

Portland Public Schools
FY2026 School Staffing Summary
Board of Education Recommended Budget
April 8, 2025

	Ocean Ave		PEAKS		Presumpscot		Reiche	
	SY24-25	SY25-26	SY24-25	SY25-26	SY24-25	SY25-26	SY24-25	SY25-26
Instructional Staff:	24.2	24.2	5.5	6.5	20.2	20.2	33.8	34.8
Pre-K Teacher	-	-	1.0	1.0	3.0	3.0	4.0	4.0
Teacher	18.0	18.0	3.0	4.0	12.0	12.0	22.0	22.0
Specials Teachers	3.2	3.2	0.6	0.6	3.2	3.2	3.8	3.8
Librarian	1.0	1.0	0.5	0.5	-	-	1.0	1.0
Reading Specialist	1.0	1.0	0.5	0.5	1.0	1.0	2.0	3.0
Math Specialist	1.0	1.0	-	-	1.0	1.0	1.0	1.0
Special Education Teachers	5.0	5.0	1.0	1.0	2.5	2.5	3.0	3.0
Resource Room Teacher	3.0	3.0	1.0	1.0	2.0	2.0	3.0	3.0
Specialized Programs Teacher	2.0	2.0	-	-	-	-	-	-
Pre-K Sped	-	-	-	-	0.5	0.5	-	-
Multilingual Teachers	3.2	3.2	-	-	4.0	4.0	9.0	10.0
ESOL Teachers	3.2	3.2	-	-	3.0	3.0	8.0	9.0
Pre-K ESOL Teacher	-	-	-	-	1.0	1.0	1.0	1.0
Education Technicians	17.8	19.8	2.0	2.0	15.0	16.0	13.2	15.2
Ed Tech III	-	2.0	-	-	-	1.0	1.0	3.0
Pre-K Ed Tech III	-	-	-	1.0	3.0	3.0	4.0	4.0
Pre-K Sped Ed-Tech III	-	-	1.0	-	8.0	8.0	1.0	1.0
Sped Ed Tech III	17	17.0	1.0	1.0	3.0	3.0	5.0	5.0
ML Ed Tech III	0.8	0.8	-	-	1.0	1.0	2.0	2.0
Health Ed Tech III	-	-	-	-	-	-	0.2	0.2
Admin Staff:	4.0	4.0	0.9	0.9	3.0	3.0	5.0	5.0
Principal	1.0	1.0	-	0.9	1.0	1.0	-	-
Assistant Principal	1.0	1.0	-	-	1.0	1.0	-	-
Teacher Leader	-	-	0.9	-	-	-	3.0	3.0
Special Education Coordinator	1.0	1.0	-	-	0.5	0.5	1.0	1.0
School Culture Coordinator	1.0	1.0	-	-	0.5	0.5	1.0	1.0
Director Co-Curricular	-	-	-	-	-	-	-	-
Administrative Staff	2.0	2.0	1.0	1.0	1.0	1.0	2.0	2.0
Secretary - FY	1.0	1.0	-	-	1.0	1.0	1.0	1.0
Secretary - SY	1.0	1.0	1.0	1.0	-	-	1.0	1.0
Community School Coordinator	-	-	-	-	-	-	-	-
Instructional Coaches	1.0	1.0	-	-	-	-	1.0	1.0
Instructional Coaches	1.0	1.0	-	-	-	-	1.0	1.0
Support Staff	4.0	4.0	1.5	1.5	2.0	2.0	5.0	5.0
Social Worker	2.0	2.0	0.5	0.5	1.0	1.0	3.0	3.0
Guidance Counselor	-	-	-	-	-	-	-	-
Speech Therapist	1.0	1.0	-	-	-	-	-	-
Nurse	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
OCC Therapist	-	-	-	-	-	-	-	-
Athletic Trainer	-	-	-	-	-	-	-	-
Extended Learning Coordinator	-	-	-	-	-	-	-	-
Make It Happen Coordinator	-	-	-	-	-	-	-	-
Health Assistant	-	-	-	-	-	-	-	-
Coordinator Student Services	-	-	-	-	-	-	1.0	1.0
Facilities	3.5	3.5	1.0	1.0	2.5	2.5	5.0	5.0
Building Custodian II - 1st Shift	-	-	-	-	1.0	1.0	-	-
Building Custodian II - 2nd Shift	2.5	1.5	-	-	0.5	0.5	4.0	4.0
Building Custodian III Head	-	1.0	1.0	1.0	1.0	1.0	-	-
Building Custodian III Shift Supervisor	-	1.0	-	-	-	-	-	-
Building Custodian IV Head	1.0	-	-	-	-	-	1.0	1.0
Substitutes	2.0	3.0	-	-	2.0	2.0	2.0	3.0
Dedicated Sub	2.0	3.0	-	-	2.0	2.0	2.0	3.0

Portland Public Schools
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	Rowe		Talbot		King		Lincoln	
	SY24-25	SY25-26	SY24-25	SY25-26	SY24-25	SY25-26	SY24-25	SY25-26
Instructional Staff:	33.0	32.0	29.6	29.6	32.5	32.5	29.5	29.5
Pre-K Teacher	2.0	2.0	3.0	3.0	-	-	-	-
Teacher	24.0	23.0	20.0	18.0	30.0	30.0	29.0	29.0
Specials Teachers	4.0	4.0	3.6	3.6	-	-	-	-
Librarian	1.0	1.0	1.0	1.0	0.5	0.5	0.5	0.5
Reading Specialist	1.0	1.0	1.0	3.0	2.0	2.0	-	-
Math Specialist	1.0	1.0	1.0	1.0	-	-	-	-
Special Education Teachers	6.0	6.0	5.0	6.0	6.0	6.0	6.0	6.0
Resource Room Teacher	4.0	4.0	3.0	4.0	3.0	3.0	3.0	3.0
Specialized Programs Teacher	2.0	2.0	2.0	2.0	3.0	3.0	3.0	3.0
Pre-K Sped	-	-	-	-	-	-	-	-
Multilingual Teachers	5.0	5.0	6.0	6.0	6.0	6.0	3.0	3.0
ESOL Teachers	4.0	4.0	5.0	5.0	6.0	6.0	3.0	3.0
Pre-K ESOL Teacher	1.0	1.0	1.0	1.0	-	-	-	-
Education Technicians	19.0	20.0	27.2	29.2	14.5	15.0	14.0	14.0
Ed Tech III	0.0	2.0	-	2.0	2.0	2.0	-	-
Pre-K Ed Tech III	2.0	2.0	3.0	3.0	-	-	-	-
Pre-K Sped Ed-Tech III	1.0	-	1.0	1.0	-	-	-	-
Sped Ed Tech III	15.0	15.0	22.0	22.0	11.0	11.0	13.0	13.0
ML Ed Tech III	1.0	1.0	1.0	1.0	1.5	2.0	1.0	1.0
Health Ed Tech III	-	-	0.2	0.2	-	-	-	-
Admin Staff:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Principal	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
Assistant Principal	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
Teacher Leader	-	-	-	-	-	-	-	-
Special Education Coordinator	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
School Culture Coordinator	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
Director Co-Curricular	-	-	-	-	-	-	-	-
Administrative Staff	2.0	2.0	3.0	3.0	2.0	2.0	2.0	2.0
Secretary - FY	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
Secretary - SY	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
Community School Coordinator	-	-	1.0	1.0	-	-	-	-
Instructional Coaches	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
Instructional Coaches	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
Support Staff	5.0	5.0	6.0	6.5	7.0	7.0	6.0	6.5
Social Worker	3.0	3.0	3.0	3.0	3.0	3.0	2.0	2.5
Guidance Counselor	1.0	1.0	-	-	2.0	2.0	2.0	2.0
Speech Therapist	-	-	1.0	1.0	-	-	-	-
Nurse	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
OCC Therapist	-	-	1.0	1.0	-	-	-	-
Athletic Trainer	-	-	-	-	-	-	-	-
Extended Learning Coordinator	-	-	-	-	-	-	-	-
Make It Happen Coordinator	-	-	-	-	1.0	1.0	1.0	1.0
Health Assistant	-	-	-	0.5	-	-	-	-
Coordinator Student Services	-	-	-	-	-	-	-	-
Facilities	4.0	4.0	5.0	5.0	4.0	4.0	4.5	4.5
Building Custodian II - 1st Shift	-	-	-	-	-	-	-	-
Building Custodian II - 2nd Shift	3.0	3.0	3.0	3.0	2.0	2.0	2.5	2.5
Building Custodian III Head	-	-	-	-	-	1.0	-	-
Building Custodian III Shift Supervisor	-	-	1.0	1.0	1.0	1.0	1.0	1.0
Building Custodian IV Head	1.0	1.0	1.0	1.0	1.0	-	1.0	1.0
Substitutes	2.0	3.0	2.0	3.0	2.0	2.0	2.0	2.0
Dedicated Sub	2.0	3.0	2.0	3.0	2.0	2.0	2.0	2.0

Portland Public Schools
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	Moore		Casco Bay		Deering		Portland	
	SY24-25	SY25-26	SY24-25	SY25-26	SY24-25	SY25-26	SY24-25	SY25-26
Instructional Staff:	33.5	33.5	22.5	22.5	46.2	47.2	49.0	48.0
Pre-K Teacher	-	-	-	-	-	-	-	-
Teacher	31.0	31.0	21.8	22.0	45.7	46.7	48.0	47.0
Specials Teachers	-	-	-	-	-	-	-	-
Librarian	0.5	0.5	0.7	0.5	0.5	0.5	1.0	1.0
Reading Specialist	2.0	2.0	-	-	-	-	-	-
Math Specialist	-	-	-	-	-	-	-	-
Special Education Teachers	6.0	6.0	5.0	6.0	11.0	11.0	7.0	7.0
Resource Room Teacher	3.0	3.0	3.0	4.0	4.0	4.0	4.0	4.0
Specialized Programs Teacher	3.0	3.0	2.0	2.0	7.0	7.0	3.0	3.0
Pre-K Sped	-	-	-	-	-	-	-	-
Multilingual Teachers	3.0	3.0	2.0	2.0	9.0	9.0	9.0	9.0
ESOL Teachers	3.0	3.0	2.0	2.0	9.0	9.0	9.0	9.0
Pre-K ESOL Teacher	-	-	-	-	-	-	-	-
Education Technicians	18.5	18.0	5.0	5.0	28.8	28.8	15.0	15.0
Ed Tech III	-	-	1.0	1.0	0.5	0.5	1.0	1.0
Pre-K Ed Tech III	-	-	-	-	-	-	-	-
Pre-K Sped Ed-Tech III	-	-	-	-	-	-	-	-
Sped Ed Tech III	17.0	17.0	4.0	4.0	26.0	26.0	12	12.0
ML Ed Tech III	1.0	1.0	-	-	1.5	1.5	1.5	1.5
Health Ed Tech III	0.5	-	-	-	0.8	0.8	0.5	0.5
Admin Staff:	4.0	4.0	4.0	4.0	8.0	8.0	7.0	7.0
Principal	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
Assistant Principal	1.0	1.0	1.0	1.0	2.0	2.0	2.0	2.0
Teacher Leader	-	-	-	-	-	-	-	-
Special Education Coordinator	1.0	1.0	1.0	1.0	2.0	2.0	1.0	1.0
School Culture Coordinator	1.0	1.0	1.0	1.0	2.0	2.0	2.0	2.0
Director Co-Curricular	-	-	-	-	1.0	1.0	1.0	1.0
Administrative Staff	2.0	2.0	2.0	2.0	3.0	3.0	3.0	3.0
Secretary - FY	1.0	1.0	1.0	1.0	2.0	2.0	2.0	2.0
Secretary - SY	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
Community School Coordinator	-	-	-	-	-	-	-	-
Instructional Coaches	1.0	1.0	-	-	-	-	-	-
Instructional Coaches	1.0	1.0	-	-	-	-	-	-
Support Staff	6.5	7.0	5.0	5.0	13.0	13.0	13.0	13.0
Social Worker	2.0	2.5	1.5	1.5	4.0	5.0	4.0	4.0
Guidance Counselor	2.0	2.0	2.0	2.0	5.0	4.0	5.0	5.0
Speech Therapist	-	-	-	-	-	-	-	-
Nurse	1.0	1.0	0.5	0.5	1.0	1.0	1.0	1.0
OCC Therapist	-	-	-	-	-	-	-	-
Athletic Trainer	-	-	-	-	1.0	1.0	1.0	1.0
Extended Learning Coordinator	-	-	-	-	1.0	1.0	1.0	1.0
Make It Happen Coordinator	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
Health Assistant	0.5	0.5	-	-	-	-	-	-
Coordinator Student Services	-	-	-	-	-	-	-	-
Facilities	4.5	4.5	0.8	0.8	8.5	8.5	8.5	8.5
Building Custodian II - 1st Shift	1.0	1.0	-	-	1.0	1.0	1.0	1.0
Building Custodian II - 2nd Shift	2.5	2.5	0.8	0.8	5.5	5.5	5.5	5.5
Building Custodian III Head	1.0	-	-	-	-	-	-	-
Building Custodian III Shift Supervisor	-	-	-	-	1.0	1.0	1.0	1.0
Building Custodian IV Head	-	1.0	-	-	1.0	1.0	1.0	1.0
Substitutes	2.0	2.0	2.0	2.0	3.0	3.0	3.0	3.0
Dedicated Sub	2.0	2.0	2.0	2.0	3.0	3.0	3.0	3.0

Portland Public Schools
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	PATHS	
	SY24-25	SY25-26
Instructional Staff:	21.0	21.0
Pre-K Teacher	-	-
Teacher	21.0	21.0
Specials Teachers	-	-
Librarian	-	-
Reading Specialist	-	-
Math Specialist	-	-
Special Education Teachers	-	-
Resource Room Teacher	-	-
Specialized Programs Teacher	-	-
Pre-K Sped	-	-
Multilingual Teachers	1.0	1.0
ESOL Teachers	1.0	1.0
Pre-K ESOL Teacher	-	-
Education Technicians	5.0	5.0
Ed Tech III	5.0	5.0
Pre-K Ed Tech III	-	-
Pre-K Sped Ed-Tech III	-	-
Sped Ed Tech III	-	-
ML Ed Tech III	-	-
Health Ed Tech III	-	-
Admin Staff:	1.0	1.0
Principal	1.0	1.0
Assistant Principal	-	-
Teacher Leader	-	-
Special Education Coordinator	-	-
School Culture Coordinator	-	-
Director Co-Curricular	-	-
Administrative Staff	2.0	2.0
Secretary - FY	1.0	1.0
Secretary - SY	1.0	1.0
Community School Coordinator	-	-
Instructional Coaches	-	-
Instructional Coaches	-	-
Support Staff	1.5	1.5
Social Worker	-	-
Guidance Counselor	-	-
Speech Therapist	-	-
Nurse	0.5	0.5
OCC Therapist	-	-
Athletic Trainer	-	-
Extended Learning Coordinator	-	-
Make It Happen Coordinator	-	-
Health Assistant	-	-
Coordinator Student Services	1.0	1.0
Facilities	6.2	6.2
Building Custodian II - 1st Shift	-	-
Building Custodian II - 2nd Shift	4.2	4.2
Building Custodian III Head	-	-
Building Custodian III Shift Supervisor	1.0	1.0
Building Custodian IV Head	1.0	1.0
Substitutes	1.0	1.0
Dedicated Sub	1.0	1.0

Portland Public Schools
FY2026 Expenditure Summary
Board of Education Recommended Budget
April 8, 2025

School Based Budgets

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/(-) v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$73,677,233	\$74,445,792	\$79,977,940	\$79,383,367	\$79,447,229	\$5,001,437	6.7%
Temporary Salaries	\$5,337,625	\$3,290,031	\$4,777,767	\$5,388,959	\$5,422,025	\$2,131,994	64.8%
Total Salaries	\$79,014,858	\$77,735,822	\$84,755,707	\$84,772,326	\$84,869,254	\$7,133,432	9.2%
Benefits	\$22,488,796	\$24,559,453	\$25,688,148	\$25,681,168	\$25,948,061	\$1,388,608	5.7%
TOTAL SALARIES & BENEFITS	\$101,503,655	\$102,295,276	\$110,443,855	\$110,453,494	\$110,817,315	\$8,522,039	8.3%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$457,318	\$113,565	\$274,972	\$274,972	\$275,107	\$161,542	142.2%
SPED Contracted Services	\$1,582,859	\$14,390	\$3,950	\$3,950	\$3,950	-\$10,440	-72.5%
Adult Ed Contracted Services	\$28,828	\$28,000	\$27,764	\$27,764	\$27,764	-\$236	-0.8%
Operations & Communications Contracted Services	\$1,237,241	\$316,811	\$670,827	\$670,827	\$670,827	\$354,016	111.7%
Insurance & Legal Contracted Services	\$456,840	\$526,518	\$535,510	\$535,510	\$535,510	\$8,992	1.7%
Facilities Contracted Services	\$923,355	\$777,331	\$874,415	\$874,415	\$874,415	\$97,084	12.5%
Transport Contracted Services	\$417,709	\$3,591	\$2,000	\$2,000	\$2,000	-\$1,591	-44.3%
TOTAL CONTRACTED SERVICES	\$5,104,150	\$1,780,206	\$2,389,438	\$2,389,438	\$2,389,573	\$609,367	34.2%
SUPPLIES							
Academic Supplies	\$1,603,397	\$1,740,035	\$1,041,469	\$1,041,468	\$1,041,468	-\$698,567	-40.1%
Operations Supplies	\$1,833,610	\$281,639	\$1,881,669	\$1,881,669	\$1,881,669	\$1,600,030	568.1%
TOTAL SUPPLIES	\$3,437,007	\$2,021,675	\$2,923,138	\$2,923,137	\$2,923,137	\$901,462	44.6%
MISCELLANEOUS	\$180,247	\$40,410	\$174,577	\$174,577	\$174,442	\$134,032	331.7%
CAPITAL EQUIPMENT	\$64,935	\$55,000	\$0	\$0	\$0	-\$55,000	-100.0%
DEBT SERVICE	\$0	\$4,014,550	\$3,891,477	\$3,891,477	\$3,891,477	-\$123,073	-3.1%
TOTAL NON SALARY AND BENEFITS	\$8,786,338	\$7,911,840	\$9,378,629	\$9,378,629	\$9,378,629	\$1,466,789	18.5%
TOTAL EXPENDITURES	\$110,289,993	\$110,207,116	\$119,822,485	\$119,832,123	\$120,195,944	\$9,988,828	9.1%



PORTLAND PUBLIC SCHOOLS
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Portland Adult Education (PAE)

Director: Abbie Yamamoto

Address: 14 Locust Street, Portland, ME 04101

Portland Adult Education (PAE) is Maine's largest adult education program, dedicated to empowering adult learners to achieve their educational, professional, and personal goals. PAE offers a diverse range of courses, including English language acquisition, high school diploma completion, workforce training, and personal enrichment classes. The program collaborates with local organizations and businesses to provide students with practical skills and employment opportunities. With a commitment to accessibility and lifelong learning, PAE helps individuals gain the knowledge and confidence needed for career advancement and community engagement. Through its supportive learning environment, PAE strives to meet the evolving needs of the community, fostering personal growth and economic development.

Portland Public Schools
FY2026 Expenditure Summary
Board of Education Recommended Budget
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Adult Education

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/- v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$2,816,050	\$1,664,309	\$3,595,245	\$2,984,053	\$2,953,343	\$1,289,034	77.5%
Temporary Salaries	\$643,994	\$433,740	\$17,614	\$628,806	\$661,876	\$228,136	52.6%
Total Salaries	\$3,460,044	\$2,098,049	\$3,612,859	\$3,612,859	\$3,615,219	\$1,517,170	72.3%
Benefits	\$847,614	\$500,906	\$1,019,041	\$1,019,041	\$1,033,132	\$532,226	106.3%
TOTAL SALARIES & BENEFITS	\$4,307,658	\$2,598,955	\$4,631,900	\$4,631,900	\$4,648,351	\$2,049,396	78.9%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$32,129	\$6,000	\$25,929	\$25,929	\$25,929	\$19,929	332.2%
SPED Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Adult Ed Contracted Services	\$28,828	\$28,000	\$27,764	\$27,764	\$27,764	-\$236	-0.8%
Ops & Comm Contracted Services	\$215,952	\$73,127	\$210,483	\$210,483	\$210,483	\$137,356	187.8%
Ins & Legal Contracted Services	\$0	\$4,884	\$0	\$0	\$0	-\$4,884	-100.0%
Facilities Contracted Services	\$188,687	\$223,122	\$196,533	\$196,533	\$196,533	-\$26,589	-11.9%
Transport Contracted Services	\$28,762	\$0	\$2,000	\$2,000	\$2,000	\$2,000	100.0%
TOTAL CONTRACTED SERVICES	\$494,360	\$335,133	\$462,709	\$462,709	\$462,709	\$127,576	38.1%
SUPPLIES							
Academic Supplies	\$175,816	\$94,908	\$146,809	\$146,809	\$146,809	\$51,901	54.7%
Operations Supplies	\$29,241	\$37,342	\$39,210	\$39,210	\$39,210	\$1,868	5.0%
TOTAL SUPPLIES	\$205,057	\$132,250	\$186,019	\$186,019	\$186,019	\$53,769	40.7%
MISCELLANEOUS	\$34,790	\$3,829	\$1,536	\$1,536	\$1,536	-\$2,293	-59.9%
CAPITAL EQUIPMENT	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
DEBT SERVICE	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
NON SALARY AND BENEFITS	\$734,207	\$471,213	\$650,264	\$650,264	\$650,264	\$179,051	38.0%
TOTAL EXPENDITURES	\$5,041,865	\$3,070,168	\$5,282,164	\$5,282,164	\$5,298,615	\$2,228,447	72.6%



PORTLAND PUBLIC SCHOOLS
prepared & empowered

Casco Bay High School (378 students)

Principal: Priya Natarajan

Address: 196 Allen Ave, Portland, ME 04103

Casco Bay High School is an expeditionary learning school that emphasizes rigorous and relevant curriculum. Students participate in learning expeditions that integrate multiple disciplines and culminate in high-quality projects. The school's small size allows for personalized learning experiences and strong relationships between students and staff. Casco Bay High School is committed to preparing students for college, career, and active citizenship.

Portland Public Schools
FY2026 Expenditure Summary
Board of Education Recommended Budget
April 8, 2025

Casco Bay High

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/(-) v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$3,268,703	\$3,157,533	\$3,504,886	\$3,504,888	\$3,507,344	\$349,811	11.1%
Temporary Salaries	\$291,084	\$96,075	\$204,545	\$204,545	\$204,544	\$108,469	112.9%
Total Salaries	\$3,559,787	\$3,253,609	\$3,709,431	\$3,709,433	\$3,711,888	\$458,279	14.1%
Benefits	\$930,432	\$976,606	\$1,026,164	\$1,026,163	\$1,032,908	\$56,302	5.8%
TOTAL SALARIES & BENEFITS	\$4,490,219	\$4,230,215	\$4,735,595	\$4,735,596	\$4,744,796	\$514,581	12.2%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$28,744	\$0	\$4,457	\$4,457	\$4,457	\$4,457	100.0%
SPED Contracted Services	\$30,778	\$0	\$0	\$0	\$0	\$0	0.0%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Ops & Comm Contracted Services	\$53,381	\$9,810	\$20,685	\$20,685	\$20,685	\$10,875	110.9%
Ins & Legal Contracted Services	\$14,422	\$16,467	\$16,961	\$16,961	\$16,961	\$494	3.0%
Facilities Contracted Services	\$2,380	\$8,138	\$7,673	\$7,673	\$7,673	-\$465	-5.7%
Transport Contracted Services	\$8,373	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL CONTRACTED SERVICES	\$138,078	\$34,415	\$49,776	\$49,776	\$49,776	\$15,361	44.6%
SUPPLIES							
Academic Supplies	\$40,786	\$75,324	\$46,623	\$46,623	\$46,623	-\$28,701	-38.1%
Operations Supplies	\$935	\$0	\$40,040	\$40,040	\$40,040	\$40,040	100.0%
TOTAL SUPPLIES	\$41,721	\$75,324	\$86,663	\$86,663	\$86,663	\$11,339	15.1%
MISCELLANEOUS	\$21,365	\$0	\$13,377	\$13,377	\$13,377	\$13,377	100.0%
CAPITAL EQUIPMENT	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
DEBT SERVICE	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
NON SALARY AND BENEFITS	\$201,164	\$109,739	\$149,816	\$149,816	\$149,816	\$40,077	36.5%
TOTAL EXPENDITURES	\$4,691,382	\$4,339,954	\$4,885,411	\$4,885,412	\$4,894,612	\$554,658	12.8%



PORTLAND PUBLIC SCHOOLS
prepared & empowered

Cliff Island School (3 students)

Teacher Leader: Kelly Hasson

Address: 20 Church Road, PO Box 8, Cliff Island, ME 04019

Cliff Island School offers a unique, personalized educational experience tailored to its small student body. Located on Cliff Island, the school integrates the island's natural surroundings into its curriculum, providing hands-on learning opportunities. The close-knit community ensures individualized attention, fostering strong relationships between students, staff, and residents. Emphasis is placed on experiential learning, allowing students to engage deeply with their environment and community.

Portland Public Schools
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Board of Education Recommended Budget
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Cliff Island

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/(-) v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$145,567	\$93,231	\$124,158	\$124,158	\$124,226	\$30,995	33.2%
Temporary Salaries	\$10,274	\$3,870	\$4,526	\$4,526	\$4,526	\$656	17.0%
Total Salaries	\$155,840	\$97,101	\$128,684	\$128,684	\$128,752	\$31,651	32.6%
Benefits	\$33,835	\$29,033	\$35,313	\$35,313	\$35,509	\$6,476	22.3%
TOTAL SALARIES & BENEFITS	\$189,675	\$126,133	\$163,997	\$163,997	\$164,261	\$38,128	30.2%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$1,920	\$1,748	\$1,748	\$1,748	\$1,748	\$0	0.0%
SPED Contracted Services	\$0	\$3,950	\$3,950	\$3,950	\$3,950	\$0	0.0%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Ops & Comm Contracted Services	\$214	\$602	\$602	\$602	\$602	\$0	0.1%
Ins & Legal Contracted Services	\$314	\$359	\$370	\$370	\$370	\$11	3.0%
Facilities Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Transport Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL CONTRACTED SERVICES	\$2,448	\$6,659	\$6,670	\$6,670	\$6,670	\$11	0.2%
SUPPLIES							
Academic Supplies	\$417	\$516	\$116	\$116	\$116	-\$400	-77.5%
Operations Supplies	\$1,855	\$0	\$1,800	\$1,800	\$1,800	\$1,800	100.0%
TOTAL SUPPLIES	\$2,272	\$516	\$1,916	\$1,916	\$1,916	\$1,400	271.3%
MISCELLANEOUS	\$200	\$0	\$400	\$400	\$400	\$400	100.0%
CAPITAL EQUIPMENT	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
DEBT SERVICE	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
NON SALARY AND BENEFITS	\$4,920	\$7,175	\$8,986	\$8,986	\$8,986	\$1,811	25.2%
TOTAL EXPENDITURES	\$194,596	\$133,308	\$172,983	\$172,983	\$173,247	\$39,939	30.0%



PORTLAND PUBLIC SCHOOLS
prepared & empowered

Deering High School (836 students)

Principal: Jake Giessman

Address: 370 Stevens Ave, Portland, ME 04103

Deering High School boasts a rich history and a diverse student body. The school offers a wide range of academic courses, including Advanced Placement classes, to challenge and engage students. Extracurricular activities, from athletics to arts, provide avenues for students to explore their passions. Deering High School is dedicated to creating an inclusive environment where every student has the opportunity to succeed.

Portland Public Schools
FY2026 Expenditure Summary
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Deering High

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/- v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$7,796,949	\$8,170,854	\$8,776,442	\$8,776,442	\$8,787,709	\$616,855	7.5%
Temporary Salaries	\$803,054	\$507,078	\$691,281	\$691,281	\$691,281	\$184,203	36.3%
Total Salaries	\$8,600,003	\$8,677,932	\$9,467,723	\$9,467,723	\$9,478,990	\$801,058	9.2%
Benefits	\$2,620,957	\$2,730,702	\$2,843,786	\$2,843,786	\$2,874,748	\$144,046	5.3%
TOTAL SALARIES & BENEFITS	\$11,220,960	\$11,408,634	\$12,311,509	\$12,311,509	\$12,353,738	\$945,104	8.3%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$68,546	\$0	\$19,800	\$19,800	\$19,800	\$19,800	100.0%
SPED Contracted Services	\$171,101	\$0	\$0	\$0	\$0	\$0	0.0%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Ops & Comm Contracted Services	\$208,628	\$23,479	\$76,920	\$76,920	\$76,920	\$53,441	227.6%
Ins & Legal Contracted Services	\$59,165	\$67,556	\$69,582	\$69,582	\$69,582	\$2,026	3.0%
Facilities Contracted Services	\$153,256	\$33,131	\$103,884	\$103,884	\$103,884	\$70,753	213.6%
Transport Contracted Services	\$107,677	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL CONTRACTED SERVICES	\$768,373	\$124,166	\$270,186	\$270,186	\$270,186	\$146,020	117.6%
SUPPLIES							
Academic Supplies	\$190,137	\$292,261	\$124,250	\$124,250	\$124,250	-\$168,011	-57.5%
Operations Supplies	\$220,770	\$0	\$176,234	\$176,234	\$176,234	\$176,234	100.0%
TOTAL SUPPLIES	\$410,907	\$292,261	\$300,484	\$300,484	\$300,484	\$8,223	2.8%
MISCELLANEOUS	-\$46,630	\$0	\$33,500	\$33,500	\$33,500	\$33,500	100.0%
CAPITAL EQUIPMENT	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
DEBT SERVICE	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
NON SALARY AND BENEFITS	\$1,132,650	\$416,427	\$604,170	\$604,170	\$604,170	\$187,743	45.1%
TOTAL EXPENDITURES	\$12,353,610	\$11,825,062	\$12,915,679	\$12,915,679	\$12,957,908	\$1,132,846	9.6%



PORTLAND PUBLIC SCHOOLS
prepared & empowered

East End Community School (388 students)

Principal: Boyd Marley

Address: 195 North St, Portland, ME 04101

East End Community School serves a diverse student population, reflecting the rich cultural tapestry of Portland's East End. The school prioritizes community involvement, encouraging partnerships with local organizations to enhance educational experiences. A strong focus on the arts and environmental stewardship allows students to explore their creativity while understanding the importance of sustainability. The dedicated staff works collaboratively to ensure that every student feels valued and supported in their academic journey.

Portland Public Schools
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East End

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/- v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$4,882,780	\$4,977,893	\$5,357,959	\$5,357,957	\$5,365,636	\$387,743	7.8%
Temporary Salaries	\$270,568	\$127,949	\$245,994	\$245,994	\$245,994	\$118,045	92.3%
Total Salaries	\$5,153,348	\$5,105,842	\$5,603,953	\$5,603,951	\$5,611,630	\$505,788	9.9%
Benefits	\$1,540,895	\$1,648,799	\$1,798,057	\$1,798,059	\$1,818,948	\$170,149	10.3%
TOTAL SALARIES & BENEFITS	\$6,694,243	\$6,754,641	\$7,402,010	\$7,402,010	\$7,430,578	\$675,937	10.0%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$7,941	\$0	\$7,771	\$7,771	\$7,906	\$7,906	100.0%
SPED Contracted Services	\$192,884	\$0	\$0	\$0	\$0	\$0	0.0%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Ops & Comm Contracted Services	\$27,539	\$11,075	\$22,240	\$22,240	\$22,240	\$11,165	100.8%
Ins & Legal Contracted Services	\$23,179	\$26,467	\$27,261	\$27,261	\$27,261	\$794	3.0%
Facilities Contracted Services	\$22,192	\$30,892	\$25,567	\$25,567	\$25,567	-\$5,325	-17.2%
Transport Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL CONTRACTED SERVICES	\$273,736	\$68,434	\$82,839	\$82,839	\$82,974	\$14,540	21.2%
SUPPLIES							
Academic Supplies	\$66,219	\$56,565	\$49,376	\$49,376	\$49,376	-\$7,189	-12.7%
Operations Supplies	\$115,550	\$0	\$127,000	\$127,000	\$127,000	\$127,000	100.0%
TOTAL SUPPLIES	\$181,769	\$56,565	\$176,376	\$176,376	\$176,376	\$119,811	211.8%
MISCELLANEOUS	\$4,417	\$0	\$4,000	\$4,000	\$3,865	\$3,865	100.0%
CAPITAL EQUIPMENT	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
DEBT SERVICE	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
NON SALARY AND BENEFITS	\$459,922	\$124,999	\$263,215	\$263,215	\$263,215	\$138,216	110.6%
TOTAL EXPENDITURES	\$7,154,165	\$6,879,640	\$7,665,225	\$7,665,225	\$7,693,793	\$814,153	11.8%



PORTLAND PUBLIC SCHOOLS
prepared & empowered

King Middle School (433 students)

Principal: Amy Marx

Address: 92 Deering Ave, Portland, ME 04102

King Middle School is renowned for its expeditionary learning model, emphasizing hands-on, project-based education. Students engage in interdisciplinary expeditions that foster critical thinking and real-world problem-solving skills. The school promotes a culture of respect and responsibility, preparing students to be active, informed citizens. With a diverse student body, King Middle School celebrates inclusivity and encourages students to explore various perspectives.

Portland Public Schools
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King Middle

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/- v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$5,014,484	\$5,132,532	\$5,317,582	\$5,332,876	\$5,338,841	\$206,309	4.0%
Temporary Salaries	\$247,046	\$205,437	\$323,989	\$323,989	\$323,985	\$118,548	57.7%
Total Salaries	\$5,261,529	\$5,337,970	\$5,641,571	\$5,656,865	\$5,662,826	\$324,856	6.1%
Benefits	\$1,470,735	\$1,676,687	\$1,688,095	\$1,689,953	\$1,705,467	\$28,780	1.7%
TOTAL SALARIES & BENEFITS	\$6,732,264	\$7,014,657	\$7,329,666	\$7,346,818	\$7,368,293	\$353,636	5.0%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$33,077	\$0	\$23,500	\$23,500	\$23,500	\$23,500	100.0%
SPED Contracted Services	\$74,168	\$0	\$0	\$0	\$0	\$0	0.0%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Ops & Comm Contracted Services	\$27,922	\$20,016	\$24,000	\$24,000	\$24,000	\$3,984	19.9%
Ins & Legal Contracted Services	\$27,589	\$31,501	\$32,446	\$32,446	\$32,446	\$945	3.0%
Facilities Contracted Services	\$26,500	\$22,419	\$23,000	\$23,000	\$23,000	\$581	2.6%
Transport Contracted Services	\$38,675	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL CONTRACTED SERVICES	\$227,930	\$73,936	\$102,946	\$102,946	\$102,946	\$29,010	39.2%
SUPPLIES							
Academic Supplies	\$79,817	\$99,949	\$64,564	\$64,564	\$64,564	-\$35,385	-35.4%
Operations Supplies	\$98,409	\$0	\$104,108	\$104,108	\$104,108	\$104,108	100.0%
TOTAL SUPPLIES	\$178,226	\$99,949	\$168,672	\$168,672	\$168,672	\$68,723	68.8%
MISCELLANEOUS	\$9,988	\$0	\$5,500	\$5,500	\$5,500	\$5,500	100.0%
CAPITAL EQUIPMENT	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
DEBT SERVICE	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
NON SALARY AND BENEFITS	\$416,143	\$173,885	\$277,118	\$277,118	\$277,118	\$103,233	59.4%
TOTAL EXPENDITURES	\$7,148,408	\$7,188,542	\$7,606,784	\$7,623,936	\$7,645,411	\$456,869	6.4%



PORTLAND PUBLIC SCHOOLS
prepared & empowered

Lincoln Middle School (379 students)

Principal: Aris Ayala Cruz

Address: 522 Stevens Ave, Portland, ME 04103

Lincoln Middle School offers a comprehensive curriculum designed to meet the diverse needs of its students. The school emphasizes academic excellence while supporting social and emotional development. Extracurricular activities, including arts and athletics, provide students with opportunities to explore their interests and talents. The dedicated staff collaborates closely with families to create a supportive and engaging learning environment.

Portland Public Schools
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Lincoln Middle

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/- v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$4,719,806	\$4,811,718	\$4,815,513	\$4,815,513	\$4,821,383	\$9,665	0.2%
Temporary Salaries	\$206,224	\$180,025	\$299,427	\$299,427	\$299,427	\$119,402	66.3%
Total Salaries	\$4,926,029	\$4,991,743	\$5,114,940	\$5,114,940	\$5,120,810	\$129,067	2.6%
Benefits	\$1,369,175	\$1,586,486	\$1,541,808	\$1,541,808	\$1,556,924	-\$29,562	-1.9%
TOTAL SALARIES & BENEFITS	\$6,295,204	\$6,578,229	\$6,656,748	\$6,656,748	\$6,677,734	\$99,505	1.5%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$15,826	\$0	\$17,920	\$17,920	\$17,920	\$17,920	100.0%
SPED Contracted Services	\$143,118	\$0	\$0	\$0	\$0	\$0	0.0%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Ops & Comm Contracted Services	\$35,811	\$14,063	\$31,100	\$31,100	\$31,100	\$17,037	121.1%
Ins & Legal Contracted Services	\$31,869	\$36,389	\$37,481	\$37,481	\$37,481	\$1,092	3.0%
Facilities Contracted Services	\$29,163	\$34,942	\$48,500	\$48,500	\$48,500	\$13,558	38.8%
Transport Contracted Services	\$52,184	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL CONTRACTED SERVICES	\$307,971	\$85,394	\$135,001	\$135,001	\$135,001	\$49,607	58.1%
SUPPLIES							
Academic Supplies	\$60,495	\$94,140	\$49,501	\$49,501	\$49,501	-\$44,639	-47.4%
Operations Supplies	\$118,718	\$0	\$116,000	\$116,000	\$116,000	\$116,000	100.0%
TOTAL SUPPLIES	\$179,213	\$94,140	\$165,501	\$165,501	\$165,501	\$71,361	75.8%
MISCELLANEOUS	\$9,315	\$0	\$2,450	\$2,450	\$2,450	\$2,450	100.0%
CAPITAL EQUIPMENT	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
DEBT SERVICE	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
NON SALARY AND BENEFITS	\$496,499	\$179,534	\$302,952	\$302,952	\$302,952	\$123,418	68.7%
TOTAL EXPENDITURES	\$6,791,703	\$6,757,763	\$6,959,700	\$6,959,700	\$6,980,686	\$222,923	3.3%



PORTLAND PUBLIC SCHOOLS
prepared & empowered

Longfellow Elementary School (261 students)

Principal: Nicole Bradeen

Address: 432 Stevens Ave, Portland, ME 04103

Longfellow Elementary School offers a student-centered approach to education, tailoring instruction to meet individual learning styles and needs. The curriculum integrates arts and sciences, fostering creativity and critical thinking. Community service projects are embedded into the school culture, teaching students the value of giving back. A supportive and collaborative environment ensures that every student feels connected and empowered to achieve their best.

Portland Public Schools
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Longfellow

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/- v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$2,840,027	\$2,691,915	\$2,832,882	\$2,832,882	\$2,836,338	\$144,423	5.4%
Temporary Salaries	\$154,169	\$80,583	\$202,291	\$202,291	\$202,291	\$121,708	151.0%
Total Salaries	\$2,994,196	\$2,772,498	\$3,035,173	\$3,035,173	\$3,038,629	\$266,131	9.6%
Benefits	\$822,503	\$880,754	\$904,971	\$904,971	\$914,473	\$33,719	3.8%
TOTAL SALARIES & BENEFITS	\$3,816,699	\$3,653,252	\$3,940,144	\$3,940,144	\$3,953,102	\$299,850	8.2%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$5,062	\$0	\$8,000	\$8,000	\$8,000	\$8,000	100.0%
SPED Contracted Services	\$28,118	\$0	\$0	\$0	\$0	\$0	0.0%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Ops & Comm Contracted Services	\$5,101	\$9,337	\$8,300	\$8,300	\$8,300	-\$1,037	-11.1%
Ins & Legal Contracted Services	\$13,217	\$15,092	\$15,545	\$15,545	\$15,545	\$453	3.0%
Facilities Contracted Services	\$12,379	\$10,943	\$11,271	\$11,271	\$11,271	\$328	3.0%
Transport Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL CONTRACTED SERVICES	\$63,877	\$35,372	\$43,116	\$43,116	\$43,116	\$7,744	21.9%
SUPPLIES							
Academic Supplies	\$31,553	\$35,640	\$28,800	\$28,800	\$28,800	-\$6,840	-19.2%
Operations Supplies	\$32,434	\$0	\$41,959	\$41,959	\$41,959	\$41,959	100.0%
TOTAL SUPPLIES	\$63,987	\$35,640	\$70,759	\$70,759	\$70,759	\$35,119	98.5%
MISCELLANEOUS	\$1,043	\$0	\$1,500	\$1,500	\$1,500	\$1,500	100.0%
CAPITAL EQUIPMENT	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
DEBT SERVICE	\$0	\$727,643	\$705,811	\$705,811	\$705,811	-\$21,832	-3.0%
NON SALARY AND BENEFITS	\$128,907	\$798,655	\$821,186	\$821,186	\$821,186	\$22,531	2.8%
TOTAL EXPENDITURES	\$3,945,606	\$4,451,907	\$4,761,330	\$4,761,330	\$4,774,288	\$322,381	7.2%



PORTLAND PUBLIC SCHOOLS
prepared & empowered

Harrison Lyseth Elementary School (487 students)

Principal: Sara Goodall

Address: 175 Auburn St, Portland, ME 04103

Harrison Lyseth Elementary School is committed to academic excellence, offering a curriculum that challenges and inspires students. The school integrates technology and innovative teaching methods to enhance learning outcomes. A strong emphasis on character education helps students develop integrity, responsibility, and empathy. Extracurricular activities, including music and sports, provide well-rounded opportunities for personal growth.

Portland Public Schools
FY2026 Expenditure Summary
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Lyseth

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/- v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$4,412,011	\$4,414,085	\$4,681,324	\$4,696,618	\$4,701,080	\$286,995	6.5%
Temporary Salaries	\$326,189	\$116,279	\$230,047	\$230,047	\$230,047	\$113,768	97.8%
Total Salaries	\$4,738,200	\$4,530,364	\$4,911,371	\$4,926,665	\$4,931,127	\$400,763	8.8%
Benefits	\$1,365,471	\$1,423,877	\$1,451,874	\$1,453,732	\$1,465,704	\$41,827	2.9%
TOTAL SALARIES & BENEFITS	\$6,103,671	\$5,954,242	\$6,363,245	\$6,380,397	\$6,396,831	\$442,589	7.4%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$14,433	\$0	\$20,315	\$20,315	\$20,315	\$20,315	100.0%
SPED Contracted Services	\$11,891	\$0	\$0	\$0	\$0	\$0	0.0%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Ops & Comm Contracted Services	\$8,269	\$12,325	\$13,024	\$13,024	\$13,024	\$699	5.7%
Ins & Legal Contracted Services	\$15,600	\$17,812	\$18,346	\$18,346	\$18,346	\$534	3.0%
Facilities Contracted Services	\$8,114	\$18,014	\$8,722	\$8,722	\$8,722	-\$9,292	-51.6%
Transport Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL CONTRACTED SERVICES	\$58,307	\$48,151	\$60,407	\$60,407	\$60,407	\$12,256	25.5%
SUPPLIES							
Academic Supplies	\$69,475	\$66,420	\$46,194	\$46,194	\$46,194	-\$20,226	-30.5%
Operations Supplies	\$45,243	\$0	\$37,656	\$37,656	\$37,656	\$37,656	100.0%
TOTAL SUPPLIES	\$114,718	\$66,420	\$83,850	\$83,850	\$83,850	\$17,430	26.2%
MISCELLANEOUS	\$10,732	\$7,451	\$9,558	\$9,558	\$9,558	\$2,107	28.3%
CAPITAL EQUIPMENT	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
DEBT SERVICE	\$0	\$1,175,242	\$1,137,358	\$1,137,358	\$1,137,358	-\$37,884	-3.2%
NON SALARY AND BENEFITS	\$183,757	\$1,297,264	\$1,291,173	\$1,291,173	\$1,291,173	-\$6,091	-0.5%
TOTAL EXPENDITURES	\$6,287,428	\$7,251,506	\$7,654,418	\$7,671,570	\$7,688,004	\$436,498	6.0%



PORTLAND PUBLIC SCHOOLS
prepared & empowered

Lyman Moore Middle School (467 students)

Principal: Darralynn Jones

Address: 171 Auburn Street, Portland, ME 04103

Lyman Moore Middle School focuses on fostering a community of learners who are curious, compassionate, and committed to personal growth. The school offers a variety of programs aimed at developing critical thinking and leadership skills. Collaborative teaching practices and a supportive environment ensure that students are well-prepared for high school and beyond. Community partnerships enhance the educational experience by connecting students with real-world learning opportunities.

Portland Public Schools
FY2026 Expenditure Summary
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Moore Middle

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/(-) v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$5,535,969	\$5,171,340	\$5,284,443	\$5,284,443	\$5,291,305	\$119,965	2.3%
Temporary Salaries	\$280,120	\$196,653	\$314,938	\$314,938	\$314,939	\$118,286	60.1%
Total Salaries	\$5,816,089	\$5,367,993	\$5,599,381	\$5,599,381	\$5,606,244	\$238,251	4.4%
Benefits	\$1,655,194	\$1,735,251	\$1,727,023	\$1,727,023	\$1,745,229	\$9,978	0.6%
TOTAL SALARIES & BENEFITS	\$7,471,283	\$7,103,244	\$7,326,404	\$7,326,404	\$7,351,473	\$248,229	3.5%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$20,579	\$0	\$9,293	\$9,293	\$9,293	\$9,293	100.0%
SPED Contracted Services	\$83,786	\$10,440	\$0	\$0	\$0	-\$10,440	-100.0%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Ops & Comm Contracted Services	\$112,965	\$15,365	\$29,827	\$29,827	\$29,827	\$14,462	94.1%
Ins & Legal Contracted Services	\$32,273	\$36,850	\$37,956	\$37,956	\$37,956	\$1,106	3.0%
Facilities Contracted Services	\$51,787	\$20,966	\$40,337	\$40,337	\$40,337	\$19,371	92.4%
Transport Contracted Services	\$54,769	\$3,591	\$0	\$0	\$0	-\$3,591	-100.0%
TOTAL CONTRACTED SERVICES	\$356,159	\$87,211	\$117,413	\$117,413	\$117,413	\$30,202	34.6%
SUPPLIES							
Academic Supplies	\$67,560	\$104,345	\$34,684	\$34,683	\$34,683	-\$69,662	-66.8%
Operations Supplies	\$210,879	\$0	\$189,608	\$189,608	\$189,608	\$189,608	100.0%
TOTAL SUPPLIES	\$278,439	\$104,345	\$224,292	\$224,291	\$224,291	\$119,946	115.0%
MISCELLANEOUS	\$16,495	\$0	\$9,980	\$9,980	\$9,980	\$9,980	100.0%
CAPITAL EQUIPMENT	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
DEBT SERVICE	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
NON SALARY AND BENEFITS	\$651,093	\$191,556	\$351,684	\$351,684	\$351,684	\$160,128	83.6%
TOTAL EXPENDITURES	\$8,122,376	\$7,294,800	\$7,678,088	\$7,678,088	\$7,703,157	\$408,357	5.6%



PORTLAND PUBLIC SCHOOLS
prepared & empowered

Ocean Avenue Elementary School (335 students)

Principal: Beverly Stevens

Address: 150 Ocean Avenue, Portland, ME 04103

Ocean Avenue Elementary School, an International Baccalaureate (IB) School, is known for its modern facilities and commitment to sustainability. The school incorporates environmental education into its curriculum, teaching students the importance of ecological responsibility. A strong emphasis on the arts allows students to explore various forms of creative expression. The dedicated staff works to create an inclusive atmosphere where diversity is celebrated, and every student is encouraged to excel.

Portland Public Schools
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Ocean Ave

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/- v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$4,251,214	\$4,338,540	\$4,327,182	\$4,332,175	\$4,338,731	\$191	0.0%
Temporary Salaries	\$170,049	\$122,492	\$234,598	\$234,598	\$234,598	\$112,106	91.5%
Total Salaries	\$4,421,264	\$4,461,032	\$4,561,780	\$4,566,773	\$4,573,329	\$112,297	2.5%
Benefits	\$1,323,472	\$1,471,811	\$1,461,492	\$1,462,099	\$1,480,032	\$8,221	0.6%
TOTAL SALARIES & BENEFITS	\$5,744,736	\$5,932,843	\$6,023,272	\$6,028,872	\$6,053,361	\$120,518	2.0%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$22,685	\$0	\$11,745	\$11,745	\$11,745	\$11,745	100.0%
SPED Contracted Services	\$126,471	\$0	\$0	\$0	\$0	\$0	0.0%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Ops & Comm Contracted Services	\$23,474	\$9,657	\$11,208	\$11,208	\$11,208	\$1,551	16.1%
Ins & Legal Contracted Services	\$21,731	\$24,814	\$25,558	\$25,558	\$25,558	\$744	3.0%
Facilities Contracted Services	\$17,481	\$12,475	\$16,672	\$16,672	\$16,672	\$4,197	33.6%
Transport Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL CONTRACTED SERVICES	\$211,841	\$46,946	\$65,183	\$65,183	\$65,183	\$18,237	38.8%
SUPPLIES							
Academic Supplies	\$46,454	\$46,035	\$22,780	\$22,780	\$22,780	-\$23,255	-50.5%
Operations Supplies	\$69,797	\$0	\$80,000	\$80,000	\$80,000	\$80,000	100.0%
TOTAL SUPPLIES	\$116,252	\$46,035	\$102,780	\$102,780	\$102,780	\$56,745	123.3%
MISCELLANEOUS	\$11,877	\$0	\$11,934	\$11,934	\$11,934	\$11,934	100.0%
CAPITAL EQUIPMENT	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
DEBT SERVICE	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
NON SALARY AND BENEFITS	\$339,970	\$92,981	\$179,897	\$179,897	\$179,897	\$86,916	93.5%
TOTAL EXPENDITURES	\$6,084,706	\$6,025,824	\$6,203,169	\$6,208,769	\$6,233,258	\$207,434	3.4%



PORTLAND PUBLIC SCHOOLS
prepared & empowered

Portland Arts and Technology High School (PATHS)

Director: Kevin Stilphen

Address: 196 Allen Ave, Portland, ME 04103

PATHS offers hands-on, technical education to prepare students for a wide range of high-skill, high-wage, and high-demand careers. Programs include culinary arts, automotive technology, and multimedia communications, among others. Students from various high schools attend PATHS part-time to gain practical skills and industry certifications. The school collaborates with local businesses and organizations to provide real-world learning experiences and internships.

Portland Public Schools
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PATHS

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/- v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$2,460,944	\$2,474,945	\$2,567,303	\$2,567,303	\$2,571,197	\$96,252	3.9%
Temporary Salaries	\$168,974	\$27,538	\$85,258	\$85,258	\$85,258	\$57,720	209.6%
Total Salaries	\$2,629,918	\$2,502,482	\$2,652,561	\$2,652,561	\$2,656,455	\$153,973	6.2%
Benefits	\$713,613	\$856,059	\$827,535	\$827,535	\$836,398	-\$19,661	-2.3%
TOTAL SALARIES & BENEFITS	\$3,343,532	\$3,358,541	\$3,480,096	\$3,480,096	\$3,492,853	\$134,312	4.0%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$41,866	\$55,105	\$35,104	\$35,104	\$35,104	-\$20,001	-36.3%
SPED Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Ops & Comm Contracted Services	\$47,786	\$42,253	\$17,453	\$17,453	\$17,453	-\$24,800	-58.7%
Ins & Legal Contracted Services	\$51,716	\$59,050	\$59,050	\$59,050	\$59,050	\$0	0.0%
Facilities Contracted Services	\$57,474	\$25,773	\$52,113	\$52,113	\$52,113	\$26,340	102.2%
Transport Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL CONTRACTED SERVICES	\$198,841	\$182,182	\$163,720	\$163,720	\$163,720	-\$18,462	-10.1%
SUPPLIES							
Academic Supplies	\$241,223	\$234,418	\$110,000	\$110,000	\$110,000	-\$124,418	-53.1%
Operations Supplies	\$216,706	\$241,834	\$235,259	\$235,259	\$235,259	-\$6,575	-2.7%
TOTAL SUPPLIES	\$457,929	\$476,252	\$345,259	\$345,259	\$345,259	-\$130,993	-27.5%
MISCELLANEOUS	\$22,905	\$29,130	\$0	\$0	\$0	-\$29,130	-100.0%
CAPITAL EQUIPMENT	\$66,724	\$55,000	\$0	\$0	\$0	-\$55,000	-100.0%
DEBT SERVICE	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
NON SALARY AND BENEFITS	\$746,399	\$742,564	\$508,979	\$508,979	\$508,979	-\$233,585	-31.5%
TOTAL EXPENDITURES	\$4,089,931	\$4,101,106	\$3,989,075	\$3,989,075	\$4,001,832	-\$99,274	-2.4%



PORTLAND PUBLIC SCHOOLS
prepared & empowered

Peaks Island School (41 students)

Teacher Leader: Kelly Hasson

Address: 4 Church Avenue, Portland, ME 04108

Peaks Island School provides a unique educational setting, surrounded by the natural beauty of Peaks Island. The small student body allows for personalized instruction and strong community bonds. The curriculum leverages the island's resources, offering hands-on learning experiences in marine biology, ecology, and local history. Community events and partnerships enrich the educational experience, making the school a central hub for island residents.

Portland Public Schools
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Peaks Island

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/- v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$841,748	\$907,487	\$987,960	\$987,960	\$989,102	\$81,615	9.0%
Temporary Salaries	\$137,966	\$31,888	\$37,122	\$37,122	\$37,122	\$5,234	16.4%
Total Salaries	\$979,714	\$939,375	\$1,025,082	\$1,025,082	\$1,026,224	\$86,849	9.2%
Benefits	\$237,656	\$298,844	\$306,240	\$306,240	\$309,354	\$10,510	3.5%
TOTAL SALARIES & BENEFITS	\$1,217,370	\$1,238,219	\$1,331,322	\$1,331,322	\$1,335,578	\$97,359	7.9%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$35,465	\$42,780	\$45,586	\$45,586	\$45,586	\$2,806	6.6%
SPED Contracted Services	\$51,086	\$0	\$0	\$0	\$0	\$0	0.0%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Ops & Comm Contracted Services	\$1,708	\$2,478	\$2,553	\$2,553	\$2,553	\$75	3.0%
Ins & Legal Contracted Services	\$4,069	\$4,647	\$4,786	\$4,786	\$4,786	\$139	3.0%
Facilities Contracted Services	\$1,530	\$2,185	\$1,753	\$1,753	\$1,753	-\$432	-19.8%
Transport Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL CONTRACTED SERVICES	\$93,858	\$52,091	\$54,678	\$54,678	\$54,678	\$2,587	5.0%
SUPPLIES							
Academic Supplies	\$9,378	\$11,610	\$9,896	\$9,896	\$9,896	-\$1,714	-14.8%
Operations Supplies	\$47,676	\$0	\$47,040	\$47,040	\$47,040	\$47,040	100.0%
TOTAL SUPPLIES	\$57,054	\$11,610	\$56,936	\$56,936	\$56,936	\$45,326	390.4%
MISCELLANEOUS	\$431	\$0	\$678	\$678	\$678	\$678	100.0%
CAPITAL EQUIPMENT	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
DEBT SERVICE	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
NON SALARY AND BENEFITS	\$151,343	\$63,701	\$112,292	\$112,292	\$112,292	\$48,591	76.3%
TOTAL EXPENDITURES	\$1,368,713	\$1,301,919	\$1,443,614	\$1,443,614	\$1,447,870	\$145,951	11.2%



PORTLAND PUBLIC SCHOOLS
prepared & empowered

Portland High School (900 students)

Principal: Sheila Jepson

Address: 284 Cumberland Ave, Portland, ME 04101

Established in 1821, Portland High School is one of the oldest public high schools in the United States. The school prides itself on academic excellence and community engagement. A diverse array of programs, including career and technical education, ensures that students are prepared for various post-secondary paths. The school's urban setting provides students with unique opportunities to connect with the broader Portland community.

Portland Public Schools
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Portland High

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/- v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$7,867,522	\$7,525,051	\$7,939,911	\$7,939,911	\$7,947,912	\$422,861	5.6%
Temporary Salaries	\$688,944	\$482,937	\$662,745	\$662,745	\$662,745	\$179,808	37.2%
Total Salaries	\$8,556,465	\$8,007,989	\$8,602,656	\$8,602,656	\$8,610,657	\$602,668	7.5%
Benefits	\$2,212,547	\$2,412,908	\$2,443,614	\$2,443,614	\$2,464,569	\$51,661	2.1%
TOTAL SALARIES & BENEFITS	\$10,769,012	\$10,420,897	\$11,046,270	\$11,046,270	\$11,075,226	\$654,329	6.3%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$50,897	\$0	\$19,800	\$19,800	\$19,800	\$19,800	100.0%
SPED Contracted Services	\$35,015	\$0	\$0	\$0	\$0	\$0	0.0%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Ops & Comm Contracted Services	\$118,352	\$25,547	\$129,554	\$129,554	\$129,554	\$104,007	407.1%
Ins & Legal Contracted Services	\$77,444	\$88,427	\$91,080	\$91,080	\$91,080	\$2,653	3.0%
Facilities Contracted Services	\$269,935	\$263,368	\$254,580	\$254,580	\$254,580	-\$8,788	-3.3%
Transport Contracted Services	\$127,270	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL CONTRACTED SERVICES	\$678,912	\$377,341	\$495,014	\$495,014	\$495,014	\$117,673	31.2%
SUPPLIES							
Academic Supplies	\$192,685	\$304,209	\$145,400	\$145,400	\$145,400	-\$158,809	-52.2%
Operations Supplies	\$231,943	\$0	\$221,193	\$221,193	\$221,193	\$221,193	100.0%
TOTAL SUPPLIES	\$424,629	\$304,209	\$366,593	\$366,593	\$366,593	\$62,384	20.5%
MISCELLANEOUS	\$69,218	\$0	\$69,430	\$69,430	\$69,430	\$69,430	100.0%
CAPITAL EQUIPMENT	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
DEBT SERVICE	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
NON SALARY AND BENEFITS	\$1,172,759	\$681,550	\$931,037	\$931,037	\$931,037	\$249,487	36.6%
TOTAL EXPENDITURES	\$11,941,771	\$11,102,447	\$11,977,307	\$11,977,307	\$12,006,263	\$903,816	8.1%



PORTLAND PUBLIC SCHOOLS
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Presumpscot Elementary School (263 students)

Principal: Angela Taylor

Address: 69 Presumpscot St, Portland, ME 04103

Presumpscot Elementary School, an Expeditionary Learning school, fosters a collaborative learning environment where students, teachers, and families work together to achieve academic success. The school emphasizes social-emotional learning, ensuring that students develop the skills necessary for personal and academic growth. Innovative teaching practices and a rich array of extracurricular activities provide a well-rounded educational experience. Community involvement is encouraged, strengthening the bond between the school and its stakeholders.

Portland Public Schools
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Presumpscot

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/- v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$2,836,422	\$3,186,206	\$3,322,472	\$3,322,472	\$3,327,456	\$141,250	4.4%
Temporary Salaries	\$159,849	\$116,491	\$269,158	\$269,158	\$269,158	\$152,667	131.1%
Total Salaries	\$2,996,271	\$3,302,697	\$3,591,630	\$3,591,630	\$3,596,614	\$293,917	8.9%
Benefits	\$864,062	\$1,071,023	\$1,125,436	\$1,125,436	\$1,139,506	\$68,483	6.4%
TOTAL SALARIES & BENEFITS	\$3,860,332	\$4,373,720	\$4,717,066	\$4,717,066	\$4,736,120	\$362,400	8.3%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$26,882	\$0	\$2,426	\$2,426	\$2,426	\$2,426	100.0%
SPED Contracted Services	\$52,331	\$0	\$0	\$0	\$0	\$0	0.0%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Ops & Comm Contracted Services	\$18,638	\$7,973	\$8,212	\$8,212	\$8,212	\$239	3.0%
Ins & Legal Contracted Services	\$7,833	\$8,944	\$9,212	\$9,212	\$9,212	\$268	3.0%
Facilities Contracted Services	\$18,528	\$13,950	\$17,629	\$17,629	\$17,629	\$3,679	26.4%
Transport Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL CONTRACTED SERVICES	\$124,212	\$30,866	\$37,479	\$37,479	\$37,479	\$6,613	21.4%
SUPPLIES							
Academic Supplies	\$32,907	\$35,910	\$34,445	\$34,445	\$34,445	-\$1,465	-4.1%
Operations Supplies	\$75,438	\$0	\$70,781	\$70,781	\$70,781	\$70,781	100.0%
TOTAL SUPPLIES	\$108,344	\$35,910	\$105,226	\$105,226	\$105,226	\$69,316	193.0%
MISCELLANEOUS	\$1,058	\$0	\$600	\$600	\$600	\$600	100.0%
CAPITAL EQUIPMENT	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
DEBT SERVICE	\$0	\$1,320,534	\$1,280,914	\$1,280,914	\$1,280,914	-\$39,620	-3.0%
NON SALARY AND BENEFITS	\$233,615	\$1,387,310	\$1,424,219	\$1,424,219	\$1,424,219	\$36,909	2.7%
TOTAL EXPENDITURES	\$4,093,947	\$5,761,030	\$6,141,285	\$6,141,285	\$6,160,339	\$399,309	6.9%



PORTLAND PUBLIC SCHOOLS
prepared & empowered

Howard C. Reiche Community School (466 students)

Teacher Leaders: Lorraine Bobinsky, Anne Dalphin, David Briley

Address: 166 Brackett St, Portland, ME 04102

Howard C. Reiche Community School emphasizes experiential learning, encouraging students to engage in hands-on projects that connect classroom lessons to real-world applications. The school's diverse community enriches the educational experience, promoting cross-cultural understanding and respect. Partnerships with local businesses and organizations provide students with unique learning opportunities beyond the classroom. A focus on environmental education instills a sense of responsibility toward the planet.

Portland Public Schools
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Reiche

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/- v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$4,662,439	\$5,138,282	\$5,469,769	\$5,469,769	\$5,475,508	\$337,226	6.6%
Temporary Salaries	\$343,976	\$147,597	\$320,281	\$320,281	\$320,283	\$172,686	117.0%
Total Salaries	\$5,006,415	\$5,285,879	\$5,790,050	\$5,790,050	\$5,795,791	\$509,912	9.6%
Benefits	\$1,481,512	\$1,674,450	\$1,750,191	\$1,750,191	\$1,764,838	\$90,388	5.4%
TOTAL SALARIES & BENEFITS	\$6,487,927	\$6,960,330	\$7,540,241	\$7,540,241	\$7,560,629	\$600,299	8.6%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$11,765	\$0	\$9,742	\$9,742	\$9,742	\$9,742	100.0%
SPED Contracted Services	\$202,794	\$0	\$0	\$0	\$0	\$0	0.0%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Ops & Comm Contracted Services	\$35,656	\$12,670	\$26,830	\$26,830	\$26,830	\$14,160	111.8%
Ins & Legal Contracted Services	\$27,500	\$31,401	\$32,343	\$32,343	\$32,343	\$942	3.0%
Facilities Contracted Services	\$29,274	\$31,156	\$29,419	\$29,419	\$29,419	-\$1,737	-5.6%
Transport Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL CONTRACTED SERVICES	\$306,989	\$75,227	\$98,334	\$98,334	\$98,334	\$23,107	30.7%
SUPPLIES							
Academic Supplies	\$62,821	\$69,660	\$43,609	\$43,609	\$43,609	-\$26,051	-37.4%
Operations Supplies	\$108,603	\$0	\$106,366	\$106,366	\$106,366	\$106,366	100.0%
TOTAL SUPPLIES	\$171,423	\$69,660	\$149,975	\$149,975	\$149,975	\$80,315	115.3%
MISCELLANEOUS	\$2,486	\$0	\$2,526	\$2,526	\$2,526	\$2,526	100.0%
CAPITAL EQUIPMENT	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
DEBT SERVICE	\$0	\$791,130	\$767,394	\$767,394	\$767,394	-\$23,736	-3.0%
NON SALARY AND BENEFITS	\$480,898	\$936,018	\$1,018,229	\$1,018,229	\$1,018,229	\$82,211	8.8%
TOTAL EXPENDITURES	\$6,968,825	\$7,896,347	\$8,558,470	\$8,558,470	\$8,578,858	\$682,511	8.6%



PORTLAND PUBLIC SCHOOLS
prepared & empowered

Amanda C. Rowe Elementary School (468 students)

Principal: Bill Anton

Address: 23 Orono Road, Portland, ME 04102

Amanda C. Rowe Elementary School is dedicated to fostering a nurturing and inclusive environment where every student is encouraged to reach their full potential. The school emphasizes community involvement, ensuring that families play an active role in the educational journey. With a curriculum that balances academic rigor with social-emotional learning, students are prepared for future challenges. The dedicated staff strives to create a supportive atmosphere that celebrates diversity and promotes a love for learning.

Portland Public Schools
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Rowe

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/- v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$4,463,363	\$5,132,069	\$5,360,232	\$5,341,269	\$5,348,046	\$215,977	4.2%
Temporary Salaries	\$254,343	\$137,273	\$324,269	\$324,270	\$324,268	\$186,995	136.2%
Total Salaries	\$4,717,706	\$5,269,342	\$5,684,501	\$5,665,539	\$5,672,314	\$402,972	7.6%
Benefits	\$1,430,935	\$1,696,604	\$1,755,445	\$1,744,142	\$1,762,606	\$66,002	3.9%
TOTAL SALARIES & BENEFITS	\$6,148,641	\$6,965,946	\$7,439,946	\$7,409,681	\$7,434,920	\$468,974	6.7%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$20,222	\$0	\$11,336	\$11,336	\$11,336	\$11,336	100.0%
SPED Contracted Services	\$169,990	\$0	\$0	\$0	\$0	\$0	0.0%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Ops & Comm Contracted Services	\$141,029	\$10,459	\$25,036	\$25,036	\$25,036	\$14,577	139.4%
Ins & Legal Contracted Services	\$16,700	\$19,069	\$19,641	\$19,641	\$19,641	\$572	3.0%
Facilities Contracted Services	\$15,639	\$11,947	\$14,934	\$14,934	\$14,934	\$2,987	25.0%
Transport Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL CONTRACTED SERVICES	\$363,579	\$41,475	\$70,947	\$70,947	\$70,947	\$29,472	71.1%
SUPPLIES							
Academic Supplies	\$168,946	\$66,690	\$37,973	\$37,973	\$37,973	-\$28,717	-43.1%
Operations Supplies	\$96,318	\$0	\$93,896	\$93,896	\$93,896	\$93,896	100.0%
TOTAL SUPPLIES	\$265,264	\$66,690	\$131,869	\$131,869	\$131,869	\$65,179	97.7%
MISCELLANEOUS	\$7,174	\$0	\$2,748	\$2,748	\$2,748	\$2,748	100.0%
CAPITAL EQUIPMENT	\$628	\$0	\$0	\$0	\$0	\$0	0.0%
DEBT SERVICE	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
NON SALARY AND BENEFITS	\$636,645	\$108,165	\$205,564	\$205,564	\$205,564	\$97,399	90.0%
TOTAL EXPENDITURES	\$6,785,286	\$7,074,112	\$7,645,510	\$7,615,245	\$7,640,484	\$566,372	8.0%



PORTLAND PUBLIC SCHOOLS
prepared & empowered

Gerald E. Talbot Community School (393 students)

Principal: Terry Young

Address: 1600 Forest Ave, Portland, ME 04103

Named in honor of Maine's first African-American legislator, Gerald E. Talbot Community School celebrates diversity and inclusion at its core. The curriculum is designed to promote cultural awareness and social justice, preparing students to be active, informed citizens. Community engagement is a cornerstone, with numerous programs connecting students to local history and contemporary issues. The school's supportive environment ensures that all students have the resources and encouragement they need to succeed.

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Talbot

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/- v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$4,861,237	\$5,200,201	\$5,712,677	\$5,712,678	\$5,722,072	\$521,871	10.0%
Temporary Salaries	\$180,802	\$216,036	\$309,684	\$309,684	\$309,684	\$93,648	43.3%
Total Salaries	\$5,042,039	\$5,416,237	\$6,022,361	\$6,022,362	\$6,031,756	\$615,519	11.4%
Benefits	\$1,568,187	\$1,774,829	\$1,982,063	\$1,982,062	\$2,007,716	\$232,887	13.1%
TOTAL SALARIES & BENEFITS	\$6,610,226	\$7,191,066	\$8,004,424	\$8,004,424	\$8,039,472	\$848,406	11.8%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$19,280	\$0	\$500	\$500	\$500	\$500	100.0%
SPED Contracted Services	\$209,328	\$0	\$0	\$0	\$0	\$0	0.0%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Ops & Comm Contracted Services	\$154,815	\$11,316	\$12,800	\$12,800	\$12,800	\$1,484	13.1%
Ins & Legal Contracted Services	\$32,219	\$36,788	\$37,892	\$37,892	\$37,892	\$1,104	3.0%
Facilities Contracted Services	\$19,037	\$43,179	\$21,828	\$21,828	\$21,828	-\$21,351	-49.4%
Transport Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL CONTRACTED SERVICES	\$434,679	\$91,282	\$73,020	\$73,020	\$73,020	-\$18,262	-20.0%
SUPPLIES							
Academic Supplies	\$66,708	\$51,435	\$46,449	\$46,449	\$46,449	-\$4,986	-9.7%
Operations Supplies	\$113,095	\$0	\$153,519	\$153,519	\$153,519	\$153,519	100.0%
TOTAL SUPPLIES	\$179,803	\$51,435	\$199,968	\$199,968	\$199,968	\$148,533	288.8%
MISCELLANEOUS	\$3,384	\$0	\$4,860	\$4,860	\$4,860	\$4,860	100.0%
CAPITAL EQUIPMENT	-\$2,417	\$0	\$0	\$0	\$0	\$0	0.0%
DEBT SERVICE	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
NON SALARY AND BENEFITS	\$615,448	\$142,717	\$277,848	\$277,848	\$277,848	\$135,131	94.7%
TOTAL EXPENDITURES	\$7,225,673	\$7,333,784	\$8,282,272	\$8,282,272	\$8,317,320	\$983,536	13.4%



Fiscal Year 2026 Department-Based Expenses

PORTLAND PUBLIC SCHOOLS

For the FY26 budget, we required detailed non-personnel budgets from each department – built from a zero-based budget where every dollar of non-personnel costs is justified and aligned to the strategic plan. We also reviewed staffing proposals to each department’s current staffing levels and the priorities of the strategic plan. Shown are the descriptions of each department, their full-time-equivalent (FTE) staff, the initiatives of the strategic plan that they are responsible for, as well as their overall expenses:

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Central Office Summary

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/(-) v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$14,075,637	\$16,209,531	\$17,597,690	\$17,595,025	\$17,431,464	\$1,221,933	7.5%
Temporary Salaries	\$700,178	\$1,433,764	\$895,743	\$898,408	\$917,237	-\$516,527	-36.0%
Total Salaries	\$14,775,814	\$17,643,295	\$18,493,433	\$18,493,433	\$18,348,701	\$705,406	4.0%
Total Benefits	\$4,948,425	\$5,998,316	\$5,912,825	\$5,911,713	\$5,956,614	-\$41,702	-0.7%
TOTAL SALARIES & BENEFITS	\$19,724,240	\$23,641,611	\$24,406,258	\$24,405,146	\$24,305,315	\$663,704	2.8%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$1,072,317	\$1,181,628	\$1,434,432	\$1,419,192	\$1,400,132	\$218,504	18.5%
SPED Contracted Services	\$3,862,389	\$3,940,000	\$4,000,000	\$4,000,000	\$4,025,000	\$85,000	2.2%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Ops & Comm Contracted Services	\$3,636,580	\$2,760,990	\$3,004,096	\$2,981,996	\$2,806,996	\$46,006	1.7%
Ins & Legal Contracted Services	\$710,863	\$616,716	\$640,034	\$640,034	\$640,034	\$23,318	3.8%
Facilities Contracted Services	\$2,901,026	\$2,762,338	\$2,887,810	\$2,887,810	\$2,887,810	\$125,472	4.5%
Transport Contracted Services	\$770,939	\$600,000	\$865,000	\$865,000	\$865,000	\$265,000	44.2%
TOTAL CONTRACTED SERVICES	\$12,954,114	\$11,861,672	\$12,831,372	\$12,794,032	\$12,624,972	\$763,300	6.4%
SUPPLIES							
Academic Supplies	\$2,923,221	\$1,266,486	\$1,099,456	\$1,086,356	\$1,061,426	-\$205,060	-16.2%
Operations Supplies	\$2,729,894	\$4,415,143	\$2,911,845	\$2,911,845	\$2,911,845	-\$1,503,298	-34.0%
SUPPLIES	\$5,653,115	\$5,681,629	\$4,011,301	\$3,998,201	\$3,973,271	-\$1,708,358	-30.1%
MISCELLANEOUS	\$457,801	\$250,352	\$519,550	\$519,550	\$519,550	\$269,198	107.5%
CAPITAL EQUIPMENT	\$1,737,118	\$713,190	\$482,400	\$482,400	\$482,400	-\$230,790	-32.4%
DEBT SERVICE	\$12,614,737	\$9,060,675	\$9,664,247	\$9,664,247	\$9,664,247	\$603,572	6.7%
TOTAL NON SALARY AND BENEFITS	\$33,416,885	\$27,567,518	\$27,508,870	\$27,458,430	\$27,264,440	-\$303,078	-1.1%
TOTAL EXPENDITURES	\$53,141,124	\$51,209,129	\$51,915,128	\$51,863,576	\$51,569,755	\$360,626	0.7%



Personnel Changes by Department for FY26

Position	FY26 FTE	Change
COMMUNICATIONS		
TV3 Manager	+12	Changed from .38 to .50 to reflect the work hours of the role
DISTRICT PRE-K		
Pre-K Social Worker	+5	Increase .5 position to 1.0 to better meet needs of students at Pre-K partner sites
Senior Director of Early Childhood Education	+1.0	Added position to lead existing pre-K programs and planning for future assumption of responsibilities for early childhood special education services from Child Development Services
Director of Early Childhood Special Education	0	Title change from Pre-K Special Ed Teacher Leader to recognize increased responsibility/ planning for CDS transition
FACILITIES		
Building Custodian II-2ND Shift Floater	+1.0	Added position to provide additional coverage for evening cleaning
Skilled Trades II	+1.0	Added position to provide additional building maintenance
HVAC Technician II	-1.0	Removed position in anticipation of outsourcing HVAC
FINANCE		
Executive Director of Finance	0	Title change for Senior Exec Director of Finance & Operations
HUMAN RESOURCES (HR)		
HR Project Manager	0	Title change for HR Benefits Manager
HR Analyst	0	Title change for HR Generalists
HR Hiring Coordinator	0	Title change for HR Generalist
IT/DATA		
Assistant Director - Engineering	+1.0	Added position to support IT team to build a more robust network system
Assistant Director - IT Services	0	Title change for Technology Integration Coordinator
Manager - Data Systems	0	Title change for Data Specialist
MULTILINGUAL (MLC)		
Grant Manager	+5	Added position (Grant funded)
Multilingual Housing Navigation Specialist	+1.0	Added position (Grant funded)

MLC Parent Communication Specialist	+6	Changed from .4 position to 1.0
MLC Academic Enrichment Specialist (MS Make it Happen Coordinator)	-.50	Removed position
MLC Parent Communication Specialist	-2.3	Removed three positions with a combined 2.3FTE
Enrollment Manager	+1.0	Added position
Enrollment Specialist	-1.0	Position was eliminated
Language Access Coordinator	-.2	Position was reduced by .2 FTE
STUDENT SUPPORT SERVICES		
Director, Support Services	0	Title change from Assistant Director, Clinical Supports
Coordinator - Related Services	+1.0	Added position after special education review
Coordinator - BEACH/FLS/FA Programs	+1.0	Added position after special education review
Coordinator - BREATHE	+1.0	Added position after special education review
Board Certified Behavior Analyst	+2.0	Added two positions after special education review
Speech Therapist	+1.0	Added position after special education review
Occupational Therapist	+1.0	Added position after special education review
Project Manager	+1.0	Added position after special education review
Clinical Coach	-1.0	Position reduced but responsibilities for clinical support covered Director of Support Services and contracts
Senior Director of Special Education and Support Services	0	Title change for Director of Special Education
Director of Specialized Programming	0	Title change for Assistant Director of Special Education
TRANSPORTATION		
Van Driver - Full Year	+1.0	Addition of a van driver to take over a special education run that is currently operated by a vendor
Bus Assistant - Full Year (7 positions)	0	Title Change for 7 Assistants from School Year to Full Year to recognize that they are already working year-round in support of Extended School Year programs for students with IEPs
Bus Assistant - School Year	+1.0	Added position to fully meet needs for school year and summer (Extended School Year) specialized transportation
TOTAL		
Additional Full Time Equivalent	17.72	
Reductions	-6	
Adjustments	11.0	



Elementary and Secondary Networks (Angela Atkinson Duina, Ed.D.; Abdullahi Ahmed, Ed.D.)

The Elementary and Secondary Networks department oversees the instructional programs and leads K-12 education in PPS. This includes implementing high-quality instructional materials, supporting teacher and leader development, and strengthening learning environments to promote academic excellence.

Strategic Plan Initiatives:

- K-12: Support the use of high-quality instructional materials that provide students with consistent access to grade-level tasks and foster high levels of cognitive engagement.
- Continue and strengthen the HS Redesign Process, re-envisioning the high school experience, including stronger academic, career, and technical education experiences to better prepare students for college and career.
- Develop the capacity of schools to provide more effective instruction to multilingual learners to develop English proficiency and by integrating English language development strategies into the teaching of core content.
- Design and implement a plan to increase students' access to enrichment subjects (e.g., arts, computer science, world languages) to engage students and better prepare for their futures.
- Increase the capacity of schools to create and implement whole-school systems, SEL curriculum, and relationships that promote a joyful, supportive, and safe school culture.
- Design and implement student leadership opportunities to amplify student voices so that they are heard and incorporated into system/school decisions.

	FY 25	FY 26
Full Time Equivalent Staff	16	16

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Academics

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/- v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$1,195,758	\$1,785,473	\$1,751,915	\$1,751,915	\$1,751,915	-\$33,558	-1.9%
Temporary Salaries	\$58,531	\$35,000	\$106,723	\$106,723	\$106,723	\$71,723	204.9%
Total Salaries	\$1,254,289	\$1,820,473	\$1,858,638	\$1,858,638	\$1,858,638	\$38,165	2.1%
Total Benefits	\$369,641	\$587,227	\$432,165	\$432,165	\$439,085	-\$148,142	-25.2%
TOTAL SALARIES & BENEFITS	\$1,623,931	\$2,407,700	\$2,290,803	\$2,290,803	\$2,297,723	-\$109,977	-4.6%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$389,464	\$518,221	\$613,418	\$598,178	\$579,118	\$60,897	11.8%
SPED Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Ops & Comm Contracted Services	\$183,966	\$1,122,000	\$629,670	\$607,570	\$522,570	-\$599,430	-53.4%
Ins & Legal Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Facilities Contracted Services	\$10,202	\$10,500	\$0	\$0	\$0	-\$10,500	-100.0%
Transport Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL CONTRACTED SERVICES	\$583,632	\$1,650,721	\$1,243,088	\$1,205,748	\$1,101,688	-\$549,033	-33.3%
SUPPLIES							
Academic Supplies	\$136,307	\$656,400	\$510,694	\$497,594	\$482,664	-\$173,736	-26.5%
Operations Supplies	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL SUPPLIES	\$136,307	\$656,400	\$510,694	\$497,594	\$482,664	-\$173,736	-26.5%
MISCELLANEOUS	\$8,085	\$39,000	\$58,750	\$58,750	\$58,750	\$19,750	50.6%
CAPITAL EQUIPMENT	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
DEBT SERVICE	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
NON SALARY AND BENEFITS	\$728,025	\$2,346,121	\$1,812,532	\$1,762,092	\$1,643,102	-\$703,019	-30.0%
TOTAL EXPENDITURES	\$2,351,956	\$4,753,821	\$4,103,335	\$4,052,895	\$3,940,825	-\$812,996	-17.1%



ACADEMICS

Non-Personnel FY26

Account	Budgeted Amount	Breakdown of Cost
Purchased Professional and Technical Services	\$381,596	Field Work Partners (Wabanaki) (\$17,000) Audubon Contract for K-5 Field Work (\$7,500) Social Emotional Learning Facing History Technical Assistance (\$3,500) PBIS Conference Registration (\$250) Expeditionary Learning Model Contract at Presumpscot (\$24,090) Expeditionary Learning Model Contract at King (\$36,165) Expeditionary Learning Model Contract at Casco Bay (\$24,090) Principal Development (\$25,000) Jobs for Maine Graduates (\$54,000) LearningWorks MOU (\$90,000) ESOL Audit Review (\$100,000)
Employee Training and Development Services	\$24,350	CKLA (Foundational Skills K-2 Curriculum) Professional Development (\$6,750) mClass training for K and 1st grade teachers (new assessment) (\$2,500) Orton Gillingham Training for Reading Interventionists (\$6,300) Orton Gillingham Training Certification for Lead (\$2,350) Social Emotional Learning Positive Behavior Interventions and Supports Check In Check Out Training for 2 (\$400) Social Emotional Learning Positive Behavior Interventions and Supports State Conference for Cohort Schools (required) (\$800) Positive Behavior Interventions and Supports Regional Conference (\$1250) Lexia Professional Development (\$4,000)
Phone	\$7,000	K-12 Social Worker Cell Phones \$7,000
Software/annual subscription	\$515,583	Elementary mClass (foundational skills assessment) student licenses (\$27,936) Elementary Amplify science curriculum teacher licenses (\$6,626) Elementary Illustrative Mathematics student licenses (\$59,619) Lexia foundational skills support for grades 3-5 student licenses (\$36,200) Social Emotional Learning new curriculum replacing Second Step (\$72,000) Social Emotional Learning School Wide Information System (\$7,675) K-12 Britannica Encyclopedia (\$3,675) K-12 Follett/Destiny Library Software (\$23,640) PebbleGo Nonfiction for Early Learners (\$10,640) K-12 Overdrive/Sora Audiobooks (\$6,000) Navigate 360 Threat Assessment Management and Training Package (\$7,500) ELlevation Lau Plan Platform(\$65,000) Cengage National Geographic (\$2,000) SEL 7 Mindsets SEL Curriculum (\$33,000) Cognia/Centerpoint (\$8,088) Classify (\$11,338) Desmos (\$56,771) Gizmos (\$5,670)

		HS Discretionary Tech (\$15,000) Lexia Power Up (\$31,500) IXL (\$12,000) WeVideo (\$8,635) Culturegrams (\$2,860) NY Times (\$2,210)
Printing/Binding	\$13,275	Printing of Wabanaki posters, maps, and artifacts (\$6,000) Wabanaki Printed Supplies (\$7,275)
Staff Travel	\$9,485	Travel for Positive Behavior Interventions and Supports Regional Conference (\$1,250) Mobile Maker Space Ferry (\$100) Positive Behavior Interventions and Supports Cohort Schools Mileage (\$925) Travel for Spanish Cultural Assistant (\$460) Black History Staff Travel (\$1,000) Mileage Reimbursement for Music Teachers and Misc. (\$5,000) Wabanaki Studies Staff Travel (\$750)
General Supplies	\$46,724	Field Work Consumables (\$2,924) Amplify Science Supplies (\$4,300) Social Emotional Restorative Question Card Elementary/Secondary (\$200) Elementary Network Incidentals (\$1,800) Cengage/National Geographic & EL ELA Supplemental Texts (\$24,000) Cell phone locks for MS (\$10,000) Secondary Network Team General Supplies (\$3,500)
Books/Periodicals	\$408,190	Elementary Illustrative Mathematics Workbooks (\$116,582) EL English Language Arts Workbooks (\$131,805) mClass (Foundational Skills Assessment) kits (\$3,685) CKLA (K-2 Foundational Skills Curriculum) Workbooks (\$61,154) Elementary Amplify Science Curriculum Workbooks (\$16,579) EL ELA Consumables (\$74,520) Wabanaki Studies Books (\$3,865)
Software Licenses	\$24,200	District Management Group Scheduling licenses for 9 schools (\$16,700) Navigate 360 (\$7,500)
Dues and Fees	\$58,750	Maine School Superintendents Association Fee - Elementary (\$925) Maine Curriculum Leaders Association - Elementary (\$250) Cultural assistant fees to host family; Visiting teacher visa fees (\$11,000) Maine School Superintendents Association Fee - Secondary (\$925) Advanced Placement and Seal of Biliteracy Exam Fees (\$8,500) Maine Curriculum Leader Association - Secondary (\$250) Student Music Event Fees (\$6,000) PSAT/SAT (\$30,900)



Communications (Grace Valenzuela, Ph.D.)

The Communications Department manages district-wide messaging, public relations, and engagement with stakeholders. This office plays a key role in ensuring transparency, keeping families informed about school initiatives, and fostering strong community relationships.

Strategic Plan Initiatives:

- Refine and implement effective two-way communication strategies with families, students, and staff to increase engagement and trust.

	FY 25	FY 26
Full Time Equivalent Staff	3.18	3.3

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Communications

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/(-) v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$240,670	\$124,551	\$298,254	\$298,254	\$298,480	\$173,929	139.6%
Temporary Salaries	\$0	\$2,300	\$1,461	\$1,461	\$1,461	-\$839	-36.5%
Total Salaries	\$240,670	\$126,851	\$299,715	\$299,715	\$299,941	\$173,090	136.5%
Total Benefits	\$51,681	\$32,579	\$81,089	\$81,089	\$82,807	\$50,228	154.2%
TOTAL SALARIES & BENEFITS	\$292,350	\$159,430	\$380,804	\$380,804	\$382,748	\$223,318	140.1%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$0	\$600	\$600	\$600	\$600	\$0	0.0%
SPED Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Ops & Comm Contracted Services	\$30,748	\$52,601	\$61,732	\$61,732	\$61,732	\$9,131	17.4%
Ins & Legal Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Facilities Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Transport Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL CONTRACTED SERVICES	\$30,748	\$53,201	\$62,332	\$62,332	\$62,332	\$9,131	17.2%
SUPPLIES							
Academic Supplies	\$3,207	\$3,500	\$4,500	\$4,500	\$4,500	\$1,000	28.6%
Operations Supplies	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL SUPPLIES	\$3,207	\$3,500	\$4,500	\$4,500	\$4,500	\$1,000	28.6%
MISCELLANEOUS	\$1,195	\$1,250	\$1,250	\$1,250	\$1,250	\$0	0.0%
CAPITAL EQUIPMENT	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
DEBT SERVICE	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
NON SALARY AND BENEFITS	\$35,150	\$57,951	\$68,082	\$68,082	\$68,082	\$10,131	17.5%
TOTAL EXPENDITURES	\$327,500	\$217,381	\$448,886	\$448,886	\$450,830	\$233,449	107.4%



COMMUNICATIONS - Non-Personnel FY26

Account	Budgeted Amount	Breakdown of Cost
Purchased Professional & Technical Services	\$59,432	Contract with Foster Grandparents about (\$31,000) ReachMyTeach which will include Adult Ed (\$28,432)
Printing & Binding	\$2,300	Collateral materials for public relations
Staff Travel	\$600	Mileage for staff travel
General Supplies	\$1,000	Office supplies
Tech-Related Supplies	\$2,000	Tech supplies, SD cards
Audiovisual Supplies	\$1,500	TV3 supplies
Dues & Fees	\$1,250	TV3 subscription fees

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Debt Service

	FY24 ACTUAL	FY25 BUDGET	FY26 Supt REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/- v FY25	% +/- v FY25
DEBT SERVICE							
Principal	\$8,478,861	\$6,530,703	\$7,488,855	\$7,488,855	\$7,488,855	\$958,152	14.7%
Interest	\$4,135,876	\$2,529,972	\$2,156,618	\$2,156,618	\$2,156,618	-\$373,354	-14.8%
Bond Issuance	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL DEBT SERVICE	\$12,614,737	\$9,060,675	\$9,645,473	\$9,645,473	\$9,645,473	\$584,798	6.5%



Facilities (Tammara Sweeney)

The Facilities Department ensures that all school buildings and grounds are maintained to provide a safe, clean, and productive learning environment. It oversees construction projects, maintenance planning, and sustainability initiatives.

Strategic Plan Initiatives:

- This department supports students and staff across the District but has no specific initiative in the Strategic Plan.

	FY 25	FY 26
Full Time Equivalent Staff	13	14

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Facilities

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/- v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$659,944	\$773,504	\$897,794	\$897,794	\$902,114	\$128,610	16.6%
Temporary Salaries	\$40,252	\$0	\$4,399	\$4,399	\$4,399	\$4,399	100.0%
Total Salaries	\$700,195	\$773,504	\$902,193	\$902,193	\$906,513	\$133,009	17.2%
Total Benefits	\$197,375	\$282,179	\$336,678	\$336,678	\$344,751	\$62,572	22.2%
TOTAL SALARIES & BENEFITS	\$897,571	\$1,055,683	\$1,238,871	\$1,238,871	\$1,251,264	\$195,581	18.5%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$12,181	\$18,773	\$23,000	\$23,000	\$23,000	\$4,227	22.5%
SPED Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Ops & Comm Contracted Services	\$441,925	\$504,363	\$430,500	\$430,500	\$430,500	-\$73,863	-14.6%
Ins & Legal Contracted Services	\$37,403	\$41,952	\$35,542	\$35,542	\$35,542	-\$6,410	-15.3%
Facilities Contracted Services	\$2,297,547	\$2,250,969	\$2,319,067	\$2,319,067	\$2,319,067	\$68,098	3.0%
Transport Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL CONTRACTED SERVICES	\$2,789,057	\$2,816,057	\$2,808,109	\$2,808,109	\$2,808,109	-\$7,948	-0.3%
SUPPLIES							
Academic Supplies	\$208,649	\$225,000	\$170,000	\$170,000	\$170,000	-\$55,000	-24.4%
Operations Supplies	\$66,153	\$1,727,576	\$99,500	\$99,500	\$99,500	-\$1,628,076	-94.2%
TOTAL SUPPLIES	\$274,802	\$1,952,576	\$269,500	\$269,500	\$269,500	-\$1,683,076	-86.2%
MISCELLANEOUS	\$2,317	\$0	\$0	\$0	\$0	\$0	0.0%
CAPITAL EQUIPMENT	\$95,439	\$85,000	\$110,000	\$110,000	\$110,000	\$25,000	29.4%
DEBT SERVICE	\$0	\$17,500	\$0	\$0	\$0	-\$17,500	-100.0%
NON SALARY AND BENEFITS	\$3,161,615	\$4,871,133	\$3,187,609	\$3,187,609	\$3,187,609	-\$1,683,524	-34.6%
TOTAL EXPENDITURES	\$4,059,185	\$5,926,816	\$4,426,480	\$4,426,480	\$4,438,873	-\$1,487,943	-25.1%



FACILITIES -

Non-Personnel FY26

Account	Budgeted Amount	Breakdown of Cost
Architect/Engineer	\$10,000	Small project designs and estimating requirements.
Water	\$1,600	District Office
Sewer	\$3,500	District Office
Insurance - General Liability	\$35,542	
Custodial Supplies	\$3,500	District Office custodial supplies
Natural Gas	\$35,000	District Office
Electricity	\$61,000	District Office
Purchased Professional and Technological Services	\$325,000	Interpreter support (\$8,700) Semi Annual Door Preventative maintenance (\$15,000) Thermal imaging of electrical panels (5 schools a year) (\$30,000) Gym Equipment inspections (\$30,000) AHERA training and inspections (\$33,000) Indoor air quality (\$35,000) Fire sprinkler insp (\$10,000) Burglary monitoring (\$8,000) Fire Alarm monitoring (\$16,000) Fire alarm system inspections and pump testing (\$5,000) Kitchen hood inspections and cleaning (\$12,000) Elevator certification (\$1,800) Backflow preventer inspections (\$1,500) Staffing company (\$55,000) CHO annual audit (\$9,000) Minuteman security camera agreement (\$55,000)
Employee Training and Development Services	\$2,000	Supervisor training (online)
Alarms	\$5,000	Cellular and digital intrusion monitoring for 20 buildings
Repair and Maintenance Services	\$605,000	Electrical (\$200,000) Plumbing (\$175,000) Alarm system repair/upgrades/additions (\$15,000) Security system repair/upgrades/additions (\$20,000) Elevator service contract (\$35,000) Roof repairs (\$45,000) Masonry repairs (\$20,000) Refinish gym floors (\$15,000)

		Flooring replacements (\$30,000) Door repairs (\$10,000) Window shades (\$40,000)
HVAC Maintenance	\$865,000	
Mowing/Plowing/Field Maintenance	\$600,000	Snow removal (\$200,000) Landscaping (\$227,000) Landscaping - Peaks (\$3,000) Striping/paving repairs (\$30,000) Field Maintenance by City & Winter Operations by City (\$140,000)
Asbestos/Mold Abatement	\$40,000	Asbestos and mold abatement services
Vehicle & Equipment Repair	\$20,000	Repair and maintenance of facility dept vehicles and facility dept equipment
Recycling Services	\$132,000	City chargeback for recycling
Hazard Waste Disposal	\$4,000	Disposal of hazardous chemicals
Pest Management Services	\$22,967	
Fire Extinguisher Maintenance Services	\$10,000	Annual fire extinguisher inspections and repair
Phone	\$105,000	Cell phones-HC/supervisors and maintenance staff (\$15,000) Consolidated Comm and Carousel phone lines (\$90,000)
Software/annual subscription	\$12,000	Work order management system and Building use scheduling/invoicing
Advertising	\$500	Advertise for Request for Proposals
Staff Travel	\$9,000	Mileage reports for floaters and on call (\$6,000) Director and Assistant Director Facilities local facilities conference/PD (\$3,000)
General Supplies	\$170,000	Maintenance parts
Equipment (Over \$10K)	\$55,000	New Maintenance Van to replace 2013 Ford Truck (\$38,000) Chariot Ride on scrubber (\$17,000)
Equipment <\$10K	\$55,000	Snow blowers, vacuums, carpet extractors, scrubbers



Finance

The Finance Department oversees the district's financial planning, budgeting, and resource allocation. It ensures that funds are managed responsibly and equitably to support the district's strategic priorities and student success.

Strategic Plan Initiatives:

- Design and implement a sustainable multi-year financial model that enables PPS to successfully implement the strategic plan and equitably allocate resources across the district.

	FY 25	FY 26
Full Time Equivalent Staff	10	10

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Finance

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/(-) v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$636,136	\$856,642	\$958,224	\$958,224	\$958,596	\$101,954	11.9%
Temporary Salaries	\$9,873	\$0	\$4,695	\$4,695	\$4,695	\$4,695	100.0%
Total Salaries	\$646,010	\$856,642	\$962,919	\$962,919	\$963,291	\$106,649	12.4%
Total Benefits	\$166,772	\$222,980	\$249,633	\$249,633	\$254,816	\$31,836	14.3%
TOTAL SALARIES & BENEFITS	\$812,781	\$1,079,622	\$1,212,552	\$1,212,552	\$1,218,107	\$138,485	12.8%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$329	\$5,000	\$5,000	\$5,000	\$5,000	\$0	0.0%
SPED Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Ops & Comm Contracted Services	\$1,169,771	\$437,000	\$937,000	\$937,000	\$937,000	\$500,000	114.4%
Ins & Legal Contracted Services	\$792	\$6,361	\$6,361	\$6,361	\$6,361	\$0	0.0%
Facilities Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Transport Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL CONTRACTED SERVICES	\$1,170,892	\$448,361	\$948,361	\$948,361	\$948,361	\$500,000	111.5%
SUPPLIES							
Academic Supplies	\$10,047	\$15,000	\$15,000	\$15,000	\$15,000	\$0	0.0%
Operations Supplies	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL SUPPLIES	\$10,047	\$15,000	\$15,000	\$15,000	\$15,000	\$0	0.0%
MISCELLANEOUS	\$223,728	\$100,000	\$100,000	\$100,000	\$100,000	\$0	0.0%
CAPITAL EQUIPMENT	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
DEBT SERVICE	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
NON SALARY AND BENEFITS	\$1,404,666	\$563,361	\$1,063,361	\$1,063,361	\$1,063,361	\$500,000	88.8%
TOTAL EXPENDITURES	\$2,217,448	\$1,642,983	\$2,275,913	\$2,275,913	\$2,281,468	\$638,485	38.9%



FINANCE -

Non-Personnel FY26

Account	Budgeted Amount	Breakdown of Cost
Purchased Professional & Technical Services	\$650,000	BerryDunn MainePERS Contract (\$500,000) Audit and Technical Services (\$150,000)
Employee Training & Development Services	\$4,500	ADP Trainings for Finance Team (\$2,000) Conference Registration Fees for Finance Team Members (\$2,500)
Software Maintenance	\$250,000	ADP Payroll Management System (\$250,000)
Insurance - General Liability	\$6,361	
Postage	\$20,000	
Printing/Binding	\$2,000	
Photocopying	\$15,000	
Staff Travel	\$500	Mileage Reimbursement (\$500)
General Supplies	\$5,000	Office Supplies (\$5,000)
Tech-Related Supplies	\$10,000	Two Computers (\$5,000)
Dues and Fees	\$100,000	Fees for Tax and Reporting Filings (\$100,000)



Food Service (Jen Montague)

The Food Service Department ensures that all students have access to nutritious and well-balanced meals that support their health and academic performance. The department manages school meal programs, oversees food safety and compliance, and works to expand access to quality meals for all students.

Strategic Plan Initiatives:

- This department supports students and staff across the District but has no specific initiative in the Strategic Plan.

	FY 25	FY 26
Full Time Equivalent Staff	40.4	41.9

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Food Service

				FY26 Finance			
	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	Comm Rev Apr 1	FY26 Board Apr 8	\$ +/(-) v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$1,455,428	\$1,713,235	\$1,963,946	\$1,963,946	\$1,974,977	\$261,742	15.3%
Temporary Salaries	\$31,580	\$60,000	\$9,622	\$9,622	\$9,622	-\$50,378	-84.0%
Total Salaries	\$1,487,008	\$1,773,235	\$1,973,568	\$1,973,568	\$1,984,599	\$211,364	11.9%
Total Benefits	\$488,339	\$659,032	\$794,320	\$794,320	\$813,797	\$154,765	23.5%
TOTAL SALARIES & BENEFITS	\$1,975,347	\$2,432,267	\$2,767,888	\$2,767,888	\$2,798,396	\$366,129	15.1%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$27,802	\$40,775	\$43,000	\$43,000	\$43,000	\$2,225	5.5%
SPED Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Ops & Comm Contracted Services	\$5,781	\$38,140	\$10,120	\$10,120	\$10,120	-\$28,020	-73.5%
Ins & Legal Contracted Services	\$6,494	\$6,663	\$6,663	\$6,663	\$6,663	\$0	0.0%
Facilities Contracted Services	\$140,254	\$93,569	\$153,750	\$153,750	\$153,750	\$60,181	64.3%
Transport Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL CONTRACTED SERVICES	\$180,331	\$179,147	\$213,533	\$213,533	\$213,533	\$34,386	19.2%
SUPPLIES							
Academic Supplies	\$4,828	\$17,700	\$17,700	\$17,700	\$17,700	\$0	0.0%
Operations Supplies	\$2,451,687	\$2,437,567	\$2,552,820	\$2,552,820	\$2,552,820	\$115,253	4.7%
TOTAL SUPPLIES	\$2,456,515	\$2,455,267	\$2,570,520	\$2,570,520	\$2,570,520	\$115,253	4.7%
MISCELLANEOUS	\$1,154	\$2,025	\$2,000	\$2,000	\$2,000	-\$25	-1.2%
CAPITAL EQUIPMENT	\$1,685	\$505,170	\$90,000	\$90,000	\$90,000	-\$415,170	-82.2%
DEBT SERVICE	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
NON SALARY AND BENEFITS	\$2,639,686	\$3,141,609	\$2,876,053	\$2,876,053	\$2,876,053	-\$265,556	-8.5%
TOTAL EXPENDITURES	\$4,615,033	\$5,573,876	\$5,643,941	\$5,643,941	\$5,674,449	\$100,573	1.8%



FOOD SERVICES - Non-Personnel FY26

Account	Budgeted Amount	Breakdown of Cost
Purchased Professional and Technical Services	\$1,000	less \$29,000 additional contractor not needed, not an audit year
Employee Training and Development Services - Food Services Admin	\$3,000	extra \$1,000 added for District Chef Position - Training Costs for Conferences, Training, Required Continuing Education
Employee Training and Development Services - Lunch Program	\$5,000	Staff Training Budget, 3 days training allowed for base contract.
Water	\$1,250	
Sewer	\$4,000	
Repair and Maintenance Services	\$110,000	extra \$40,000 increase due to aging equipment, we were/are over budget 2024 and 2025. Major repair to Central Kitchen cooler door estimated \$30,000.
Mowing/Plowing/Field Maintenance	\$20,000	Seabreeze contract for the central kitchen
Vehicle and Equipment Repair	\$12,000	Service and repairs for the two food service delivery trucks
Waste Disposal Services	\$6,500	
Other Purchased Services	\$1,600	Meal delivery from mainland to Peaks Island and Cliff Island Schools via Casco Bay Island Transit
Insurance - General Liability	\$6,663	
Phone	\$1,800	
Internet Connectivity	\$2,750	
Software/annual subscription	\$27,000	Point of Sale, Nutrition and Menu Planning, and Temperature Monitoring Software and Support
Advertising	\$500	Request for Proposals and Bids
Printing/Binding	\$750	Create new signs for halal meals and to improve the appearance of the cafeterias at Middle and High Schools
Photocopying	\$1,720	

Staff Travel - Food Services Admin	\$1,500	Travel to conferences, Mileage
Staff Travel - Lunch program	\$6,500	Staff Mileage
General Supplies	\$10,000	General office supplies for the department
Natural Gas	\$20,000	
Electricity	\$50,000	
Gasoline	\$5,000	
Food	\$2,250,000	Extra \$95,000, Increased meal cost due to increased participation/revenue (+4.5%) plus extra food costs for Halal certified meats
Non-Food Supplies	\$227,820	Non-food items and supplies for our meal programs
Tech-Related Supplies	\$7,700	
Equipment (Over \$10K)	\$30,000	Less \$476,170, no capital purchases planned
Equipment <\$10K	\$60,000	Extra \$50,000 needed to replace aging refrigeration units and ovens in most elementary schools plus extra holding and serving units required for Halal certification
Dues and Fees	\$2,000	State Health Licenses for our schools and the central kitchen



Human Resources (Jennifer Slabbinck)

The Human Resources Department leads efforts in recruitment, staff development, and workforce diversity. HR also oversees employee relations and ensures equitable hiring practices to reflect the district's commitment to inclusion.

Strategic Plan Initiatives:

- Develop and implement a plan to advance staff mindsets and cultural humility in support of equitable outcomes and experiences for our students and families.
- Refine and implement a shared vision for a strong and inclusive staff culture where staff are valued, affirmed, effective, and supported.
- Refine and implement recruitment, selection, and support systems to enhance the quality and demographic diversity of staff.

	FY 25	FY 26
Full Time Equivalent Staff	10	10

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Human Resources

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/(-) v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$1,042,235	\$935,583	\$925,044	\$925,044	\$925,044	-\$10,539	-1.1%
Temporary Salaries	\$6,989	\$720,250	\$191,900	\$191,900	\$168,400	-\$551,850	-76.6%
Total Salaries	\$1,049,224	\$1,655,833	\$1,116,944	\$1,116,944	\$1,093,444	-\$562,389	-34.0%
Total Benefits	\$876,353	\$983,530	\$770,699	\$770,699	\$776,294	-\$207,236	-21.1%
TOTAL SALARIES & BENEFITS	\$1,925,577	\$2,639,363	\$1,887,643	\$1,887,643	\$1,869,738	-\$769,625	-29.2%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$93,112	\$118,559	\$129,676	\$129,676	\$129,676	\$11,117	9.4%
SPED Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Ops & Comm Contracted Services	\$149,460	\$112,600	\$112,000	\$112,000	\$47,000	-\$65,600	-58.3%
Ins & Legal Contracted Services	\$44,777	\$100,000	\$100,000	\$100,000	\$100,000	\$0	0.0%
Facilities Contracted Services	\$735	\$500	\$500	\$500	\$500	\$0	0.0%
Transport Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL CONTRACTED SERVICES	\$288,084	\$331,659	\$342,176	\$342,176	\$277,176	-\$54,483	-16.4%
SUPPLIES							
Academic Supplies	\$41,951	\$29,000	\$29,000	\$29,000	\$19,000	-\$10,000	-34.5%
Operations Supplies	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL SUPPLIES	\$41,951	\$29,000	\$29,000	\$29,000	\$19,000	-\$10,000	-34.5%
MISCELLANEOUS	\$36,952	\$20,000	\$20,000	\$20,000	\$20,000	\$0	0.0%
CAPITAL EQUIPMENT	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
DEBT SERVICE	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
NON SALARY AND BENEFITS	\$366,986	\$380,659	\$391,176	\$391,176	\$316,176	-\$64,483	-16.9%
TOTAL EXPENDITURES	\$2,292,563	\$3,020,022	\$2,278,819	\$2,278,819	\$2,185,914	-\$834,108	-27.6%



HUMAN RESOURCES -

Non-Personnel FY26

Account	Budgeted Amount	Breakdown of Cost
Purchased Professional and Technical Services	\$71,000	TNTP Survey (\$65,000) Costs associated with interpretation services for employees (\$6,000)
Employee Training and Development Services	\$10,000	New hire orientation costs (\$3,000) Onboarding and training of new employees (\$5,000) Translation of employee materials (\$2,000)
Other Professional Services	\$11,000	Physicals, drug testing, and ergonomic assessments for employees
Legal Services	\$100,000	
Repair and Maintenance Services	\$500	Required for HR badge machine to create staff ID badges
Software/Annual Subscription	\$115,676	Annual Subscription for Vector Systems (\$38,500) Frontline Suite (\$73,005) Annual required compliance training video suite (\$4,171)
Advertising	\$25,000	Annual cost to use Indeed platform for job postings (\$20,000) Registration and materials for job fairs and recruitment efforts (\$5,000)
Printing/Binding	\$5,000	Annual printing costs for Hiring Toolkit, Elevating Educators guide, employee onboarding materials, longevity recognition
Staff Travel	\$4,000	Reimbursement for staff travel to job fairs, recruitment events, and relevant conferences
General Supplies	\$29,000	Departmental supply needs (\$14,000) Employee recognition, employee appreciation, and retirement gifts (\$15,000)
Dues and Fees	\$20,000	Management and renewal fees for Mission Square Retirement (\$19,070) Membership and dues costs for HR staff (\$930)



IT and Data & Assessment (Hayley Didriksen)

The IT and Data & Assessment Department ensures that PPS has the technological infrastructure, data systems, and digital tools necessary to support learning and operations. It manages cybersecurity, data privacy, digital learning tools, and assessments to track student progress and district performance.

Strategic Plan Initiatives:

- Design and implement the data infrastructure necessary to build dashboards to monitor progress of the school system effectively.

	FY 25	FY 26
Full Time Equivalent Staff	14.3	15.3

Portland Public Schools
FY2026 Expenditure Summary
Board of Education Recommended Budget
April 8, 2025

IT and Data & Assessment

				FY26 Finance			
	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	Comm Rev Apr 1	FY26 Board Apr 8	\$ +/(-) v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$1,047,569	\$1,133,122	\$1,439,486	\$1,439,486	\$1,442,303	\$309,181	27.3%
Temporary Salaries	\$2,518	\$0	\$16,074	\$16,074	\$16,074	\$16,074	100.0%
Total Salaries	\$1,050,087	\$1,133,122	\$1,455,560	\$1,455,560	\$1,458,377	\$325,255	28.7%
Total Benefits	\$353,104	\$346,286	\$301,463	\$301,463	\$306,799	-\$39,487	-11.4%
TOTAL SALARIES & BENEFITS	\$1,403,191	\$1,479,408	\$1,757,023	\$1,757,023	\$1,765,176	\$285,768	19.3%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$259,702	\$227,701	\$429,306	\$429,306	\$429,306	\$201,605	88.5%
SPED Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Ops & Comm Contracted Services	\$56,888	\$144,824	\$32,750	\$32,750	\$32,750	-\$112,074	-77.4%
Ins & Legal Contracted Services	\$56,169	\$57,000	\$57,000	\$57,000	\$57,000	\$0	0.0%
Facilities Contracted Services	\$139,936	\$206,800	\$188,168	\$188,168	\$188,168	-\$18,632	-9.0%
Transport Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL CONTRACTED SERVICES	\$512,694	\$636,325	\$707,224	\$707,224	\$707,224	\$70,899	11.1%
SUPPLIES							
Academic Supplies	\$180,070	\$53,455	\$58,900	\$58,900	\$58,900	\$5,445	10.2%
Operations Supplies	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL SUPPLIES	\$180,070	\$53,455	\$58,900	\$58,900	\$58,900	\$5,445	10.2%
MISCELLANEOUS	\$780	\$150	\$165	\$165	\$165	\$15	10.0%
CAPITAL EQUIPMENT	\$209,470	\$123,020	\$281,000	\$281,000	\$281,000	\$157,980	128.4%
DEBT SERVICE	\$0	\$1,125	\$1,125	\$1,125	\$1,125	\$0	0.0%
NON SALARY AND BENEFITS	\$903,014	\$814,075	\$1,048,414	\$1,048,414	\$1,048,414	\$234,339	28.8%
TOTAL EXPENDITURES	\$2,306,204	\$2,293,483	\$2,805,437	\$2,805,437	\$2,813,590	\$520,107	22.7%



IT - Non-Personnel FY26

Account	Budgeted Amount	Breakdown of Cost
Purchased Professional and Technical Services	\$15,750	\$10,000 for contracted support \$5,750 for data privacy services
Employee Training and Development Services	\$17,000	\$7,000 for IT staff training and certification \$4,000 for Data Team Training \$6,000 for Infinite Campus Training Series - YES
Repair and Maintenance Services	\$179,669	\$73,000 for Building Cabling Project (Full cost = \$365K with 80% covered by E-Rate; cost to District = \$73K). \$19,200 for Network Maintenance Contract (Full cost = \$96K with 80% covered by E-Rate; cost to district = \$19,200). \$7,469 for Firewall licenses and management platform (Full cost = \$37,343 with 80% covered by E-Rate; cost to district = \$7,469). \$80,000 for Cisco Webex/Spark:Direct phone services
Recycling Services	\$8,500	Ewaste Removal
Insurance-Gen Liability	\$57,000	Safeware: High School ChromeBook Protection Plan
Phone	\$17,000	\$3,000 IT Staff phone stipends \$14,000 Student hotspot service plan
Software/annual subscription	\$403,306	\$34,500 Remote Monitoring and Management \$5,500 SolarWinds Help Desk \$32,000 Intrado/West Corp \$15,000 Final Site Web Hosting \$5,700 LaserFiche \$2,000 GoDaddy \$14,364 Sophos \$41,000 JAMF MDM \$12,000 VM Ware \$19,500 Securly Web Filter \$8,100 Virtru \$4,000 Adobe \$1,910 Smartboard License \$7,600 Zoom \$32,000 Google Workspace Licensing \$7,650 Mimecast DMARC analyzer \$35,000 Mimecast Email filter/cyber security training \$35,000 Infinite Campus \$65,000 PowerSchool Analytics & Insights Platform \$15,000 Naviance (CCLR tool)

		\$1,800 National Student Clearinghouse data \$9,000 Asana
Staff Travel	\$9,000	\$6,000 IT Staff Mileage \$3,000 Conference Travel
General Supplies	\$1,900	
Tech-Related Supplies	\$57,000	\$20,000 Repair parts and supplies \$17,000 Monitors & Computer Peripherals \$20,000 Data Center Hardware (Servers, Storages, UPS, UPS Batteries, Racks, Switches, Sensor, etc.)
Tech-Related Equip <\$10k	\$281,000	\$190,000 Inventory replacement of staff computers (10% replacement rate) \$15,000 Projectors Inventory cycle replacement \$15,000 School STEM Lab Upkeep (16 mac minis + peripherals) \$25,781 Replacement office phones. \$35,000 RICOH Copier contract renewal
Dues and Fees	\$165	Membership in Association of Computer Technology Educators of Maine (ACTEM) Membership in Maine Educational Technology Directors Association (METDA)
Interest-Bonds or Notes	\$1,125	



Multilingual Office (Grace Valenzuela, Ph.D.)

The Multilingual Office supports the district's diverse student population by implementing programs that foster linguistic and cultural inclusion. This office provides resources for students and families including the preventing homelessness grant and community engagement opportunities to support students and families.

Strategic Plan Initiatives:

- This department supports students and staff across the District but has no specific initiative in the Strategic Plan.

	FY 25	FY 26
Full Time Equivalent Staff	24.2	23

Portland Public Schools
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Multilingual

				FY26 Finance			
	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	Comm Rev Apr 1	FY26 Board Apr 8	\$ +/(-) v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$1,199,417	\$1,923,130	\$1,580,388	\$1,577,723	\$1,458,993	-\$464,137	-24.1%
Temporary Salaries	\$95,521	\$13,500	\$56,564	\$59,229	\$101,558	\$88,058	652.3%
Total Salaries	\$1,294,939	\$1,936,630	\$1,636,952	\$1,636,952	\$1,560,551	-\$376,079	-19.4%
Total Benefits	\$449,310	\$607,925	\$505,227	\$505,227	\$483,456	-\$124,469	-20.5%
TOTAL SALARIES & BENEFITS	\$1,744,249	\$2,544,555	\$2,142,179	\$2,142,179	\$2,044,007	-\$500,548	-19.7%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$8,348	\$6,300	\$7,467	\$7,467	\$7,467	\$1,167	18.5%
SPED Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Ops & Comm Contracted Services	\$51,329	\$88,300	\$181,967	\$181,967	\$156,967	\$68,667	77.8%
Ins & Legal Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Facilities Contracted Services	\$900	\$0	\$0	\$0	\$0	\$0	0.0%
Transport Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL CONTRACTED SERVICES	\$60,577	\$94,600	\$189,434	\$189,434	\$164,434	\$69,834	73.8%
SUPPLIES							
Academic Supplies	\$26,471	\$18,000	\$21,950	\$21,950	\$21,950	\$3,950	21.9%
Operations Supplies	\$0	\$0	\$4,000	\$4,000	\$4,000	\$4,000	100.0%
TOTAL SUPPLIES	\$26,471	\$18,000	\$25,950	\$25,950	\$25,950	\$7,950	44.2%
MISCELLANEOUS	\$3,963	\$2,000	\$259,493	\$259,493	\$259,493	\$257,493	12874.7%
CAPITAL EQUIPMENT	\$0	\$0	\$1,400	\$1,400	\$1,400	\$1,400	100.0%
DEBT SERVICE	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
NON SALARY AND BENEFITS	\$91,011	\$114,600	\$476,277	\$476,277	\$451,277	\$336,677	293.8%
TOTAL EXPENDITURES	\$1,835,260	\$2,659,155	\$2,618,456	\$2,618,456	\$2,495,284	-\$163,871	-6.2%



MULTILINGUAL - Non-Personnel FY26

Account	Budgeted Amount	Breakdown of Cost
Purchased Professional and Technical Services	\$170,367	Cost of contracted interpreting services (\$51,000); Intake support for PreK, Kindergarten, and summer enrollments (\$20,000); Americorps member contracts (\$25,000); Volunteer Database (\$9,367) Speaker fees for Parent University sessions/workshops (\$2,000); Contracted services for MCvento Grant Award (\$63,000)
Phone	\$7,300	Phone stipends for Family & Community Engagement Specialists and McVento Liaison
Printing/Binding	\$3,000	Flyers and invitations for events
Photocopying	\$1,300	Shared cost for copy machine
Staff Travel	\$6,300	Staff mileage from CO to schools
General Supplies	\$17,000	Office supplies
Books and Periodicals	\$1,200	Assessment materials for Intake
Technology Related Supplies	\$2,000	Online testing services for Intake
Dues and Fees	\$2,785	Membership dues, fees, and subscriptions
Gas	\$4,000	Gas for four MCVento-funded vans
Misc	\$256,708	McKvento Support
Computer	\$1,400	Computers for staff
Temp Salary	\$48,583	Family outreach, language access, childcare for family evening events

Portland Public Schools
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Other

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/- v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$528,726	\$0	\$0	\$0	\$0	\$0	0%
Temporary Salaries	\$37,413	\$0	\$0	\$0	\$0	\$0	0%
Total Salaries	\$566,139	\$0	\$0	\$0	\$0	\$0	0%
Total Benefits	\$136,664	\$0	\$0	\$0	\$0	\$0	0%
TOTAL SALARIES & BENEFITS	\$702,803	\$0	\$0	\$0	\$0	\$0	0%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$79,588	\$0	\$0	\$0	\$0	\$0	0%
SPED Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0%
Ops & Comm Contracted Services	\$920	\$0	\$0	\$0	\$0	\$0	0%
Ins & Legal Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0%
Facilities Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0%
Transport Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0%
TOTAL CONTRACTED SERVICES	\$80,508	\$0	\$0	\$0	\$0	\$0	0%
SUPPLIES							
Academic Supplies	\$15,110	\$0	\$0	\$0	\$0	\$0	0%
Operations Supplies	\$0	\$0	\$0	\$0	\$0	\$0	0%
TOTAL SUPPLIES	\$15,110	\$0	\$0	\$0	\$0	\$0	0%
MISCELLANEOUS	\$629	\$0	\$0	\$0	\$0	\$0	0%
CAPITAL EQUIPMENT	\$0	\$0	\$0	\$0	\$0	\$0	0%
DEBT SERVICE	\$0	\$0	\$0	\$0	\$0	\$0	0%
NON SALARY AND BENEFITS	\$96,247	\$0	\$0	\$0	\$0	\$0	0%
TOTAL EXPENDITURES	\$799,049	\$0	\$0	\$0	\$0	\$0	0%



Pre-K (Kellie Irving, Interim)

The Pre-K Department expands early childhood education opportunities, ensuring that young learners are prepared for kindergarten. It oversees curriculum development, family outreach, and efforts to increase Pre-K programming. The department will assume responsibility for early childhood in 2028 and must build capacity for related services for children age 2.8years plus.

Strategic Plan Initiatives:

- Ensure we meet the commitment to universal readiness for kindergarten through partnership with community organizations.

	FY 25	FY 26
Full Time Equivalent Staff	4.5	5.5

Portland Public Schools
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District Wide Pre-K

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/-(-) v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$293,565	\$441,736	\$566,654	\$566,654	\$566,654	\$124,918	28.3%
Temporary Salaries	\$78,660	\$5,280	\$19,950	\$19,950	\$19,950	\$14,670	277.8%
Total Salaries	\$372,225	\$447,016	\$586,604	\$586,604	\$586,604	\$139,588	31.2%
Total Benefits	\$88,968	\$134,272	\$137,116	\$137,116	\$139,146	\$4,874	3.6%
TOTAL SALARIES & BENEFITS	\$461,193	\$581,288	\$723,720	\$723,720	\$725,750	\$144,462	24.9%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$4,211	\$183,277	\$10,495	\$10,495	\$10,495	-\$172,782	-94.3%
SPED Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Ops & Comm Contracted Services	\$149,774	\$2,800	\$0	\$0	\$0	-\$2,800	-100.0%
Ins & Legal Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Facilities Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Transport Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL CONTRACTED SERVICES	\$153,984	\$186,077	\$10,495	\$10,495	\$10,495	-\$175,582	-94.4%
SUPPLIES							
Academic Supplies	\$51,949	\$27,000	\$31,500	\$31,500	\$31,500	\$4,500	16.7%
Operations Supplies	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL SUPPLIES	\$51,949	\$27,000	\$31,500	\$31,500	\$31,500	\$4,500	16.7%
MISCELLANEOUS	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
CAPITAL EQUIPMENT	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
DEBT SERVICE	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
NON SALARY AND BENEFITS	\$205,934	\$213,077	\$41,995	\$41,995	\$41,995	-\$171,082	-80.3%
TOTAL EXPENDITURES	\$667,126	\$794,365	\$765,715	\$765,715	\$767,745	-\$26,620	-3.4%



PRE K - Non-Personnel FY26

Account	Budgeted Amount	Breakdown of Cost
Purchased Professional and Technical Services	\$175,000	\$105,000 for Partner Site Memoranda of Understanding (MoU) with Youth and Family Outreach- 2 classrooms- and Catherine Morrill Day Nursery-1 classroom (\$35,000 x 3 classrooms= \$105,000) \$70,000 for consulting to support the transition of responsibility for special education services from Maine's Child Development Services (CDS) to PPS
Employee Training and Development	\$2,500	To support professional learning for the Pre-K leadership team, which will provide on-going training and coaching for school-based pre-K team members
Software/annual subscription	\$6,795	\$4,210.80 for Teaching Strategies Gold (TSG) \$1800 for Ages and Stages Questionnaire (ASQ) (Screening tool) Multiple Language \$874.00 Battelle-3 Assessment Tools for Special education testing
Staff Travel	\$1,200	\$120/month for Central Office Pre-K staff and itinerant teachers to move between schools and offices
General Supplies	\$9,000	\$500 per class x 18 classes Replace lost and broken items to maintain high quality Pre-K curriculum
Instructional Supplies	\$16,200	\$900 per class x 18 classes Replace lost and broken items to maintain high quality Pre-K curriculum
BOOKS/PERIODICALS	\$6,300	\$350 per class x 18 classes Replace lost and broken items to maintain high quality Pre-K curriculum



PORTLAND PUBLIC SCHOOLS
prepared & empowered

School Board (Sarah Lentz, Board Chair)

The School Board provides governance and oversight for Portland Public Schools. It is responsible for setting district policies, approving the budget, and ensuring that the district remains aligned with its mission and strategic priorities. The board works collaboratively with the Superintendent and district leaders to make decisions that support student success.

Strategic Plan Initiatives:

- The Board is responsive for the overall success of the strategic plan

Portland Public Schools
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School Board

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/(-) v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Temporary Salaries	\$70,183	\$68,772	\$68,599	\$68,599	\$68,599	-\$173	-0.3%
Total Salaries	\$70,183	\$68,772	\$68,599	\$68,599	\$68,599	-\$173	-0.3%
Total Benefits	\$26,473	\$6,507	\$6,561	\$6,561	\$6,603	\$96	1.5%
TOTAL SALARIES & BENEFITS	\$96,656	\$75,279	\$75,160	\$75,160	\$75,202	-\$77	-0.1%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
SPED Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Ops & Comm Contracted Services	\$12,366	\$10,800	\$10,800	\$10,800	\$10,800	\$0	0.0%
Ins & Legal Contracted Services	\$100,432	\$157,621	\$162,349	\$162,349	\$162,349	\$4,728	3.0%
Facilities Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Transport Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL CONTRACTED SERVICES	\$112,798	\$168,421	\$173,149	\$173,149	\$173,149	\$4,728	2.8%
SUPPLIES							
Academic Supplies	\$6,893	\$5,000	\$5,000	\$5,000	\$5,000	\$0	0.0%
Operations Supplies	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL SUPPLIES	\$6,893	\$5,000	\$5,000	\$5,000	\$5,000	\$0	0.0%
MISCELLANEOUS	\$19,606	\$18,000	\$20,000	\$20,000	\$20,000	\$2,000	11.1%
CAPITAL EQUIPMENT	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
DEBT SERVICE	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
NON SALARY AND BENEFITS	\$139,297	\$191,421	\$198,149	\$198,149	\$198,149	\$6,728	3.5%
TOTAL EXPENDITURES	\$235,953	\$266,700	\$273,309	\$273,309	\$273,351	\$6,651	2.5%



SCHOOL BOARD - Non-Personnel FY26

Account	Budgeted Amount	Breakdown of Cost
Purchased Professional & Technical Services	\$10,000	Facilitation Support and External Training as Needed (\$10,000)
Insurance - General Liability	\$162,349	
Printing/Binding	\$800	Printing of Board Materials (\$800)
General Supplies	\$5,000	Supplies for Swearing-In and Retirement Recognition
Dues and Fees	\$20,000	Maine School Board Association (\$20,000)



Special Education (Jesse Applegate)

Special Education ensures that students with disabilities receive the services and support they need to succeed. This department focuses on inclusive education, improving instructional strategies, and developing programs that address the individualized needs of students with disabilities.

Strategic Plan Initiatives:

- Develop the capacity of schools to provide more effective instruction to students with disabilities across the continuum of services, utilizing content-specific universal design for learning strategies and practices.
- Develop and implement systems for identifying and delivering behavioral support services focused on students' emotional and mental health.

	FY 25	FY 26
Full Time Equivalent Staff	43.6	53.3

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Special Education

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/- v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$1,482,928	\$3,394,055	\$4,249,010	\$4,249,010	\$4,172,713	\$778,658	22.9%
Temporary Salaries	\$49,831	\$368,000	\$401,219	\$401,219	\$401,219	\$33,219	9.0%
Total Salaries	\$1,532,759	\$3,762,055	\$4,650,229	\$4,650,229	\$4,573,932	\$811,877	21.6%
Total Benefits	\$445,621	\$1,013,594	\$1,138,518	\$1,138,518	\$1,122,443	\$108,849	10.7%
TOTAL SALARIES & BENEFITS	\$1,978,380	\$4,775,649	\$5,788,747	\$5,788,747	\$5,696,375	\$920,726	19.3%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$14,599	\$49,750	\$82,250	\$82,250	\$82,250	\$32,500	65.3%
SPED Contracted Services	\$3,860,540	\$3,940,000	\$4,000,000	\$4,000,000	\$4,025,000	\$85,000	2.2%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Ops & Comm Contracted Services	\$10,669	\$103,900	\$138,200	\$138,200	\$138,200	\$34,300	33.0%
Ins & Legal Contracted Services	\$145,096	\$50,000	\$75,000	\$75,000	\$75,000	\$25,000	50.0%
Facilities Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Transport Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL CONTRACTED SERVICES	\$4,030,904	\$4,143,650	\$4,295,450	\$4,295,450	\$4,320,450	\$176,800	4.3%
SUPPLIES							
Academic Supplies	\$45,432	\$259,277	\$215,000	\$215,000	\$215,000	-\$44,277	-17.1%
Operations Supplies	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL SUPPLIES	\$45,432	\$259,277	\$215,000	\$215,000	\$215,000	-\$44,277	-17.1%
MISCELLANEOUS	\$134,979	\$40,785	\$30,750	\$30,750	\$30,750	-\$10,035	-24.6%
CAPITAL EQUIPMENT	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
DEBT SERVICE	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
NON SALARY AND BENEFITS	\$4,211,315	\$4,443,712	\$4,541,200	\$4,541,200	\$4,566,200	\$122,488	2.8%
TOTAL EXPENDITURES	\$6,189,695	\$9,219,361	\$10,329,947	\$10,329,947	\$10,262,575	\$1,043,214	11.3%



STUDENT SUPPORT SERVICES -

Non-Personnel FY26

Account	Budgeted Amount	Breakdown of Cost
Special Education Contracted Services	\$425,000	Additional contracting to ensure that all therapy and related services are provided as per IEPs: • Speech Therapy (\$30,000) • Occupational Therapy (\$70,000) • Physical Therapy (\$55,000) • Board Certified Behavior Analyst (\$50,000) • Psychology (\$180,000) Contracted services to cover temporary or unexpected nursing needs for students with complex medical needs (\$20,000) High-quality professional learning opportunities that support movement toward a unified mental health strategy across the district (\$10,000) Supervision for social workers with conditional licenses; case consultation and social workers and counselors by qualified mental health experts - (\$10,000)
Tuition to Private Source	\$3,600,000	Tuition for IEP-determined placements at special purpose private schools (also called out of district/OOD)
Instructional Supplies	\$108,500	Instructional supplies for special education classes, to be distributed proportionally to schools and programs; evaluation materials for specialists (\$100,000) Instructional materials for students receiving Chapter 104 services (\$4,500) Instructional supplies to support students with 504 plans (\$4,000)
Books/Periodicals	\$3,500	Books/periodicals needed for instruction in special education classes (\$3,500) Materials for Chapter 104 staff for professional development (\$500)
Technology Related Supplies	\$23,000	Technology supplies needed for instruction in special education classrooms, to be distributed proportionally to schools and programs; student-specific assistive technology as required by their IEP (\$15,000)

		Specific technology needs that are required as per 504 plans, such as assistive technology (\$8,000)
Purchased Professional and Technological Services	\$135,000	Professional development opportunities for school administrators and staff, particularly de-escalation and physical management training; cost for sending students to external transition programming at Strive/TOPS (\$130,000) Professional development sessions for all nurses in the district (\$5,000)
Employee Training and Development Services	\$40,750	Professional development opportunities for central administrators and related service providers (\$40,000) Staff attendance at a yearly Chapter 104 conference (\$750)
Legal Services	\$75,000	Administrator consultation with our external legal team as needed, and the deductibles on claims we file in response to legal action
Postage	\$1,200	Legally required mailing of forms
Software/Annual Subscription	\$30,000	Software such as Navigate 360 and Acuity (IEP-writing and billing software)
Advertising	\$500	Legally required notification related to child find obligations
Photocopying	\$1,500	Legally required production of special education files
Staff Travel	\$11,500	Special education staff travel mileage between schools as required by their job responsibilities, and some travel to professional meetings/conferences (\$9,500) Nurse travel for unexpected coverage or other responsibilities (\$1,000) Chapter 104 staff travel as required by their assignments (\$1,000)
General Supplies	\$80,000	General supplies for special education classes, to be distributed proportionally to schools and programs (\$55,000) Administrative and classroom materials to support students with 504 plans (\$5,000)

		All medical supplies required for nurses in the normal course of business (\$20,000)
Dues and Fees	\$30,750	Membership dues to professional organizations for some staff and administrators, and some fees relating to licensure for staff Processing the annual Chapter 104 screening results
Temporary Salaries	\$331,665	Hourly pay for ed techs working over the summer in IEP-required Extended School Year programs (\$135,000) Hourly pay for special educators working over the summer in IEP-required Extended School Year programs (\$136,665) Hourly pay for staff when temporary adult support is required as per an IEP or other immediate need, including BHP coverage (\$45,000) Summer projects/PD led by social workers/intern supervision/added pay and stipends (\$15,000) Adult support for students who require it as per their 504 plans, or who need it temporarily
Tutoring	\$20,947	Tutoring for students with IEPs required due to illness, injury, suspension, or IEP decisions (\$15,000) Tutoring for students without IEPs required due to illness, injury, or suspension (\$5,947)
Teacher Additional Pay	\$5,985	Additional pay for special educators to attend IEP meetings and provide student-based services outside of the normal work day, as needed
Regular Support Overtime	\$4,987	Additional pay for ed techs to provide student-based services outside of the normal work day



Superintendent's Office (Ryan Scallon, Ed.D.)

The Superintendent's Office provides strategic leadership and vision for the entire school district. This office ensures that district policies, initiatives, and operations align with the Board's Policies and the Strategic Plan. It focuses on equity, instructional excellence, and operational efficiency while maintaining accountability for student outcomes.

Strategic Plan Initiatives:

- Clarify central office roles and responsibilities, including decision-making rights, and implement improved systems for communication to increase the effectiveness of support for school staff, students, and families.
- Codify shared systems, standard operating procedures, and guidance for schools in order to strengthen accountability and responsiveness to schools.
- Develop, pilot, and scale a community schools model to effectively support students and expand access to community partnerships.
- Expand access to out of school time activities (i.e. sports, clubs, non-academic opportunities etc.) and school-wide events across the district so that students' feelings of motivation and inclusion increase.

	FY 25	FY 26
Full Time Equivalent Staff	7.0*	7.0*

*Includes the Foundation for Portland Public Schools and PEA President

Portland Public Schools
FY2026 Expenditure Summary
Board of Education Recommended Budget
April 8, 2025

Superintendent

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/(-) v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$369,605	\$491,274	\$666,785	\$666,785	\$666,785	\$175,511	35.7%
Temporary Salaries	-\$2,943	\$12,000	\$3,267	\$3,267	\$3,267	-\$8,733	-72.8%
Total Salaries	\$366,662	\$503,274	\$670,052	\$670,052	\$670,052	\$166,778	33.1%
Total Benefits	\$109,164	\$142,501	\$143,849	\$143,849	\$146,644	\$4,143	2.9%
TOTAL SALARIES & BENEFITS	\$475,826	\$645,775	\$813,901	\$813,901	\$816,696	\$170,921	26.5%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$19,263	\$48,000	\$48,000	\$48,000	\$48,000	\$0	0.0%
SPED Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Ops & Comm Contracted Services	\$43,862	\$130,000	\$0	\$0	\$0	-\$130,000	-100.0%
Ins & Legal Contracted Services	\$292,250	\$153,900	\$153,900	\$153,900	\$153,900	\$0	0.0%
Facilities Contracted Services	\$0	\$0	\$1,325	\$1,325	\$1,325	\$1,325	100.0%
Transport Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL CONTRACTED SERVICES	\$355,375	\$331,900	\$203,225	\$203,225	\$203,225	-\$128,675	-38.8%
SUPPLIES							
Academic Supplies	\$11,168	\$10,212	\$10,212	\$10,212	\$10,212	\$0	0.0%
Operations Supplies	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
TOTAL SUPPLIES	\$11,168	\$10,212	\$10,212	\$10,212	\$10,212	\$0	0.0%
MISCELLANEOUS	\$21,550	\$26,967	\$26,967	\$26,967	\$26,967	\$0	0.0%
CAPITAL EQUIPMENT	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
DEBT SERVICE	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
NON SALARY AND BENEFITS	\$388,092	\$369,079	\$240,404	\$240,404	\$240,404	-\$128,675	-34.9%
TOTAL EXPENDITURES	\$863,918	\$1,014,854	\$1,054,305	\$1,054,305	\$1,057,100	\$42,246	4.2%



SUPERINTENDENT - Non-Personnel FY26

Account	Budgeted Amount	Breakdown of Cost
Employee Training & Development Services	\$38,300	Leadership Conferences for Senior Leadership (\$28,000) Travel and Accommodations (\$10,300)
Legal Fees	\$153,900	
Rentals	\$1,325	Meeting Spaces (\$1,325)
Staff Travel	\$9,700	Mileage Reimbursement (\$9,700)
General Supplies	\$10,212	Office Supplies
Dues and Fees	\$6,310	AASA and MSMA Membership (\$6,310)
Other Items	\$20,657	Hold for Flexibility (\$20,657)



Transportation (Ben Lesavoy)

The Transportation Department ensures safe and reliable transportation for students across the district. It manages bus routes, schedules, and accessibility to support equitable access to education.

Strategic Plan Initiatives:

- Design and implement a multiyear transportation plan to support equitable student access.

	FY 25	FY 26
Full Time Equivalent Staff	42.25	44.25

Portland Public Schools
FY2026 Expenditure Summary
Board of Education Recommended Budget
April 8, 2025

Transportation

	FY24 ACTUAL	FY25 BUDGET	FY26 SUPT REC Mar 4	FY26 Finance Comm Rev Apr 1	FY26 Board Apr 8	\$ +/(-) v FY25	% +/- v FY25
SALARIES & BENEFITS							
Regular Salaries	\$2,212,420	\$2,436,450	\$2,300,190	\$2,300,190	\$2,312,890	-\$123,560	-5.1%
Temporary Salaries	\$95,525	\$142,000	\$11,270	\$11,270	\$11,270	-\$130,730	-92.1%
Total Salaries	\$2,307,945	\$2,578,450	\$2,311,460	\$2,311,460	\$2,324,160	-\$254,290	-9.9%
Total Benefits	\$729,408	\$937,441	\$1,014,395	\$1,014,395	\$1,039,973	\$102,532	10.9%
TOTAL SALARIES & BENEFITS	\$3,037,353	\$3,515,891	\$3,325,855	\$3,325,855	\$3,364,133	-\$151,758	-4.3%
CONTRACTED SERVICES							
PreK-12th Contracted Services	\$2,383	\$3,500	\$42,220	\$42,220	\$42,220	\$38,720	1106.3%
SPED Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Adult Ed Contracted Services	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Ops & Comm Contracted Services	\$488,320	\$452,600	\$459,357	\$459,357	\$459,357	\$6,757	1.5%
Ins & Legal Contracted Services	\$27,450	\$43,219	\$43,219	\$43,219	\$43,219	\$0	0.0%
Facilities Contracted Services	\$308,201	\$200,000	\$225,000	\$225,000	\$225,000	\$25,000	12.5%
Transport Contracted Services	\$770,769	\$600,000	\$865,000	\$865,000	\$865,000	\$265,000	44.2%
TOTAL CONTRACTED SERVICES	\$1,597,122	\$1,299,319	\$1,634,796	\$1,634,796	\$1,634,796	\$335,477	25.8%
SUPPLIES							
Academic Supplies	\$11,858	\$4,600	\$10,000	\$10,000	\$10,000	\$5,400	117.4%
Operations Supplies	\$211,212	\$250,000	\$255,525	\$255,525	\$255,525	\$5,525	2.2%
TOTAL SUPPLIES	\$223,070	\$254,600	\$265,525	\$265,525	\$265,525	\$10,925	4.3%
MISCELLANEOUS	\$1,241	\$175	\$175	\$175	\$175	\$0	0.0%
CAPITAL EQUIPMENT	\$759,000	\$0	\$0	\$0	\$0	\$0	0.0%
DEBT SERVICE	\$0	\$18,628	\$17,649	\$17,649	\$17,649	-\$979	-5.3%
NON SALARY AND BENEFITS	\$2,580,433	\$1,572,722	\$1,918,145	\$1,918,145	\$1,918,145	\$345,423	22.0%
TOTAL EXPENDITURES	\$5,617,786	\$5,088,613	\$5,244,000	\$5,244,000	\$5,282,278	\$193,665	3.8%



TRANSPORTATION -

Non-Personnel FY26

Account	Budgeted Amount	Breakdown of Cost
Insurance - General Liability	\$6,500	Insurance for vehicles - staff transportation only (\$6,500) Insurance for vehicles that transport students (\$43,219)
Purchased Professional and Technological Services	\$413,257	Student Transportation for Myride parent app that allows families to receive information on bus schedules/ maps and track bus locations and expected arrival times (\$4,257) Contract for crossing guard services (\$409,000)
Repair and Maintenance Services	\$215,000	Vehicle maintenance contract with South Portland Public Schools- covers staffing, parts, and facilities-related costs
Software Maintenance	\$15,000	Pilot use of card system to scan pre-k/K students on/off buses for safety
Private Student Transportation Services	\$650,000	Contracted bus and van services for students with IEPs that cannot be covered by PPS drivers (\$350,000) Contracted bus and van services for students entitled to transportation under the McKinney Vento Act (where routes cannot be covered by PPS drivers) (\$50,000) Field Trips and Athletics (\$250,000)
Student Transportation Services	\$215,000	Metro passes for High School students (\$200,000) Casco Bay Lines student passes (\$15,000)
Phone	\$27,600	Cell phone stipends for drivers and assistants per BASE contract
Software/annual subscription	\$31,220	Annual fees for Tyler drive, routing software, and tablets
Photocopying	\$1,000	
Staff Travel	\$3,500	Travel to conferences for transportation leaders and drivers
General Supplies	\$10,000	General supplies
Electricity	\$5,525	
Gasoline	\$250,000	
Dues and Fees	\$175	

MEMORANDUM
City Council Agenda Item

FROM:

DATE: April 24, 2025

SUBJECT: Order 181-24/25 Approving State/Local EPS Funding Allocation for Public Education from Kindergarten to Grade 12 for Portland Public Schools for Fiscal Year 2026 - Sponsored by Finance Committee, April Fournier, Chair

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

Can action be taken at a later date: No If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City:

PRESENTATION: Please list the presenter(s), type, and length of presentation

I. SUMMARY

II. AGENDA DESCRIPTION

The following School Budget Orders are required by 20A M.R.S. §15690 in order to comply with what is known as LD1, a set of state laws passed to control increases in property taxes.

This order provides \$107,918,121 as the amount determined by state law to be the minimum amount the City must appropriate in order to receive the full amount of state funding under the Essential Programs and Services Funding Act.

This order requires the city to raise \$88,191,157 as the city's contribution to the total cost of funding public education from K12 as described in the EPS law. The City's tax levy based on the budget submitted by the Portland Board of Public Education for the total for school budget programs of \$153,703,807 will be \$125,019,522.

This item must be read on two separate days. This is its first reading.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is \$50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not

limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 1. State and Local EPS Funding

Prepared by:

Date: 04/24/2025

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL D. FOURNIER (A/L)
BENJAMIN GRANT (A/L)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

SARAH MICHNIEWICZ (1)
WESLEY PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**ORDER APPROVING STATE/LOCAL EPS FUNDING ALLOCATION
FOR PUBLIC EDUCATION FROM KINDERGARTEN TO GRADE 12
FOR PORTLAND PUBLIC SCHOOLS FOR FISCAL YEAR 2026**

ORDERED, that under and pursuant to the City's Fiscal Year 2025-2026 Appropriation Resolve and applicable state law the City hereby approves the following school budget article for Fiscal Year 2025-2026:

Appropriation for State/Local EPS funding Allocation: That the City appropriates the amount of \$107,918,121 for the total cost of funding public education from kindergarten to grade 12, and raises the amount of \$88,191,157 as the City's contribution to the total cost of funding public education from kindergarten to grade 12, both as described in the Essential Programs and Services Funding Act, in accordance with Maine Revised Statutes, Title 20-A, section 15688.

State Mandated Explanation: The City's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined under state law annually to be the minimum amount that the City must raise in order to receive the full amount of state dollars.

MEMORANDUM
City Council Agenda Item

FROM:

DATE: April 24, 2025

SUBJECT: Order 182-24/25 Approving Non-State Funded School Construction Debt Service for Portland Schools for Fiscal Year 2026 - Sponsored by Finance Committee, April Fournier, Chair

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

Can action be taken at a later date: No If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: No

PRESENTATION: Please list the presenter(s), type, and length of presentation

I. SUMMARY

II. AGENDA DESCRIPTION

Nonstate funded debt service is the amount of money needed for the annual payments on the City's long-term debt for major capital school construction projects and portions of school construction projects that are not approved for state funding. The bonding of this long-term debt was previously approved by the voters or the City Council.

This order appropriates \$414,168 for the annual payments on debt service previously approved by the voters or the City Council for non-state (local only) funded school construction projects. The state no longer includes minor capital projects in this calculation. The \$414,168 is in addition to the funds appropriated as the EPS required local share (amount of the City's contribution to the total cost of funding public education from kindergarten to grade 12).

This item must be read on two separate days. This is its first reading.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is \$50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not

limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 2. Non-state funded School Construction Debt

Prepared by:

Date: 04/24/2025

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL D. FOURNIER (A/L)
BENJAMIN GRANT (A/L)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

SARAH MICHNIEWICZ (1)
WESLEY PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**ORDER APPROVING NON-STATE FUNDED SCHOOL CONSTRUCTION DEBT
SERVICE FOR PORTLAND SCHOOLS FOR FISCAL YEAR 2026**

ORDERED, that under and pursuant to the City's Fiscal Year 2025-2026 Appropriation Resolve and applicable state law the City hereby approves the following school budget article for Fiscal Year 2025-2026:

Appropriation for Non-State Funded Debt Service (20-A M.R.S.A. §15690(2)(A)).

That the City raise and appropriate \$414,168 for the annual payments on debt service previously approved by the legislative body for non-state funded school construction projects and non-state funded portions of school construction projects, in addition to the funds appropriated as the local share of the City's contribution to the total cost of funding public education from kindergarten to grade 12.

State Mandated Explanation: *Non-state funded debt service is the amount of money needed for the annual payments on the City's long-term debt for major capital school construction projects that are not approved for state subsidy. The bonding of this long-term debt was previously approved by the voters or the City Council.*

MEMORANDUM
City Council Agenda Item

FROM:

DATE: April 24, 2025

SUBJECT: Order 183-24/25 Raising and Appropriating Additional Local Funds for Portland Schools for Fiscal Year 2026 - Sponsored by Finance Committee, April Fournier, Chair

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

Can action be taken at a later date: No If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: No

PRESENTATION: Please list the presenter(s), type, and length of presentation

I. SUMMARY

II. AGENDA DESCRIPTION

This order appropriates \$36,828,365 in additional city funds over and above regional Essential Programs and Services amount and the nonstate funded debt service amount.

This exceeds the EPS funding model by \$36,828,365 and is needed to cover the School Department's costs that the state's funding model does not recognize or recognize fully, including costs to maintain class size; Special Education costs; Regular Instruction costs; Facilities Maintenance costs to address deferred maintenance; technology costs; transportation costs; professional development costs; debt service for pension obligation; and debt service capital renovation costs.

This item must be read on two separate days. This is its first reading.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is \$50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 3. Appropriating additional Local Funds for Schools

Prepared by:

Date: 04/24/2025

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL D. FOURNIER (A/L)
BENJAMIN GRANT (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

SARAH MICHNIEWICZ (1)
WESLEY PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**ORDER RAISING AND APPROPRIATING ADDITIONAL LOCAL FUNDS FOR
PORTLAND SCHOOLS FOR FISCAL YEAR 2026**

ORDERED, that under and pursuant to the City’s Fiscal Year 2025-2026 Appropriation Resolve and applicable state law the City hereby approves the following school budget article for Fiscal Year 2025-2026:

Authorization to Exceed the Portland School Department’s Maximum State and Local Spending Target Established Pursuant to Maine Revised Statutes, Title 20-A § 15671-A(4) and Appropriating Additional Local Funds: That the City raises and appropriates \$36,828,365 in additional local funds, which exceeds the State’s Essential Programs and Services allocation model by \$36,828,365, as required to fund the budget recommended by the Portland Board of Public Education.

That amount is needed to cover the School Department’s costs that the state’s funding model does not recognize or recognize fully, including costs to maintain class size; Special Education costs; Regular Instruction costs; Facilities Maintenance costs to address deferred maintenance; technology costs; transportation costs; professional development costs; debt service for pension obligation; and debt service capital renovation costs.

State Mandated Explanation: *The additional local funds are those locally raised funds over and above the City’s local contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state funded debt service that will help achieve the City’s budget for educational programs.*

[NOTE: City council approval of this order requires 5 affirmative votes, see 20-A M.R.S.A. section 15671-A(5)(B)(2)(requiring for council approval “a majority of the entire membership of the council”) and see Article II, section 11 of the City Charter (requiring 5 affirmative votes for final passage).]

MEMORANDUM
City Council Agenda Item

FROM:

DATE: April 24, 2025

SUBJECT: Order 184-24/25 Approving Total School Operating Budget For Portland Schools for Fiscal Year 2026 - Sponsored by Finance Committee, April Fournier, Chair

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

Can action be taken at a later date: No If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: No

PRESENTATION: Please list the presenter(s), type, and length of presentation

I. SUMMARY

II. AGENDA DESCRIPTION

This order is required by 20A M.R.S.A. §15690(4)(A). It sets the School Budget required by state law.

This will be sent to the voters for approval at a citywide Referendum Election on June 10, 2025. \$127,225,989 of the \$162,800,974 would come from would come from property taxes.

This order does not provide money unless the other General Fund budget orders are passed.

This item must be read on two separate days. This is its first reading.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is \$50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 4. Total School Operating Budget

Prepared by:

Date: 04/24/2025

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL D. FOURNIER (A/L)
BENJAMIN GRANT (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

SARAH MICHNIEWICZ (1)
WESLEY PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**ORDER APPROVING TOTAL SCHOOL OPERATING BUDGET
FOR PORTLAND SCHOOLS FOR FISCAL YEAR 2026**

ORDERED, that under and pursuant to the City's Fiscal Year 2025-2026 Appropriation Resolve and applicable state law, the City hereby approves the following school budget article for Fiscal Year 2025-2026:

Total School Budget Summary (20-A M.R.S.A. §15690(4)(A)): That the City authorizes the School Board to expend \$153,703,807 for the Fiscal Year beginning July 1, 2025 and ending June 30, 2026 from the City's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools.

MEMORANDUM
City Council Agenda Item

FROM:

DATE: April 24, 2025

SUBJECT: Order 185-24/25 Appropriating and Raising Funds for Adult Education for Fiscal Year 2026 as required by the Maine Revised Statutes, Title 20-a M.R.S §8603-a(1) - Sponsored by Finance Committee, April Fournier, Chair

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

Can action be taken at a later date: No If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: No

PRESENTATION: Please list the presenter(s), type, and length of presentation

I. SUMMARY

II. AGENDA DESCRIPTION

This order raises the sum of \$3,463,530 for Adult Education for Fiscal Year 2025-2026 and \$2,206,457 as the local share with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and for the well-being of the adult education program.

This item must be read on two separate days. This is its first reading.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is \$50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 5. Funds for Adult Education

Prepared by:

Date: 04/24/2025

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL D. FOURNIER (A/L)
BENJAMIN GRANT (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

SARAH MICHNIEWICZ (1)
WESLEY PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**ORDER APPROPRIATING AND RAISING FUNDS
FOR ADULT EDUCATION FOR FISCAL YEAR 2026 AS REQUIRED
BY THE MAINE REVISED STATUTES, TITLE 20-A M.R.S. §8603-A(1)**

ORDERED, that the sum of \$3,463,530 is hereby appropriated for Adult Education for Fiscal Year 2025-2026 and that the sum of \$2,206,457 is hereby raised as the local share with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and for the well-being of the adult education program.

***Explanation:** Under state law, the appropriation for adult education falls outside the total annual budget for public schools addressed in the prior order when it passes the Appropriation Resolve.*

MEMORANDUM
City Council Agenda Item

FROM:

DATE: April 24, 2025

SUBJECT: Order 186-24/25 To Raise and Appropriate Local Funds for Food Service in the Portland Public Schools for Fiscal Year 2026 - Sponsored by Finance Committee, April Fournier, Chair

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

Can action be taken at a later date: No If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: No

PRESENTATION: Please list the presenter(s), type, and length of presentation

I. SUMMARY

II. AGENDA DESCRIPTION

This order raises and appropriates \$0 for the Food Service Program for Fiscal Year 2025-2026. The Portland School Department is authorized to expend any un-expended balances and additional, incidental or miscellaneous receipts in the interest and for the well-being of the food service program.

This item must be read on two separate days. This is its first reading.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is \$50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 6. Funds for Food Service

Prepared by:

Date: 04/24/2025

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL D. FOURNIER (A/L)
BENJAMIN GRANT (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

SARAH MICHNIEWICZ (1)
WESLEY PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**ORDER TO RAISE AND APPROPRIATE LOCAL FUNDS
FOR FOOD SERVICE IN THE PORTLAND PUBLIC SCHOOLS FOR FISCAL YEAR
2026**

ORDERED, that the sum of \$0 is hereby raised and appropriated for the Food Service Program for Fiscal Year 2025-2026; and that the Portland School Department is authorized to expend any unexpended balances, and additional, incidental, or miscellaneous receipts in the interest and for the well-being of the food service program.

***Explanation:** This order raises and appropriates local tax revenues for the food service program.*

MEMORANDUM
City Council Agenda Item

FROM:

DATE: April 24, 2025

SUBJECT: Order 187-24/25 Authorizing the Disposition of Any Additional State Subsidy Received for Portland Schools in Fiscal Year 2026 - Sponsored by Finance Committee, April Fournier, Chair

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

Can action be taken at a later date: No If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: No

PRESENTATION: Please list the presenter(s), type, and length of presentation

I. SUMMARY

II. AGENDA DESCRIPTION

Disposition of Any Additional State Subsidy Received: In the event that Portland Public Schools receives more state education subsidy than the amount included in its budget, the City authorizes the Portland Board of Education to use all or part of the additional state subsidy to increase expenditures for school purposes in cost center categories approved by the Portland Board of Education, subject only to approval by the City Council.

This item must be read on two separate days. This is its first reading.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is \$50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 7. Disposition of Additional State Subsidy

Prepared by:

Date: 04/24/2025

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL D. FOURNIER (A/L)
BENJAMIN GRANT (A/L)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

SARAH MICHNIEWICZ (1)
WESLEY PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**ORDER AUTHORIZING THE DISPOSITION OF
ANY ADDITIONAL STATE SUBSIDY RECEIVED
FOR PORTLAND SCHOOLS IN FISCAL YEAR 2026**

ORDERED, that under and pursuant to the City's Fiscal Year 2026 Appropriation Resolve and applicable state law the City hereby approves the following school budget article for Fiscal Year 2026:

Disposition of Any Additional State Subsidy Received: That in the event that Portland Public Schools receives more state education subsidy than the amount included in its budget, the City authorizes the Portland Board of Education to use all or part of the additional state subsidy to increase expenditures for school purposes in cost center categories approved by the Portland Board of Education, subject only to approval by the City Council.



The Portland City Council established its 2025 Common Goals (included below) on December 16, 2024, formally communicating its policy priorities for the coming year and setting a foundation for the development of Council committees’ work plans.

The 2025 schedule currently includes 10 meetings for each committee, and the development of a single, original policy initiative typically takes two or three committee meetings. This includes conceptual discussion, review of a draft ordinance or other policy document, and a public hearing where the committee votes on whether or not to recommend that the City Council adopt the policy initiative. Based on those constraints, it is recommended that a committee work plan include no more than five original policy initiatives to start.

In addition to the development and consideration of original policy initiatives, committee work will also include consideration of items referred to a committee by the Council or brought by staff, as well as hosting panels or presentations as needed.

Health & Human Services and Public Safety Committee
2025 Work Plan

Policy Initiative	Related Council Goal	Priority Ranking ¹
Warming/Cooling Shelter	#2	1
Addressing the Opioid Epidemic	#2	2
Childcare in Portland	N/A	3
Built for Zero	#2	4
Safe Streets	N/A	5
Elders and Emergency Preparedness	N/A	6
Res. sprinkling requirements	#2	7
Retail marijuana / food prep licensing	N/A	8

¹ Priority ranking determines the order in which the Committee will discuss the various initiatives. In the event that there is not enough time or resources to consider all of the Committee’s initiatives or a more urgent matter comes up, this ranking system can help the Committee decide how to reallocate its time.

2025 City Council Common Goals

1. The Council will work to expand DEI practices through equity analysis, living wage initiatives and improving involvement in decision making processes.
2. The Council will work to implement solutions to the housing crisis, including building more working class housing, improved support for the unhoused community such as an overdose prevention center as well as continued support for warming shelters. Additionally conduct independent assessment of Efficiencies, Outcomes and Expenditures.
3. The Council will develop sustainability strategies to address sea-level rise mitigation and storm surge management for the Commercial Street Corridor.
4. The Council will explore creating an Office of Community Engagement, create opportunities for participatory budgeting, and evaluate the structural effectiveness of Council committees.

Health & Human Services Committee 2025 Calendar
As of February 11, 2025. Dates and topics are subject to change.

January 14: 2025 Work Plan Development

- Presentation on overdose prevention centers working group
- Develop 2025 Work Plan
- Warming Shelter Update

February 11: Childcare

- The state of childcare in Portland
 - Panel Discussion (invitees TBD)
- Discussion re: ARPA funding for the expansion/improvement of public restrooms (*staff to seek Committee guidance on expenditures*)
- Public Safety Update
- Discussion: 2025-2026 Warming/Cooling Shelter

March 11: Childcare, continued

- Policy consideration re: the state of childcare
- Staff update re: Opioid Settlement Funds RFA
- Staff update re: Syringe Services Program
- Public Safety Update

April 8: Opioid Overdose Epidemic

- Presentation on “substance use disorder pre-release” programs (invitees TBD)
- Public Safety Data

May 13

- Staff update: Syringe Services Program
- Staff update: Charitable food distribution
- Discussion: “Built for Zero” (panel invitees TBD)
- Public Safety Update

June 10: Safe Streets

- Discussion re: investment in maintenance and installation of street lights
- Public Safety Update

July 8

- Discussion: Elder Residents and Emergency Preparedness
- Public Safety Update

August: No meeting

September 9

- Staff update re: Syringe Services Program
- Public Safety Update

October 14

- Sprinkler requirement for single family homes

- Public Department Update: Public Safety Data

November TBD

- TBD
- Public Safety Update

December: No meeting



The Portland City Council established its 2025 Common Goals (included below) on December 16, 2024, formally communicating its policy priorities for the coming year and setting a foundation for the development of Council committees’ work plans.

The 2025 schedule currently includes 10 meetings for each committee, and the development of a single, original policy initiative typically takes two or three committee meetings. This includes conceptual discussion, review of a draft ordinance or other policy document, and a public hearing where the committee votes on whether or not to recommend that the City Council adopt the policy initiative. Based on those constraints, it is recommended that a committee work plan include no more than five original policy initiatives to start.

In addition to the development and consideration of original policy initiatives, committee work will also include consideration of items referred to a committee by the Council or brought by staff, as well as hosting panels or presentations as needed.

Sustainability and Transportation Committee
2025 Work Plan

Policy Initiative	Related Council Goal	Priority Ranking
Consider Vision Zero Adoption and determine short-long term strategies (e.g., traffic cameras, street lighting etc.)	#1 - Diversity, Equity, Inclusion #3 - One Climate Future	
Guide Complete Streets Policy Update and/or Recommend Ordinance	#3 - One Climate Future	
Guide development of Comprehensive Transportation Plan to Council approval	#1 - Diversity, Equity, Inclusion #2 - Housing Affordability #3 - One Climate Future #4 - Public Engagement	
Coal Dust Emissions	#3 - One Climate Future	

Resolution on Sea Level Rise Adaptation Strategy	#3 - One Climate Future	
Energy Programs	#3 - One Climate Future	

2025 City Council Common Goals

Goal 1: Diversity, Equity and Inclusion - The Council will work to expand DEI practices through equity analysis, living wage initiatives and improving involvement in decision making processes. Specific objectives include:

- Incorporate an equity analysis for Council agenda items.
- Advance internal and external DEI-related policies.
- Continue funding a dedicated DEI Department.

Goal 2: Housing Affordability - The Council will work to implement solutions to the housing crisis, including building more working class housing, improved support for the unhoused community such as an overdose prevention center as well as continued support for warming shelters. Additionally conduct independent assessment of efficiencies, outcomes and expenditures. Specific objectives include:

- Provide resources for unhoused residents (e.g., restrooms, showers, containers).
- Develop social housing funded by a revenue bond.
- Reform short-term rental policies.

Goal 3: One Climate Future - The Council will develop sustainability strategies to address sea-level rise mitigation and storm surge management for the Commercial Street Corridor. Specific objectives include:

- Expand transit options with a focus on non-car solutions.
- Conduct sea-level rise analyses on Commercial Street.
- Improve Storm management
- Increase public amenities, such as benches downtown.

Goal 4: Public Engagement - The Council will explore creating an Office of Community Engagement, create opportunities for participatory budgeting, and evaluate the structural effectiveness of Council committees. Specific objectives include:

- Establish an Office of Community Engagement.
- Implement participatory budgeting initiatives.

Sustainability and Transportation 2025 Calendar
As of February 12, 2025. Dates and topics are subject to change.

January 8: 2025

- Issue Review: 2025 Committee work plan

February 12:

- Staff Update: Sustainability initiatives & Transportation Projects
- Issue Review: 2025 Committee Work Plan
- Policy Consideration/Action: Ameresco for Battery Storage Project at the Jetport
- Issue Review: Vision Zero Part 1
- Issue Review: Landcare Management Advisory Committee recommended amendments to Chapter 34 (Landcare)

March 12:

- Staff Update: Sustainability initiatives & Transportation Projects
- Staff Update: Review report from LMAC
- Policy Consideration/Action: Vision Zero
- Issue Review: Complete Street Policy/Ordinance part 1

April 9:

- Staff Update: Sustainability initiatives & Transportation Projects
- Issue Review: State of Public Transportation Panel discussion (transit agencies, PACTS, MDOT)
- Issue Review: Vision Zero Implementation (determining specific strategies, e.g., traffic cameras, traffic calming, complete streets, etc.)
- Issue Review: Complete Streets Policy/Ordinance part 2

May 14:

- Staff Update: Sustainability initiatives & Transportation Projects
- Issue Review: Expanding Transit Options Part 1
- Coal Dust Emissions Part 1
- Policy Consideration/Action: Complete Streets Policy/Ordinance

June 11:

- Staff Update: Sustainability initiatives & Transportation Projects
- Issue Review: Policy Statement on Sea Level Rise
- Issue Review: Coal Dust Emissions Part 2
- Issue Review: Expanding Transit Options Part 2

July 9:

- Staff Update: Sustainability initiatives & Transportation Projects
- Policy Consideration/Action: Policy Statement on Sea Level Rise

- Policy Consideration/Action: Coal Dust Emissions
- Policy Consideration/Action: Expanding Transit Options

August: No meeting

September 10:

- Staff Update: Sustainability Initiatives & Transportation Projects
- Issue Review: Traffic Calming Ordinance Part 1
- Issue Review: Energy Programs Part 1
- Issue Review: Environmental Impact of Docked Vessels Part 1

October 18:

- Staff Update: Sustainability initiatives & Transportation Projects
- Staff Update: Comprehensive Transportation Plan
- Staff Update: Energy Benchmarking Report
- Issue Review: Traffic Calming Ordinance Part 2
- Issue Review: Energy Programs Part 2

November 12

- Staff Update: Sustainability initiatives & Transportation Projects
- Issue Review: Environmental Impact of Docked Vessels Part 2
- Policy Consideration/Action: Traffic Calming Ordinance
- Policy Consideration/Action: Energy Programs

December: No meeting



To: Members of the Portland City Council

From: Mayor Mark Dion, Mayor and Members of the Legislative/Nominating Committee

Date: May 5, 2025

Re: 2025 Committee Work Plan

On behalf of the City Council, the Legislative/Nominating Committee (LNC) establishes State policy priorities in September (ahead of the First Regular Session of the State Legislature), and Federal policy priorities in January/February (ahead of Hill Day, in March).

Policy priorities are informed by Council Common Goals, as well as staff and stakeholder input. These priorities are finalized by the LNC.

2025 Council Common Goals include:

- Expanding DEI practices through equity analysis, living wage initiatives and improving involvement in decision making processes.
- Implementing solutions to the housing crisis, including building more working class housing, improved support for the unhoused community such as an overdose prevention center as well as continued support for warming shelters. Additionally conduct independent assessment of efficiencies, outcomes and expenditures.
- Developing sustainability strategies to address sea-level rise mitigation and storm surge management for the Commercial Street Corridor.
- Exploring the creation of an Office of Community Engagement, creating opportunities for participatory budgeting, and evaluating the structural effectiveness of Council committees.

LNC Administration (legislative component):

- LNC meets every second and fourth Tuesday morning at 8:00am when the Legislature is in session;
- A joint meeting with the Portland Delegation is held every fourth Friday of each month at 8:00am, while the Legislature is in session;
- Establish federal priorities in advance of Hill Day (March);
- Consider establishing a position and/or testimony on State bills that reflect City priorities and/or impact City operations;
- Hold an in-person, social meeting between the Portland Delegation and City councilors after the State legislative session.

Nominating component:

- Work with the City Clerk to establish interview dates and processes throughout the year, as needed, for candidates seeking nominations to Boards & Commissions;
- Forward Committee recommendations for nominations to City Council for consideration and appointment.



The Portland City Council established its 2025 Common Goals (included below) on December 16, 2024, formally communicating its policy priorities for the coming year and setting a foundation for the development of Council committees’ work plans.

The 2025 schedule currently includes 10 meetings for each committee, and the development of a single, original policy initiative typically takes two or three committee meetings. This includes conceptual discussion, review of a draft ordinance or other policy document, and a public hearing where the committee votes on whether or not to recommend that the City Council adopt the policy initiative. Based on those constraints, it is recommended that a committee work plan include no more than five original policy initiatives to start.

In addition to the development and consideration of original policy initiatives, committee work will also include consideration of items referred to a committee by the Council or brought by staff, as well as hosting panels or presentations as needed.

Housing and Economic Development Committee
2025 Work Plan

Policy Initiative	Related Council Goal	Priority Ranking
Social Housing Task Force	#2	
Restaurant Industry Labor Shortage	N/A	
Commercial Vacancy Program	N/A	
Minimum Wage	#1	
Maine State Pier (assessment & reuse considerations)	#3	
Hotel Inclusionary Zoning Ordinance	#2	

2025 City Council Common Goals

1. The Council will work to expand DEI practices through equity analysis, living wage initiatives and improving involvement in decision making processes.
2. The Council will work to implement solutions to the housing crisis, including building more working class housing, improved support for the unhoused community such as an overdose prevention center as well as continued support for warming shelters. Additionally conduct independent assessment of Efficiencies, Outcomes and Expenditures.
3. The Council will develop sustainability strategies to address sea-level rise mitigation and storm surge management for the Commercial Street Corridor.
4. The Council will explore creating an Office of Community Engagement, create opportunities for participatory budgeting, and evaluate the structural effectiveness of Council committees.

Housing and Economic Development Committee 2025 Calendar

As of April 30, 2025. Dates and topics are subject to change.

May 6, 2025

- Review responses to the RFP to develop site(s) at 1125 Brighton Avenue.
- Executive Session: (1) Deliberation of Proposals Received from RFP to develop site(s) at 1125 Brighton Avenue and (2) Verbal uUpdate on the Lambert Woods South (165 Lambert Street) Project

May 20, 2025

- Consideration of VFW request to waive Poker License for FY2025
- Staff Presentation of 2024 Annual Housing Report
- Portland Adult Education FY2025 Update on TIF Funded Workforce Training Program and Proposal for FY2026 Workforce Training Programs
- Discussion: Restaurant industry workforce & labor issues
- Review and vote on approval to issue RFP for the sale of city-owned property at 21 Randall Street
- Review and vote to recommend to the City Council AHTIF District and CEA for Front Street Phase 3
- ? Consideration: FY26 agreement for the Portland Tourism Development District
- ? Review and vote on a recommendation regarding Minimum Wage Policy
- ? Consideration of proposed Commercial Vacancy Program
-

June 17, 2025

- Discussion: Maine State Pier (Assessment & Reuse Considerations)

July 15, 2025

- Potential consideration of a lease or option to lease sections of 1125 Brighton Avenue.
- Consideration of funding requests received from the Affordable Housing Development and Tax Increment Financing Application.

August 19, 2025

No meeting scheduled

September 16, 2025

- TBD

October 21, 2025

- TBD

November 18, 2025

- Review of FYE2025 TIF Annual Report
- Review the Housing & Economic Development Committee's 2025 Annual Accomplishment Report.

December

No meeting scheduled.

COMPLETED WORK

January 21 2025

- Calendar Year 2025 Work Plan Development
- Staff Update: Amendments to the *Affordable Housing Development and Tax Increment Financing* Application

February 25, 2025

- Discussion: Social Housing Task Force Resolution
- Downtown Business Assistance Program
- Review and Recommendation to the City Council of Third Amendment to the First Amended and Restated Purchase and Sale Agreement with Lambert Woods North LLC
- Review and Recommendation of 2025 Housing Policies and Goals for the 2025 Jill C. Duson Housing Trust Fund Annual Plan and Affordable Housing and TIF Application
- Review and Recommendation of the FY2025 Housing Program Budget
- Review and Recommendation to the City Council to approve:
 - 2025 Jill C. Duson Housing Trust Fund Annual Plan; and,
 - The issuance of the 2025 Affordable Housing TIF and Affordable Housing Development Fund Application for the Jill C. Duson Housing Trust Fund, HOME Program

March 18, 2025

- Consideration of proposed Commercial Vacancy Program
- Discussion: Minimum Wage Policy

April 15, 2025

- Discussion: Hotel Inclusionary Zoning Ordinance and Identify Policy Concerns for the Planning Board to Consider in Developing Potential Amendments to the Ordinance for Consideration by the City Council
- Consideration: FY26 agreement for the Portland Tourism Development District
- Review of FY2026 HUD Annual Action Plan
- Review and vote on a recommendation regarding Minimum Wage Policy
- Consideration of proposed Commercial Vacancy Program

Finance Committee 2025 Calendar and Work Plan AND UPDATE REGARDING CITY COUNCIL FIRST READ / PUBLIC HEARING ON FY26 CITY MANAGER RECOMMENDED BUDGET

NOTE - The Public Hearing and 1st Read of the FY26 City Manager's Recommended Budget) and all associated budget orders) has been postponed from Monday May 5, 2025 to Monday May 19, 2025.

January 27, 2025 - FY26 Budget Primer Workshop

February/March 2025 - FY26 Capital Improvement Plan Review, Public Hearing/Vote

Thursday, March 20, 2025 - Joint City/School Finance Committee Meeting

- Presentation from Superintendent Scallon on the FY26 Superintendent's Recommended Portland Public Schools Budget
- Q&A from Council members will be taken and answered at the 3/27/25 Meeting

Thursday, March 27, 2025 - Joint City/School Finance Committee Meeting

- Public Hearing and Vote on FY26 City Manager Recommended Capital Improvement Plan
- Follow Up to 3/20/25 Presentation from Superintendent Scallon on the FY26 Superintendent's Recommended Portland Public Schools Budget (responses to Q&A, guidance from Committee)
- Presentation of FY24 annual audit results from external auditors (CBIZ)

Tuesday, April 15, 2025 - Finance Committee Meeting

- First Finance Committee Review Meeting on FY26 City Manager's Recommended Budget (expected to be presented at Monday, April 14th, 2025)
- Summary FY26 Budget Presentation from City CFO
- Detailed Department by Department Review of FY26 City Manager's Recommended Budget (Departments to be Reviewed (Subject to Change) - City Council, Executive, City Clerk, Assessing Fire, Jetport)
- Budget review will address Committee goal of review of significant fees within each City Department

Tuesday, April 29, 2025 - Joint City/School Finance Committee Meeting

- Second Finance Committee Review Meeting on FY26 City Manager's Recommended Budget
- Public Hearing and Vote on Portland Public Schools Board of Education Recommended Budget
- Detailed Department by Department Review of FY26 City Manager's Recommended Budget (Departments to be Reviewed (Subject to Change) - Permitting & Inspections, Parks, Recreation and Facilities, Planning and Urban Development)
- Budget review will address Committee goal of review of significant fees within each City Department

Thursday, May 1, 2025 - Finance Committee Meeting

- Third Finance Committee Review Meeting on FY26 City Manager's Recommended Budget
- Detailed Department by Department Review of FY26 City Manager's Recommended Budget (Departments to be Reviewed (Subject to Change) - Finance, Public Works, Police, Health and

- Human Services (Barron Center, Office of Elder Affairs, Public Health, Social Services).
- Budget review will address Committee goal of review of significant fees within each City Department
 - Public Hearing on FY26 City Manager's Recommended Budget

Thursday, May 8, 2025 - Finance Committee Meeting

- Fourth Finance Committee Review Meeting on FY26 City Manager's Recommended Budget
- Detailed Department by Department Review of FY26 City Manager's Recommended Budget (Departments to be Reviewed (Subject to Change) - Parking, Housing and Economic Development, Human Resources, Portland Downtown, Portland Public Library

Thursday, May 15, 2025 - Finance Committee Meeting

- Fifth Finance Committee Review Meeting on FY26 City Manager's Recommended Budget
- Detailed Department by Department Review of FY26 City Manager's Recommended Budget (Departments to be Reviewed (Subject to Change) - Any remaining small Departments
- Follow up on any remaining Q&A
- Additional Public Hearing on FY26 City Manager's Recommended Budget
- Scheduled Committee Action on FY26 City Manager's Recommended Budget - Vote to Recommend Budget to Full City Council

Monday, May 19, 2025 - **FIRST READ OF FY26 MUNICIPAL BUDGET AT FULL CITY COUNCIL (AND PUBLIC HEARING - DATE POSTPONED FROM MAY 5, 2025)**

Monday, June 2, 2025 - SECOND READ AND SCHEDULE VOTE ON FY26 MUNICIPAL BUDGET AT FULL CITY COUNCIL

Additional May/June Finance Committee Meetings (dates may be added as needed)

Summer/Fall 2025 (dates TBD)

- PILOT Policy - The 2025 Finance Committee included continued work towards a PILOT policy as a 2025 goal. Work will begin upon completion of the FY26 budget process with review of the 2024 PILOT policy documents and discussion of next steps for additional engagement and outreach.
- P-STEP Program Review - The Committee will discuss the Portland Senior Tax Equity program and potential changes to expand the program, including potential changes to eligibility criteria and discussion of fiscal impacts of additional expansion beyond expanded program funds within FY26 budget.
- 6/30/24 Audit Comments and School Department Financial Health - At a future joint meeting of the City/School Finance Committee, the Committees will review comments from the external auditors on City and discuss progress made on remediation.
- State and Federal Funding Updates - The Committee will review events in Augusta and Washington, DC and their potential impacts on future City funding and programs.

MEMORANDUM
City Council Agenda Item

FROM: Mary Davis, Division Director

DATE: April 28, 2025

SUBJECT: Resolve 9-24/25 Adopting the Fiscal Year 2025-2026 Annual Action Plan Including Appropriations for the Community Development Block Grant Program, HOME Program, and Emergency Solutions Grant Programs and Certifications Pertaining Thereto - Sponsored by Danielle P. West, City Manager

SPONSOR: Danielle West, City Manager
(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading 4/28/2025

**Final
Action 5/5/2025**

Can action be taken at a later date: No A public notice of these meetings and public hearings has been published in the Press Herald as required.

Does this item involve a new contract with the City: This involves a grant agreement that will be sent to the City when the Annual Action Plan is approved.

PRESENTATION:

The Chair and/or Vice-Chair of the CDBG Annual Allocation Committee will present the Allocation Committee's recommendations. The City Manager will present her recommendations. HCD Staff are available for questions.

I. SUMMARY

The resolution adopts the 2025-2026 Annual Action Plan including appropriations for Community Development Block Grant, HOME, and Emergency Solutions Grant Programs.

II. AGENDA DESCRIPTION

The 2025-2026 Housing and Community Development Program Annual Action Plan reports to the U.S. Department of Housing and Urban Development (HUD) a total estimated budget of \$7,830,113 (Community Development Block Grant ("CDBG") Entitlement Funds \$1,833,541; CDBG Contingency Funds \$142,545; \$120,000 Downtown TIF funding; \$20,000 Cotton St proceeds; HOME Program Grant \$839,923; Program Income and Recapture \$131,660; Lead Safe Housing Program Income \$122,744; local Housing Trust Fund \$863,559; HOME-ARP \$3,594,143; \$161,998 Emergency Solutions Grant ("ESG") funds).

The CDBG Annual Allocation Committee, appointed by the City Council, reviewed each application and made funding recommendations that will be presented to the Council. The City Manager reviewed the Committee's recommendations and submitted her funding recommendations to the Council. The Housing and Economic Development Committee reviewed the Housing Program Budget at their meeting on February 25, 2025, and voted unanimously (3-0) to recommend City Council approval of the budget.

The City's public participation process requires two public hearings to consider the City's Housing and Community Development Program proposal. The hearings allow the public to comment on the City's Consolidated Annual Action Plan. Public hearings for FY25 are set for April 28 and May 5. People who wish to speak may do so once; they may not speak at both public hearings.

This item must be read on two separate days. It received its first reading and first public hearing on April 28, 2025. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

The CDBG Annual Allocation Committee reviewed all applications and made funding recommendations to the City Manager; both sets of recommendations are included in the attached backup materials. Please see attachments for additional details about CDBG, HOME/Housing, and ESG program funding.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

The activities supported by these grants address housing and homelessness, as well as infrastructure improvements that may impact climate change and sustainability.

V. FINANCIAL IMPACT

Please see attached budgets for each program. Funding for these activities will be provided through grants from the US Department of Housing and Urban Development.

VI. STAFF ANALYSIS AND BACKGROUND

For additional details, reference is made to the attachments included in the backup materials.

VII. RECOMMENDATION

Staff recommends that the City Council vote to approve the 2025-2026 Annual Action Plan.

VIII. LIST ATTACHMENTS

1. Resolve - Adopting the Fiscal Year 2025-2026 Housing and Community Development Annual Action Plan
2. 0 Council Resolution Approving AAP Template
3. 1 Memo to Council budget 25-26
4. 2 Memo budget and cap calculations background 2025-2026
5. 3 2025-26 Letter to the City ManagerFINAL
6. 4 CDBG Allocation Recommendations
7. 4 Final City Manager CDBG Letter
8. 5 Draft Memo Housing Program Budget new memo format 02.20.2025
9. 6 ESG Budget 2025-2026 DRAFT 03.03.2025
10. 7 AAP draft 4.4.2025
11. 2025.05.05 Public Comment - Resolve 9

Prepared by:

Mary Davis, Division Director

Date: 04/28/2025

MARK DION (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
BENJAMIN GRANT (A/L)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

SARAH MICHNIEWICZ (1)
WESLEY PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**RESOLUTION ADOPTING THE FISCAL YEAR 2025-2026 ANNUAL
ACTION PLAN INCLUDING APPROPRIATIONS FOR COMMUNITY
DEVELOPMENT BLOCK GRANT PROGRAM, HOME PROGRAM, AND
EMERGENCY SOLUTIONS GRANT PROGRAM AND CERTIFICATIONS
PERTAINING THERETO**

WHEREAS, the City of Portland, Maine has determined that there are pressing community and neighborhood needs for further federal assistance for housing and community development activities; and

WHEREAS, activities for the Fiscal Year 2025-2026 Annual Action Plan have been recommended; and

WHEREAS, the City of Portland will receive an estimated annual allocation from the United States Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Entitlement Funds in the amount of \$1,833,541 for the program year 2025-2026; and

WHEREAS, the City has received Community Development funds in CDBG Housing Development Fund Program income in the amount of \$74,924 and HUD program income funds from the sale of City-owned property on Cotton Street in the amount of \$20,000, and will use \$142,545.03 in prior year funding, all of which is subject to the same regulations as the CDBG Entitlement Funds; and

WHEREAS, the City will receive an estimated HUD HOME Program Grant allocation in the amount of \$839,923; HUD HOME Program Income and Recaptured Funds in the amount of \$131,660; HUD Lead Safe Housing Program Income in the amount of \$22,744; and HUD Emergency Solutions Grant funds (ESG) estimated allocation of \$161,998; and

WHEREAS, the City also has local funds available from the Downtown TIF District in the amount of \$120,000 and funds from the Jill C. Duson Housing Trust Fund \$863,559; and

WHEREAS, the City Council of the City of Portland, Maine, desires to utilize these funds to support housing and community development activities;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Portland, Maine, hereby adopts the FY 2025-2026 Annual Action Plan in substantially the form attached; and

BE IT FURTHER RESOLVED, that the estimated annual sums of \$1,833,541 of CDBG Entitlement Funds, for the program year 2025-2026; \$74,924 of Community Development funds; \$20,000 in Cotton Street proceeds; \$142,545.03 in prior year CDBG funds; the \$839,923 HUD HOME Program Grant allocation; \$131,660 in HUD HOME Program Income and Recaptured Funds; \$22,744 in HUD Lead Safe Housing Program Income; \$161,998 of HUD Emergency Solutions Grant funds; \$120,000 in Downtown TIF District funds; and \$863,559 from the Jill C. Duson Housing Trust Fund (collectively, the “Annual Action Plan Funds”) are hereby appropriated for the purposes approved in the attached Plan and budgets set forth in the Attached Exhibits; and

BE IT FURTHER RESOLVED, that the City of Portland, Maine, possesses legal authority to apply for the above referenced Community Development Block Grant Program Funds, HOME Program funds and Emergency Shelter Grant Program funds for the Program Year 2025-2026; and

BE IT FURTHER RESOLVED, that the City Manager or designee be authorized to:

- 1) Apply for, accept, and expend the Annual Action Plan Funds; and
- 2) Officially represent the City of Portland, Maine, in connection with the applications, including the execution of contracts on behalf of the City; and
- 3) Act as the certifying officer for HUD environmental documents related to these grants and to execute said documents and any other related documents necessary or convenient to carry out the intent of said grants; and
- 4) Make adjustments to all proposed activities’ budgets as noted below:
 - (a). If estimated allocations decrease, activities under the CDBG, HOME and ESG Programs be proportionately decreased from the estimated funding levels to match the actual allocation amounts;
 - (b). If estimated allocations increase, activities under the HOME and ESG Programs be proportionately increased to match the actual allocation amounts; and
 - (c). If the estimated CDBG allocation increases, any partially funded

projects will be proportionately increased until fully funded. Once all recommended projects are fully funded, any remaining balance will be allocated to fully funding unfunded projects from greatest score to least, unless another funding source can be identified for the next eligible project; and

BE IT FURTHER RESOLVED, that the City of Portland, Maine certifies that it will comply with all of the attached assurances and provide such additional information as may be required by the U.S. Department of Housing and Urban Development; and

BE IT FURTHER RESOLVED, that the foregoing FY 2025-2026 Annual Action Plan funds are hereby appropriated pursuant to the Budget attached hereto.

MARK DION (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
BENJAMIN GRANT (A/L)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

SARAH MICHNIEWICZ (1)
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DEVELOPMENT BLOCK GRANT PROGRAM, HOME PROGRAM, AND
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BE IT FURTHER RESOLVED, that the City of Portland, Maine, possesses legal authority to apply for the above referenced Community Development Block Grant Program Funds, HOME Program funds and Emergency Shelter Grant Program funds for the Program Year 2025-2026; and

BE IT FURTHER RESOLVED, that the City Manager or designee be authorized to:

- 1) Apply for, accept, and expend the Annual Action Plan Funds; and
- 2) Officially represent the City of Portland, Maine, in connection with the applications, including the execution of contracts on behalf of the City; and
- 3) Act as the certifying officer for HUD environmental documents related to these grants and to execute said documents and any other related documents necessary or convenient to carry out the intent of said grants; and
- 4) Make adjustments to all proposed activities’ budgets as noted below:
 - (a). If estimated allocations decrease, activities under the CDBG, HOME and ESG Programs be proportionately decreased from the estimated funding levels to match the actual allocation amounts;
 - (b). If estimated allocations increase, activities under the HOME and ESG Programs be proportionately increased to match the actual allocation amounts; and
 - (c). If the estimated CDBG allocation increases, any partially funded

projects will be proportionately increased until fully funded. Once all recommended projects are fully funded, any remaining balance will be allocated to fully funding unfunded projects from greatest score to least, unless another funding source can be identified for the next eligible project; and

BE IT FURTHER RESOLVED, that the City of Portland, Maine certifies that it will comply with all of the attached assurances and provide such additional information as may be required by the U.S. Department of Housing and Urban Development; and

BE IT FURTHER RESOLVED, that the foregoing FY 2025-2026 Annual Action Plan funds are hereby appropriated pursuant to the Budget attached hereto.

Memorandum

To: Mayor Dion and the Portland City Council
Cc: Danielle West, Interim City Manager
From: Mary Davis, Division Director Housing and Community Development Division
Date: April 28, 2025
Re: HUD's Annual Action Plan 2025-2026

The Annual Action Plan includes budgets for the Community Development Block Grant, HOME Program, and the Emergency Solutions Grant, as well as local funding sources such as program income, TIF, and Jill C Duson Housing Trust Fund. The final allocations have not been provided by the U.S. Department of Housing and Urban Development. The amounts reflected below are estimates based on the previous year's allocations.

CDBG	
Attachments: CDBG Recommendation Letter from City Manager, CDBG Recommendation Letter from CDBG Allocation Committee, Spreadsheet summarizing recommendations of Allocation Committee and City Manager, Budget and Cap Calculation Background Memo	
\$1,833,541.00	Estimated HUD Allocation 25-26
\$74,924.00	Program Income (HDF)
\$142,545.03	Contingency Funds
\$30,000.00	TIF Funds for Administration*
\$90,000.00	TIF Funds for Construction*
\$20,000.00	Cotton Street Proceeds for Social Services*
\$2,191,010.03	Total Estimated CDBG and local funds to allocate for 2025-2026
CDBG Funds by Category for HUD Budget *Does not include TIF or Cotton St proceeds.	
\$377,706.00	Administration and Planning
\$613,317.03	Social Services
\$913,454.97	Development Activities
\$1,904,478.00	Total CDBG Funds by category
Housing Funding	
Attachments: Housing Budget Memo	
HOME	
\$839,923	Estimated HUD Allocation 25-26
\$78,938	HOME Program Income 2024
\$52,722	HOME Recaptured Funds 2024
\$971,583	Total Estimated HOME funds to allocate for 2025-2026
Local Housing Funding	
\$22,744	Lead-Safe Housing Program Income Funds
\$863,559	Local Jill C Duson Housing Trust Funds
\$886,303	Total Estimated Local Housing Funding for 2025-2026
ESG	
Attachments: ESG Budget	
\$161,998	Total Estimated ESG funds to allocate for 2024-2025
Total Funding	

Memorandum

To: Mayor Dion and City Council
Cc: Danielle West, City Manager
From: Mary Davis, Division Director Housing and Community Development Division
Date: April 28, 2025
Subject: **2025-2026 CDBG Budget and Cap Calculations**

In past years, the CDBG budget submitted as part of the HCD Annual Action Plan matched the local CDBG budget presented on the allocation summary sheet. Starting in 2018, the budget differs due to the replacement of program income with TIF funds and Cotton Street proceeds. Staff would like to take the opportunity to address how these changes impact the overall CDBG budget and cap calculations.

CDBG budget and cap calculations: Each year staff calculate the HUD mandated funding caps for the following CDBG funding categories: Planning and Admin, and Social Services. The budget for our local CDBG program is created once the HUD mandated funding caps have been determined. The CDBG budget combines the CDBG entitlement funds with program income, reprogramed funds, and available local funds. These local resources are not included in the cap calculations nor are they required to be included in the HUD CDBG budget.

In past years, the CDBG program received program income from a parcel of land known as the Cotton Street parking lot. Following the HUD cap calculations, 20% of the program income went to Planning and Admin, 33% went to Social Services, and the remainder went to Development Activities. In 2017, the City sold the Cotton Street parcel. In order to make up the loss of program income funds for each category, the City Council allocated \$120,000 of TIF revenue to be used for Planning and Administration (\$30,000) and for TIF-eligible public infrastructure projects (\$90,000). In addition, the City Council allocated \$20,000 from the Cotton Street proceeds to be used for social service activities.

The budget submitted to HUD in the HCD Annual Action Plan excludes local funding for the purposes of HUD mandated cap calculations, but they are included in the Annual Action Plan as other funding sources.



February 27, 2024

Danielle West
City Manager
Portland City Hall
389 Congress Street
Portland, Maine 04101

Dear Danielle:

We are pleased to submit the Community Development Block Grant (CDBG) Allocation Committee’s recommended budget for the 2025-2026 program year.

This letter includes a description of this year’s process, how the applications were reviewed and scored, along with our recommendations for funding.

The U.S. Department of Housing and Development (HUD) has not released the 2025-2026 allocations. This information should be available in the coming months and we are unsure whether the funding will remain level with the previous year’s funding.

The need for CDBG funds, in general, exceeds the available resources.

The Administration Planning submission was joined by 10 Development Activities projects (one more as last year) and 20 Social Service projects (four more than last year). The Committee’s allocation recommendation, the funding requested, and the resulting difference are represented in the following table.

CDBG Year	ESTIMATED HUD ALLOCATION	REQUEST	DEFICIT
Planning and Administration	\$381,693	\$377,706.00	\$0
Social Service Activities	\$613,317.03	\$1,818,215	\$1,204,897.97
Development Activities	\$913,454.97	\$1,605,500	\$692,045.03

TOTAL	\$1,908,465	\$3,801,421	\$1,892,956
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Application Review Process

The mandatory applicant meeting was held on October 17, 2024. CDBG Applications were made available on October 21, 2024, and submissions were due Monday, November 18, 2024, by 4:00pm.

The Committee will meet 10 times between December 16, 2024, and March 6, 2025, to discuss Administration and Planning, Development Activities, and Social Service applications. The Committee members read each application individually prior to the meeting and discussed each as a group. When questions about the applications arose, staff documented the questions and forwarded them to the applicant to respond, and the applicant's responses were then shared with the Committee and reviewed. Allocation Committee members then scored each application individually, using the scoring matrix structured in accordance with the priorities established by the City Council.

After all the scores were received from Allocation Committee members, staff organized the applications by score from the highest to the lowest within each application category. The City Council has directed the Committee to recommend full funding based on the request of each applicant; therefore, each applicant was awarded full funding in descending order, by total score, until the anticipated funding was exhausted.

Funding Caps and Set Asides

The funding caps for individual projects are set at \$150,000 for Social Service applicants and \$250,000 for Development activities. Administration and Planning funding is limited to 20% of the entire CDBG budget. City applicants are eligible for up to 85% of available funds for Development Activities, with a minimum 15% reserved for outside organizations. In addition to the 85% cap, a public infrastructure set aside of up to 60% of the City's maximum 85% request remains in effect.

This year's allocations again features a structure where 20% of available funds for Social Services is set aside for projects submitted by applicants that have not previously received CDBG funding. These projects must receive a minimum average score of 75 but then are ranked among the subset of new applicants for the 20% funding set aside. This year 3 applicants met these criteria.

RECOMMENDATIONS

Administration and Planning Funding

The Committee reviews information regarding Administration and Planning but does not score the application competitively. Administration funding is essential for operating the CDBG program and reporting to HUD. The Housing and Economic Development Department submitted a budget of \$377,706.00 with the understanding that Administration and Planning funding is limited to 20% of the entire CDBG budget. This year, the 20% cap is estimated to be \$381,693; increases to the estimated cap will also increase the budget proposal.

Development Activities Funding

The Committee received 10 eligible Development Activity applications requesting \$1,605,500 which includes both construction activities and economic development initiatives. For 2025-2026, \$913,454.97 is available for Development Activity funding. The following table lists in descending scoring point order the applicant organization, program, funding request, and committee recommendation. There is a deficit of \$692,045.03 needed to fund all Development Activities.

If there are contingency funds available the committee recommends allocating funds to the next highest score in Development Activities.

Organization	Program	Request	Points	Committee Recommendation
City of Portland Department of Parks, Recreation, and Facilities	Tyng Tate Playground and Age Inclusive Courts	\$248,000.00	90.43	\$248,000.00
City of Portland Department of Public Works	Cumberland Ave Sidewalk Improvement	\$200,000.00	82.43	\$200,000.00
City of Portland's Housing and Economic Development Department	Business Assistance for Job Creation Program	\$205,000.00	82.32	\$205,000.00

Organization	Program	Request	Points	Committee Recommendation
(HEDD) and Portland Development Corporation (PDC)				
Youth and Family Outreach	Resource Hub	\$250,000.00	81.57	\$242,592.94
City of Portland Department of Public Works	Tate Street Sidewalk Improvement	\$175,000.00	81.43	\$17,862.03
City of Portland's Housing and Economic Development Department (HEDD) and Portland Development Corporation (PDC)	Microenterprise Grant and Training Program	\$212,500.00	81.14	\$0.00
Alpha One	Critical Access Ramp Program	\$50,000.00	71.00	\$0.00
Upwards	Microenterprise Childcare Boost Program	\$80,000.00	69.71	\$0.00
Catherine Morrill Day Nursery	Playground Ramp Replacement	\$155,000.00	66.29	\$0.00
Port Resources	Group Home Repaving Projects	\$30,000.00	65.43	\$0.00

Social Service Funding

The Committee received 20 eligible Social Service applications. A total of \$1,818,215 in Social Service requests were received with an estimated \$613,317.03 in available funding. The

following table lists in descending scoring point order the applicant organization, program, funding request, and committee recommendation.

Organization	Program	Request	Points	Committee Recommendation
Quality Housing Coalition	Housing for Systems-Involved Youth and Families	\$150,000.00	93.00	\$150,000.00
Wayside Services Program	Direct Services Program	\$40,000.00	91.14	\$40,000.00
Hope Acts	Asylum Seeker Assistance	\$150,000.00	91.00	\$150,000.00
Portland Fire Department	Mobile Medical Outreach	\$50,000.00	90.00	\$50,000.00
Greater Portland Family Promise	Homeless Prevention and Housing Stabilization	\$131,419.00	88.71	\$100,653.62
Milestone Recovery	HOME Team	\$107,000.00	88.61	\$0.00
Preble Street	Joe Kreisler Teen Shelter	\$35,000.00	88.57	\$0.00

Organization	Program	Request	Points	Committee Recommendation
Preble Street	Emergency Food Programs	\$55,000.00	88.29	\$0.00
Through These Doors	Community Based Domestic Violence Services	\$59,968.00	88.29	\$0.00
Spurwink	Ashlea's Place	\$144,419.00	87.14	\$0.00
Catholic Charities Maine	Immigrant Legal Services	\$135,072.00	86.42	\$0.00
Commonspace	Brackett Street Housing	\$68,000.00	84.71	\$0.00
Maine Needs*	Maine Needs	\$119,641.50	84.67	\$119,641.50
MaineHealth*	MaineHealth Food Pantry	\$68,105.00	84.29	\$3,021.91
Youth and Family Outreach	Relocation for Expansion	\$60,000.00	83.71	\$0.00
Presente! Maine*	Emergency Services & Food Assistance	\$142,632.20	82.04	\$0.00

Organization	Program	Request	Points	Committee Recommendation
Portland Health and Human Services Department	Immediate Nutritional Support	\$56,566.00	81.29	\$0.00
Boys and Girls Clubs of Southern Maine	Boys and Girls Club Transportation Program	\$149,947.35	80.32	\$0.00
Our Place	Youth Mentorship Program and Family Advocacy Services	\$57,993.60	76.04	\$0.00
Maine Academy of Modern Music*	Extracurricular Youth Development through Music	\$45,000.00	71.14	\$0.00

*Indicates new applicants

Additional Considerations

There are three points related to the submitted projects that deserve additional consideration beyond the scoring rubric we have applied in the above allocations.

1. First, the set aside funds for 'New Applicants' is producing positive if somewhat mixed results after 4 funding cycles since being implemented. Having any new applicants is evidence of a healthy program and our expectation is that this set aside will continue to increase interest going forward. This year, three new applicants scored well enough to meet the 75-point minimum threshold needed to qualify for funding and a fourth new applicant did not score high enough to qualify for funding.

Specifically, the qualifying applicants meet the minimum threshold for the Set Aside, but their scores are markedly lower than several other Social Service applicants. As the 'New Applicant' set aside is seeking a balance between established applicants and new

applicants, it is expected that organizations new to CDBG may not score as high. The committee also notes that Quality Housing Coalition was a first-time applicant during the 2022-23 cycle and this year submitted the highest ranked proposal which we take as evidence that the new applicant process yielded positive results this year.

2. Secondly, the Committee is aware that the City Council can authorize an allocation of \$20,000 from the Cotton Street parking lot sales proceeds towards CDBG Social Service Activities. In its advisory capacity, the CDBG Allocation Committee recommends applying these funds toward Greater Portland Family Promise to bring that application—which is currently recommended for partial funding—closer to the full amount requested. The Committee also recommends reallocation of the approximately \$3,000 from Maine Health to Greater Portland Family Promise, since the minimum grant request is \$10,000.
3. Finally, while the CDBG Allocation Committee is not suggesting immediate changes to the scoring process, the Committee is looking ahead to the next iteration of the CDBG Priority Task Force and opportunities to revisit the process for scoring applications and allocating CDBG funds. There is a strong consensus within the Committee that the limits of the scoring system and funding availability mean that we are leaving competitive applications and critical services unfunded. There are two types of potential remedies to this that we'd like to suggest for consideration:
 - There have been motions in recent years to adjust funding caps or reduce existing set-asides (or both). The committee believes that these should be reconsidered in light of a post-COVID environment where community need continues to increase and shift.
 - The other potential remedy for discussion is an allocation that is either more widely distributed or gives some proportion of funding to the entire group of highest scoring applicants. In practice, this would mean partial funding above a threshold score.
 - The Committee also indicated that there may be a greater weight on Letters of Support and Demonstrated Outreach than necessary. The effort put into the rest of the application generally exceeds the effort demonstrated in the letters of support, despite the high scoring value placed on the letters. Members question whether to reduce the scoring category to align with the general quality of the letters of support, or to hold applicants to a higher standard for such letters and demonstrated outreach as to be deserving of the full 15 points.
 - The Committee would welcome further review of the Location and Sustainability scoring categories. Members feel there is an opportunity to clarify the intent and interpretation for scoring Development Activity applications.

We respect that you may have different priorities from those reflected in the Committee's allocation recommendations, and that you have the flexibility that is not afforded by the structure of the Committee's scoring system. We look forward to learning of your and the City Council's conclusions regarding CDBG allocations.

Summary

Portland is fortunate to have a diverse and talented community of organizations seeking the development of the City and the redress of the needs of its residents. All projects that applied to the program would benefit our City, but scarce funding prevents us from funding all of them. This is a competitive process; each applicant competes against all other applicants in their respective Development and Social Services categories.

We thank you for your commitment to this program and hope you are satisfied with the results. We take the opportunity to serve on this committee with the utmost seriousness and diligence and feel the outcomes above reflect our best adherence to the rules and guidance provided.

We offer our recommendations for your consideration. We look forward to seeing you during your upcoming meetings and hearing your response.

Sincerely,

The CDBG Annual Allocation Committee for Program Year 2025-2026:

Robby Perkins-High, Chair

Todd Morse, Vice Chair

Lawson Condrey

Natalie King

Teale Smith

Kim Vandermeulen

Wendy Harmon

Non-Voting Members include: Kristen Dunphey and Andrea Levinsky

Attachments: CDBG Allocation Committee Funding Recommendations 2025-2026 (spreadsheet)

Total Estimated HUD Allocation: \$1,833,541.00
Estimated Program Income \$74,924.00
Total HUD funding \$1,908,465.00

HUD Administrative Cap (20%) \$381,693.00
City Admin TIF \$30,000.00
Estimated Administrative \$411,693.00
HUD Social Service Cap (33%) \$613,317.03
Cotton St Funds \$20,000.00
Remaining COVID Response Waiver Funds \$68,000.00
Estimated Social Service \$701,317.03
HUD Development Activities \$913,454.97
Downtown TIF \$90,000.00
Contingency \$74,545.03
Estimated Development Activities \$1,078,000.00
Total Estimated Funding \$2,191,010.03

ATTENTION: The Community Development Block Grant (CDBG) Program is funded under the Department of Housing and Urban Development (HUD). The available funds contained in this spreadsheet are estimated using last year's funding. Therefore, all applicants should be advised that without HUD's allocation from Congress, the City Council's Allocation does not guarantee funds. Please note the final column showing the possibility of adjustments due to the final HUD allocation.

Administration and Planning

Case Id	App Type	Priority	Organization	Project Name	Funding Requested	Avg Committee Score	Point Deductions	Final Score	Committee Recommendation	City Manager Recommendation	*	Final City Council Allocation	Adjusted for Final HUD Allocation
N/A	Admin	N/A	Housing and Economic Development Department	CDBG Admin and Planning	\$377,706.00				\$377,706.00	\$411,693.00	*		
										*Indicates allocation of TIF Funding (\$30,000)			

Development Activities Applications

Case Id	App Type	Priority	Organization	Project Name	Funding Requested	Avg Committee Score	Point Deductions	Final Score	Committee Recommendation	City Manager Recommendation	*	Final City Council Allocation	Adjusted for Final HUD Allocation
30585	Cons.	NI	City of Portland Department of Parks, Recreation, and Facilities	Tyng Tate Playground and Age Inclusive Courts	\$248,000.00	90.43	0.00	90.43	\$248,000.00	\$248,000.00			
30589	Cons.	NI	City of Portland Department of Public Works	Cumberland Ave Sidewalk Improvement	\$200,000.00	82.43	0.00	82.43	\$200,000.00	\$200,000.00	*		
30555	ED	EO	City of Portland's Housing and Economic Development Department (HEDD) and Portland Development Corporation (PDC)	Business Assistance for Job Creation Program	\$205,000.00	82.57	0.25	82.32	\$205,000.00	\$205,000.00			
30564	Cons.	EO	Youth and Family Outreach	Resource Hub	\$250,000.00	81.57	0.00	81.57	\$242,592.94	\$250,000.00			
30544	Cons.	NI	City of Portland Department of Public Works	Tate Street Sidewalk Improvement	\$175,000.00	81.43	0.00	81.43	\$17,862.03	\$175,000.00			
30540	ED	EO	City of Portland's Housing and Economic Development Department (HEDD) and Portland Development Corporation (PDC)	Microenterprise Grant and Training Program	\$212,500.00	81.14	0.00	81.14	\$0.00	\$0.00			
30546	Cons.	NI	Alpha One	Critical Access Ramp Program	\$50,000.00	71.00	0.00	71.00	\$0.00	\$0.00			
30571	ED	EO	Upwards	Microenterprise Childcare Boost Program	\$80,000.00	70.71	1.00	69.71	\$0.00	\$0.00			
30548	Cons.	EO	Catherine Morrill Day Nursery	Playground Ramp Replacement	\$155,000.00	66.29	0.00	66.29	\$0.00	\$0.00			
30563	Cons.	NI	Port Resources	Group Home Repaving Projects	\$30,000.00	65.43	0.00	65.43	\$0.00	\$0.00			
				Total Cost of Project Requests	\$1,605,500.00			Total:	\$913,454.97	\$1,078,000.00			
				Total Estimated HUD Funds Available	\$913,454.97								
				Contingency Funds	\$74,545.03								
				Total Estimated Funds Available	\$1,078,000.00								
				Estimated City Project Cap (85%)	\$776,436.72								
				Estimated Public Infrastructure Set Aside (60% of City Cap)	\$465,862.03						*Indicates TIF Funding (\$90,000)		

Social Service Applications

Case Id	App Type	Priority /Goal	Organization	Program Name	Funding Requested	Avg Committee Score	Point Deductions	Final Score	Committee Recommendation	City Manager Recommendation	*	Final City Council Allocation	Adjusted for Final HUD Allocation
30538	SS	ANGHP	Quality Housing Coalition	Housing for Systems-Involved Youth and Families	\$150,000.00	93.000	0.000	93.00	\$150,000.00	\$150,000.00			
30566	SS	ANGHP	Wayside Services Program	Direct Services Program	\$40,000.00	91.143	0.000	91.14	\$40,000.00	\$40,000.00			
30554	SS	ANGHP	Hope Acts	Asylum Seeker Assistance	\$150,000.00	91.000	0.000	91.00	\$150,000.00	\$150,000.00			
30545	SS	ANGHP	Portland Fire Department	Mobile Medical Outreach	\$50,000.00	90.000	0.000	90.00	\$50,000.00	\$50,000.00			
30556	SS	ANGHP	Greater Portland Family Promise	Homeless Prevention and Housing Stabilization	\$131,419.00	88.714	0.000	88.71	\$100,653.62	\$100,653.62			
30552	SS	ANGHP	Milestone Recovery	HOME Team	\$107,000.00	88.857	0.250	88.61	\$0.00	\$51,000.00			
30550	SS	ANGHP	Preble Street	Joe Kreisler Teen Shelter	\$35,000.00	88.571	0.000	88.57	\$0.00	\$17,000.00			
30570	SS	ANGHP	Preble Street	Emergency Food Programs	\$55,000.00	88.286	0.000	88.29	\$0.00	\$0.00			
30576	SS	ANGHP	Through These Doors	Community Based Domestic Violence Services	\$59,968.00	88.286	0.000	88.29	\$0.00	\$0.00			
30543	SS	ANGHP	Spurwink	Ashlea's Place	\$144,419.00	87.143	0.000	87.14	\$0.00	\$0.00			
30541	SS	EO	Catholic Charities Maine	Immigrant Legal Services	\$135,072.00	86.667	0.250	86.42	\$0.00	\$0.00			
30575	SS	ANGHP	Commonspace	Brackets Street Housing	\$68,000.00	84.714	0.000	84.71	\$0.00	\$0.00			
30553	SS	ANGHP	Maine Needs	Maine Needs	\$119,641.50	84.667	0.000	84.67	\$119,641.50	\$119,641.50			
30558	SS	ANGHP	MaineHealth	MaineHealth Food Pantry	\$68,105.00	84.286	0.000	84.29	\$3,021.91	\$23,021.91	*		
30551	SS	EO	Youth and Family Outreach	Relocation for Expansion	\$60,000.00	83.714	0.000	83.71	\$0.00	\$0.00			
30584	SS	ANGHP	Presente! Maine	Emergency Services & Food Assistance	\$142,632.20	82.286	0.250	82.04	\$0.00	\$0.00			
30577	SS	ANGHP	Portland Health and Human Services Department	Immediate Nutritional Support	\$56,566.00	81.286	0.000	81.29	\$0.00	\$0.00			
30574	SS	EO	Boys and Girls Clubs of Southern Maine	Boys and Girls Club Transportation Program	\$149,947.35	80.571	0.250	80.32	\$0.00	\$0.00			
30583	SS	NI	Our Place	Youth Mentorship Program and Family Advocacy Services	\$57,993.60	76.286	0.250	76.04	\$0.00	\$0.00			
30565	SS	NI	Maine Academy of Modern Music	Extracurricular Youth Development through Music	\$45,000.00	71.143	0.000	71.14	\$0.00	\$0.00			
				Total Cost of Project Requests	\$1,825,763.65			Total:	\$613,317.03	\$701,317.03		\$0.00	\$0.00
				Total Estimated HUD funds Available	\$613,317.03								
				Remaining COVID Response Waiver Funds	\$68,000.00								
				Total Estimated Funds Available	\$701,317.03								
			New Applicants Highlighted in Green	<i>Estimated New Project Set Aside (New applicants must score above 75 points to be eligible for funds)</i>	\$122,663.41					*Indicates allocation of Cotton St Funding (\$20,000)			

Executive Department

Danielle P. West

City Manager

March 27, 2025



Mayor Dion and Members of the Portland City Council:

I am pleased to submit to you my recommendations for the Community Development Block Grant (CDBG) Program for the fiscal year beginning July 1, 2025 to June 30, 2026. I would like to note that the U.S. Department of Housing and Urban Development (HUD) has not released the final allocations for the 2025-2026 Community Development Block Grant (CDBG), HOME, and Emergency Solutions Grant Programs (ESG); and therefore, the final award amounts may be proportionally amended at that time.

To begin, I would like to thank the CDBG Allocation Committee for their dedication and work over the last few months. They began their work at the end of December 2024 and have met almost weekly since then to discuss each application. I reviewed their recommendations and acknowledged the difficult task they had. After reviewing the CDBG applications, I met with Housing and Community Development staff and carefully considered the Allocation Committee's recommendations before forming my attached recommendations.

1) **Social Services.** As in past years, the City received a wide variety of competitive social service applications, requesting \$1,825,763.65. With an estimated \$613,317.03 in available funding, there is a gap of \$1,212,446.62, nearly twice the deficit as last year. There is an additional \$68,000 in contingency funds that may be used to fund an applicant who is serving clients still experiencing the effects of the pandemic (e.g. homelessness, substance abuse, or housing shortages), which I am recommending be put towards Milestone HOME Team and Preble St. Joe Kreisler Teen Shelter. An additional \$20,000 is available from the Cotton Street fund, which I am recommending be put towards the Maine Health Food Pantry. My recommendations follow that of the Allocation Committee in all other regards.

2) **Development Activities.** Funds in this category are used to improve and invest in the physical infrastructure and the economic development of our city. This year, we received ten applications in this category requesting \$1,605,500 in funding. A total of \$913,454.97 is available in this category, a gap of \$692,045.03. I also recommend funding the one project which fits the eligibility criteria for the annual \$90,000 in Downtown TIF funding, which is the Cumberland Ave Sidewalk Project. I recommend that extra \$90,000 previously funding Cumberland Ave be moved to the Tate Street Sidewalk Project. There are also available contingency funds, which I am recommending be used to fully fund the Tate Street Sidewalk Project and Youth and Family Outreach's Resource Hub. With these recommendations five projects are fully funded. Otherwise, my recommendations match those from the Allocation Committee.

3) **Administration and Planning.** The Housing and Economic Development Department is required to submit a non-competitive application to the Allocation Committee. The Housing and Economic Development Department submitted an initial request of \$377,706.00, but have

requested a revision to \$411,693.00 to match the updated estimated available funds. These funds are used to administer the program. I recommend full funding of this application to administer the program.

The above funding recommendations comply with the regulatory requirements set forth by HUD, while also helping to address the critical needs and gaps in services in our community. I thank you for the opportunity to share my recommendations, and I hope you join me in commending all of the good work being done in our city.

Sincerely,
Danielle P. West
City Manager



To: Mayor Dion and City Council

MEETING DATE: April 28, 2025

AGENDA ITEM

Review and approval by the City Council of the 2025-2026 Housing Program Budget.

PURPOSE

The City Council has final approval of the Housing Program Budget.

COMMITTEE WORK PLAN/CITY COUNCIL GOAL ALIGNMENT

Council Goal 2: Housing Affordability

“Implement solutions to the housing crisis, including building more working-class housing...”

BACKGROUND/ANALYSIS

HOME Program: The Home Investments Partnerships Program (HOME) was established by Congress in 1992. Since 1992, the City of Portland and the Cumberland County HOME Consortium have received almost \$27 million dollars in HOME funding. In 2009 the City became the lead entity in the Cumberland County HOME Consortium (CCHC). The Consortium is a partnership of the communities in Cumberland County that administers HOME Program funds in Cumberland County. The creation of the consortium expanded the financial resources for affordable housing activities in the region. The City retains independent operation of its HOME program. Because the City serves as the “Lead Entity” and City staff administers the County portion of the funding, all administrative funds are retained by the City. The County’s Municipal Oversight Committee controls the allocation of the County’s portion of the HOME funds.

When the Consortium was formed in 2009, it included a “hold harmless” clause to ensure that the City, as an existing HOME grantee, would continue to receive funding equal to its allocation prior to the formation of the consortium. The “hold harmless” formula was based on a comparison ratio to the HOME funding for the Lewiston/Auburn (L/A) Consortium. The formula identified Portland’s “hold harmless” amount at 118% of the HOME allocation for the L/A Consortium. The Cumberland County HOME Agreement did allow for adjustments to be made if the current level of funding to the L/A HOME Consortium varied from historic levels. Over the years the L/A allocation has decreased which has resulted in the Portland “hold harmless” amount to decrease. As a result, by agreement with the other members of the CCHC, the annual allocation is divided with 57% of the allocation, after the administrative set-aside, to the City and 43% of the allocation to the County.

As a point of reference, if the City were a stand-alone grantee, the estimated HOME allocation for Portland (using a HUD HOME Allocation estimated calculation) would be approximately \$528,440. Of that amount 10% would be set aside for administrative costs (\$52,844) leaving \$475,596 for program funding. Under the current consortium agreement, the city receives the administrative set-aside (\$83,992) along with approximately \$430,881 in program funds. These amounts are based on the HUD allocation only and do not include any program income. Participation in the HOME consortium benefits Portland as well as the county as a whole.

HUD has not announced the allocation amount for FY 2025-2026. Since we do not have the final allocation amounts, we are estimating the HUD HOME allocation at the same level as the 2024-2025 year (\$839,923). \$325,050 is reserved for County projects. The budget proposal was developed after a historical review of HOME funding allocations, previous year's budget allocations, program expenditures and program income (loan repayments) received. Currently, the City's HOME Program is divided into three funding categories:

1. Administration
2. Tenant Based Rental Assistance (TBRA)
3. Affordable Housing Development [including the required Community Housing Development Organization (CHDO) set-aside mandated by HUD]

HOME Program Budget	FY 2024-2025 Budgeted (entitlement + program income)	FY 2025-2026 Budget proposal (entitlement + program income)
Administration	\$87,288	\$91,886
Tenant Based Rental Assistance	\$136,392	\$136,392
Affordable Housing Development includes CHDO requirement	\$294,489	\$294,489

LEAD SAFE HOUSING (Program Income): Lead Safe Housing Program Income is generated through repayment of loans given under prior Lead Safe Housing Grants. These funds can only be used for lead safe housing eligible activities. The City recently received a Lead Hazard Reduction Grant of \$2,619,960 (over 48 months 2/1/2025-2/1/2029) in funding for lead paint remediation and \$748,000 in funding to assist with code and life safety improvements

Lead Safe Housing Program Income	FY 2024-2025 Budgeted	FY 2025-2026 Budget Proposal
	\$18,825	\$22,744

JILL C. DUSON HOUSING TRUST FUND: Revenue for the Jill C. Duson Housing Trust Fund is primarily generated from fees triggered by the City's Housing Preservation and Replacement Ordinance, fee-in-lieu contributions from the Inclusionary Zoning Ordinance and Hotel Inclusionary Zoning fee. Including the current balance of the Housing Trust Fund in the Housing Program Budget gives budget authority for the use of the funds. The amount budgeted is the maximum that might be expended in FY26. It has been the City policy to maintain a minimum balance in the Housing Trust Fund, which means the *effective budget would be \$363,558* (\$863,558.69 less \$500,000.) If additional funds are allocated to the Trust based on current discussions, this number might be adjusted based on the outcome.

Jill C. Duson Housing Trust Fund (HTF) Budget	FY 2024-2025 Budgeted	FY 2025-2026 Budget Proposal
	\$2,065,297	\$863,559

FISCAL IMPACT

The annual housing program budget does not include general fund revenue. The sources included in the annual housing program budget include estimated Federal HOME Investment Partnership Program funding, including program income, current funding available in the Jill C. Duson Housing Trust Fund and Lead Safe Housing program income.

CONCLUSIONS

The proposed Housing Program Budget will be adjusted when HUD announces the fiscal year allocation for the HOME Program. The budget is brought forward at this time to facilitate the release of the City's Affordable Housing Development and TIF Application and incorporation in the HUD Annual Action Plan. The budget was reviewed by the Housing and Economic Development Committee on February 25, 2025. The Committee voted 3-0 (Phillips absent) to forward the proposed budget to the City Council with a recommendation for approval. The City Council will consider the item during two Public Hearings (scheduled for April 28, 2025 and May 5, 2025), as part of the overall HCD budget and the HUD Annual Action Plan. The final budget allocations and Annual Action Plan are submitted to HUD 45 days in advance of the start of the fiscal year (May 15 for the fiscal year beginning July 1, 2025).

Staff is requesting City Council approval of the FY 25/26 Housing Program Budget as outlined above and summarized in the attached spreadsheet. If the HUD allocation amount is different from the estimate used in this budget, program budgets will be adjusted accordingly.

PREPARED BY

Mary Davis
Division Director
Housing and Community Development Division

Draft 2025-2026 Budget for ESG

Emergency Solutions Grant 2022-2026

rev. 03.03.2025

ALLOWABLE PROGRAM COMPONENT*	Program	ESG Budgeted Funding Amount by Fiscal Year				
		FY 22-23 (Y1)	FY 23-24 (Y2)	FY 24-25 (Y3)	FY25-26 (Y4)	FY26-27 (Y5)
	Operations: Homeless Health	\$0	\$0	\$0	\$0	
2. Emergency Shelter	Emergency Shelter: Family Shelter	\$82,216	\$81,427	\$81,184	\$81,184	
3. Homeless Prevention	Homeless Prevention: Family Shelter	\$0	\$0	\$0	\$0	
3. Homeless Prevention	Homeless Prevention: Homeless Service Center	\$16,102	\$15,948	\$15,948	\$15,948	
4. Rapid Re-Housing	Rapid Rehousing: Homeless Service Center	\$54,803	\$54,277	\$54,277	\$54,277	
5.Admin/HMIS	Administration and HMIS	\$10,692	\$10,589	\$10,589	\$10,589	
	<i>Total (Actual)</i>	\$163,813	\$162,241	\$161,998	\$161,998	
	<i>Admin/HMIS cap</i>	\$12,286	\$12,168	\$12,150	\$12,150	

Explanation (City FY26/FFY25)

*1. Street Outreach not utilized	Operations: Homeless Health	This program is no longer administered by the City of Portland
	Emergency shelter: Family Shelter	Funds pay for staff who provides housing assistance by seeking affordable units, applying for eligible subsidies and accessing transitional housing opportunities and follow-up case management services by assisting with life skills training, budgets, tenant/ landlord negotiations, and connecting to area resources. There is a need in Portland to expand the essential services with the high number of families arriving. The budget is adjusted to cover 1.25 FTE, this will allow the case manager to work with 5-10 families (17-34 individuals).
	Homeless Prevention: Homeless Service Center	Homeless Service Center: Funds pay for staff who assist in preventing individuals from becoming homeless and providing necessary case management and referrals.
	Rapid Rehousing: Homeless Service Center	Funds pay for staff who assist persons who have become homeless by quickly moving them into permanent housing and providing the necessary case management and referrals to address individual needs.
	Administration and HMIS	Funding goes to pay administration and HMIS expenses
	Budget Notes	2.27.2025 HUD has not yet released ESG allocations for federal fiscal year 2025 (City fiscal year 2026). Once the final allocation is announced, any necessary adjustments will be proportionately to increase or decrease the budget to match the final allocation amount.

Executive Summary

AP-05 Executive Summary - 91.200(c), 91.220(b)

1. Introduction

The U.S. Department of Housing and Urban Development (HUD) requires jurisdictions to combine the planning and applications for the Community Development Block Grant (CDBG), the HOME Investment Partnership Program, and the Emergency Solutions Grant (ESG) into a single submission known as the Consolidated Plan. This Consolidated Plan provides a basis and strategy for the use of federal funds granted to the City of Portland's CDBG and ESG programs as well as the Cumberland County HOME Consortium's programs. The City of Portland's Department of Housing and Economic Development, Housing and Community Development (HCD) Division, is the lead entity for managing and distributing the HOME Consortium funding. The Consolidated Plan covers the period beginning July 1, 2022 through June 30, 2027, which includes five program years.

In addition to the Consolidated Plan, HUD requires jurisdictions to submit an Annual Action Plan which will describe how the funds for a program year will be distributed to address the needs, goals, and priorities identified in the Consolidated Plan. The programs and activities described in the Annual Action Plans are primarily intended to benefit low- and moderate-income residents of the City of Portland and, through the HOME Consortium, Cumberland County. This Annual Action Plan describes the use of fund allocations for 2025-2026, Year 4 of the five-year plan.

2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

The objectives and outcomes identified in this Consolidated Plan are based on a combination of HUD-provided data, independent research, community outreach, consultation with various agencies and service providers, and the established goals and priorities of the City of Portland and the Cumberland County HOME Consortium. Based on the information collected, the following goals will be used to allocate funding for 2022-2026, including Year 4 of the Plan, 2025-2026. All programs and activities funded through the CDBG, HOME, and ESG programs will help to fulfill one of these four goals:

1. Neighborhood Investment & Infrastructure- Create strong, safe, accessible, and vibrant neighborhoods.

2. Housing Availability- Increase housing availability and affordability.
3. Economic Opportunity – Create economic opportunities to transition people out of poverty.
4. Address the Needs of the Growing Homeless Population- Prevent and reduce homelessness.

3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

Limited financial resources are the City's biggest constraint to meeting the needs and goals of our community. Year after year, the request for funding far exceeds the amount of funds available through the City's CDBG, HOME, and ESG programs. However, the use of the HUD funds allows for an increase in leveraged funds through many of the programs' subrecipients. In order to maximize the effectiveness of the HUD funds distributed within our community, each subrecipient's application goes through an extensive evaluation process.

The needs, goals, and priorities identified in this Annual Action Plan represent a continuing evaluation and evolution of the City's CDBG, HOME, and ESG programs. As community needs emerge, HCD staff works with City officials to make sure that program goals align with the direction, goals, and needs of the City. Through the continued evaluation process, HCD staff is able to make sure that evolving needs are addressed in every funding cycle.

4. Summary of Citizen Participation Process and consultation process

Summary from citizen participation section of plan.

The City holds multiple public meetings each year, including a service providers meeting, to make sure the needs of the community are heard. Per HUD requirement, two public hearings are held each year to allow the public to give input directly to the City Council on how HUD-program funding should be allocated. In addition to the public hearings and meetings, HCD staff welcomes meetings with concerned citizens, neighborhood organizations, and other community groups. HCD staff also serve on several committees and are active members of organizations related to improving the quality of life for low- and moderate-income Portland residents.

5. Summary of public comments

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

See appendix for summary of all public comments received.

6. Summary of comments or views not accepted and the reasons for not accepting them

All public comments were accepted.

7. Summary

PR-05 Lead & Responsible Agencies - 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role		Name	Department/Agency
Lead Agency		PORTLAND	
CDBG Administrator	PORTLAND	Housing and Economic Dev Dept, HCD Division	
HOPWA Administrator	PORTLAND	Frannie Peabody Center, ME	
HOME Administrator	PORTLAND	Housing and Economic Dev Dept, HCD Division	
ESG Administrator	PORTLAND	Health and Human Services Department, SS Division	
HOPWA-C Administrator			

Table 1 – Responsible Agencies

Narrative

Consolidated Plan Public Contact Information

Mary Davis, Housing and Community Development Division Director

389 Congress St Portland ME 04101

mpd@portlandmaine.gov

(207) 874-8711

AP-10 Consultation - 91.100, 91.200(b), 91.215(l)

1. Introduction

The City of Portland Housing and Community Development Division works with multiple City divisions and departments, regional coalitions, state programs, and county partners to achieve its goals. The HUD Citizen Participation Plan (CPP) ensures that the City undertakes an effective public process that encourages input and participation from residents, non-profit organizations, and other stakeholders; guarantees access to meetings, information, and public hearings on CDBG-, HOME-, and ESG-funded activities, goals, and priorities; and provides procedures for reducing barriers to those who may need accommodations to participate. Technical assistance is provided upon request to organizations that would like to develop proposals for funding under the City's Housing and Community Development programs.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l)).

The City of Portland utilizes 33% of CDBG funds for social service supports, including housing programs, homeless services, crisis management services, childcare, family support services, substance use disorder services, youth and adolescent support services, senior services, and neighborhood-based programs and projects. City staff meets with agencies throughout the year to provide technical assistance and ensure they are serving the needs of target populations while meeting HUD guidelines and regulations.

There are four public housing authorities within Cumberland County: Portland Housing Authority, Brunswick Housing Authority, South Portland Housing Authority, and Westbrook Housing Authority. The City of Portland collaborates extensively with these housing authorities in several areas including development of affordable housing, recreational activities for at-risk youth, self-sufficiency programs, and vouchers for families, unhoused individuals, and disabled persons. City of Portland staff participates in the Maine Affordable Housing Coalition which is a collaborative group of developers, Community Action agencies, public housing authorities, investors, housing and service providers, advocates, and others working to increase the supply of quality, affordable housing throughout Maine.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

The Maine Continuum of Care is a group of service providers who work together in a collaborative planning process to develop programs that address homelessness. Continuums can apply to the U.S. Department of Housing and Urban Development (HUD) for McKinney-Vento funding to support these

programs. Local agencies wishing to access these funds must do so through their Continuum's annual CoC NOFA application process. Cumberland County Community Development Division staff members regularly attend Maine Continuum of Care meetings and provide input on plans for regional service provision. City of Portland Staff from the Health and Human Services Department and Housing and Community Development Division coordinate with members of the Emergency Shelter Assessment and Response Team (ESART) and the United Way of Greater Portland to support the Continuum of Care and monitor shelter bed usage for single adults, adolescents, and families. ESART members include shelter providers for singles, adolescents, individuals with mental illness, women, families with children, victims of domestic violence, supportive housing providers, mental health services providers, and general services. ESART also produces monthly and quarterly statistics on shelter usage and provides a forum to discuss new programs, resource availability, and emerging trends.

In the past, ESG funds were allocated through consultation with the Emergency Shelter Assessment Committee (ESAC), and performance standards and project outcomes were evaluated by City staff in collaboration with ESAC. This committee has recently evolved into the Emergency Shelter Assessment and Response Team (ESART), who will continue evaluating use and outcomes of ESG funds.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

The Maine HMIS is a collaborative effort between MaineHousing, the dedicated lead agency, and the Maine Continuum of Care, of which the City of Portland and Cumberland County are members. The Maine Continuum of Care (MCOC) covers the entire State of Maine and supports projects throughout the region. The MCOC's mission is to plan and coordinate an inclusive system that helps Maine people avoid or exit quickly from homelessness, and to address the underlying causes of homelessness. Organizations that receive CoC or ESG (Emergency Solutions Grant) funding are expected to be members in good standing of their local Continuum of Care in order to continue to be eligible for funding.

2. Agencies, groups, organizations and others who participated in the process and consultations

Table 2 – Agencies, groups, organizations who participated

1	Agency/Group/Organization	CITY OF PORTLAND
	Agency/Group/Organization Type	Housing Services-Elderly Persons Services-homeless Services-Health Service-Fair Housing Health Agency Agency - Managing Flood Prone Areas Agency - Management of Public Land or Water Resources Other government - Local Planning organization Civic Leaders Grantee Department
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development Anti-poverty Strategy Lead-based Paint Strategy Sustainability and Climate Change

	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The City of Portland includes several departments integral to the formation and execution of this plan. The Planning and Urban Development Department is responsible for zoning and other ordinances which affect development of housing. The Health and Human Services Department is responsible for homeless needs for families with children, single adults, and chronically homeless individuals. The Public Works and Recreation Departments engage in infrastructure projects which improve the health and well-being of Portland residents. The Executive Department, including the City Manager, provides policy guidance and an interdepartmental vision and budget for the City. The Housing and Economic Development Department is responsible for housing and community development needs, lead-based paint remediation, and strategies to reduce both poverty and barriers to affordable housing. The Office of Sustainability works to manage and mitigate the results of climate change on the City's water resources, vulnerable low-income residents, and environmental assets. The City of Portland is age-friendly and has an AARP steering committee with members from various organizations that provide services to elderly individuals and families including Alpha One, Opportunity Alliance, ITN, and more.
2	Agency/Group/Organization	CUMBERLAND COUNTY
	Agency/Group/Organization Type	Other government - County
	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The City of Portland and Cumberland County are partners in the HOME consortium. The two entities work collaboratively to distribute resources and address affordable housing needs for residents of Portland and Cumberland County.

3	Agency/Group/Organization	Portland Housing Authority
	Agency/Group/Organization Type	PHA
	What section of the Plan was addressed by Consultation?	Public Housing Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Portland Housing Authority was consulted to provide information regarding housing and public housing needs.
4	Agency/Group/Organization	South Portland Housing Authority
	Agency/Group/Organization Type	PHA
	What section of the Plan was addressed by Consultation?	Public Housing Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	South Portland Housing Authority was consulted to provide information regarding housing and public housing needs.
5	Agency/Group/Organization	Brunswick Housing Authority
	Agency/Group/Organization Type	PHA
	What section of the Plan was addressed by Consultation?	Public Housing Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Brunswick Housing Authority was consulted to provide information regarding housing and public housing needs.

6	Agency/Group/Organization	Westbrook Housing Authority
	Agency/Group/Organization Type	PHA
	What section of the Plan was addressed by Consultation?	Public Housing Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Westbrook Housing Authority was consulted to provide information regarding housing and public housing needs.
7	Agency/Group/Organization	Quality Housing Coalition
	Agency/Group/Organization Type	Services - Housing Services-homeless Services-Education Services-Employment Service-Fair Housing
	What section of the Plan was addressed by Consultation?	Homeless Needs - Families with children Economic Development Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Quality Housing Coalition provides supportive housing for households at or below the poverty level.

8	Agency/Group/Organization	Wayside Food Programs
	Agency/Group/Organization Type	Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-homeless Services-Health
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Wayside's Direct Service Program increases the consumption of nutritious foods by sharing grocery items and prepared meals at sites across Greater Portland.
9	Agency/Group/Organization	Hope Acts
	Agency/Group/Organization Type	Services-homeless Services-Education
	What section of the Plan was addressed by Consultation?	Homelessness Strategy Economic Development
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Hope Acts provides housing and supportive services to asylum seekers.
10	Agency/Group/Organization	Greater Portland Family Promise
	Agency/Group/Organization Type	Services - Housing Services-homeless

	What section of the Plan was addressed by Consultation?	Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Greater Portland Family Promise works to prevent homelessness through a community-based response.
11	Agency/Group/Organization	Milestone Foundation
	Agency/Group/Organization Type	Services-homeless
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Milestone provides health and basic needs outreach to the most vulnerable populations including people with substance use disorder, people experiencing mental illness, and people with developmental, physical, and intellectual disabilities. Milestone coordinates with HCD staff, the Portland Police Department, and other social service and health providers in the city.
12	Agency/Group/Organization	Preble Street: Joe Kreisler Shelter
	Agency/Group/Organization Type	Services-homeless
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Preble Street is an integral partner in addressing shelter and basic needs of the City's most vulnerable populations. They are consulted on a regular basis due to their teen shelter, women's shelter, and food program.

13	Agency/Group/Organization	Maine Needs
	Agency/Group/Organization Type	Services-Elderly Persons Services-Victims of Domestic Violence Services-homeless
	What section of the Plan was addressed by Consultation?	Homeless Needs - Families with children Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Maine Needs works with the most vulnerable populations across Portland to provide basic essentials.
14	Agency/Group/Organization	MaineHealth
	Agency/Group/Organization Type	Services-Elderly Persons Services-Persons with Disabilities Services-homeless
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Strategy Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The MaineHealth Food Pantry Portland's (MHFPP) beneficiaries include the traditionally unhoused, immigrants(asylum seekers who are homeless or housing insecure, refugees, undocumented, and long-term community members), older adults, disabled adults and other low-income individuals and families.
15	Agency/Group/Organization	YOUTH AND FAMILY OUTREACH
	Agency/Group/Organization Type	Services-Children

	What section of the Plan was addressed by Consultation?	Homeless Needs - Families with children Economic Development
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Youth and Family Outreach creates opportunities that support learning and enhance the quality of life for children, youth, and families in Greater Portland.

Identify any Agency Types not consulted and provide rationale for not consulting

All agencies pertaining to public services and infrastructure available in the City of Portland and housing services available in Cumberland County and the City of Portland were consulted. See appendix for a complete list.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Maine Continuum of Care	The Maine Continuum of Care, which merged with the Portland COC in 2017, has a goal of ending homelessness.
Portland's Plan 2030	City of Portland	This is the comprehensive plan of the City of Portland which outlines goals and policies of the City for housing, sustainability, and the economy.
Analysis of Impediments to Fair Housing	City of Portland Housing and Community Development Division and Cumberland County Comm Dev	City of Portland Housing and Community Development Division and Cumberland County Community Development Division. This plan identifies barriers to Fair Housing within the jurisdiction through robust public outreach and will guide the strategy for mitigating those barriers. This plan was accepted by the City Council on June 5, 2023 as order 238-22/23.

Table 3 – Other local / regional / federal planning efforts

Narrative

AP-12 Participation - 91.401, 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting

The City of Portland CDBG Priority Task Force is a group of residents appointed by the City Council through an application process to review goals, needs, and priorities of the CDBG program for the five-year Consolidated Plan. Although the City had planned numerous in-person outreach events to gather data, these events were unable to proceed due to the Covid-19 pandemic through 2020. The Task Force met 12 times between March and September 2020 in public meetings held mostly virtually due to Covid-19. The task force used data from 477 respondents of targeted surveys for the general public, business owners, social service providers, and past applicants and subrecipients of CDBG funding to update priorities and goals which are used for each subsequent Annual Action Plan within the five-year plan.

Each fall, the City of Portland hosts a meeting in each of Portland's five council districts. HCD staff attends these meetings and presents about how funding has been used in each district. Staff also takes questions and provides information on how interested parties can stay informed about HCD activities, including CDBG-funded community development activities.

HCD staff makes every effort to encourage public comment and participation. For CDBG, a mandatory meeting about the application process and requirements was held for all potential CDBG applicants. The CDBG Allocation Committee met eight times. Each meeting was advertised on the City calendar and website. The committee reviewed and discussed CDBG applications at these meetings. HOME funds were reviewed and discussed by the Housing and Economic Development Committee. Priorities and funding allocations were reviewed and approved at these meetings, which are open to the public and noticed on the City's website. Public comment, if any, was taken at the HEDC meeting. The Emergency Solutions Grant was presented and discussed at Emergency Shelter Assessment and Response Team (ESART) meetings, which are open to the public and noticed on the City's website. The funding allocations and action plan were advertised in the paper. The Action Plan budgets for CDBG, HOME and ESG were presented to the City Council at the April 28 and May 5 Council Meetings.

Public hearings for the Annual Action Plan were held on April 28, 2025 and May 5, 2025. These hearings were noticed in the Portland Press Herald on April 4, 2025. This information was also posted to the City's website and social media accounts. The draft Annual Action Plan was published for review on 4/6/25 on the City of Portland's website. A notice of public comment was published in the Portland Press Herald on 4/4/25, outlining the 30-day public comment period from April 6, 2025 to May 5, 2025. The notice included information on access for individuals who require accommodation, including interpretation as necessary. The public comment period and public hearing dates were also posted on the City's social media accounts. Portland City Council meetings are held in person and are live-streamed. The public can comment in-person at the meeting or provide written comment in advance of the meeting.

Technical assistance is provided to groups seeking funding assistance prior to application, after award, and as requested. This includes, but is not limited to, assistance with determining eligibility of activity, completing application questions, and submitting quarterly reports.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
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1	Public Meeting	Minorities Non-English Speaking - Specify other language: French, Arabic, Spanish, Somali, Portuguese Persons with disabilities Non-targeted/broad community Residents of Public and Assisted Housing	Each year, the City of Portland holds five district meetings across the City to engage City residents. The Housing and Community Development Department presents information about department programs, including CDBG and HOME, at each meeting. Individuals can	HCD Staff was available at the meeting to answer any questions or comments and provided contact information so residents could reach out to City staff with any questions.	All comments and questions were accepted.	https://www.portlandmaine.gov/730/Annual-District-Meetings
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Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
			sign up for a mailing list to be updated when relevant events are happening.			

2	Public Meeting	Minorities Non-English Speaking - Specify other language: French, Arabic, Spanish, Somali, Portuguese Persons with disabilities Non-targeted/broad community Residents of Public and Assisted Housing	All CDBG Allocation Committee Meetings are public and posted on the City website and City calendar. Meetings are held virtually.	No comments were received.	No comments were received.	https://www.portlandmaine.gov/693/CDBG-Annual-Allocation-Committee
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3	Newspaper Ad	Minorities Non-English Speaking - Specify other language: French, Arabic, Spanish, Somali, Portuguese Persons with disabilities Non-targeted/broad community Residents of Public and Assisted Housing	The ad informed the public about two public hearings held on April 28, 2025 and May 5, 2025 along with the 30-day public comment period held from April 6, 2025 to May 5, 2025.	Comments were taken at both hearings and during the comment period. A summary of all comments from the public hearings and comment period can be found in the appendix to this document.	All comments were accepted	https://newspaper.pressherald.com/html5/reader/production/default.aspx?pubname=&edid=638f5fa4-4564-4584-906c-2ad4bf8bde1a
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4	Public Hearing	Minorities Non-English Speaking - Specify other language: French, Arabic, Spanish, Somali, Portuguese Persons with disabilities Non-targeted/broad community Residents of Public and Assisted Housing	Two public hearings were held on April 28, 2025 and May 5, 2025 during City Council meetings.	Comments were taken at both hearings and during the comment period. A summary of all comments from the public hearings and comment period can be found in the appendix to this document.	All comments were accepted.	https://www.portlandmaine.gov/602/Agendas-Minutes
5	Internet	Minorities	A news item on	Comments	All comments	https://www.portlandmaine.gov/1482/News?contentId=32b10a35-6e6f-460e-

	Outreach	Non-English Speaking - Specify other language: French, Arabic, Spanish, Somali, Portuguese Persons with disabilities Non-targeted/broad community Residents of Public and Assisted Housing	the City's website informed the public about two public hearings held on April 28, 2025 and May 5, 2025 along with the 30-day public comment period held from April 6, 2025 to May 5, 2025.	were taken at both hearings and during the comment period. A summary of all comments from the public hearings and comment period can be found in the appendix to this document.	ts were accepted	9275-d8c53d2d88ad&seeMoreWidgetId=36db18fc-5cd8-4cdb-a414-f52bf1190359&mode=dialog
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Table 4 – Citizen Participation Outreach

Expected Resources

AP-15 Expected Resources - 91.420(b), 91.220(c)(1,2)

Introduction

For the Year 4 Annual Action Plan, the anticipated resources include federal CDBG, HOME, and ESG. The amount of each of these resources is dependent on federal allocation, which can be unpredictable; any estimates below assume level funding for the next three years. The federal allocation may not be approved until this plan is approved, in which case the following actions may be taken:

(a). If estimated allocations decrease, activities under the CDBG, HOME and ESG Programs will be proportionately decreased from the estimated funding levels to match the actual allocation amounts.

(b). If estimated allocations increase, activities under the HOME and ESG Programs will be proportionately increased to match the actual allocation amounts.

(c). If the estimated CDBG allocation increases, any partially funded projects will be proportionately increased until fully funded. Once all recommended projects are fully funded, any remaining balance will be allocated to fully funding unfunded projects from greatest score to least, unless another funding source can be identified for the next eligible project.

IDIS will show the HOME allocation reflected below with only the round dollar amount; however, the full amount as \$839,923.23.

Lead Safe Housing funding is program income from past grants. Payments are typically made when owners who received past grants sell or refinance their homes. The local Jill C. Duson Housing Trust Fund is funded in part by the City's Inclusionary Zoning ordinance. In 2017, the City sold a parking garage at Cotton St that was originally purchased with UDAG funds; the proceeds were a one-time payment from which \$20,000 will be used for a CDBG eligible public service activity each year. Tax-Increment Finance revenue up to \$120,000 per year may be used for CDBG-eligible administration and public infrastructure activities. HOME-ARP funding is one-time funding made available through the American Rescue

Plan Act of 2021.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	1,833,541.00	74,924.00	142,545.03	2,051,010.03	1,908,465.00	Up to 33% of funds will be used for public services, 20% for planning and administration, and the remainder for economic development, housing, and public improvement activities. Prior Year Resources are CDBG Contingency. The Expected Amount Available Remainder of Con Plan is the total of the annual allocation and program income (not prior year resources), multiplied by the number of years remaining in the Plan. The Expected Amount Available is the total of annual allocation, program income, and prior year resources.

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Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	839,923.00	131,660.00	0.00	971,583.00	971,583.00	Program income is generated by repayment of HOME program loans. The Expected Amount Available Remainder of Con Plan is the total of the annual allocation and program income (not prior year resources), multiplied by the number of years remaining in the Plan.

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
ESG	public - federal	Conversion and rehab for transitional housing Financial Assistance Overnight shelter Rapid re-housing (rental assistance) Rental Assistance Services Transitional housing	161,998.00	0.00	0.00	161,998.00	161,998.00	The Emergency Solutions Grant goes to fund both serving those in need of emergency shelter and assistance, and also to prevent homelessness and rapidly rehouse those who are homeless. The Expected Amount Available Remainder of Con Plan is the annual allocation multiplied by the number of years remaining in the Plan.

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
Housing Trust Fund	public - local	Acquisition Multifamily rental new construction Multifamily rental rehab New construction for ownership	863,559.00	0.00	0.00	863,559.00	2,211,004.00	The Jill C Duson Local Housing Trust Fund is allocated under an annual plan that is approved by the City Council. Amount available for remainder of plan is based on the average of the previous 3 years multiplied by the number of years remaining in the Plan.

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
Other	public - federal	Acquisition Admin and Planning Conversion and rehab for transitional housing Housing Multifamily rental new construction Multifamily rental rehab Services TBRA	3,594,143.00	0.00	0.00	3,594,143.00	0.00	HOME-ARP funds were received as part of the American Rescue Plan and will be used by Cumberland County and City of Portland for eligible activities as outlined in HOME-ARP Plan.
Other	public - federal	Multifamily rental rehab	22,744.00	0.00	0.00	22,744.00	0.00	Program Income from prior HUD Healthy Home/Lead Safe Housing Grants. Wherever possible, the City will utilize rehab program funds in combination with lead program income funds to complete additional lead-safe units.

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
Other	public - local	Acquisition Admin and Planning Conversion and rehab for transitional housing Economic Development Public Improvements Transitional housing	120,000.00	0.00	0.00	120,000.00	120,000.00	Funding from TIF to support CDBG-eligible activities
Other	public - local	Public Services	20,000.00	0.00	0.00	20,000.00	20,000.00	Funding from sale of Cotton St property to support CDBG eligible activities.

Table 2 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

CDBG funds are leveraged considerably for their investment. Year 4 of the Consolidated Plan is expected to leverage at least \$35,822,311. The CDBG application process discourages applicants from using CDBG funds as the sole source of project funding and encourages use of other resources as leveraged funding. The City will continue to make this a focus of the program.

The HOME Program leverages considerable funds, primarily through the Affordable Housing Development Program. This program encourages use of funding from several sources including state and federal Low-Income Housing Tax Credits, state and federal Historic Tax Credits, state funds from the Maine State Housing Authority, and local Housing Trust funds. The City of Portland meets its match requirement through the expenditure of local General Assistance funds providing tenant based rental assistance to low- and very low-income households and will continue this assistance.

The ESG Program is expected to provide matching funds equal to the amount of ESG funds allocated through the City's General Assistance fund.

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

In 2012, the City Council adopted a Housing Investment Policy which directed the Housing & Economic Development Committee (HEDC) to complete an annual review of program priorities that includes the type and location of housing and an analysis of tax acquired or City-owned property that may be included as a development resource. From 2019 to 2021, several city-owned and tax-acquired properties were identified as potential development sites. These will become income-generating properties for the City's tax rolls that will provide one single-family home with two accessory dwelling units, sixteen (16) condominiums, 101 apartments, and 130-140 units of cooperative housing, for a total of over 250 housing units for a diverse socio-economic population. Two projects located at the former West School Site off Douglass Street are currently underway. The City recently released a Request for Proposals to create affordable, supportive housing at the Barron Center, a city-owned, skilled nursing and rehabilitation facility. The Housing and Economic Development Committee will continue to analyze whether there are any additional city-owned sites that may be suitable for housing development.

Discussion

The City Council has been committed to utilizing all available resources to assist with meeting the City's housing needs. In addition to the federal resources mentioned in Table 2, and making city-owned land available for housing development, the City has utilized the State's Affordable Housing Tax Increment Financing Program to support 23 affordable housing developments since 2008.

Annual Goals and Objectives

AP-20 Annual Goals and Objectives - 91.420, 91.220(c)(3)&(e)

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Neighborhood Investment and Infrastructure	2022	2026	Non-Housing Community Development	PORTLAND, MAINE Eligible Census Tracts CDBG Target Neighborhoods	Neighborhood Investment and Infrastructure	CDBG: \$533,000.00 TIF: \$90,000.00	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 7030 Persons Assisted
2	Housing Availability	2022	2026	Affordable Housing Public Housing	PORTLAND, MAINE Cumberland County CDBG Target Neighborhoods	Housing Availability	HOME: \$743,305.00 Housing Trust Fund: \$863,559.00 Lead-Safe PI: \$22,744.00	Rental units constructed: 6 Household Housing Unit Rental units rehabilitated: 2 Household Housing Unit Tenant-based rental assistance / Rapid Rehousing: 96 Households Assisted
3	Economic Opportunity	2022	2026	Non-Housing Community Development Economic Development	PORTLAND, MAINE Eligible Census Tracts CDBG Target Neighborhoods	Economic Opportunity	CDBG: \$455,000.00	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 150 Persons Assisted Jobs created/retained: 20 Jobs

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
4	Addressing Needs of Growing Homeless Population	2022	2026	Homeless	PORTLAND, MAINE	Address Needs of the Growing Homeless Population	CDBG: \$681,317.03 ESG: \$151,373.00 Cotton St: \$20,000.00	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 15488 Persons Assisted Tenant-based rental assistance / Rapid Rehousing: 100 Households Assisted Homeless Person Overnight Shelter: 250 Persons Assisted Homelessness Prevention: 225 Persons Assisted

Table 3 – Goals Summary

Goal Descriptions

1	Goal Name	Neighborhood Investment and Infrastructure
	Goal Description	Invest in infrastructure to improve neighborhood assets and build strong, safe, accessible and vibrant neighborhoods. Improve accessibility and livability through age-friendly designs and ADA compliance. Build sidewalks and trails to improve connectivity, increase the use of bicycles as a mode of transportation, and redevelop streetscapes to create shared streets for cars, bikes, and pedestrians that integrate with the fabric of the neighborhood. Support programs that increase safety in neighborhoods for residents and visitors. Invest in programs and services that address the specific needs of members of the community. Encourage programs that build a sense of inclusiveness, safety, and security within individual neighborhoods.

2	Goal Name	Housing Availability
	Goal Description	Increase housing availability and affordability to all Portland residents regardless of income, race, ethnicity, and family size. Encourage housing development by removing barriers to traditional urban housing types while ensuring the inclusion of workforce and age-friendly housing in significant development projects.
3	Goal Name	Economic Opportunity
	Goal Description	Invest in Portland businesses to enable them to expand to create jobs. Invest in persons wanting to create microenterprises. Engage job seekers in a continuum of services to increase their professional capacity, financial stability, and ability to maintain employment. Focus on barriers to employment for vulnerable populations including homeless, new Americans, and single parent head of households. Combine resources and build partnerships between public and private entities to provide opportunities to transition Portland residents out of poverty to sustainable employment and financial stability.
4	Goal Name	Addressing Needs of Growing Homeless Population
	Goal Description	Prevent individuals and families from becoming homeless and entering into the shelter system. Rapidly rehouse those who enter the shelter system. Provide necessary resources to assist transition out of homelessness for vulnerable populations, including housing opportunities for chronically homeless or long-term stayers at homeless shelters.

AP-35 Projects - 91.420, 91.220(d)

Introduction

The City of Portland's Housing and Community Development Program budget currently has the following estimated funding allocations: CDBG which includes \$1,833,541 in direct allocation and \$74,924 in Program Income; \$161,998 in Emergency Solutions Grant funding; and HOME funding as part of the Cumberland County HOME Consortium which includes \$839,923.23 in direct allocation and \$131,660 in Program Income. An additional amount in the local Jill C Duson Housing Trust Fund income is available.

Of the CDBG allocation and program income, \$613,317.03 is available for public services (locally called social services). The City of Portland is allowed to use 33% of CDBG funding for public services.

Annual Allocation (\$1,833,541) X 33% = \$605,068.53

\$605,068.53 + 15% of previous year's PI (\$54,990 X 15% = \$8,248.50) + \$20,000 Cotton St funding = \$633,316.53

The HOME CHDO funding is included in projects City Affordable Housing Development and County HOME Affordable Housing Development. Fifteen percent (15%) of HOME funding is set-aside for CHDO.

City Affordable Housing Development includes \$71,813 in CHDO set-aside funds.

County HOME Affordable Housing Development includes \$54,175 in CHDO set-aside funds.

#	Project Name
1	HCD Grant Administration 25-26
2	Construction Activities NI 25-26
3	Construction Activities EO 25-26
4	Development Activities EO 25-26
5	ANGHP Public Services 25-26
6	HOME Administration 25-26
7	Tenant-Based Rental Assistance 25-26
8	City Affordable Housing Development 25-26
9	County Affordable Housing Development 25-26
10	ESG25 Portland (25-26)

Table 4 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

Nearly all of CDBG, HOME, and ESG funding supports underserved needs. The allocation process and

priorities for CDBG, HOME, and ESG are described below. The largest obstacle to addressing the underserved needs is limited funding; the needs of the underserved continue to increase in the City of Portland, but the funding resources remain limited.

Community Development Block Grant: CDBG funds are allocated through a competitive application process. To apply, organizations must attend a mandatory application meeting. Applications are available through Neighborly, which can be accessed through the City's website. Applications are reviewed by a volunteer citizen committee appointed by the City Council. The Allocation Committee sends its recommendations to the City Manager, who makes additional recommendations then forwards the funding recommendations to the City Council. The City Council conducts two public hearings before deciding on the final funding recommendations. Funds not serving low- to moderate-income persons are used for administration and planning.

HOME: The HOME Program budget is formulated by staff and endorsed by the City Council's Housing and Economic Development Committee and Cumberland County's Municipal Oversight Committee. The City Council conducts two public hearings before deciding on the final HOME Program budget. Program guidelines and applications are available through Neighborly, which can be accessed through the City's website.

Emergency Solutions Grant: The Emergency Solutions Grant budget is drafted by staff and presented to the Continuum of Care and the City's Emergency Shelter Assessment and Response Team. The funding supports shelter operations, homeless prevention, rapid rehousing, and HMIS. Funds not used to serve low-income individuals are used for administration and HMIS.

AP-38 Project Summary
Project Summary Information

1	Project Name	HCD Grant Administration 25-26
	Target Area	PORTLAND, MAINE Eligible Census Tracts Cumberland County CDBG Target Neighborhoods
	Goals Supported	Neighborhood Investment and Infrastructure Housing Availability Economic Opportunity Addressing Needs of Growing Homeless Population
	Needs Addressed	Neighborhood Investment and Infrastructure Housing Availability Economic Opportunity Address Needs of the Growing Homeless Population
	Funding	CDBG: \$381,693.00 TIF: \$30,000.00
	Description	Grant administration and management
	Target Date	6/30/2026
	Estimate the number and type of families that will benefit from the proposed activities	This funding will not directly benefit families but supports activities that will.
	Location Description	389 Congress St Portland ME
	Planned Activities	Grant administration including compliance, reporting, and subrecipient management
2	Project Name	Construction Activities NI 25-26
	Target Area	CDBG Target Neighborhoods
	Goals Supported	Neighborhood Investment and Infrastructure
	Needs Addressed	Neighborhood Investment and Infrastructure
	Funding	CDBG: \$533,000.00 TIF: \$90,000.00
	Description	This project contains activities involving neighborhood investments and infrastructure improvements.
	Target Date	6/30/2027

	Estimate the number and type of families that will benefit from the proposed activities	7030 LMI served
	Location Description	West End Neighborhood, Cumberland Ave
	Planned Activities	COP PRF - Tyng Tate Playground and Age-Inclusive Courts (\$248,000 CDBG) COP PW - Cumberland Ave Sidewalk Improvements (\$200,000 CDBG) COP PW - Tate Sidewalk Improvements (\$85000 CDBG, \$90,000 TIF)
3	Project Name	Construction Activities EO 25-26
	Target Area	PORTLAND, MAINE CDBG Target Neighborhoods
	Goals Supported	Economic Opportunity
	Needs Addressed	Economic Opportunity
	Funding	CDBG: \$250,000.00
	Description	This project contains construction activities which promote economic opportunity for low- to moderate-income individuals.
	Target Date	6/30/2027
	Estimate the number and type of families that will benefit from the proposed activities	150 served, 100 LMI
	Location Description	Cumberland Ave
4	Planned Activities	Youth and Family Outreach Resource Hub (\$250,000 CDBG)
	Project Name	Development Activities EO 25-26
	Target Area	PORTLAND, MAINE
	Goals Supported	Economic Opportunity
	Needs Addressed	Economic Opportunity
	Funding	CDBG: \$205,000.00
	Description	This project contains non-construction activities which promote economic opportunity for low- to moderate-income individuals.
	Target Date	6/30/2027

	Estimate the number and type of families that will benefit from the proposed activities	20 jobs created for LMI individuals
	Location Description	Various businesses in Portland
	Planned Activities	COP HEDD - Business Assistance for Job Creation
5	Project Name	ANGHP Public Services 25-26
	Target Area	PORTLAND, MAINE
	Goals Supported	Addressing Needs of Growing Homeless Population
	Needs Addressed	Address Needs of the Growing Homeless Population
	Funding	CDBG: \$681,317.03 Cotton St: \$20,000.00
	Description	Activities will address the needs of the growing homeless population including food, shelter, and homeless prevention services.
	Target Date	6/30/2026
	Estimate the number and type of families that will benefit from the proposed activities	15,368 Served, 12,347 LMI
	Location Description	Various Places in Portland
	Planned Activities	Quality Housing Coalition - Housing for Systems-Involved Youth and Families (\$150,000 CDBG) Wayside Food Programs - Direct Services Program (\$40,000 CDBG) Hope Acts - Asylum Seeker Assistance (\$150,000 CDBG) COP Fire Dept - Mobile Medical Outreach (\$50,000 CDBG) Greater Portland Family Promise - Homeless Prevention and Housing Stabilization (\$100,653.62 CDBG) Maine Needs - Maine Needs (\$119,641.50 CDBG) MaineHealth - Food Pantry (\$3021.91 CDBG, \$20,000 Cotton St) Milestone - HOME Team (\$51,000 CDBG) Preble St - Joe Kreisler Teen Shelter (\$17,000 CDBG)
	Project Name	HOME Administration 25-26

6	Target Area	PORTLAND, MAINE Cumberland County
	Goals Supported	Neighborhood Investment and Infrastructure Housing Availability Economic Opportunity Addressing Needs of Growing Homeless Population
	Needs Addressed	Neighborhood Investment and Infrastructure Housing Availability Economic Opportunity Address Needs of the Growing Homeless Population
	Funding	HOME: \$91,886.00
	Description	These funds will be used to administer the HOME program.
	Target Date	6/30/2026
	Estimate the number and type of families that will benefit from the proposed activities	No families will directly benefit from administration funds, but families will benefit from the activities the administration funds support.
	Location Description	389 Congress St Portland
	Planned Activities	Activities related to administering HOME funds including applications, monitoring, and oversight.
7	Project Name	Tenant-Based Rental Assistance 25-26
	Target Area	PORTLAND, MAINE Cumberland County
	Goals Supported	Housing Availability
	Needs Addressed	Housing Availability
	Funding	HOME: \$136,392.00
	Description	These funds will support individuals and families in need of rental assistance.
	Target Date	6/30/2026
	Estimate the number and type of families that will benefit from the proposed activities	96 individuals and families will benefit from TBRA.
	Location Description	Various locations within the jurisdiction.

	Planned Activities	Rental assistance for individuals and families at risk of homelessness
8	Project Name	City Affordable Housing Development 25-26
	Target Area	PORTLAND, MAINE
	Goals Supported	Housing Availability
	Needs Addressed	Housing Availability
	Funding	HOME: \$294,489.00 Housing Trust Fund: \$863,559.00 HOME-ARP: \$3,594,143.00 Lead-Safe PI: \$22,744.00
	Description	Activities which support the creation of safe, sanitary, affordable housing units.
	Target Date	6/30/2027
	Estimate the number and type of families that will benefit from the proposed activities	Over 100 safe and sanitary units will be created. Up to 6 families will have safe, sanitary, affordable housing through HOME-assisted units.
	Location Description	Various locations within Portland
	Planned Activities	New construction and rehabilitation of affordable housing units.
9	Project Name	County Affordable Housing Development 25-26
	Target Area	Cumberland County
	Goals Supported	Housing Availability
	Needs Addressed	Housing Availability
	Funding	HOME: \$448,816.00
	Description	Creation of affordable housing units in Cumberland County.
	Target Date	6/30/2027
	Estimate the number and type of families that will benefit from the proposed activities	Over 100 safe and sanitary units will be created. Up to 3 families will have safe, sanitary, affordable housing through HOME-assisted units.
	Location Description	Various locations throughout Cumberland County
	Planned Activities	New construction and rehabilitation of affordable housing units.
10	Project Name	ESG25 Portland (25-26)
	Target Area	PORTLAND, MAINE

	Goals Supported	Addressing Needs of Growing Homeless Population
	Needs Addressed	Address Needs of the Growing Homeless Population
	Funding	ESG: \$161,998.00
	Description	Funding will be used to address the needs of the homeless population in Portland. \$12,150, or 7.5% of the allocation, is available for administration and HMIS. The total amount for shelter activities is \$81,184, which is less than 60% of the allocation. There will be no street outreach funded in the 25-26 program year.
	Target Date	6/30/2027
	Estimate the number and type of families that will benefit from the proposed activities	425 individuals
	Location Description	Shelters in various Portland locations, and hotels
	Planned Activities	overnight shelter, rapid rehousing

AP-50 Geographic Distribution - 91.420, 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

The City of Portland allocates resources in the areas of the jurisdiction that are in the most need. To determine this, the City considered which areas of the City have the highest combination of poverty, minorities, single parents, oldest housing stock, and housing problems. These are located in Census Tracts 5, 6 and 10, which represents East Bayside, Bayside, and Parkside neighborhoods respectively.

On a larger scale, the City will focus federal resources into areas of the City with the highest percentage of LMI residents, which are located primarily on the peninsula in districts 1, 2 and portions of district 3. Street, sidewalk, infrastructure, parks, playgrounds, and other area benefit projects will be located in the target neighborhoods and other eligible census tracts to benefit the low- and moderate-income individuals and families that live there. Due to the amenities and proximity to services, many HOME funded affordable housing projects are also located in the target neighborhoods.

New construction is supported through HOME funds and benefits individual persons or households who are low- to moderate-income throughout the City and County, which are the next geographic area priorities.

The percentages listed in the below table include program income but do not include program administration. The program administration funds are not tied to a target area of the City or County.

Geographic Distribution

Target Area	Percentage of Funds
PORTLAND, MAINE	63
Eligible Census Tracts	0
Cumberland County	19
CDBG Target Neighborhoods	18

Table 5 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

The City's goal is to allocate funds to individuals and families with the highest need. As shown in the above table, the majority of the funds allocated are in the City of Portland. Many of the CDBG social service activities and economic development activities serve residents of Portland but are not located in a specific neighborhood. HOME funding is spent throughout Cumberland County and Portland, while 100% of CDBG public infrastructure projects benefit Target neighborhoods and/or eligible census tracts

within Portland.

Discussion

Despite significant gains throughout the previous and current plans, challenges remain including high concentrations of poverty, old housing stock, homelessness, and housing problems. Additional investment will build on the gains made and continue to improve the lives of residents.

Affordable Housing

AP-55 Affordable Housing - 91.420, 91.220(g)

Introduction

In the City of Portland, the tight housing market reflects the need to build more affordable housing in the greater Portland area. The City of Portland and the Cumberland County HOME Consortium strive to increase the amount of decent, safe, and affordable housing available throughout Cumberland County. The City uses ESG and CDBG funds in addition to HOME funds to fulfill this goal.

As part of the City's 10 year plan to end homelessness, the City has opted to use a portion of its HOME allocation to serve homeless families via the tenant-based rental assistance (TBRA) program. The City's affordable housing providers work with social service providers to move individuals out of homeless and into affordable housing. Providers report that even with vouchers and assistance, units are difficult to obtain; therefore, increasing the number of units is critical.

One Year Goals for the Number of Households to be Supported	
Homeless	96
Non-Homeless	8
Special-Needs	0
Total	104

Table 6 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	96
The Production of New Units	8
Rehab of Existing Units	0
Acquisition of Existing Units	0
Total	104

Table 7 - One Year Goals for Affordable Housing by Support Type

Discussion

The goals above reflect only the households to be supported with HUD HOME funding. The City of Portland/Cumberland County HOME Consortium will continue to allocate a significant portion of future HOME entitlement towards the development and rehabilitation of affordable rental housing. The City has a number of additional resources and policies to support rental housing, and the number of units created will be significantly greater than those listed in the tables above.

In 2016, the City of Portland implemented a policy requiring any new rental housing development receiving assistance through Tax Increment Financing and/or HOME or CDBG subsidy from the City to

set aside 10% of the rental units in the development for individuals or families currently living in a City of Portland shelter. The City is responsible for providing referrals and providing or coordinating supportive services to eligible homeless populations who become tenants of the housing, including ensuring tenants qualify for the housing as well as providing or locating financial resources such as Section 8, General Assistance, or other resources to assist with monthly rent payments. Individual services reflect the situations of the individual tenants, address their needs and goals, and are subject to eligibility at the City. All tenants referred meet income guidelines, homelessness criteria, and other requirements so as to qualify for the housing. City staff works to provide a variety of support services to assist homeless individuals, enhance their self-esteem, secure housing, and work towards a self-sufficiency plan. Long term support services are provided through collaboration with other area service providers.

In 2017, the city adopted an inclusionary zoning policy that requires development projects of 10 or more units of housing to provide a certain percentage of affordable units or pay a fee-in-lieu into the City's Jill C. Dusen Housing Trust Fund. A 2020 citizen-initiated referendum, approved by the voters, revised the inclusionary percentage and lowered the income affordability threshold. The ordinance now requires developers of 10 or more units to provide 25% of those units as affordable to households earning 80% of the area median income.

AP-60 Public Housing - 91.420, 91.220(h)

Introduction

Through the HOME Consortium, the City of Portland and Cumberland County work with Portland Housing Authority, The Housing Authority of the City of Westbrook, South Portland Housing Authority, and Brunswick Housing Authority to assure quality, affordable housing opportunities to LMI residents in Cumberland County.

Actions planned during the next year to address the needs to public housing

The Portland Housing Authority will be closing on the removal of Riverton Park from Public Housing and injecting over \$55 million in much needed updates and additional units at the property. In addition, PHA continues to invest in the East Bayside neighborhood with \$1.5 million in critical repairs. PHA also received a competitive \$2.4 million hazards grant for East Bayside, Kennedy Park and Bayside Terrace to address building envelope and ventilation needs. PHA will also be removing Franklin Towers from public housing in the Fall 2025 and Franklin Towers in Spring 2026.

Brunswick Housing Authority provides critical housing to over 600 LMI households through its Housing Choice Voucher program and units owned and managed by BHA. We are working on developing additional affordable housing in the area including homeownership and rental opportunities. Brunswick and Topsham Housing Authority are completing a new rental project to open in May, 2025 with 38 low income housing tax credit units in Topsham. BHA continues to own/manage over 350 affordable rental units. We are also planning a new office to expand staffing to allow for continued development and growth of additional affordable housing units.

South Portland Housing Authority has completed the process of converting 346 Public Housing units into Section 8 programs. This conversion has increased revenue allowing for capital improvements.

The Housing Authority of the City of Westbrook (WHA) provides quality, affordable housing opportunities to LMI households in Westbrook and the shared jurisdiction that extends 10 miles beyond Westbrook per Maine Title 30-A. WHA partners with the City of Westbrook, Preble Street Shelters Inc. and the Continuum of Care, clients, and community organizations to enhance the quality of life in the community. WHA has converted its Public Housing through RAD to maintain affordable housing with Project Based Vouchers for households targeted at 30%, 50%, 60% AMI. In the past five years WHA has constructed 5 developments with 167 affordable housing units for very low to moderate income households. WHA has in predevelopment, with Planning Board approval & funding approval with a potential 2025 construction start: 58 units of family housing. And for 2026 & 2027 & 2028 211 units of elderly housing pending LIHTC funding awards. Additionally, the agency continues to take steps to help address the housing needs identified in its 2025-2029 5-Year Plan. WHA has completed its renovation of its older stock of housing with the completion of capital improvements to current ADA and INSPRE

standards.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

In addition to the 45 homeownership vouchers, PHA (through its development corporation) is proposing 8 (eight) homeownership units with 6-units at or below 110% area median income. PHA continues to work with the Resident Advisory Board and hold resident meetings as part of the current 5-year goal development and Annual HUD plan.

Brunswick has developed 30 single family homes for first time homebuyers to date. BHA is currently looking at a 15 unit affordable condominium project to target first time home buyers. This is in pre-development; they currently have site control of the land but are looking at various financing models to make these affordable.

The South Portland Housing Authority does not have any Public Housing units or homeownership program.

WHA does not have Public Housing but has an active Housing Choice Voucher Program that facilitates the use of the Housing Choice Voucher to be used for homeownership. WHA also has a Family Self Sufficiency program that also has homeownership as one of its outcomes.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

No PHA is designated as troubled.

Discussion

The four Housing Authorities in Cumberland County provide significant supports for housing.

PHA has 665 units of public housing as of March 2025 and 322-units of converted Public Housing units under RAD and new LIHTC construction, as well as 2056 vouchers currently leased and an Annual Contributions Contract (ACC) for 2,274-units.

BHA presently has authorization for 691 vouchers but due to costs of rental housing has leased up 78% of authorized units. BHA is currently expending authorized funds at a rate of 102% and has a High Performer rating in the Housing Choice Voucher program.

The South Portland Housing Authority is awarded up to 739 Section 8 Vouchers and currently administers 325 Housing Choice Vouchers and 370 Project-Based Vouchers. Including the Project Based Voucher units noted above, the South Portland Housing Authority has a total of 796 units designated as

Multi-Family, Low-Income Housing Tax Credit and Market Rate.

WHA has 1026 Housing Choice Vouchers and maintains a utilization rate of 98-100%. WHA has an inventory of 760 affordable housing units for older adults and families. WHA no longer has inventory of Section 9 Public Housing and is a High Performer Voucher only Housing Authority.

Portland and Cumberland County's vitality depends on the availability of a diverse array of housing options, particularly apartments, which are often the first and often the only choice for working professionals, immigrants, and families. All Cumberland County housing authorities work closely with their local governments and surrounding communities to address emerging needs affecting their residents and the availability of adequate housing.

AP-65 Homeless and Other Special Needs Activities - 91.420, 91.220(i)

Introduction

Portland and Cumberland County work closely with Maine Continuum of Care to identify causes of homelessness within the jurisdiction and seek resources for mitigating this pervasive issue.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The Maine State Housing Authority coordinates the efforts of homeless shelters, outreach groups, and volunteers who participate in an annual Point in Time Survey of sheltered and unsheltered homeless populations in the State of Maine and City of Portland. The annual census is required of all states on one night in January by the U.S. Department of Housing and Urban Development, and the count provides a snapshot of the number of individuals and families in shelters and on the streets on a given night. For Maine, a count performed in January will represent chronic and truly desperate homelessness because of extreme weather conditions including typical temperatures well below freezing, regular snow accumulation, and minimal daylight hours.

The Emergency Shelter Assessment and Response Team (ESART) meets monthly to review homeless data and identify trends, issues, and areas that need improvement. The ESART groups has an additional focus on advocacy efforts.

The Emergency Shelter Client Support & Services Plan Policy guides needs assessments. The policy requires clients to work with their navigator on a plan to secure permanent housing and clients who chose not to participate may be asked to leave the shelter, unless circumstances warrant an exception. The Homeless Services Center housing placement team focuses on housing long-term stayers. The City has also added additional full-time housing navigators to work with newly arriving families experiencing homelessness, resulting in locating permanent housing placements with follow up case management and tenant education services. Preble Street Support Services receives funding from the Veterans Administration to prevent and end homelessness among veterans.

The Homeless Outreach and Mobile Engagement (HOME) Team is a collaboration between the City of Portland, the Portland Downtown District and Milestone to provide outreach and community supports to those with chronic health, mental health and substance abuse issues living on the streets of Portland. The HOME team has become part of the emergency service delivery system for businesses and community members.

Commonspace, a Portland-based nonprofit organization, and Portland Downtown (a 501c4) have

created a Peer Outreach Worker program. This program will allow a peer outreach worker to connect with clients that live with mental illness, often co-occurring with substance-use disorders and/or experiencing homelessness. The outreach worker will then collaborate with the Milestone Foundation, the City's shelters, local hospitals, and Portland Downtown businesses to get the client the services they need.

Addressing the emergency shelter and transitional housing needs of homeless persons

Emergency Shelter: The City of Portland has a connected network of homeless shelters, yet the number of individuals seeking shelter outnumber the available beds. Upon opening the Homeless Services Center, replacing the Oxford Street Shelter, and 166 Riverside Street, the City partnered with various organizations to ensure that all individuals had an opportunity for shelter.

Transitional Housing: While we are often trying to connect individuals with housing plans, we recognize that there is also a need for short-term transitional housing. We often make referrals to our rapid rehousing programs, Tenant Based Rental Assistance Program, and General Assistance.

Regional Approach: The City has partnered with Maine State Housing Authority to provide funding for a Resettlement Coordinator and team to assist with the influx of asylum-seeking families. Additionally that partnership has also funded the Housing Opportunities for Persons in Encampments (HOPE). This is a partnership that brought together a housing navigator from Preble Street, Commonsplace and Milestone under supervision of a Coordinator at the City.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

Frequent Users System Engagement (FUSE) is focused on a by-name list effort to house and keep housed the longest stayers in homelessness in Portland. FUSE grew from the Long Term Stayers (LTS) initiative in April of 2015 when the City collaborated with local housing services providers to target their efforts with a by-name list of the most vulnerable and difficult to house individuals staying at the former Oxford Street Shelter. At the time, the shelter had 44% of the state's long term stayers, defined in Portland as people staying over 180 cumulative days in shelters or outdoors within a 365-day period. This definition was created because HUD's Chronic Homelessness definition did not capture single adults who tend to bounce from shelter to shelter whose lengths of stay in any one shelter do not meet the HUD definition of chronically homeless. From April 2015 through January 2025, this initiative targeted 898 people identified as people who met the criteria for LTS, now FUSE. The lists target people who are chronically homeless, people who are unsheltered, people who are frequent users of emergency

systems, and people who are in need of permanent supportive housing interventions. The group of 20 organizations has been at this for almost 10 years and has housed 519 people. According to HMIS data, this group collectively had more than 660 years of homelessness and more than 225,000 bed nights. Throughout the course of this initiative there has been an 88% - 96% success rate in scattered site apartments due to the combination of rental subsidies and support services.

In 2025, the initiative updated its name and scope to better reflect who the group supports. Housing Follow up Services for FUSE help individuals who have been placed into housing from returning to homelessness.

Additionally, the goals of the City of Portland's Emergency Solutions Grant program are to provide rapid rehousing services to individuals staying at the shelter and prevention services to individuals facing homelessness in the community. The Homeless Services Center is projected to serve 40 people who are homeless and 5 people at risk of homelessness. The Family Shelter utilizes \$81,184 for Essential Services, which will focus on Life Skills such as cooking, food storage, cleaning etc. with a goal to serve 75% of our shelter populations, 97% who are migrants. The City's Tenant Based Rental Assistance program (TBRA) was implemented on April 1, 2014 with HOME funds. There is a centralized intake located at the Homeless Services Center and Family Shelter and utilization of a rapid re-housing approach with a focus on reducing recidivism. Follow-up services have a strong emphasis on connecting clients to other mainstream resources to ensure long term housing success. The ESHAP Program, which is funded by Maine Housing for the Homeless Services Center and Family Shelter, is modeled after a rapid re-housing approach that provides housing stability services to persons who are experiencing homelessness and assists homeless clients seeking permanent housing with education, services, and support to meet their health, housing, and employment needs in order to overcome barriers to obtaining and maintaining permanent, stable housing. Participants are assigned a Navigator who has experience in working with people who are experiencing homelessness. Navigators conduct assessments to determine the best course of action and customize a plan that best suits each individual's housing needs. The combination of the City's FUSE Initiative, the Emergency Solutions Grant, Tenant Based Rental Assistance, and ESHAP program help to prevent homelessness and rapidly rehouse individuals who become homeless in Portland.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

The City's After-Hours Program ensures access of emergency services to low-income 'at-risk' individuals and families, including help with placement in appropriate shelters/warming centers and basic needs such as medication, food, baby formula, diapers, and heating. The program offers a hotline service 365

days a year, 24 hours a day. The Greater Portland Addiction Collaborative has brought together local hospitals, City Programs, Police, community detox centers, SUDs treatment providers, crisis providers, housing and employment providers, recovery community, and the peer recovery center to provide high quality treatment and fill gaps to ensure that individuals receive the care they need upon discharge. City of Portland Shelter Staff has implemented a diversion program that has staff complete shelter intakes and connect with individuals before they enter emergency shelter and homelessness. Staff has the ability to seek alternate resources, connect with landlords to mediate evictions, and enroll individuals in prevention case management services.

Families with Children: There are two shelters that serve families with children. The City of Portland Family Shelter provides temporary housing to families with children in the form of apartments. While staying at the shelter families learn important life skills, participate in house meetings to discuss issues and assistance, and have access to various household items, laundry, and transportation services to appointments. Staff also assists with housing placement and follows up case management. Support services on site include assistance with housing placement; training sessions on tenant education (Rent Smart Curriculum); crisis intervention and management, including follow-up services after housing is located; and assistance with public transportation for appointments and self-sufficiency. Through These Doors operates an Emergency Shelter for women and children who are experiencing domestic violence. They provide 16 beds, and families can access basic necessities like food, clothing, and personal care items. Residents are offered in house education programs, individual advocacy, case management, and safety planning.

Unaccompanied Youth: The Preble Street Joe Kreisler Teen Shelter provides 16-24 beds for unaccompanied youth ages 12-20. The shelter provides safe, clean overnight accommodations in a secure building; showers, bathrooms, laundry facilities, towels, and personal hygiene products; community living areas; light breakfast and snacks. Additionally, staff responds to the crises that lead to homelessness, provides referrals, and links youth to necessary services including substance use treatment, counseling, and medical facilities.

Chronically homeless- Chronically homeless men and women stay at the Homeless Services Center, a low-barrier shelter which provides safe, temporary shelter for homeless adults. The Shelter offers a variety of support services including: shower facilities and training on hygiene skills; housing placement assistance; health assistance to Veterans; clinical and outreach services for individuals with mental health concerns; and interpreting services. Portland and Cumberland County are fortunate to have several community organizations which assist special needs populations. These include, but are not limited to, Frannie Peabody Center, Preble Street, Commonsplace, Immigrant Legal Advocacy Project, Maine Equal Justice Partners, Milestone, and The Opportunity Alliance. Together these organizations provide access to care through case management, behavioral health counseling, advocacy, utility

assistance, and housing assistance programs.

Discussion

The Covid-19 pandemic and the national opioid crisis have impacted and increased greatly the need for homelessness and substance use services in Portland. The City's one- and five-year goals are to create a safety net of programs through a combination HOME, ESG, and other federal and local resources.

AP-75 Barriers to affordable housing -91.420, 91.220(j)

Introduction

The City's comprehensive plan places a priority on housing creation, diversity, and affordability within the community. The housing component of the Comprehensive 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".

Funding available through the Affordable Housing Development Program will go to assist in the creation of affordable housing available to low and very low income persons. Affordable Housing Development funds are allocated through a competitive, rolling application process. To apply, developers must complete an application in Neighborly software. City staff reviews applications, and a consultant hired by the City completes a financial underwriting analysis. City staff presents funding recommendations to the City Council's Housing and Economic Development Committee (HEDC). The HEDC forwards funding recommendations to the City Council. Under City ordinance, the request for appropriation of funds must be read at two City Council meetings. The City Council takes action on the recommendations at the second public meeting.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

In response to LD 2003, new language in the Land Use Code now permits up to two units on lawfully conforming lots that do not contain an existing dwelling unit in the island zones, or outside of the designated growth area. The new language would also permit up to four units on lawfully conforming lots that do not contain an existing dwelling unit in mainland zones where residential is a permitted or conditional use, or inside the growth area. New language also adds residential use permission for lawfully conforming lots with one existing dwelling unit by allowing up to two additional units where residential is a permitted or conditional use.

In early 2023, 14 external stakeholders and numerous city officials convened for an intensive six-hour Housing Supply Bootcamp focused on identifying barriers and solutions to expand Portland's housing stock. Regulatory barriers identified include: expanded inclusionary zoning (IZ) requirements under recent referenda; height limits, density limits, step backs, and setbacks; insufficient land zoned for multi-family; limitations on the availability of density bonuses, and building code requirements and stringent application of the standards. Potential solutions identified include; increase the permissible height of buildings and eliminate setback requirements on the Portland Peninsula and along major arterials;

identify “offsets” that would make it easier for developers to meet the heightened IZ requirements; engage employers that own land as partners to make land available for development; prepare an inventory of parking lots owned by individual retailers and other businesses to identify whether some could be developed as housing; study the potential to repurpose some office space as housing; provide regulatory tools to discourage vacant land and vacant buildings, including the potential for financial penalties, thereby encouraging development and redevelopment; and evaluate the possibility of allowing residential uses in industrial areas.

Discussion

The City of Portland is committed to removing barriers to affordable housing.

AP-85 Other Actions - 91.420, 91.220(k)

Introduction

The City of Portland consistently strives to identify areas of opportunity for improving quality of life for all of its residents including increased stability, housing options, and economic opportunities for its most vulnerable populations.

Actions planned to address obstacles to meeting underserved needs

In the City of Portland, the vast majority of CDBG, HOME, and ESG allocations go to addressing underserved needs of the City. The proposed CDBG projects will be meeting underserved needs such as food assistance, shelter, safety, and support for those with mental and physical illnesses and substance use disorders, and homeless prevention and housing services. The HOME grant funds help persons gain or maintain housing through the Tenant Based Rental Assistance Program and build affordable housing for low-income families who cannot afford housing otherwise. Additionally, the Emergency Solutions Grant meets the needs of individuals and families by gaining or maintaining housing throughout their homeless prevention or rapid rehousing initiatives, along with maintaining shelter costs for the city's most vulnerable populations.

Actions planned to foster and maintain affordable housing

The affordable housing provisions of LD 2003 require municipalities to extend density bonuses to qualifying affordable housing projects when those projects are located in areas in which multi-family dwellings are allowed and within a designated growth area. The City of Portland already has a structure for density bonuses for affordable housing in many zones, and the code includes other provisions as contemplated by the state. However, some amendments to Articles 18 and 19 of the land use code were necessary to bring the city into full compliance with these components of the law.

The definition of "affordable housing" was changed to incorporate language that enumerates the definition of "other housing expenses" to include "utilities such as electric, heat, water, sewer, and/or trash that the household pays separately from rent". Density bonus language in the Land Use Code was amended such that 2.5x density bonus is triggered when over 50% of units within a project qualify as affordable. Density bonus have been extended to areas "where multi-family is allowed as a permitted or conditional use", and long-term affordability has been defined as deed-restricted to remain affordable for 30 years or the longest term permitted under federal, state, and local laws whichever is longer.

Multiplex, a multi-family-like use currently permitted in the R-4 and R-5 zones, has also been struck from the code. This use, which requires greater minimum lot sizes, densities, and lot widths than otherwise required for residential uses in these zones, and in some cases is subject to unit maximums which bear little relationship to lot size or density, has not been widely constructed in the city. In order to

make dimensional provisions consistent with state law and to simplify implementation, references to multiplex have been eliminated.

Other actions undertaken by the City of Portland include the assessment of fair housing processes in order to identify barriers to fair housing for inclusions in the 2022-2026 Consolidated Plan. The recommendation to address barriers to equalizing access to opportunity, include; advocate for improvements to the county's public transportation system to more effectively connect low income workers with jobs both within Portland and in the broader region; focus on accommodating the needs of persons with disabilities and pairing transportation investments with housing affordability opportunities; and advocate for additional funding in schools that have disproportionate shares of economically disadvantaged students. The recommendation to increase the supply of affordable housing include; invest public funds in affordable housing through gap financing; require affordability contributions of market rate developers through inclusionary zoning; incentivize development of mixed-income housing through density bonuses and fee waivers. And the recommendation to address gaps in homeownership attainment is; explore programs funded by foundations that offer greater down payment assistance to residents who historically faced discrimination and restricted access to homeownership.

Actions planned to reduce lead-based paint hazards

The City of Portland has been committed to eliminating lead poisoning in children since 1995 when it received its first HUD Lead Safe Housing Grant. The mitigation of lead-based paint hazards and creating healthier homes remains a critical focus of the City of Portland's Lead Safe Housing Program. Over the years, over 560 units have been made lead-safe in Cumberland County. This program has successfully addressed lead hazards prevalent in Portland's older housing stock, bridging the critical gap between health and housing.

The HUD Lead Safe Housing Program is designed to benefit low and moderate-income families. Owner-occupied applicants in the City of Portland must prove that their income is less than 80% of the median area income with a child under six years of age residing in the unit. In multi-unit, non-owner-occupied buildings, 50% of the units must qualify at 50% of the area median income. Projects outside the City of Portland need to meet HUD income eligibility limits established for Cumberland County. The program works directly with the Maine CDC and priority is given to households where there is an active abatement order or where young children reside with elevated blood levels.

In 2024, the City completed its 2019 HUD funded Lead Safe Housing Grant. With that grant, the program made an additional 81 units lead safe and healthier with HUD's Healthy Homes Funding. The team will continue its successful work with the next HUD Grant, approved in December of 2024. This new award of \$3.4 million dollars will further the critical work of protecting Cumberland County's most vulnerable families from the dangers of lead hazards. The new grant includes \$748,000 in Healthy Homes funding which helps to address code violations and health and safety hazards along with the lead abatement.

Project management works directly with Code Enforcement and homeowners to document elimination of violations while improving the health, safety, and welfare of residents.

Actions planned to reduce the number of poverty-level families

The City of Portland allocates a significant percentage of its Community Development Block Grant to social service programs and housing activities designed not only to improve the lives of families and individuals in poverty, but also to facilitate their transition out of poverty. Below are just some of the most critical programs and services that the City plans to support with the CDBG, HOME and ESG funds:

Access to food

Homeless outreach and engagement program to assist individuals in crisis to access necessary services.

Provision of basic needs

Case management and community integration services for recently homelessness individuals and those at risk of homelessness

Creation of stable affordable housing units

Tenant based rental assistance to help families to be rapidly rehoused or maintain their current housing, to help build stability.

Homeless prevention services to individuals facing homelessness.

Rapid rehousing

Helping families move out of poverty as opposed to simply serving those in poverty is an important part of the City's Housing and Community Development Program. Total funds available to the City are insufficient to meet the needs of its citizens in poverty; however, targeting funds to activities which support self-sufficiency can make a significant difference in the lives of many people. The City plans to continue to look at requests for funding and existing programs to see how CDBG, ESG and HOME funds can assist individuals and families in moving beyond poverty.

Actions planned to develop institutional structure

The City will continue to carry out its Housing and Community Development Plan in partnership with the other management and delivery entities for housing and community development activities. These organizations include various City Departments, the Portland Housing Authority, and an integrated

network of non-profit housing and social service providers.

The City of Portland Housing and Community Development (HCD) Division is responsible for overseeing the budget and distribution of the City's CDBG, HOME and ESG entitlement funds and development of the Five-Year Consolidated Plan and Annual Action Plan and Consolidated Annual Performance Evaluation Report. Additionally, the HCD Division administers the City's new construction programs and monitors all outstanding loans associated with the former HomePort program. Since the fall of 2019, the HCD Division has staffed a Compliance Officer position, ensuring that all programs comply with local and federal regulations.

City of Portland Social Services Division administers the General Assistance Program, ESG funds, the City's emergency shelters (for single adults and families), transitional housing facilities, housing location services, Family Services Program, job readiness training and employment services and several other support activities in coordination with non-profit housing and social service agencies. Additionally, the Social Services Division administers the HOME funded Tenant Based Rental Assistance Program.

Non-Profit Housing and Social Service Agencies play a large role in directly providing housing and economic development services to low income, homeless, and special needs populations throughout Portland.

Working collaboratively, these entities implement the City's Housing and Community Development Plan. The system's strengths include the collaborative manner in which these diverse groups work together to maximize available resources. Portland is a large enough city to have many institutional resources, yet small enough to be able to effectively communicate and collaborate. Currently there are no gaps in types of housing and services, but there is a lack of adequate amounts of both due to insufficient resources. The City and its partners will continue to seek additional resources to improve the system's ability to meet community needs.

Actions planned to enhance coordination between public and private housing and social service agencies

The City of Portland requires proof of organizational collaboration in the form of a memorandum of agreements, letter of support, or demonstrated outreach for all applications. In the CDBG scoring process, organizations and entities who demonstrate collaboration with other organizations and entities receive higher allotted points.

The City and the Portland Housing Authority have a long history of cooperation in several areas including community policing, development of affordable housing, recreational activities for at-risk youth, the Family Self-Sufficiency Program, Family Investment Center and applications to HUD for Section 8 certificates and vouchers for families, homeless and disabled persons. City staff and PHA staff

communicate regularly and provide each other data for Annual Plans and reports.

City staff from the Health and Human Services Department and Housing and Community Development Division coordinates with other members of the Emergency Shelter Assessment and Response Team (ESART) and the United Way of Greater Portland to monitor shelter bed usage for single adults, adolescents and families. ESART members include shelter providers, supported housing providers, mental health service providers, substance abuse service providers, health service providers and general services including day shelter providers for the homeless population. ESART also produces monthly and quarterly statistics on shelter usage and provides a forum to discuss new programs, resource availability, emerging trends and to resolve problems within the continuum that may arise from time to time. The City's Community Development Program Manager attends ESART. Additionally, HCD staff participates in the Maine Affordable Housing Coalition (MAHC). In the City of Portland, 33% of CDBG funds support social service agency programs. City staff meets with the agencies throughout the year to provide technical assistance and ensure they are meeting HUD guidelines and regulations. Staff also assists in monitoring their progress and makes recommendations for more efficient services.

Discussion

The City of Portland is committed to continuing its robust collaboration with nonprofit social service agencies, developers, and community organizations to improve the lives of residents of Portland, especially those who are low-income.

Program Specific Requirements

AP-90 Program Specific Requirements - 91.420, 91.220(I)(1,2,4)

Introduction

The City of Portland works to ensure that all federal grants meet the specific program requirements, including Community Development Block Grant, HOME, and Emergency Solutions Grant from the U.S. Department of Housing and Urban Development.

Community Development Block Grant Program (CDBG)

Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	74,924
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	74,924

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	86.00%

HOME Investment Partnership Program (HOME)

Reference 24 CFR 91.220(I)(2)

1. A description of other forms of investment being used beyond those identified in Section 92.205 is

Annual Action Plan 2025	66
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as follows:

Not applicable

2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:

Homebuyer activities of downpayment or closing cost assistance are not part of the 2025-2026 planned activities.

3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:

Acquisition of units with HOME funds are not part of the 2025-2026 plan.

4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:

HOME funds will not be used to refinance existing debt.

5. If applicable to a planned HOME TBRA activity, a description of the preference for persons with special needs or disabilities. (See 24 CFR 92.209(c)(2)(i) and CFR 91.220(l)(2)(vii)).

Tenant-Based Rental Assistance is directed toward individuals who are homeless or at-risk of being homeless.

6. If applicable to a planned HOME TBRA activity, a description of how the preference for a specific category of individuals with disabilities (e.g. persons with HIV/AIDS or chronic mental illness) will narrow the gap in benefits and the preference is needed to narrow the gap in benefits and services received by such persons. (See 24 CFR 92.209(c)(2)(ii) and 91.220(l)(2)(vii)).

The City of Portland does not currently have preferences for specific categories of individuals with disabilities.

7. If applicable, a description of any preference or limitation for rental housing projects. (See 24 CFR 92.253(d)(3) and CFR 91.220(l)(2)(vii)). Note: Preferences cannot be administered in a manner that

limits the opportunities of persons on any basis prohibited by the laws listed under 24 CFR 5.105(a).

The City of Portland does not have preferences for rental projects. The City does have a local requirement that 10% of total units in a development are set aside for individuals in Portland homeless shelters; however, this does not preclude others from accessing those units.

Emergency Solutions Grant (ESG)

1. Include written standards for providing ESG assistance (may include as attachment)

Please see attachment.

2. If the Continuum of Care has established centralized or coordinated assessment system that meets HUD requirements, describe that centralized or coordinated assessment system.

The state-wide Continuum of Care monitors the Homeless Management Information System, where individuals and families are entered at first contact. Additionally, the Maine COC has created a Coordinated Entry System (CES). CES facilitates access for all resources designated for homeless individuals and families, ensuring they are known by name, provided assistance based on their unique needs, and matched to the most appropriate service or strategy. Together, HMIS and CES ensure coordination while avoiding duplication of services and client data.

3. Identify the process for making sub-awards and describe how the ESG allocation available to private nonprofit organizations (including community and faith-based organizations).

The Emergency Shelter Assessment and Response Team (ESART) is actively involved in the ESG program, including the development of performance standards and operating procedures as well as evaluation of funding expenditures. The City of Portland utilizes ESG funding for the Family Shelter and the Homeless Services Center and for homeless prevention and rapid rehousing programs. It is not currently the practice of the City of Portland to provide subawards from ESG funds; however, any ESG subawards would be made through the same awarding process as CDBG.

4. If the jurisdiction is unable to meet the homeless participation requirement in 24 CFR 576.405(a), the jurisdiction must specify its plan for reaching out to and consulting with homeless or formerly homeless individuals in considering policies and funding decisions regarding facilities and services funded under ESG.

The Emergency Shelter Assessment and Response Team (ESART) is actively involved in the ESG program, including the development of performance standards and operating procedures as well as evaluation of funding expenditures. The City of Portland utilizes ESG funding for the Family Shelter and the Homeless Services Center and for homeless prevention and rapid rehousing programs. It is

not currently the practice of the City of Portland to provide subawards from ESG funds; however, any ESG subawards would be made through the same awarding process as CDBG.

5. Describe performance standards for evaluating ESG.

The performance of the Prevention goal of the Rapid Re-Housing/Prevention Client Navigation Program will be evaluated based on the number of individuals assisted that would have entered the shelter system “but for” the assistance provided by the City of Portland staff. The performance standards for the Prevention goal of the program are ensuring that: 1) services are provided to 20 people per year; 2) 100% of clients are assessed for barriers that threaten housing stability and provided with an overview of mainstream resources; 3) 50% of clients assessed are referred to appropriate mainstream resources; 4) 100% of clients receiving financial assistance receive assistance with housing location and receive follow up services for 3 months.

The City of Portland will continue to ensure that all federal grants meet the specific program requirements, including Community Development Block Grant, HOME, and Emergency Solutions Grant from the U.S. Department of Housing and Urban Development.

Public Comment - Resolve 9-24/2 - Don't use CDBG Funds To Demolish Preble Chapel

George Rheault via portlandmaine.gov

Attachments

May 2, 2025, 12:18 PM (3 days ago)

to Public, Mark, Pious, April, bgrant, Kate, Anna, Regina, Wesley, Sarah, Danielle, Michael

It is bad enough that the City Council recently endorsed the demolition of the 175 year-old Preble Chapel, but it is an unbelievable slap in the face to our community's history that the City Council is being asked to PROVIDE THE ACTUAL DEMOLITION FUNDS.

I guess it is progress that bad "urban renewal" is now being propagated by a gender diverse, multi-racial City Council with two self-declared "socialists" on it, instead of conservative white men in gray suits from the 1950s and 1960s. But it is the same BAD "urban renewal" no matter who does it!

Please redirect the asked-for demolition funds to the other, far more deserving, organizations that are receiving ZERO DOLLARS as part of the CDBG grant cycle.

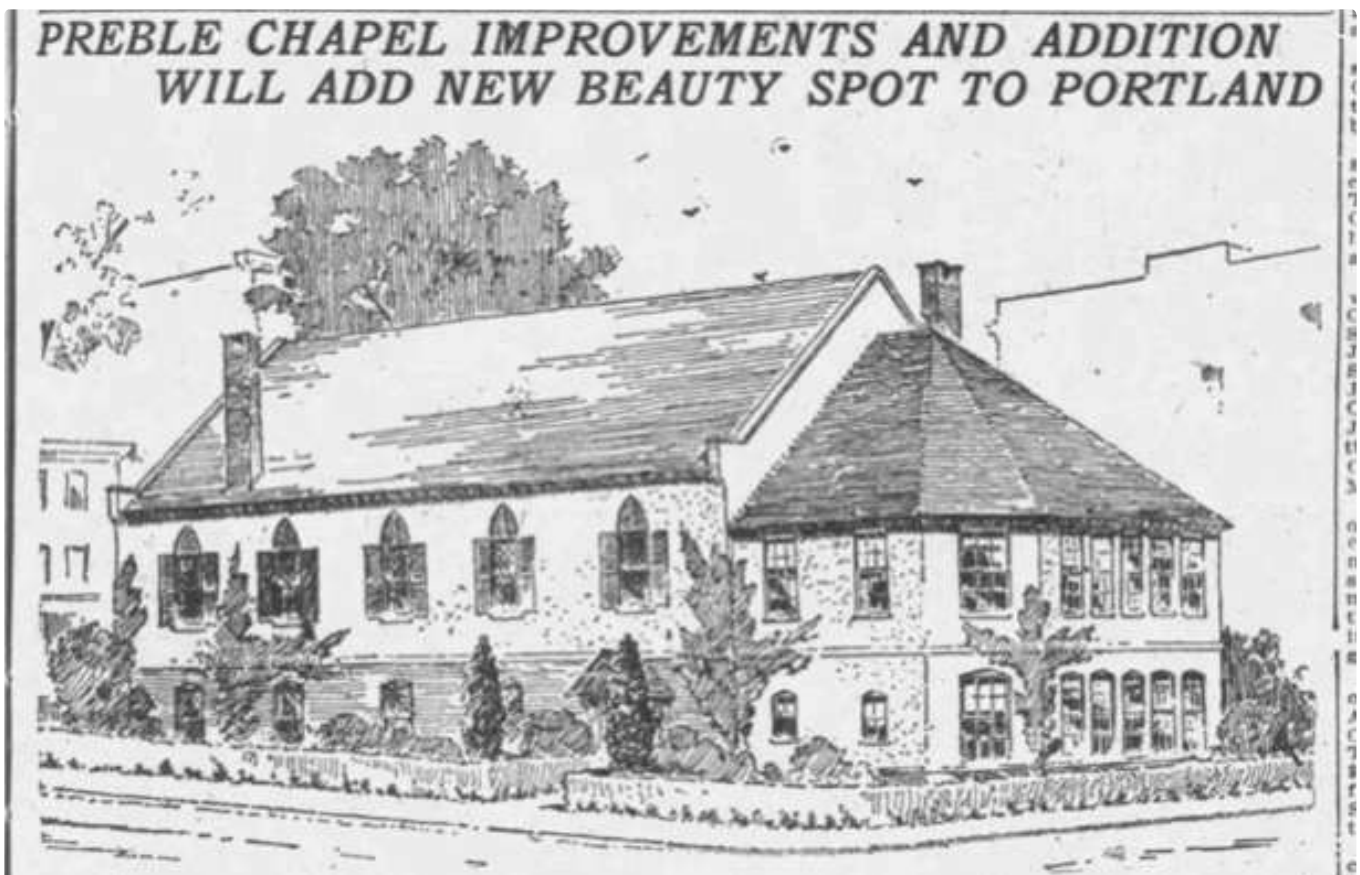
As an aside, the public education continues to remind our residents about the dishonoring of our city's past by our City Council, including at two "Jane's Walk" events being held tomorrow (May 3rd) both of which will have a focus on the Preble Chapel demolition.

See <https://janeswalkme.org/> as well as the two attachments here describing the event tours. Please consider this an invitation to our elected officials!

JANE'S WALK ME



LOST & FOUND ON PORTLAND'S PREBLE STREET: ONE HALF MILE SPANNING 250+ YEARS OF URBAN HISTORY



Preble Chapel 1924 Renovation Announcement

May 3, 2025

1:00 PM

ADVOCACY

ART & ARCHITECTURE

ENVIRONMENT

FOOD & ENTERTAINMENT

HISTORY & CULTURE

Led by: George Rheault

Duration: 90 minutes

City/Town: Portland

County: [Cumberland](#)

Language(s): English



9 people going



[See All Walks](#)

Share:



May 2025 will likely mark the last springtime for the Preble Chapel which has anchored the northwestern corner of Preble Street and Cumberland Avenue for 175 years.

The imminent demolition of this Portland landmark (created between 1850-1851 to house a pioneering social reform movement to assist working class Portlanders) by its very stewards provides an opportunity for all Portlanders to ponder deeply the entire length of our historic Preble Street corridor from its start at Monument Square down to the water's edge at Back Cove.

What can Preble Street's development over time tell us about the creative destruction of 19th and 20th Century urbanism (and now further re-makings in our 21st Century) and how these fits and starts helped make modern Portland? Packed with stories along its every block, Preble Street is a critical Portland pathway that ties our community's history together from its colonial township era to our very present day, showcasing the power of environmentalism and architecture to define place, space and people.

Please join us to learn how the citizens of Portland, from the rich to the poor, worked to create what we see today along Preble Street. And also consider what was lost (the things we no longer can see), and will be yet lost in the near future, along this historic thoroughfare and how "preservation" and "progress" operates selectively over time in the ongoing push

and pull of our commerce and community-building. From elite mansions, skyscrapers and hotels to homeless services, from train stations and trolleys to the auto age of interstates and drive-thrus, from grand theaters to provisioning food markets, Preble Street's history serves as a panorama of Portland's evolution that few take time to consider but will be glad they did!

ACCESSIBILITY:

Most of the way is through ADA-accessible sidewalks with tip-downs and crosswalks though safe existing conditions of the sidewalks at the time of the walk cannot be guaranteed.

STARTING LOCATION:

Monument Square side of Congress Street, looking north "up" towards Preble Street between the Time & Temperature Building and the Fidelity Tower.



Monument Square at the southern head of Preble Street
at Congress Street
Portland, Maine 04101

ENDING LOCATION:

Back Cove walking path besides parking lots along Preble Street Extension Across from Hannaford's Shopping Plaza.



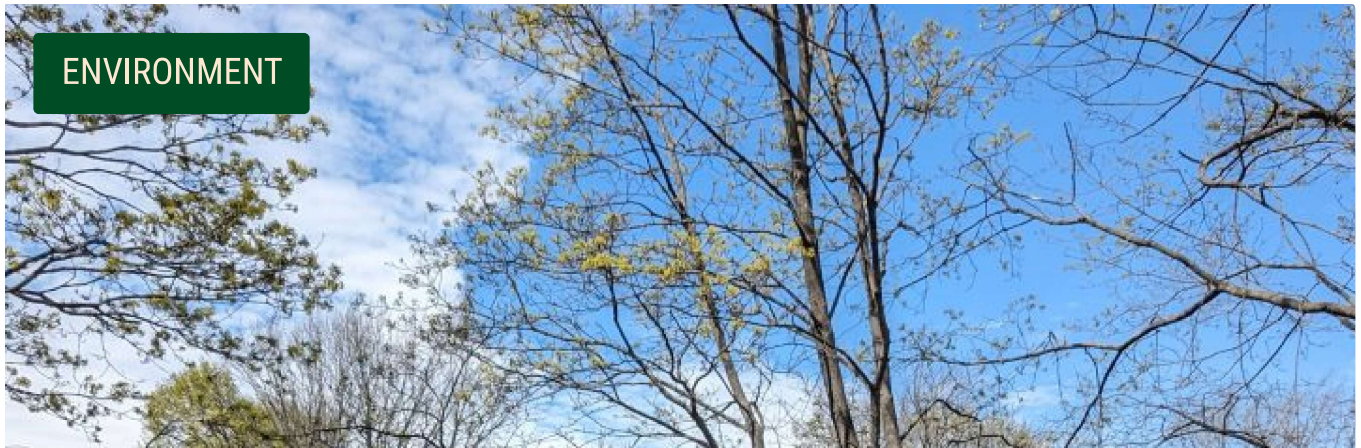
Back Cove Parking Lot at Preble Street Extension across from Hannaford's Shopping Plaza
PORTLAND, Maine 04101

SUSTAINABLE DEVELOPMENT GOALS (SDGS):

[Learn more about SDGs](#)



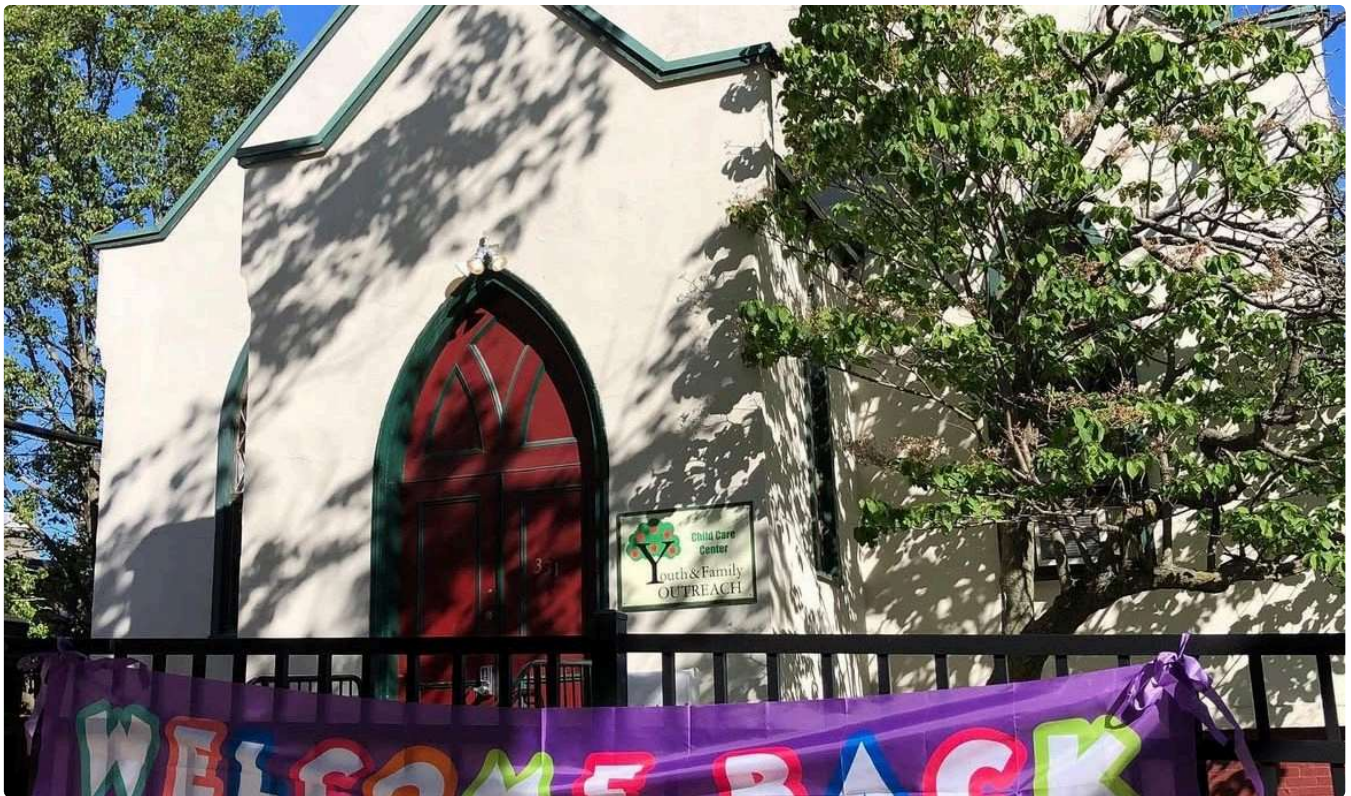
YOU MIGHT ALSO LIKE



JANE'S WALK ME



LEGACY OF LOVE: A WALK THROUGH THE HISTORY YOUTH AND FAMILY OUTREACH



Preble Chapel

May 3, 2025

10:00 AM

HISTORY & CULTURE

Led by: Amy Grommes Pulaski

Organization: Youth and Family Outreach, Board Members

Duration: Less than an hour

City/Town: Portland

County: Cumberland

Language(s): English



1 person going



[See All Walks](#)

Share:



Youth and Family Outreach is embarking on a bold new vision to meet the needs of the children and families in

Greater Portland, by doubling capacity, increasing accessibility to early care and education, and building 60 units of affordable housing to address current needs. To move forward, and due to its current condition, we must say goodbye to our current beloved home, Preble Chapel, located at 331 Cumberland Avenue. We invite you to join us on a walk through history and say goodbye.

Youth and Family Outreach (YFO) has a rich, unwavering history of meeting the needs of Portland's children and families. Since its origins in 1844 as a community outreach mission of the Portland Ministries at Large, the agency has focused its efforts on serving the community with compassion. Starting in 1849 with the establishment of Maine's first adult education school, to the Pride Training School for intellectually disabled children, to a credit union for the local poor, to the Beacon Teen Center for homeless youth, the agency has risen to meet critical community needs of the time.

This next iteration began out of the need to increase the number of children and families served in our early care and education program, established in 1986. In 2018, the neighboring property, Maria's Restaurant, was posted for sale. As the only possibility for expansion, the Board of Trustees explored the possibility of purchasing the property to expand programming. Through an in depth community assessment, it was collectively agreed to seize this opportunity to also address the growing need for affordable housing in downtown Portland. While considerable efforts were made to reutilize the current chapel, it became infeasible to the project. With renewed partnerships and approval from the City of Portland, YFO board and staff have embarked on this bold journey.

Join us to hear of the history and legacy of Youth and Family Outreach, and our plans to build a brighter future in Bayside.

ACCESSIBILITY:

The building is not handicapped accessible and does not meet ADA requirements.

STARTING LOCATION:

Meet at the front steps of 331 Cumberland Avenue. Rotating Walks will be offered between 10:00am and 12:00pm, each lasting approximately 25-30 minutes and beginning every approximately 15-20 minutes.



331 Cumberland Avenue
Portland, Maine 04101

ENDING LOCATION:

Front steps of 331 Cumberland Avenue.



331 Cumberland Avenue
Portland, Maine 04102

SUSTAINABLE DEVELOPMENT GOALS (SDGS):

[Learn more about SDGs](#)

MEMORANDUM
City Council Agenda Item

FROM: Troy Moon, Sustainability Director

DATE: April 24, 2025

SUBJECT: Order 174-24/25 Accepting and Appropriating a \$28,000 Gulf of Maine Research Institute Community Resilience Education Project Grant - Sponsored by Danielle P. West, City Manager

SPONSOR: Danielle West, City Manager
(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:
1st Reading 4/28/2025

Final
Action 5/5/2025

Can action be taken at a later date: No If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: Corporation Counsel has prepared the grant agreement.

PRESENTATION: Sustainability Director Troy Moon will be present to answer any questions.

I. SUMMARY

The order accepts and appropriates a \$28,000 grant to support community education about climate resilience and adaptation.

II. AGENDA DESCRIPTION

The order accepts and appropriates \$28,000 from the Gulf of Maine Research Institute to support the development of a project to educate the community about climate hazards and community adaptation and resilience strategies.

This item must be read on two separate days. It received its first reading on April 28. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

An important goal of the One Climate Future Climate Action plan is to take steps to increase community resilience and help the community adapt to the impacts of climate change. The goal of this project is to help residents better understand climate vulnerabilities and to learn steps the City is taking to address them.

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is \$50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. Order - Accepting and Appropriating a \$28,000 Gulf of Maine Research Institute Community Resilience Education Project Grant
2. 15-NSFCIV-23 PORT

Prepared by:

Troy Moon, Sustainability Director

Date: 04/24/2025

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL D. FOURNIER (A/L)
BENJAMIN GRANT (A/L)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

SARAH MICHNIEWICZ (1)
WESLEY PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**ORDER ACCEPTING AND APPROPRIATING A \$28,000 GULF OF MAINE
RESEARCH INSTITUTE COMMUNITY RESILIENCE EDUCATION PROJECT
GRANT**

ORDERED, that a \$28,000 Gulf of Maine Research Institute Community Resilience Education Project Grant is hereby accepted and that amount appropriated to the Portland Sustainability Office; and

BE IT FURTHER ORDERED, that the City Council hereby approves the attached Grant Agreement in substantially the form attached hereto and authorizes the City Manager or designee to execute said Agreement and any other related documents necessary or convenient to carry out the intent of said Agreement and this order.



AGREEMENT #15-NSFCIV-23-PORT BETWEEN

Gulf of Maine Research Institute

and

City of Portland – Sustainability Office

This Agreement, effective as of the 1st day of April 2025, is made by and between the Gulf of Maine Research Institute ("GMRI"), an organization having its principal place of business at 350 Commercial Street, Portland, Maine, 04101 and **City of Portland, ME** ("the Grantee") located at 389 Congress St, Portland, ME 04101.

Whereas, GMRI has received a CIVIC-FA Track A award from the National Science Foundation (2321506) to codevelop local flood thresholds and high tide flooding predictions with community science and innovative technology; and

Whereas, GMRI desires to issue a grant to the Grantee for the performance of a community resilience project building off of the work accomplished during the CIVIC-FA Track A award, as further described herein;

Whereas, the Parties desire for the Grantee to perform such activities within the period of performance for GMRI in continuation of the NSF CIVIC-FA Track A project.

Now therefore, in consideration of the terms and conditions contained herein and other good and valuable consideration, the parties agree as follows:

1. **Purpose:** The Grantee shall use the grant funds solely for the work mutually agreed to and incorporated herein and attached hereto as Exhibit A – Statement of Work. Any changes in the purposes for which grant funds are spent must be approved in writing by GMRI before implementation. GMRI retains the right, if Grantee breaches this Agreement, or if Grantee's conduct of the project jeopardizes GMRI's legal or tax status, to withhold, withdraw, or demand immediate return of grant funds.
2. **Period of Performance:** The period of performance for the Services is April 1, 2025 to December 31, 2025. Expenditures incurred prior to or after the period of performance are not reimbursable costs. The period of performance may be altered upon mutual written agreement of the parties.
3. **Termination:** Either party may terminate this Agreement in the event of a material breach of any provision of this Agreement, if the breaching party fails to cure said breach within thirty (30) days after written notice thereof. GMRI may terminate this Agreement, in whole or in part, without cause and without penalty by providing at least five (5) days prior written notice.
4. **Payment:** For the Services, reports or other items to be delivered hereunder, GMRI shall pay a fixed fee to the Grantee in the amount of **\$28,000.00**, payable within thirty (30) days of signing and submitting this Agreement and associated invoice.

Grantee will be solely and exclusively responsible for payment of any and all state, federal and international taxes, withholding, benefits payments or other payments related to Grantee's receipt of compensation and performance of Services under this Agreement.

5. **Invoices:** Invoices submitted by Grantee to GMRI will be rendered in accordance with the requirements herein and GMRI's procedural needs communicated in advance to the Grantee. Unless disputed by GMRI in good faith, all Fees will be payable within thirty (30) days of the date the applicable invoice is received, in accordance with GMRI's standard accounts payable policies for such.
6. **Relationship between the Parties:** Nothing in this Agreement shall constitute the naming of the Grantee as an agent or legal representative of GMRI for any purpose whatsoever except as specifically and to the extent set forth herein. This Agreement shall not be deemed to create any relationship of agency, partnership, or employment between the parties hereto, and Grantee shall make no such representation to anyone.
7. **Proprietary Rights.** Each party shall retain ownership of all right, title and interest in and to any Intellectual Property Rights it owned or had an interest in prior to the Effective Date of this Agreement, (collectively, "Pre-Existing IP"). Unless expressly stated herein, nothing in this Agreement shall be deemed to imply a transfer of ownership of any Pre-Existing IP. Notwithstanding any of the foregoing, GMRI may ask Grantee to provide illustrations, photographs, videos, recordings, information or other materials related to the project so that GMRI may fulfill its obligations to its prime funder, The National Science Foundation (NSF). Grantee agrees to provide GMRI with such items upon GMRI's reasonable request and hereby grants to GMRI and NSF a non-exclusive, royalty-free, and irrevocable license to use such materials in GMRI and NSF communications including websites, annual reports, newsletters, board materials, and other publications.
8. **Confidentiality.**
- (a) Confidential Information. "Confidential Information" means any information, whether written or unwritten, disclosed by either party in connection with or related to this Agreement or accessed by either party in connection with the project, including any information related to either party's activities or facilities; materials; research; financial and personnel data; as well as any oral communications with respect to the foregoing. The parties acknowledge and agree that information disclosed by Disclosing Party (as defined below) during the term of this Agreement will be Confidential Information: (i) if disclosed in tangible form, such information is labeled in writing as proprietary or confidential; (ii) if disclosed in oral or visual form, such information is identified as proprietary or confidential at the time of disclosure or within a reasonable period of time thereafter; or (iii) whether disclosed in tangible, oral or visual form, if a reasonable person should understand such information to be confidential or proprietary given the facts and circumstances relating to the disclosure. "Disclosing Party" means the party disclosing, delivering or otherwise making available its Confidential Information. "Receiving Party" means the party to whom the Disclosing Party's Confidential Information is disclosed, delivered or otherwise made available.
- (b) Obligations of Receiving Party. Receiving Party acknowledges the interest of Disclosing Party in maintaining the confidential nature of Confidential Information and Receiving Party agrees that it will not for any reason or at any time directly or indirectly, disclose or use any Confidential Information, except as required in connection with this Agreement or otherwise authorized in writing. Receiving Party will use at least the same degree of care in protecting and safeguarding the Confidential Information, which Receiving Party uses to safeguard its own proprietary information, but in no event using less than a reasonable standard of care. Receiving Party's obligations under this Section 8 will survive termination of this Agreement. Receiving Party will disclose Confidential Information only to those employees or agents of Receiving Party who need to know such Confidential Information in connection with this Agreement. Receiving Party and its employees or agents will not, directly or indirectly, disclose or disseminate to any third

party any Confidential Information. Prior to disclosing any Confidential Information to an employee or agent as permitted in this Section 8(b), Receiving Party shall inform the employee or agent of the confidential and propriety nature of the Confidential Information.

- (c) **Exceptions to Confidential Treatment.** Receiving Party's obligations with respect to Confidential Information hereunder will not apply to any information which Receiving Party can demonstrate with credible supporting evidence: (i) was in the public domain at or subsequent to the time it was disclosed by Disclosing Party through no fault of Disclosing Party; (ii) was rightfully in Receiving Party's possession free of any obligation of confidence at or subsequent to the time it was disclosed by Disclosing Party; (iii) was developed by employees or agents of Receiving Party independent of and without reference to any information communicated to Receiving Party by Disclosing Party; or (iv) was communicated by Disclosing Party to an unaffiliated third party free of any obligation of confidence.
 - (d) **Return of Confidential Information.** Confidential Information is and will remain the sole and exclusive property of Disclosing Party. Upon termination of this Agreement for any reason or request at any time, Receiving Party will (i) deliver promptly to Disclosing Party the original and all copies of Confidential Information; and (ii) destroy all notes and copies thereof made by Receiving Party containing any Confidential Information.
 - (e) **Security.** Receiving Party represents and warrants that it has established and shall maintain and comply with reasonably appropriate administrative, technical and physical safeguards designed to meet the following objectives: (1) protect the security and confidentiality of Confidential Information; (2) protect against any anticipated threats or hazards to the security or integrity of Confidential Information; and (3) protect against unauthorized access to or use of Confidential Information (collectively, such safeguards referred to as an "Information Security Program"). As part of its Information Security Program, Receiving Party shall take appropriate measures not to retain Confidential Information for longer than it needs such information to perform its obligations hereunder, and that it properly disposes of Confidential Information, whether such information is in paper, electronic or other form.
9. **Indemnification.** Grantee hereby irrevocably and unconditionally agrees, to the fullest extent permitted by law, to defend, indemnify and hold harmless GMRI, its officers, directors, trustees, employees and agents, from and against any and all claims, liabilities, losses and expenses (including reasonable attorneys' fees) directly, indirectly, wholly or partially arising from or in connection with any act or omission of Grantee, its employees or agents, in applying for or accepting the grant, in expending or applying the funds furnished pursuant to the grant or in carrying out the program or project to be funded or financed by the grant.
10. **Insurance.** Grantee shall have and maintain commercially reasonable insurance policies with coverage amounts sufficient to cover Grantee for losses that may arise in connection with this Agreement and its business generally. Such policies may include, general commercial liability, professional errors and omissions, umbrella or excess liability, technology errors and omissions, fidelity and computer crime, and motor vehicle coverage.
11. **Force Majeure/Cancellation.** Neither party shall be considered in default if unable to meet the responsibilities of this Agreement because of any Act of God, riots, epidemics, strikes, any act or order of public authority or any other legitimate cause beyond the control of either Party. If such acts of conditions occur, neither party is liable for any damages which the other party, its agents, or representatives might suffer.
12. **Debarment.** By acceptance of this Agreement, Grantee certifies that neither it, nor its principals, if any, is presently debarred, suspended, proposed for debarment, declared ineligible

or voluntarily excluded from participation in this transaction by any Federal department or agency.

13. **Sexual Harassment.** As per Federal Title VII and the Maine Human Rights Act, both GMRI and Grantee will maintain a zero-tolerance policy regarding sexual harassment by any individual. Violation of this policy by employees of GMRI Grantee is grounds for disciplinary action and termination of the Agreement with the Grantee.
14. **Governing Law.** This Agreement will be governed by and construed and interpreted in accordance with the laws of the State of Maine. Any controversy or claim arising out of or relating to this contract, or the breach thereof, shall be settled by arbitration administered by the American Arbitration Association in accordance with its Commercial Arbitration Rules, and judgment on the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof. The cost of arbitrator(s) shall be divided equally by the parties. The place of arbitration shall be Portland, Maine.
15. **Entire Agreement.** This Agreement sets forth the entire understanding between the parties related to the subject matter hereof and supersedes any previous understandings or agreements, written or oral, between Grantee and GMRI. This Agreement may be modified only an Amendment in writing and signed by both parties.
16. **Severability.** The provisions of this Agreement are deemed by the parties to be severable and the invalidity or unenforceability of any one or more of the provisions of this Agreement will not affect the validity or enforceability of any other provision.

17. Notices.

Communications concerning performance and payment will be directed to:

Troy Moon
City of Portland Sustainability Office
389 Congress Street
Portland, ME 04101
thm@portlandme.gov

Communications concerning contractual and administrative aspects of this Agreement will be directed to GMRI at the following address:

Lisa Janicki
Gulf of Maine Research Institute
350 Commercial Street.
Portland, ME 04101
(207) 772-2321

ljanicki@gmri.org

Communications concerning performance of this Agreement will be directed to GMRI's Program Manager at the following address:

Gayle Bowness
Gulf of Maine Research Institute
350 Commercial Street.
Portland, ME 04101
(207) 228-1647

gbowness@gmri.org

The parties to this Agreement signify their acceptance through signature below.

Gulf of Maine Research Institute

City of Portland Sustainability Office

(Signature and Date)

Name and Title:

Lisa Janicki

Director, Sponsored Projects Office

(Signature and Date)

Name and Title:

Troy Moon

Sustainability Director

Exhibit A – Statement of Work

NSF CIVIC Community Grant

Community Resilience Education Project

Goal: To build community knowledge about resilience by inviting people to use their smartphones to visit an interactive website with information about resilience topics.

Methodology: The project proposes to install small but eye-catching signs at strategic locations around the city of Portland, ME that relate to community resilience. Each sign will have a QR code or shortened URL that will load a mobile-friendly website with information about how that location or piece of civic infrastructure related to community resilience. Examples include:

- Install several signs dispersed in areas at risk of inundation due to sea level rise or storm surge. The link on the sign would provide a brief summary of information about coastal flooding with links to follow for more information.
- Install signs near coastal features such as sea walls, marshes, beaches, etc. The link would provide a brief explanation of how they enhance resilience with linked to follow for more information.
- Install signs near storm water infrastructure. The link would provide information about how it manages stormwater to reduce flooding. Additional links could provide additional information about the risks of more intense storms due to climate change.
- Install signs a public splash pads. The link of the sign would provide brief information about how splash pads increase resilience by providing options for people to cool off on hot days. Interested visitors could follow links for more information about heat.
- Install signs along trails. The link on the signs would provide information about how trails increase resilience by connecting communities and providing alternatives to road networks that may be disrupted during and after storms or disasters.

A master web page of all locations would allow people to do a “virtual tour” of all of the locations and dive deeply into the content connected to all of the signs. This would demonstrate the interconnectedness of all of the elements and show how community resilience depends on developing capacity throughout the community, not just along the coastal edges. The project can evolve over time by adding new or additional signs and information on the main website. We could potentially upgrade it to allow members of the public to add comments and suggestions.

Scope of Work:

- Engage members of the City’s Resilience Working Group to identify topics and locations of signs.
- Hire a graphic artist to create eye-catching designs for the signs.
- Draft text for each sign
- Draft content for the larger website (ARCGIS Storymaps?)
- Create the signs
- Install signs
- Hold press conference to announce the project and invite community participation

Reporting:

- April 2025: Provide GMRI with a one-page update on the project.
- September 2025: Provide GMRI with a one-page update on the project
- December 31, 2025 Provide GMRI with a final report of project progress.

- How did this project meet its intended goals?
 - How is this work supporting community climate resilience?
 - What challenges came up during this project?
 - What opportunities or new ideas did this project spark?
- Share with GMRI any events and press/media related to the project.

Exhibit B – Payment & Deliverable Schedule

For the deliverables, presentations or other items to be delivered under the Statement of Work, GMRI shall pay a fixed fee to Grantee in the amount of **\$28,000.00** payable as follows:

- **\$28,000** within thirty (30) days of signing and submitting this Agreement and associated invoice

MEMORANDUM
City Council Agenda Item

FROM:

DATE: April 24, 2025

SUBJECT: Order 175-24/25 Approving the Collective Bargaining Agreement between The City of Portland and Portland Police Superior Officers Association, Fraternal Order of Police Lodge ME 109 - Sponsored by Danielle P. West, City Manager

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

Can action be taken at a later date: No If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City:

PRESENTATION: Please list the presenter(s), type, and length of presentation

I. SUMMARY

II. AGENDA DESCRIPTION

This item approves a negotiated successor collective bargaining agreement between the City of Portland and the Portland Police Superior Officers Association, Fraternal Order of Police Lodge ME 109, for the period of January 1, 2025, through December 31, 2027. This proposal is presented after previously receiving guidance from the City Council executive sessions held on January 13 and March 31, 2025, and after having been approved by the Portland Police Superior Officers Association.

This item must be read on two separate days. It received its first reading on April 28. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is \$50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. Order - SOA Collective Bargaining
2. PSOBA 2025-2027 Redline
3. Portland Superior Officers MOA 2025-2027
4. SOA Fiscal Impact Note - Fiscal Impact Note
5. 2025.05.05 Public Comment - Order 175

Prepared by:

Date: 04/24/2025

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL D. FOURNIER (A/L)
BENJAMIN GRANT (A/L)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

SARAH MICHNIEWICZ (1)
WESLEY PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**ORDER APPROVING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN
THE CITY OF PORTLAND AND PORTLAND POLICE SUPERIOR OFFICERS
ASSOCIATION, FRATERNAL ORDER OF POLICE LODGE ME 109**

ORDERED, that the Collective Bargaining Agreement between the City of Portland and Portland Police Superior Officers Association, Fraternal Order of Police Lodge ME 109 for the period of January 1, 2025 through December 31, 2027 is hereby approved substantially in the form attached hereto; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the City Manager or designee to execute said Agreement and any other related documents necessary or convenient to carry out the intent of said Agreement.

AGREEMENT
BETWEEN
THE CITY OF PORTLAND, MAINE
AND
PORTLAND POLICE SUPERIOR OFFICERS ASSOCIATION
Fraternal Order of Police Lodge ME 109

January 1, 20254 - December 31, 20274

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AGREEMENT

This AGREEMENT made and entered into this ___th day of ~~February-May~~ 202~~54~~, by and between the CITY OF PORTLAND, hereinafter referred to as the "City", and the PORTLAND POLICE SUPERIOR OFFICERS ASSOCIATION, Fraternal Order of Police Lodge ME 109 hereinafter referred to as the "Association".

1. **PREAMBLE:**

- 1.1 Pursuant to the provisions of the Municipal Public Employees Labor Relations Law, (Chapter 9-A, Title 26, MRSA), the parties have entered into this Agreement with the goal of establishing mutual rights, preserving proper employee morale, and promoting effective municipal operations.

2. **RECOGNITION:**

- 2.1 The City hereby recognizes that the Association is the sole and exclusive bargaining representative of all permanent, full time Police Officers in the Portland Police Department below the rank of Major and above the rank of Patrol Officer, thereby including all of the permanent, full time Sergeants and Lieutenants.

3. **NO DISCRIMINATION BY PARTIES:**

- 3.1 Employees covered by this Agreement shall have the right to join the Association or to refrain from joining the Association. No employee shall be favored or discriminated against by either the City or the Association because of ~~his-their~~ membership or non-membership in the Association.
- 3.2 The City, ~~the Association~~, and unit members in their capacity as City employees agree that, pursuant to applicable Federal and State laws and City ordinance, they will not unlawfully discriminate against any employee because of ~~any protected group status as defined by applicable local, state, or federal law race, color, religion, sex, sexual orientation, national origin, age or physical or mental disability.~~

4. **SALARIES:**

4.1 Base Wages; Longevity:

- 4.1.1 Effective July ~~67~~, 202~~54~~ employees will receive a general wage increase of ~~84%~~. ~~Effective July 5, 2026, employees will receive a general wage increase of 5%. Effective July 4, 2027, employees will receive a general wage increase of 5%.~~ These wage increases are reflected in the pay plan attached as Appendix A.

4.1.2 The City shall continue its practice of Friday as the payday.

4.1.3 Effective upon the signing of this agreement and upon implementation of kiosks with printers available to the employees, the City shall implement a paperless pay stub system. Also effective upon the signing and as soon as the re-loadable debit cards are available, all current and newly hired employees will have mandatory direct deposit for all monies owed by the City. If an employee opts for the re-loadable debit card, the debit card will be supplied and replaced at no cost to the employees.

4.2 Higher Pay

Sergeants who are assigned temporarily to the position of patrol shift commander, when there is no Lieutenant assigned as Patrol Shift Commander, shall be paid the percentage difference between the minimum rate of pay between the sergeant and lieutenant wage rates in addition to their regular base hourly rate for all hours worked in the higher assignment, provided that the duration of the assignment comprises one-half of the total shift or more. Administrative differential will be added to this higher rate and they will be expected to perform any administrative work related to the higher-class assignment that is required.

If the Operational Lieutenant is not on duty, the Sergeant permanently assigned to the Traffic Division shall be paid the percentage difference between the minimum rate of pay between the sergeant and lieutenant wage rates in addition to their regular base hourly rate for all hours worked in the higher assignment, provided that the duration of the assignment comprises one-half of the total shift or more.

If there is no Lieutenant assigned as the A-1 team Patrol Shift Commander, the Sergeant permanently assigned to the JetPort shall be paid the percentage difference between the minimum rate of pay between the sergeant and lieutenant wage rates in addition to their regular base hourly rate for all hours worked in the higher assignment, provided that the duration of the assignment comprises one-half of the total shift or more.

If the Criminal Investigations Division Lieutenant is not on duty, a Sergeant permanently assigned to the Criminal Investigations Division shall be paid the percentage difference between the minimum rate of pay between the sergeant and lieutenant wage rates in addition to their regular base hourly rate for all hours worked in the higher assignment, provided that the duration of the assignment comprises one-half of the total shift or more.

If the Community Affairs Lieutenant is not on duty, a Sergeant permanently assigned to the Community Affairs Division shall be paid the percentage difference between the minimum rate of pay between the sergeant and lieutenant wage rates in addition to their regular base hourly rate for all hours worked in the higher assignment, provided that the duration of the assignment comprises one-half of the total shift or more.

In each occurrence enumerated in this section, administrative differential will be added to this higher rate and the assigned Sergeant will be expected to perform any administrative work related to the higher class assignment that is required.

4.3 Differential

4.3.1 Superior Officers assigned to one of the following specialties shall receive pay for their appropriate salary plus a specialty differential of \$3.00 per hour~~40.00 per week~~:

- Lieutenant – Community Policing
- Lieutenant – CID
- Lieutenant – Internal Affairs
- Lieutenant – Operational
- Lieutenant - JetPort
- Sergeant - CID
- Sergeant - CRU
- Sergeant – JetPort
- Sergeant - Internal Affairs
- Sergeant – Training
- Sergeant – Community Policing
- Sergeant - Traffic

4.3.2 Superior Officers possessing one of the following part-time specialty positions shall receive pay for their appropriate salary plus a specialty differential of \$1.50 per hour~~40.00 per week~~; Superior Officers assigned as Team Commanders shall receive a specialty differential of \$3.00 per hour~~60.00 per week~~.

- Field Force
- Supervisor – Canine Unit
- Supervisor – Animal Control
- Accident Re-constructionist
- Hostage Negotiator
- Special Reaction Team
- MCJA Certified Firearms Instructor

Dive Team
Hazardous Devices Unit
HazMat Technician
Portland Regional Command Vehicle Team Supervisor

4.3.3 Specialists on the Special Reaction Team, Hostage Negotiation Team and the Hazardous Devices Unit will receive specialty pay upon completion of their required training or certification as designated by the Chief of Police.

4.3.4 Superior Officers ~~may be compensated for up to one (1) selected to a full-time specialty~~ ~~may hold and be compensated for up to one two (21) additional~~ part-time specialties as listed above up to a maximum of \$6.00 per hour.

4.3.5 Superior Officers with an up-to-date Emergency Medical Technician certification shall receive a stipend of \$15.00 per week.

4.4 Step Movement

4.4.1 Employees will be eligible for a longevity step increase on their anniversary date of their appointment in current position in accordance with the pay plan.

4.4.2 In the event that an officer is promoted to another unit position, then such employee will be paid at the minimum rate of the range for ~~his/her~~their new position or shall receive a 5% increase, whichever is greater. The 5% increase shall be calculated on the employee's base rate plus specialty pay.

4.4.3 In the event that a Patrol Officer is promoted to Sergeant during the term of this Agreement, such employee will be paid at Step A of the Sergeant pay rate or will be paid at the step in that pay range which guarantees at least a 5% increase, whichever is greater. The 5% increase shall be calculated on the employee's base rate plus specialty pay.

4.5 Education Incentive Stipend

4.5.1 The City shall pay to eligible employees an hourly educational stipend to be included in the employee's regular rate of pay based upon educational level attained above high school. The hourly stipend is based on a forty (40) hour work week, as follows:

Associate's degree: ~~\$1.00.34~~/hour
~~4 Year~~Bachelor's degree: ~~\$2.50.46~~/hour
Master's degree: ~~\$5.00.58~~/hour

4.6 Critical Incident Administrative Leave Pay

When supervisory officers involved in a critical incident, such as a use of deadly force or motor vehicle accident involving death or serious injury, on or off duty, while operating under the color of the law, are put on administrative leave, the City will pay them their average salary to include overtime earned during the previous fifty-two (52) weeks.

4.7 Shift Differential

All employees covered by this agreement whose regular assignment is to a ~~shift which is not a "day shift" shall receive a shift differential as follows: for which the majority of the hours fall after 6:00 PM shall receive a shift differential of fifty cents (\$.50) per hour for the entire shift. Employees whose regular shift assignment is to a shift for which the majority of hours fall after 11:00 PM shall receive a shift differential of sixty-five cents (\$.65) per hour for the entire shift. Also, forty cents (\$.40) per hour for employees whose majority of work hours fall between 1:00 PM and 9:00 PM.~~

Start time between 1:00 PM and 2:59 PM, shift differential of fifty cents (\$0.50) per hour for the entire shift.

Start time between 3:00 PM and 5:59 PM, shift differential of one dollar (\$1.00) per hour for the entire shift.

Start time between 6:00 PM and 11:59 PM, shift differential of two dollars (\$2.00) per hour for the entire shift.

5. **HOURS AND OVERTIME:**

5.1 Regular Hours; Overtime

5.1.1 During the term of this Agreement, the regular work week and regular work day shall be forty (40) hours and eight (8) or ten (10) hours respectively.

5.1.1.1 This section is intended to provide a basis for calculation of any payment of overtime. The total hourly rate shall include all stipends and differentials paid hereunder, unless excluded under the Fair Labor Standards Act.

5.1.2 The regular work schedule as described above may be changed to a modified work schedule for any member of the Department when, if in the opinion of the Chief, and with the concurrence of the City Manager, such a modified work schedule would be beneficial to the City. The modified work schedule shall consist of consecutive work hours within shifts. In no case will there be more than five work shifts in any 7-day period. In the event

of the adoption of a modified work schedule, all hours worked by any employee in excess of forty hours per week or in excess of the modified shift shall be paid at the rate of one and one-half (1-1/2) times the total hourly rate.

5.1.3 The forty (40) hour work week shall not be shortened whether on a regular or modified schedule; provided, however, that this provision shall not be construed as restricting, limiting or qualifying in any manner the right of the City to lay off members or reduce the work force in the Police Department in accordance with the seniority provisions.

5.1.4 All hours worked in excess of forty (40) hours per week or eight (8) or ten (10) hours per day shall be paid at the rate of one and one-half (1-1/2) times their total hourly rate. For the purpose of this section, "hours worked" shall mean only one of the following:

5.1.4.1 Hours actually worked and paid for with City of Portland Police Department funds.

5.1.4.2 Hours compensated for by holiday base pay.

5.1.4.3 Hours compensated for by vacation pay.

5.1.4.4 Hours compensated for by bereavement leave pay.

5.1.4.5 Hours compensated for by jury pay.

5.1.4.6 Hours compensated for by compensatory time off.

5.1.4.7 Hours compensated for by Earned Paid Leave (EPL).

5.1.4.8 Hours compensated for by non-disciplinary paid administrative leave.

5.1.5 For the purpose of this section, "hours worked" shall not include:

5.1.5.1 Hours compensated for by sick pay.

5.1.5.2 Hours compensated for on so-called "non- City doubles" or special details.

5.1.5.3 Hours compensated for by reserve service leave or military leave.

5.1.5.4 Hours compensated for injury pay.

5.1.5.5 Hours compensated for by Workers' Compensation pay.

5.1.5.6 Hours compensated for by personal leave pay.

5.1.5.7 Hours compensated for by disciplinary paid administrative leave.

5.2 Witness Pay:

5.2.1 Any employee required, during ~~his~~their otherwise off-duty time, to appear at the Maine District, Superior, or U. S. District Courts; Grand Jury; Liquor

Commission hearings, or Secretary of State hearings to be a witness in any matter arising out of the performance of duty shall receive a minimum of four (4) hours pay at one and one-half (1-1/2) times their total hourly rate or may receive one and one-half (1-1/2) times their total hourly rate, whichever is greater, but not both. The increase in court pay will become effective on the first full pay week after execution of the contract.

5.2.2 In the case of Civil Service Commission hearings only, any employee required, during ~~their~~his otherwise off-duty time, to attend said hearings as a witness in any matter arising out of the performance of duty shall be compensated only for hours spent testifying as a witness computed to the nearest half-hour, at a rate of one and one-half (1-1/2) times ~~their~~his total hourly rate, plus up to a maximum of one (1) hour at ~~their~~his straight time rate for time spent prior to testifying.

5.2.3 The employee shall turn over to the City all witness fees or other payments paid directly from the Maine District, Superior, or U. S. District Courts; Grand Jury; Liquor Commission hearings; Secretary of State hearings; and Civil Service Commission hearings as or because of the employee being a witness and for which time ~~the employee~~he was compensated by the City pursuant to this section.

5.3 Special Details:

5.3.1 For purposes of this article, special details are defined as those assignments with respect to which the Department is reimbursed by non-City ~~or non-School Department~~ recipients of Police Department ~~services or by the School Department or by the Department of Public Works~~. Except as provided in 5.3.2 below, employees shall receive a minimum of six (6) hours pay at the top Lieutenant's pay plus 25% or 1-1/2 times the top Lieutenant's pay plus 25%; times the number of hours worked, whichever is greater, but not both.

5.3.2 Employees assigned to non-City or non-school strike sites shall receive a minimum of eight (8) hours pay at the top Lieutenant's pay plus 25% or two (2) times the top Lieutenant's pay plus 25%; times the number of hours worked, whichever is greater, but not both.

5.3.3 Officers assigned to special detail assignments as outlined in Sections 5.3.1 and 5.3.2 shall receive four (4) hours of pay at a rate of the top Lieutenant's pay plus 25% for cancellations with less than four (4) hours advance notice.

5.4 Call Back Pay:

5.4.1 Employees called back to work outside their normal work day to perform law enforcement duties shall receive a minimum of four hours pay for the work for which they are called back, or may receive one and one-half (1-1/2) times their total hourly rate under the above provisions, whichever is greater, but not both. The total hourly rate shall include all stipends and differentials paid hereunder, unless excluded under the Fair Labor Standards Act. Except as provided in 5.4.1.1, this provision does not apply to call-ins or holdovers that result in an employee working in excess of eight (8) consecutive hours or to scheduled overtime.

5.4.1.1. Employees who are called on New Year's Eve and July 4th, to report early for their shift on that day, will receive the call-back pay provided in 5.4.1 above.

5.5 Administrative Differential in Lieu of Overtime Pay:

5.5.1 In addition to the pay for their appropriate salary bracket, the Superior Officers noted below will receive an administrative differential ~~per week~~ as compensation for the performance of their administrative responsibilities. Such differential shall compensate in full for any overtime hours worked by such Officers in performing all administrative responsibilities. The definition of administrative responsibilities shall not include the attendance of meetings scheduled outside of the individual's regular work day.

5.5.2 The following administrative differential shall be paid ~~effective December 28, 2014:~~

Sergeants - ~~\$80.00 per week~~ 2.00/hour

Lieutenants - ~~\$90.00 per week~~ 2.25/hour

CID/Operations/Professional Standards Lieutenant - ~~\$100.00 per week~~ 2.50/hour

5.6 ~~Scheduling of Overtime Assignments~~

~~5.6.1 Three (3) overtime shifts per week will be scheduled on Monday, Wednesday, and Friday for the purpose of scheduling upcoming special details and other overtime assignments. These jobs will be paid at a four (4) hour minimum at one and one-half (1-1/2) times their hourly rate or one and one-half (1-1/2) their hourly rate times the number of hours worked, whichever is greater, but not both.~~

~~5.6.2 The costs associated with this program will be factored into administrative fees charged to all non-City vendors. If the number of special details~~

~~decreases significantly at any time during the term of this contract, the City reserves the right to renegotiate or terminate this program. If the City determines it is necessary to terminate this program, Department representatives will meet with the Union to discuss their concerns prior to terminating the program.~~

5.67 Overtime Board

A departmental Overtime Board comprised of the Major of Operations, or their designee, and the Presidents of both PBA and PSOBA, or their designees, will meet on an as-needed basis to discuss overtime issues raised by PBA and/or PSOBA bargaining unit members. Issues will be related primarily to overtime scheduling concerns but the Board will also have the authority to recommend new or revised procedures providing such procedures are not in violation of departmental SOP's and to implement such recommendations upon a unanimous vote of the Board. PBA and PSOBA bargaining unit members will be required to present their concern/issue to this Board prior to initiating a grievance regarding that same issue.

5.78 Work Schedule Re-opener

The parties agree to reopen the contract to amend contract provisions impacted by a work schedule change agreed upon by the Association, the Police Chief and the City Manager.

6. **HOLIDAYS:**

6.1 The following shall be holidays for all employees covered by this Agreement, for the duration of said Agreement:

- | | |
|----------------------------------|---|
| 1. New Year's Day | 7. Labor Day |
| 2. Martin Luther King's Birthday | 8. Indigenous People's Day |
| 3. Washington's Birthday | 9. Veteran's Day |
| 4. Patriot's Day | 10. Thanksgiving Day |
| 5. Memorial Day | 11. Christmas Day |
| 6. Independence Day | 12. Floating Holiday |
| | 13. Juneteenth (June 19 th) |

6.2 In the event an employee ~~is assigned to work~~s on one of said observed holidays, the ~~employee shall be entitled to a holiday credit plus one and one-half (1 ½) times their base hourly rate for all regularly scheduled hours worked~~Chief shall grant him a compensatory day off or allow the employee to cash in the holiday for eight hours of holiday pay. Employees who are not assigned to work on one of the said holidays will receive a holiday credit. In no instance shall more than five

~~(5) holiday credits 40 (five 8's) or 50 (five 10's) hours of holiday time respectively be carried into the next calendar year. Employees may cash in any holidays they would lose because of the five day carry-over requirement. Holiday time earned will be ten (10) hours for all shifts unless the employee works an eight (8) hour shift. Holiday cash outs per year are capped at 130 hours for all shifts.~~

- 6.3 If an observed holiday occurs during the work week in which an employee is actually on scheduled vacation, the employee shall not be charged a vacation day for the day of the observed holiday. In such a case, however, the employee may, at ~~his/her~~their option, charge the observed holiday as a day of vacation leave and receive a holiday credit if such employee has sufficient accrued vacation leave prior to such observed holiday to so charge it.
- 6.4 In no event shall an employee be permitted to charge an observed holiday as a day of sick leave.
- 6.5 If employees wish to use a personal leave day on any of the holidays outlined in Article 6.1, or on Christmas Eve or New Year's Eve, they must submit a written request at least one (1) week in advance. Personal leave may be used on these days if management approves the request.
- 6.6 ~~The City will comply with MainePERS laws and regulations regarding pension contribution deductions from holiday payments. Members who cash in holidays after the week in which they occur will not have pension contributions deducted from these holiday payments. Holidays cashed in after the week in which they occur will be pensioned if and only if holiday hours when combined with other hours paid that week total less than or equal to forty (40) hours. Members who elect to take payment for these holidays in the week the holiday occurs will have pension contributions deducted from these holiday payments. Floating holidays when cashed in will be considered to be taken during the week in which they occur and will be pensioned as long as they are not carried into the next calendar year.~~

7. VACATIONS:

- 7.1 Vacation leave shall be earned by permanent employees at the rate of .77 hours per full payroll week in the first through the second years of service; 1.54 hours per full payroll week in the third through the sixth years of service; 2.31 hours per full payroll week in the seventh through the nineteenth years of service and 3.08 hours per full payroll week in the twentieth and each succeeding year of service. For purposes of this Article, year of service is defined as consecutive City service.
- 7.2 Vacation leave earnings shall be credited and posted on a weekly basis. ~~The weekly earnings rate shall be adjusted in the final week of the calendar year in accordance with annual accrual amounts of 40 hours, 80 hours, 120 hours and~~

~~160 hours.~~

- 7.3 Employees may accrue vacation leave from year to year up to a maximum accrual of 320 hours. Employees will be paid for all accrued vacation leave upon separation, but in no case shall such payment be for more than the maximum accrual of 320 hours.
- 7.4 Vacations shall be scheduled according to the present practice. Requests to use vacation, holiday, or compensatory time for a full shift or longer must be submitted at least fourteen (14) calendar days in advance. All vacations, regardless of duration, must have the approval of the Chief of Police or ~~their~~^{his} designee as to scheduling.
- 7.5 Employees will be allowed to "cash out" one (1) week of vacation (maximum of 40 hours) and one (1) week of accrued comp time (maximum 40 hours) per calendar year. In order to be eligible for vacation "cash out" an employee must earn a minimum of two (2) weeks' vacation per year.
- 7.6 Earn Paid Leave
- 7.6.1 ~~Upon execution of this Agreement and p~~Pursuant to 26 M.R.S. Sec. 637, employees will accrue one (1) hour of Earned Paid Leave (EPL) for every forty (40) hours worked and shall be subject to the City's personnel policies regarding EPL. EPL shall be credited and posted on a weekly basis.
- 7.6.2 Employees may accumulate up to a maximum of forty (40) hours of EPL in a calendar year. Unused EPL hours will roll over from one calendar year to the next, but employees will not be awarded more than 40 hours in a calendar year, including hours that are rolled over.
- 7.6.3 EPL may be used for 1) an emergency, illness, or sudden necessity; or 2) any reason other than emergency, illness, or sudden necessity, including vacation or personal time. Where EPL is taken for an emergency, illness, or sudden necessity, the employee must make a good faith effort to provide as much notice as is feasible under the circumstances, and in accordance with the Department's regular procedures. Where EPL is taken for any reason other than emergency, illness, or sudden necessity, an employee must request to take EPL in accordance with the Department's regular procedures as outlined in article 7.4.
- 7.6.4 Employees shall be compensated for all accumulated vacation leave and EPL at the time of separation with a combined maximum payout of 320 hours. Any accrued EPL over this amount is forfeited at the time of termination of employment.

7.6.5 If at any time Maine's EPL law is rescinded, employees shall not earn any additional EPL and vacation leave accrual rates will be restored as follows: 1.54 hours per week in the first through the second year of service; 2.31 hours per week in the third through sixth year of service; 3.08 hours per week in the seventh through nineteenth year of service; and 3.85 hours in the twentieth and each succeeding year of service.

8. CLOTHING ALLOWANCE:

8.1 The City agrees to pay 100% of the cost of normal acquisition and replacement of uniforms and accouterments, including ties, gun belts, tie clasp, and stockings.

8.2 The City agrees to pay 100% of the cost of one (1) complete set of uniforms and accouterments including tie, gun belt, tie clasp and stockings for each Superior Officer who is not otherwise issued uniforms, and the City agrees that each such Superior Officer will be permitted to work extra jobs, outside work and overtime in such uniforms on the same basis as any normally uniformed Superior Officer.

8.2.1 All supervisors will be permitted to purchase allowable apparel and equipment on Appendix C. Officers will be reimbursed for such items up to a maximum of ~~\$250-500~~ per fiscal year. The Officer's original receipts detailing their purchases must be submitted to the Police Department's Finance Department by the close of business on June 20th of each year.

8.3 Notwithstanding the above, the City agrees to pay 100% of the cost of repairing or replacing required uniforms or equipment, as well as eyeglasses, dentures or hearing aids, damaged lost or destroyed in the performance of "extra-hazardous" duties. The City further agrees to pay up to ~~one-two~~ hundred dollars (~~\$2100.00~~) for repair or replacement of other personal items worn or carried by the officer, and damaged or destroyed in the performance of "extra-hazardous" duties, except that the maximum reimbursement for footwear will be ~~\$2100.00~~. The Bureau Commander or designee determines whether the damage occurred during the performance of extra-hazardous duty and, if so, whether repair or replacement is appropriate.

8.4 The City agrees to pay 100% of the cost of repair or replacement of civilian clothing and accouterments worn by plainclothes officers when such clothing has been damaged or destroyed in the performance of duty except as provided below in Article 8.5.

8.5 The CID Sergeant(s) and Lieutenants(s), the Internal Affairs Sergeants(s) and Lieutenant(s), and the Training Sergeant will be reimbursed by the City for purchase of articles of clothing that are reasonably necessary for the performance

of their duties up to a maximum of \$1,~~20~~00 per year. This maximum applies to purchase, maintenance and replacement of civilian clothing.

- 8.6 The CRU Sergeant will be reimbursed by the City for the purchase of articles of clothing that are reasonably necessary for the performance of their duties up to a maximum of \$~~1,2~~500.00 per year. This maximum applies to the purchase, maintenance and replacement of civilian clothing.

8.7 Members of the SRT and Bomb Team will be reimbursed by the City for the purchase of approved equipment and clothing that is necessary for the safe and effective performance of their specialty duties, up to a maximum of \$250.00 per specialty.

9. INSURANCE:

9.1 Life Insurance:

9.1.1 The City shall pay the full cost of premiums of the Maine Public Employees Retirement System Group Life Insurance Plan for each employee at the maximum level permitted at the basic level of said insurance program. Those employees electing the MainePERS supplemental Life Insurance coverage shall pay the full cost for such coverage. Employees will continue to pay the cost of dependent life insurance premiums. The City reserves the right to obtain benefits equal to or better than the basic Maine Public Employees Retirement System Group Life Insurance Plan from an alternative source and to offer said alternative plan on the same terms as above during the life of this Agreement.

9.1.2 The City agrees to continue life insurance deductions on a pre-tax basis as provided by the Internal Revenue Service.

9.2 Medical Insurance

9.2.1 The City provides a primary self-insured health insurance benefits program with claims administration by a third party administrator. ~~Effective January 1, 2005 changes to the City's Point-of-Service health benefit plan were implemented following mid-term reopener negotiations. Effective no sooner than January 1, 2016, c~~Changes to the City's health plan will be implemented incorporating the principles of a value-based insurance design. ~~The PSOPA Union President and Executive Director are members of this Committee.~~

9.2.1.1 The City's health plan shall include a four hundred dollar (\$400) deductible for the single plan and eight hundred dollar (\$800)

deductible for the family plan per year.

9.2.1.2 The City has agreed to establish a reserve account of one hundred fifty thousand dollars (\$150,000) to be used as outlined by the Health Insurance Advisory Committee.

~~9.2.2 For employees who were hired prior to January 1, 1985, the City will pay the full cost of the medical insurance premium for an individual or family subscription as appropriate per employee as outlined in subsection 9.2.4 below.~~

~~9.2.23 For employees who are hired on or after January 1, 1985, the City will pay the full cost of the medical insurance premium for an individual subscription per employee and in the case of an employee eligible for and electing family coverage, for one-half (1/2) of the difference between the individual subscription rate and the family subscription rate. Employees are responsible for the full payment of the +19 premium. Effective January 1, 2005, there will be no separate +19 premium and the City will pay fifty-three percent (53%) of the difference between the cost of the individual subscription for any employee who is eligible for and who elects to have said family insurance. Effective no sooner than January 2016, t~~The City will pay 85% of the medical insurance premium for an individual subscription per employee. Annually, the employee will have the opportunity to earn up to a 15% premium credit by meeting the five (5) requirements of the City's wellness program. The City will pay fifty-three percent (53%) of the difference between the cost of the individual subscription for any employee who is eligible for and who elects to have family medical insurance coverage.

~~9.2.34 The City will pay, or share in the payment of, whichever is applicable, only the subscription level to which an employee is entitled by virtue of the number of people he/she~~the employee ~~may insure. However, employees who are members of the same family and eligible for coverage by more than one family subscription will be entitled to full or part payment, as applicable, from the City for no more than one family subscription, with other family members entitled only to individual subscriptions, except employees receiving double family coverage prior to September 26, 1983 shall continue to do so.~~ Said subscriptions shall be on the same terms and conditions as specified in subsections 9.2.1 – 9.2.23 above.

~~9.2.45~~ The City reserves the right to obtain from another source health benefits and claims service. The City will provide the Union with thirty (30) days prior notice of any change in insurance provider, and the Union shall have ten (10) days thereafter within which to comment on such change.

9.2.~~56~~ Except as provided in 9.2.~~78~~.1 below, the City agrees to continue health care and dependent care benefit deductions on a pre-tax basis as provided by the Internal Revenue Service. The City further agrees to continue offering to employees the annual election of pre-tax health care flexible spending accounts on a voluntary basis.

9.2.~~67~~ Reopener: Notwithstanding any provision of this Agreement, either party may reopen this health insurance article during the term of the agreement. Should the City elect to reopen the Health Insurance article the Association reserves the right to reopen the Salaries article; the Salaries article shall only be reopened if the City reopens the Health Insurance article and results in any increased cost to employees. Any subsequent negotiations shall be conducted in accordance with the most recently executed ground rules. The Union agrees to implement any changes required by federal and/or state statute without negotiation.

9.2.~~67~~.1 The Association agrees to participate in coalition bargaining with other City unions concerning health insurance when requested to do so by the City. The PSOBA Union President and Executive Director are members of this Health Insurance Advisory Committee.

9.2.~~78~~ For the purposes of this article, "family" is defined as spouse or domestic partner, and dependents. To enroll a domestic partner on the City's health insurance plan, the employee must satisfy the City's eligibility requirements for claiming an individual as a domestic partner.

9.2.~~78~~.1 The portion of the employee's health insurance contribution for domestic partner coverage as outlined in 9.2.~~23~~ above will be taken on a post-tax basis as provided by the Internal Revenue Service.

9.2.~~78~~.2 The City's contribution to the premium cost for domestic partner coverage and coverage of dependents of the domestic partner will be reported as imputed income at year end, in accordance with Internal Revenue Service regulations, and will be calculated into the employee's gross earnings as taxable wages.

9.3. Income Protection and Dental Insurance Deductions

9.3.1 The City agrees to provide an income protection plan of its own choosing for employees and to permit employees to participate in such program at

their own cost and through payroll deductions. The City reserves the right to modify its income protection plan at any time.

- 9.3.2 Employees may participate in any dental insurance plan which may be made available to employees at their own cost and through payroll deductions. Employees may enroll a spouse and dependent children on the plan; ~~effective July 1, 1999~~ employees may enroll a domestic partner on the City's dental insurance plan providing the employee satisfies the City's eligibility requirements for claiming an individual as a domestic partner. In no case shall the City be required to make a dental insurance plan available to employees.

10. PENSIONS:

- 10.1 Permanent employees may participate in the appropriate Maine Public Employees Retirement System (MainePERS) defined benefit plan or the ~~ICMA~~ 401(a) defined contribution plan for their primary pension plan. The options are outlined below:

10.1.1 The City shall continue to provide to all employees employed as police officers ~~after April 17, 1980~~, a retirement benefit through the Maine Public Employees Retirement System, pursuant to the Consolidated Plan, Rule 94-411 Chapter 803, Sec. 8, Subsection 5 (Special Benefit Plan 3C), of two-thirds of the average final compensation after twenty-five (25) years of creditable service regardless of age. The 3C plan shall be effective on January 2, 2022.

10.1.2 The City currently offers an ~~ICMA~~ 401(a) defined contribution qualified pension plan to new hires and current employees as an alternative to participation in the Maine Public Employees Retirement System defined benefit plan. Each participant has a plan account to which employee and employer contributions are made. Plan benefits are based on the total amount of money in the participant's account at retirement or eligible event. ~~Maine Revised statutes Title 5, Section 18252-B sets forth the employee and employer contribution rates. Effective January 2, 2022, the City's contribution to the 401a for any member covered under this agreement shall be the amount set in 5 M.R.S.A. Sec. 18252-B plus 2.5%. The City's contribution to the plan shall be 10% and the employee's contribution shall be 7.8%.~~

10.1.3 ~~Effective July 12, 2010, t~~Transfers between the Maine Public Employees Retirement System (MainePERS) and the ~~ICMA~~ 401(a)

defined contribution qualified pension plan ~~are no longer permitted, and an employee's decision to join either plan is irrevocable for all periods of employment with the same employer as per~~ may only be made in compliance with MainePERS rules and laws.

10.1.~~45~~ The MainePERS Board of Trustees may establish by rule, the rate at which members (employees) who participate in the Consolidated Plan contribute to that plan.

10.2 The City shall continue to make available to all eligible employees enrolled in MainePERS for their primary pension plan the additional benefit of the so-called "two percent option" pursuant to the Consolidated Plan, Rule 94-411 Chapter 803, Sec. 8, Subsection 10 to the extent this option continues to be provided in the Maine Public Employees Retirement System Laws and the Consolidated Plan. Such option shall be prospective only, beginning on April 17, 1980. ~~Said option shall be applied only to each year of MainePERS membership service in the Department served after completion of the age and service conditions for retirement and after April 17, 1980.~~

~~10.3 The City agrees to provide a listing of all options and benefits which are available to retiring employees.~~

10.~~34~~ The City offers a 457 plan ~~through ICMA~~. Participation in this plan is voluntary and is in addition to participation in a primary pension plan as outlined in 10.1.

10.~~45~~ The City agrees to continue pension deductions on a pre-tax basis as provided by the Internal Revenue Service.

10.~~56~~ The parties mutually agree to the terms of a Retiree Health Savings Account (RHSA) as outlined in Exhibit E.

11. SICK AND, BEREAVEMENT, AND FUNERAL LEAVE:

11.1 Sick Leave

Sick leave shall accrue at the rate of 1.85 hours for each full payroll week consisting of five (5) eight (8) hour days and accrue at the rate of 2.31 hours for each payroll week consisting of four (4) ten (10) hour days. Sick leave will accrue with unlimited accumulation. Sick leave may be taken only for the reasons outlined below:

11.1.1 Personal illness or ~~physical~~ incapacity, whether related to an employee's physical or mental health, of such a degree as to render the employee

unable to perform the duties of ~~his/her~~their position, unless the Police Chief determines that the employee is capable of other work in the Police Department. If requested, the employee shall furnish the Chief a certificate from his attending physician except as provided in 11.2 below.

11.1.2 Attendance upon members of the family within the household of the employee, including domestic partner, when their illness requires care by such employee, not to exceed twelve (12) days per year. If requested, the employee shall furnish the Chief a certificate from the attending physician.

11.1.3 In the discretion of the Police Chief, sick leave may be used in the event of the death of an immediate family member (defined hereby as spouse or domestic partner, child or child of domestic partner, ~~mother, father~~parent, ~~brother, sisters~~sibling, ~~mother-in-law~~ or ~~parent~~father-in-law).

11.1.4 Any permanent employee working a standard work week who has been employed by the City for twelve (12) consecutive months as of the beginning of the calendar year is eligible to convert up to two (2) days or sixteen (16) hours of previously earned sick leave to an equivalent amount of personal leave. Eligible employees may make that election only during the month of February for each year of the contract.

Neither conversion of sick leave to personal leave nor the subsequent use of personal leave under this Section shall be considered to be use of sick leave for purposes of determining eligibility for either the Leave Incentive Plan as described in Appendix D or the Chief's Perfect Attendance Program.

The employee will give the Bureau Commander or designee as much advance notice of the use of personal leave as circumstances permit; and in any case the employee will notify the Bureau Commander or designee of the use of personal leave in the same manner as required for sick leave. When using personal leave time, the employee is not required to give the reason for use of such time. Personal leave balances are not payable at separation from employment. However, an employee shall have the option at separation to convert unused personal leave to sick leave.

~~11.1.5 Employees who wish to use sick leave to care for a domestic partner in accordance with 11.1.2 above, or in conjunction with Bereavement Leave in accordance with 11.1.3 above, must satisfy the City's eligibility requirements for claiming an individual as a domestic partner.~~

11.2 Bereavement Leave

11.2.1 An employee shall be excused from work for five (5) days or a maximum of

forty (40) hours because of death in ~~their~~^{his/her} immediate family, as defined below, and shall be paid ~~his/her~~^{their} regular rate of pay for the regularly scheduled work hours missed. Not more than eight (8) hours per day (10 hours per day for employees working a 4/10 schedule) shall be paid under this Article.

11.2.2 Immediate family is defined hereby as spouse or domestic partner, child, child of domestic partner, ~~mother, fatherparent, brother, sistersibling, motherparent~~-in-law, ~~father-in-law,~~ grandparents, step-~~motherparent, step-father, step-sister,~~ and step-~~brothersibling~~. Immediate family also includes member of spouse or domestic partner's family similarly related. If domestic partner, the employee must meet the City's eligibility requirements for claiming an individual as a domestic partner.

~~11.2.3 An employee shall be excused from work for one (1) regularly scheduled work day because of death of the following relatives: aunt, uncle, niece, nephew, grandchild, sibling-in-law, or other relatives living in the same household.~~

11.2.~~43~~ An employee may also use sick leave in addition to bereavement leave in the manner provided in Section 11.1.3 of this Article.

11.2.~~54~~ Under special circumstances, the Police Chief shall have the sole discretion to grant the provisions of 11.2.1 to significant others not stated under the provision of 11.2.2 and 11.~~23.31~~.

~~11.3 Funeral Leave~~

~~11.3.1 One (1) day (eight hours) may be used for attendance at the funeral of the following relatives: aunt, uncle, niece, nephew, grandchild, brother-in-law, sister-in-law, or other relatives living in the same household.~~

11.4 For the purpose of this article, "family" includes domestic partner. In order to use ~~sick leave or~~ bereavement leave for ~~the death of~~ a domestic partner or ~~the relative~~child of ~~a~~ domestic partner, ~~or funeral leave for the death of a relative of a domestic partner,~~ the employee must meet the City's eligibility requirements for claiming an individual as a domestic partner.

12. UNUSED SICK LEAVE UPON RETIREMENT, LAYOFF, RESIGNATION, OR DEATH:

12.1.1 Retirement Benefits

When an employee retires from continuous permanent active service with

the City and is immediately eligible for retirement benefits under one of the two primary pension plans outlined in Article 10, the employee shall receive an amount equal to ~~their~~his/her salary at the time of retirement for one-half (1/2) of accumulated sick leave up to a maximum of 900 hours of pay.¹⁷ ~~provided the employee has a minimum of 480 hours of sick leave accumulated. Retiring employees with less than 480 hours shall not receive any payment.~~

12.1.2 Layoff Benefits

When an employee is laid off from continuous permanent service with the City, the employee may elect to receive an amount equal to ~~their~~his salary at the time of lay-off for one-half (1/2) the number of days for unused sick leave which the employee has accumulated, provided that the maximum payment shall not exceed an amount equal to wages for ninety (90) days.

- 12.2 In the event of death before retirement of an employee covered by this Agreement, unused sick leave shall be paid, subject to the limitation set forth above for retiring persons, in the salary equivalent as follows:

12.2.1 To a beneficiary designated in writing by the employee, providing that the designation is in a form approved by the City and is on file in the employee's personnel file in Human Resources at the time of death. The City reserves the right to maintain the payment in escrow in the event of any dispute as to entitlement of such payment.

12.2.2 If there is no such designated beneficiary on file, other payment shall be made to:

12.2.2.1 If said employee leaves a widow, or widower, with whom ~~he or she~~the employee was living at the time of death, then to such widow or widower;

12.2.2.2 If no such widow or widower, then to the children but if said employee leaves a minor child or minor children (including adopted children) then to the guardian of such minor child or minor children;

12.2.2.3 If no such widow or widower, or child or children, then to the estate of said employee.

- 12.3 In the event of death in the line of duty of an employee, the City shall pay one hundred percent (100%) of the total accumulated allowable amount up to one hundred eighty (180) days, as outlined in Sections 12.2 above. Furthermore, the

City agrees to pay up to \$15,000.00 for funeral expenses for a line of duty death of an employee.

- 12.4 For resigning employees of good standing with less than ten (10) years of continuous permanent service within the department, payment shall be one-fifth (1/5) of accumulation with a maximum payment of thirty (30) days; for resigning employees of good standing with ten (10) years or more of continuous permanent departmental service, payment shall be one-half (1/2) of accumulation with a maximum payment of forty-five (45) days. A good standing resignation is considered to be two (2) weeks' notice of resignation. The use of vacation time during the employee's period of resignation must be approved by the employee's immediate supervisor. The City will require a doctor's certificate prior to paying an employee for sick leave taken after the employee has submitted their resignation from City service. This requirement may be waived by the Chief of Police or their designee.

13. ON THE JOB INJURIES:

- 13.1 Employees covered by this Agreement who are injured on the job and eligible for Workers' Compensation benefits shall receive, in addition to compensation paid or payable under the Workers' Compensation Act, an amount sufficient to bring them up to net pay while any incapacity exists, or until they are either placed on disability retirement, special plan retirement, return to active duty, resign, or are terminated by the Civil Service Commission for just cause. Absence because of such injuries shall not be charged to accumulated sick leave.

13.1.1 "Net Pay" is defined as the employee's base wages minus ~~their~~^{his} federal and state income tax deductions as of the date of injury.

- 13.2 In the event an injury is eligible for Workers' Compensation benefits, the 7-day waiting period shall be paid as part of the compensation due to the employee. If an employee injured on duty is disabled for more than fourteen (14) calendar days from the date of injury and the Workers' Compensation payment to the City for the 7-day waiting period exceeds the extra-hazardous payment for the waiting period, the City will send the employee a check for the excess.
- 13.3 Employees receiving Workers' Compensation benefits under this article shall continue to accrue sick leave, vacation benefits and holidays subject to the maximum accumulation, during the first twelve (12) months of incapacity. Employees may take vacation leave while out on Workers' Compensation, but in no case shall they receive double payment for vacation time. Insurance benefits shall continue as set forth in the Agreement.
- 13.4 Except as provided in 13.4.2 below, effective January 1, 2004, employees out on

Workers' Compensation must pay their pension contribution based on the wage portion of the Workers' Compensation benefits that the employee receives. All pension payments will be made pursuant to the rules of the Maine Public Employees Retirement System. If payment is not made within thirty (30) days of when the employee receives the Workers' Compensation benefit, the employee will be responsible for accrued interest until contributions are paid.

13.4.1 Employees out on Workers' Compensation prior to January 1, 2004 may pay their pension contribution on an optional basis under the rules of the Maine Public Employees Retirement System. If such employee contribution is paid while the employee is out on Workers' Compensation or by the end of the calendar year during which the employee lost time, the employee is required to pay their contribution amount. If the employee pays their share after this date, they will be responsible for their contribution plus interest in accordance with Maine Public Employees Retirement System laws. The City will pay its share, including interest, in accordance with Maine Public Employees Retirement System laws.

13.4.2 The City has provided notice to the Maine Public Employees Retirement System of employees out on Workers' Compensation between January 1, 2004 and October 28, 2005, and has paid the interest accrued from January 1, 2004 through the date of letter(s) sent to each employee by the Maine Public Employees Retirement System regarding payment of pension contributions on their Workers' Compensation benefits. If payment is not made within thirty (30) days of when the employee receives the MainePERS letter, the employee will be responsible for accrued interest until such contributions are paid.

13.4.3 Retirement service credit will be provided only for time for which pension contributions have been paid.

- 13.5 In the event of an on-the-job-injury, the City will deduct the dollar amount of an employee's regular pension contribution upon written authorization to do so from the employee and if said on-the-job injury payment is equal to or greater than said deduction. Said deduction may be made from sick or vacation leave, if available, in the event of an on-the-job injury.
- 13.6 Any interpretation or application of the Workers' Compensation Act shall be determined by the Workers' Compensation Board and shall not be subject to the contractual grievance/arbitration procedure as outlined in Article 16 of this Agreement or the arbitration procedure provided for by the Workers' Compensation Act.
- 13.7 The references to the Workers' Compensation Act in this article are not intended

to expand or contract any rights the City has under the Workers' Compensation Act.

- 13.8 When medical testing is required by the City as a result of a known work-related exposure to air or bloodborne pathogens and is scheduled by the City during an officer's off-duty time, the City will compensate the officer for the actual time spent in the medical office or testing location at the officer's regular rate, or overtime rate in the event that the total hours worked that week exceed 40. A minimum of one (1) hour will be paid. Travel time to and from the medical office or testing location will not be compensated. Any follow-up visits for additional testing or treatment which are required by the City will also be compensated on the same basis as provided in this section. The employee may receive compensatory time off rather than pay hereunder, at his/herthe employee's option. Examples of pathogens which may result in such testing are tuberculosis, rabies or hepatitis.

13.8.1 Except as specifically provided above, hours spent in medical treatment, testing, or other therapy which is done during off-duty hours by an employee will not be compensated whether such treatment, testing or other therapy is related to a work-related injury or exposure or not.

13.8.2 The City reserves the right to arrange testing and/or treatment during an employee's regular work schedule.

13.8.3 The City and the employee reserve any rights they have pursuant to the Maine Workers' Compensation Act.

13.8.4 When medical treatment is required for a supervisor during their regular shift as a result of an on-duty, work-related injury, and if the treatment extends beyond the officer's current shift, the City will compensate the officer for the off-duty time spent in the medical office, not to exceed two (2) hours at the officer's overtime rate in the event that the total hours worked that week exceed forty (40), or eight (8) or ten (10) hours per day as determined by the office's regular shift, but not for both. If the officer is required to return to the Police Department to complete necessary reports or paperwork after the medical treatment is concluded, the City will compensate the officer for the actual time spent at the officer's overtime rate. The employee may receive compensatory time off rather than pay hereunder, at his/herthe employee's option.

13.9 Transitional Work Program

It is the goal of the City of Portland to assist an employee who sustains a work-related injury to return to the positions they held at the time of their injury. To that end, the City has defined specific work assignments which are referred to as

"Transitional Work" that will be made available to those injured workers who, in the judgment of the City, will probably be able to return to "Regular Work" within three years of the date of injury. In making this decision major emphasis shall be placed upon information provided by health care professionals. "Regular Work" is defined as the position the employee held at the time of injury or, in the event that position is not available, another suitable position. The City will first seek to return the employee to the position ~~the employee~~he/she held on the date of injury. If that is not possible, the City will return the employee to a permanent position within the bargaining unit, unless no such job exists.

13.9.1 Eligibility

Participation in the Transitional Work Program will be limited to a period of three years after the date of initial injury. In order to be eligible for assignment to Transitional Work, an employee (1) must have sustained an injury arising out of and in the course of employment with the City of Portland; and (2) must have the approval of a treating physician. The City will provide transitional work within the injured employee's department providing such work is available.

13.9.2 Duration of Assignment

An employee who meets the eligibility requirements in this policy will be assigned to the next available Transitional Work assignment and will be permitted to work up to 90 days in that assignment. If at the end of the 90 day period, the employee has not been released to Regular Work, the employee will no longer be eligible for Transitional Work unless further medical evidence is presented that permits the City to believe that, with reasonable further periods of Transitional Work, the employee will probably be able to return to Regular Work. If such evidence is provided, the City may offer additional periods of Transitional Work for up to three years from the initial date of injury.

If, during the course of the Transitional Work, it becomes evident to the City that the injured worker probably will not be able to return to Regular Work within three years of the date of injury, the Transitional Work assignment may be terminated. Such employees will retain any rights they may have under 39 M.R.S.A. Sec. 217 with regard to employment rehabilitation.

13.9.3 Re-employment within Three Years of Date of Injury

- 13.9.3.1 If an employee becomes capable of performing the essential functions of the job classification held on the date of injury,

with or without reasonable accommodation, within three years of the date of injury, the employee may return to work in that capacity. Upon return to work, the employee shall receive pay and benefits at the level ~~he/she~~the employee would have received if the injury had not occurred.

13.9.3.2 If the employee cannot return to the job classification held on the date of injury within three years of date of injury, the City will evaluate the employee's ability to perform other permanent assignments at an equal or lower rank that are available within the bargaining unit.

13.9.3.3 Upon a determination of capability to work, the employee will provide the City with ~~their/his/her~~ current medical restrictions and the positions ~~he/she/they~~ wish ~~es~~ to be considered for if unable to return to "Regular Work". If the employee is able to return to work for the City, but not in the position held at the time of injury, the City will seek to return the employee to the Police Department unless no suitable position exists with the department. Pay and benefits shall be determined by the City under the appropriate bargaining agreement and with concurrence of the bargaining unit representative. If the employee should return to a non-union position, the City's Non-Union Personnel Policy will determine pay and benefits.

13.9.3.4 The acceptance or refusal of appointment to a position other than the position held on the date of injury shall not terminate the employee's right to seek re-employment in the position held on the date of injury.

13.9.4 Termination of Employment

13.9.4.1 In those cases in which an employee has been unable to perform all the essential functions of ~~their/his/her~~ Regular Work for three (3) years from the date of injury, the employee may be terminated from employment. This termination is non-disciplinary. In the event of termination, the employee will receive at least ninety (90) day notification of the termination process and, at the same time, will be requested to provide a current medical report which assesses ~~his/her~~their ability to return to Regular Work within the ninety (90) day period.

13.9.4.2 If unable to return to Regular work by the date

specified in the 90-day notification listed in 13.9.4.1, and providing the up-dated medical evaluation indicates a work capacity, the employee will provide the City with ~~his/her~~their current medical restrictions and the positions ~~he/she~~they wishes to be considered for, as an alternative to termination. The provisions of 13.9.3 will apply if the employee is capable of performing another permanent budgeted position with the City that is available within the ninety (90) day period.

13.9.5 Notwithstanding the above, all parties reserve their rights under the Workers' Compensation statute and other applicable State or Federal law.

14. MANAGEMENT RIGHTS AND DEPARTMENTAL RULES:

- 14.1 The City retains all rights and authority to manage and direct its employees, except as otherwise specified in this Agreement. The Association acknowledges the right of the City to make appropriate rules and regulations governing the conduct of its employees, provided they are not inconsistent with the provisions of this Agreement.

15. LEGAL AID AND PROTECTION:

- 15.1 Provided that the award of damages, including costs other than defense costs, against both the City and its employee(s) shall not exceed Four Hundred Thousand Dollars (\$400,000.00), which includes plaintiff's attorney fees and costs but not defense fees and costs, for any and all claims arising out of a single occurrence and subject only to the limitations set out hereinafter, when a member covered by this Agreement is sued for damages as a result of acts arising out of and in the course of his employment, the City shall:
- (a) Arrange, at the City's expense, for an attorney selected by the Corporation Counsel, to defend the member; and
 - (b) Upon final judgment or settlement of the case, the City shall pay, through a self-insurance program or in its discretion through purchased insurance coverage, the amount of any judgment or settlement so limited, including court costs; or
 - (c) Provide, in the City's discretion, defense and/or indemnification through purchased insurance coverage (limited to Four Hundred Thousand Dollars (\$400,000.00), including costs other than defense costs, for any and all claims arising out of a single occurrence).

15.2 Members have the following rights when represented by an attorney selected by the City:

15.2.1 The City attorney, prior to selecting an attorney to represent an Officer named in a lawsuit filed with the City, will consult with the Officer regarding the case and the attorney selection. Officers may indicate a preference for one (or more) attorney(s) over another (others) from the list of attorneys pre-approved by the City's attorney and the City shall take the Officer's input into account when selecting the attorney.

15.2.2 Officers who are named defendants in the case are entitled to be present at meetings between City representatives and the Officer's attorney regarding the case, including settlement discussions that would affect the Officer.

15.2.3 Attorneys hired by the City who simultaneously represent multiple parties, Officers(s) and/or Police Chief as well as the City, will recommend separate counsel for the Officer in the event that they determine that any of these parties have divergent interests.

15.3 Notwithstanding 15.1 and 15.2 above, the City shall not be required to either defend or to indemnify a member who engages in acts for which that member is charged with or indicted for a criminal offense; or for acts which are committed while off-duty that are not lawfully authorized law enforcement conduct; or for on-duty conduct that is the subject of a civil complaint and which the City determines, following an investigation, constitutes bad faith conduct by the Officer. The City shall in no event be required to pay any exemplary or punitive damages.

15.4 In any instance where the City has refused to provide an attorney to a member for the reasons stated in 15.3, the following provisions shall apply:

15.4.1 If upon final judgment it is determined by a Court in a criminal action that the Officer is acquitted of any criminal charges, or the Officer is found not guilty in a criminal proceeding, or the criminal charges are dismissed and the dismissal is not part of a plea bargain in which the Officer pleads guilty or "nolo contendere" on other charges, the City shall reimburse the member in full for all costs of defense, including reasonable attorney's fees, incurred after the issuance of a criminal complaint or indictment. The City shall not be responsible for any costs incurred prior to the issuance of a complaint or an indictment. The member shall notify the Corporation Counsel of the name of the attorney selected to represent the member before any costs are incurred.

15.4.2 In any instance where the City denied coverage because it concluded

that the Officer was not engaged in the good faith performance of ~~his or her~~their lawfully authorized duties when committing the acts that are the subject of the civil case, and the civil case results in a judgment for the Officer or only a nominal amount of charges are awarded, the City shall reimburse the Officer for all costs of defense including reasonable attorney's fees and shall pay the nominal damages.

15.4.3 In any instance where the City is required to pay for the Officer's attorney fees as set forth in 15.4.1 and 15.4.2, the fees shall first be approved by the Corporation Counsel and, if a dispute arises as to the reasonableness of costs of defense, including reasonable attorney fees, then the dispute shall be referred to the Board of Overseers Fee Arbitration Panel for a final and binding determination.

15.4.4 The City is not required to pay any exemplary or punitive damages.

- 15.5 It is a condition of the City's obligation to defend and/or indemnify an employee hereunder that the employee fully cooperate with the City in the defense of any claim by or against the City, regardless of whether the employee works for the City at the time that the claim is filed. "Full cooperation" hereunder shall include, without limitation, providing information to the City and its attorneys (including attorneys designated or hired by the City), appearing and/or participating as a witness in the case when requested to do so by the City, including without limitation, participating in all pre-trial and trial proceedings. "City" as used under this section shall include officer, employees and agents of the City, including without limitation, attorneys designated or hired by the City. Except in those circumstances where such full cooperation is in conflict with the advice of the Officer's legal counsel or is in violation of the Officer's constitutional rights, failure to fully cooperate with the City in any case may result in disciplinary action against the employee, denial of the defense and indemnification obligation hereunder unless otherwise required by the Maine Tort Claims Act, and/or an assessment to the employee of losses incurred by the City that, in the City's judgment, would have been reduced or avoided with the employee's full cooperation.
- 15.6 Paragraph 15.5 above may not be construed to imply that an employee who is not a defendant has no duty to fully cooperate with the City and its representatives, when the City and its representatives, in their sole discretion, determine that the employee has information relevant to the claim or the defense of the claim against the City or another employee of the City. In such a situation, except in those circumstances where such full cooperation is in conflict with the advice of the Officer's legal counsel or is in violation of the Officer's constitutional rights, the non-defendant employee has a duty to fully cooperate with the City and failure to do so may result in disciplinary action against the employee.

- 15.7 The City agrees to release the employee from his/her/their shift for appearances at any necessary proceedings on the date of such proceeding and at the request of the City's designated defense attorney. Should the proceedings conclude prior to the end of the employee's shift, the employee may be required to report for duty for the remainder of his/her/their shift.
- 15.8 Any other language in Article 15 notwithstanding, the City's defense and indemnification obligations to an employee who is sued for acts committed while that employee was acting under the direction and control of and for the State, an agency of the State including but not limited to the Maine Drug Enforcement Agency, the Federal government, or any other governmental or quasi-governmental entity, shall be secondary to defense and indemnification coverage provided by that agency.
- 15.9 This provision shall in no way prevent the City from obtaining, in full or in part, insurance coverage for legal aid and protection required in this article. It is agreed that any insurance contract shall be between the City and the insurer or insurers chosen by the City. The rights of the City and the members are governed by this article and are not affected by the terms of any policy of insurance.

16. GRIEVANCE PROCEDURE:

- 16.1 Should the Association feel aggrieved concerning the interpretation or application by the Department or the City of any provision of this Agreement, the Association may seek adjustment of the grievance as follows:
- 16.2 The Association, through its authorized representative, shall take up the grievance with the employee's immediate supervisor. The supervisor shall meet with the Association within three (3) working days of receipt of notification of the grievance from the Association.
- 16.3 If the Association and the supervisor have not resolved the grievance, the Association may submit the details of such grievance in writing to the Chief of Police within five (5) working days after meeting with the Supervisor under Step A. The written grievance shall include the following:
- 16.3.1 a statement of the grievance including the facts surrounding the issue;
 - 16.3.2 identification of the clause, section, or provision of the Agreement which is in dispute;
 - 16.3.3 the remedial action requested, when possible or practicable. The Chief shall respond to the grievance within five (5) working days after

the grievance hearing at ~~his/her~~their level.

- 16.4 Within five (5) working days of receipt of the Chief's decision, the Association may appeal the decision to the Director of Human Resources by filing a copy of the written grievance and the responses at steps 16.2 and 16.3. The Director of Human Resources shall meet with the Association and provide the Association with a written response within ten (10) working days after the grievance hearing at the Director of Human Resources' level.
- 16.5 Within five (5) working days of receipt of the Director of Human Resources' decision, the Association may appeal the decision to the City Manager by filing a copy of the written grievance and the responses at Steps 16.2, 16.3, and 16.4. The City Manager shall meet with the Association and provide the Association with a written response within ten (10) working days after the grievance hearing at the Manager's level.
- 16.6 In the event that the decision of the City Manager rendered pursuant to 16.5 above is not acceptable to the Association, within five (5) working days after receipt of the decision at Step 16.5, it may request in writing that the matter be submitted to arbitration. The City and the Association shall attempt to mutually agree upon an arbitrator. In the event they are unable to agree upon an arbitrator within seven (7) days of the request for arbitration, the arbitrator shall be selected through the American Arbitration Association in accordance with the rules of said Association then in full force and effect. Thereafter, the arbitration shall be conducted in accordance with the rules of the American Arbitration Association. Said arbitrator shall have no authority to add to, subtract from, or modify the provisions of this Agreement. The arbitrator's decision shall be final and binding upon the parties hereto. The costs of the arbitrator and of the arbitration shall be borne equally by the parties.
- 16.7 If a hearing has not been scheduled within ten (10) working days of receipt of the grievance at Steps 16.2, 16.3, 16.4 or 16.5 above, the Association may appeal the grievance to the next consecutive step of the grievance procedure. The time limits for processing of grievances may be extended by written consent of the parties.
- 16.8 At Steps 16.3, 16.4 or 16.5 of the grievance procedure, the Chief of Police, Director of Human Resources or City Manager may designate a duly authorized representative to act on ~~his/her~~their behalf.
- 16.9 Nothing in this Article shall diminish the right of any employee covered hereunder to present his own grievance as set forth in Title 26, Maine Revised Statutes Annotated up to and including the Manager's level.

- 16.10 The Association, or one of its members, may grieve general "non-contract" disputes arising out of conditions which are in whole or in part subject to the control of the Chief and/or which involve safety or health hazards, unsatisfactory physical facilities, surroundings, materials or equipment, unfair or discriminatory supervisions, and unjust treatment by fellow members. Such disputes as described in this Section may be grieved through Section 16.5, the City Manager's level, but such grievances are not arbitrable.
- 16.11 All grievances shall be commenced not later than thirty (30) days after the occurrence of one of the following two events, whichever shall be later in time:
- 16.11.1 The time of the occurrence of the event or omission giving rise to the grievance, or
 - 16.11.2 The time the event became known to either the Association or the employees concerned.
 - 16.11.3 For the purposes of this Article, a work day shall be based upon a Monday through Friday, forty (40) hours' work week.

17. PHYSICAL FITNESS:

- 17.1 The parties hereby recognize that the physical fitness of employees vitally affects the efficient, safe and productive operation of the Department and the quality of police services provided to the public. Each employee is required to maintain the level of physical fitness necessary to perform the normal duties of ~~his/her~~their position.
- 17.2 The Chief is authorized to promulgate a rule requiring each employee to undergo a physical fitness testing program on a regular basis ~~beginning July, 1984~~. Said rule shall outline the tests which the employee is required to undergo, the testing standards and program guidelines.
- ~~17.3~~ ~~17.3~~—The City shall provide \$75.00 annually to each employee to be used for a physical examination and/or to maintain their level of physical fitness to perform the normal duties of their position. In no case shall the City be obligated under this Article to spend more than \$75.00 per employee per year. Payment of the \$75.00 shall be made as soon as possible after the beginning of each fiscal year, ~~beginning July 1, 1985~~, but not later than 30 days after the beginning of the new fiscal year.
- 17.4 The parties hereby recognize that officers' mental health is critically important and also impacts the efficient, safe, and productive operation of the Department and the quality of police services provided to the public. As a result, each employee is

required to attend and participate in a check-in appointment with a qualified, licensed mental health professional on an annual basis, measured by calendar year. If an employee does not have their own treating mental health professional, one will be provided by the City at no cost to the employee. Such appointments will be scheduled on a day when the employee is regularly scheduled to work, and the employee shall be excused, with pay, for the entire shift.

17.4.1 Employees will be required to provide proof of attendance and good-faith participation in the appointment, but will not be required to disclose the contents of their conversation with the mental health professional. The mental health professional may provide additional information to the Department when necessary to avert a serious and imminent threat to health or safety of the employee or others, as required by law.

17.4.2 Appointments for employees who work the night shift will be scheduled during the day immediately proceeding or following a regularly scheduled shift, and the employee shall be excused, with pay, for the entirety of that regularly scheduled shift.

18. TRAINING:

18.1 The City agrees to make available to each Superior Officer, and employees agree to participate in a minimum of twenty (20) hours per year of in-service training. Employees will be compensated for this and other mandatory training at appropriate rates for the time spent in training.

18.1.1 Employees who attend mandatory training during off-duty hours will receive a minimum of four (4) hours of straight time pay for attendance at the training or one and one-half times their hourly rate for actual hours spent in training, whichever is greater.

18.2 All opportunity for attendance at educational and/or training schools shall be posted with sufficient notice to employees so that application may be made.

18.3 Compensation for hours spent in approved non-mandatory training during off-duty hours will be either in the form of compensatory time at a time and one-half rate or at the employee's overtime rate, at the discretion of the Chief or their designee, except as provided in 18.4 below.

18.4 EMT training is non-mandatory training. Employees will not be compensated for off-duty time spent in EMT training or for travel to and from EMT training.

18.5 The City will pay tuition costs, including fees for training materials, and

certification fees related to EMT training and certification that is recognized and approved by the State of Maine. The City will also pay re-certification fees associated with maintaining this certification.

- 18.6 Travel time will be paid for travel to and from required training that the Officer is attending as a student providing the Officer has already worked eight (8) or ten (10) hours, including time spent in training, on the date the travel occurs. Such compensation shall be in the form of compensatory time at a time and one-half rate and shall not include the time the employee would normally spend commuting from home to work exceed a maximum of two hours each way. Overnight travel will be compensated in accordance with FLSA standards.

18.6.1 Requests for compensation for travel time must be submitted on a pay slip separate from the slip for the training.

18.6.2 The Chief or designee may approve travel time associated with non-required training but such approval is at the Chief's ~~his/her~~ discretion.

19. STRIKES AND SLOWDOWNS PROHIBITED:

- 19.1 During the life of this Agreement, the parties hereto agree that there will not be, and that the Association, its Officers, members, or agents, will not engage in, encourage, sanction, or suggest, strikes or slowdowns which would involve suspension of or interference with normal work.

20. SAVINGS CLAUSE:

- 20.1 If any provision of this Agreement is in conflict with any City ordinance or regulation, this Agreement shall prevail. The invalidity of any particular provision of this Agreement shall not affect the validity of the remaining provisions. If for any reason any particular provision of this Agreement is found to be invalid, then that particular provision shall be renegotiated.

21. P.S.O.B.A. PRESIDENT, BOARD OF DIRECTORS, AND REPRESENTATIVES:

- 21.1 The President of the Association shall be allowed reasonable time off without loss of any benefits to prepare for representation and to represent members.
- 21.2 Members of the Board of Directors shall be allowed reasonable time off without loss of any benefits to represent members, at the member's request, at any grievance procedure or departmental hearing and shall be allowed sufficient time to interview and represent a requesting member during all stages of a grievance procedure.

- 21.3 Members of the Negotiating Committee shall be allowed sufficient time off without loss of benefits to represent the Association on all negotiations with the City concerning the Collective Bargaining Agreement.
- 21.4 The Association shall supply a list of all members referred to in paragraphs 21.1 - 21.3 to be kept at the Office of the Chief of Police for the purpose of verifying the status of the Association's President, Board of Directors and Negotiating Committee.

22. MEMBERS RIGHTS:

- 22.1 Members of the Portland Police Department hold a unique status as public officials, and the security of the City and its citizens depends to a great extent upon the manner in which members of the Department perform their manifold duties. The performance of such duties involves the members in all manner of contacts and relationships with the public. Out of such contacts and relationships may arise questions concerning the actions of members of the force. Such questions may require prompt investigation by Superior Officers designated by the Chief of Police or other competent authority.

- 22.2 To ensure that such investigations are conducted in a manner conducive to good order and discipline, while observing and protecting the individual rights of each member of the Department, the following rules of procedure are established:

22.2.1 As much as possible, the interrogation will be conducted at a reasonable time taking into consideration the working hours of the member and the legitimate interests of the Department. The Officer conducting the interrogation shall advise the member that an official investigation is being conducted. The investigating Officer shall inform the member of the nature of the alleged conduct which is the subject matter of the interrogation and, unless circumstances warrant anonymity, shall identify the complainant. If it is known that the member being interrogated is a witness only, ~~he/she~~ the member shall be so informed.

22.2.2 The interrogation shall be digitally recorded and the recording preserved by the investigating Officer until ~~the~~ investigation is resolved. A copy of the tape shall be provided to the member upon the member's ~~his/her~~ written request. The interrogation shall be conducted with the maximum amount of confidentiality possible. The interrogation of a member suspected of violating Department Rules and Regulations shall be limited to questions which are directly, narrowly, and specifically related to the member's performance of duty as it relates to the alleged violation.

22.2.3 If the member is under arrest or is likely to be, that is, if ~~the member~~ he/she

is a suspect or the target of a criminal investigation, ~~the member~~he shall be afforded all rights granted under such circumstances to other persons.

22.2.4 In all cases wherein a member is to be interrogated concerning an alleged violation of Departmental Rules and Regulations which, if proven, could result in ~~his/her~~their removal from the Department, ~~the member~~he/she shall be afforded a reasonable opportunity and facilities to contact and consult privately with an attorney of ~~their~~his choosing and/or a representative of the Association before being interrogated, and ~~his/her~~their attorney and/or a representative of the Association may be present during the interrogation, but may not participate in the interrogation, except to counsel the member.

22.2.5 If the member under investigation is requested to submit to a polygraph examination, ~~he or she~~the member will be apprised in writing of the incident or incidents about which the inquiry is to be made to enable the member to confer with counsel of ~~his or her~~their choosing. The questions asked on the polygraph examination will be limited to those directly and specifically related to the alleged violation. If a member is requested to submit to any other type of test, ~~he or she~~the member will be advised of the type of test and ~~the member~~ will be afforded an opportunity to obtain a similar independent test if available.

22.2.6 The investigation will be conducted without unreasonable delay and the member will be advised of the final outcome of the investigation. At the end of thirty (30) working days the member will be informed of the status of the investigation.

22.2.7 Consistent with Maine State Law and with the Union's approval all internal affairs records that exceed the seven (7) year statute of limitation will be destroyed once per year as determined by the Chief. Any member may request that their records be destroyed on the anniversary of the seven (7) year statute of limitations.

22.3 No disciplinary action shall be taken by the Chief of Police, or ~~his/her~~their designee, against any member of the Department covered by this Agreement without due notice and the opportunity for a fair hearing before the Chief of Police or ~~his/her~~their designee.

22.4 For purposes of Section 22.3 of this provision, designee refers to an Officer above the rank of Major. Any reference to the Chief of Police in this Article may also apply to the Chief's designee.

22.5 Any member charged with a violation of Departmental Rules and Regulations,

incompetence, misconduct, negligence, insubordination, disloyalty, or other charge, shall be informed of the exact nature of the charge, and shall be given sufficient notice of the hearing date and time to allow him an opportunity to consult legal counsel, conduct an investigation, and prepare a defense. At the hearing before the Chief, the member may be accompanied by legal counsel and/or a representative of the Association. The member shall have the right to confer with ~~his/her~~their counsel at any time during the hearing and shall have the right to have ~~his/her~~their counsel speak on ~~his~~their behalf.

22.6 The hearing before the Chief of Police shall be informal in nature.

22.7 If, following the hearing, the Chief of Police finds there is just cause for taking disciplinary action, ~~the Chief-he/she~~ may:

22.7.1 Suspend the member for not more than fifteen (15) working days;

22.7.2 In lieu of suspension and upon concurrence of the member, require the member to work not more than ten (10) days off without compensation; or,

22.7.3 In lieu of suspension and upon concurrence of the member, require the member to attend a corrective school or counseling on off-duty time without pay.

22.8 No written reprimand involving an alleged violation of Departmental Rules and Regulations shall be placed in a member's personnel file and/or records unless the member is first given a copy of the written reprimand. The member shall have the opportunity to respond in writing and contest the validity of the written reprimand. The Chief of Police shall review both the reprimand and contesting document and upon finding just cause for the reprimand, may place in the member's personnel file and/or records the written reprimand and the contesting document. Such written refutation by the member shall be submitted to the Chief of Police within five (5) days after the member has received a copy of the reprimand.

22.9 When, through appropriate procedures, it is determined by the Chief of Police that just cause exists for removing a member or for suspending him for a period greater than fifteen (15) working days, the Chief of Police may recommend his removal or suspension to the Civil Service Commission. Any such recommendation shall be processed under the Civil Service Ordinance and shall not be grievable under this Agreement. Any final decision of the Civil Service Commission may be appealed only to Superior Court.

22.9.1 In the event that an employee is suspended by the Commission for a period

in excess of thirty (30) consecutive days, the employee shall not accrue vacation, sick, or holiday benefits during the period of such suspension.

22.9.2 In lieu of the discipline being processed under the Civil Service Ordinance, the employee may waive in writing all Civil Service procedures regarding the proposed discipline and proceed before the Chief in accordance with the procedures set forth in 22.3 through 22.6. If the employee opts to proceed and accept discipline directly from the Chief, and feels aggrieved concerning the discipline, the Association may process such grievance in accordance with Article 16 of this Agreement.

22.10 For the purpose of this section, "disciplinary action" shall not include oral reprimands when no record of the reprimand is made directly to the member's personnel file and/or records.

22.11 All written reprimands and reports of disciplinary action (except instances involving suspension) shall be removed from the personnel file and/or records and destroyed one year after the incident involved, unless during that year the member has had subsequent disciplinary action taken against him/her involving other incidents. Under no circumstances shall the written reprimand or report of disciplinary action remain in the member's personnel file for more than two (2) years.

22.11.1 All records and/or reports of disciplinary action involving the suspension of a member for five (5) days or less shall be removed from the personnel file and/or records and destroyed three (3) years after the incident involved, unless during that period of time the member has had subsequent disciplinary action taken against him them involving other incidents. Under no circumstances shall the written reprimand or report of the disciplinary action remain in the member's personnel file and/or records for more than five (5) years.

22.11.2 All records and/or reports of disciplinary action involving the suspension of a member for more than five (5) days shall be removed from the personnel file five (5) years after the suspension, unless during that period of time the member has had subsequent disciplinary action taken against them him involving other incidents. Under no circumstances shall the records and/or reports of disciplinary action remain in the member's personnel file for more than eight (8) years.

22.12 All personnel records shall be confidential in conformity with applicable State law.

22.13 Any dispute concerning the confidentiality of such records or the access of members shall be finally determined by a court of competent jurisdiction and is

not an arbitrable matter.

- 22.14 Upon request, a member shall have the right to inspect ~~his/her~~their official personnel record wherever kept. Inspection shall be during regular business hours of the respective repository and be conducted under supervision by the Department. A member shall have the right to make duplicate copies for ~~his/her~~their own use. No record(s) shall be withheld from a member's inspection.
- 22.15 A member shall have the right to include in ~~his/her~~their personnel record written refutation of any material ~~he/she~~the member considers to be detrimental.

23. SENIORITY AND PERSONNEL REDUCTIONS:

- 23.1 Seniority *for all promotions subsequent to January 1, 2013* shall be determined *as follows*.

First, by the employee's rank.

Second, by the length of continuous time in rank

Third, by the length of continuous time in the previous rank.

Fourth, by length of continuous service with the City from the date of swearing in as a full-time police officer.

Fifth, by the date of employment with the City.

Finally, in the event of a tie in seniority dates, by alphabetical order.

- 23.2 The Employer shall maintain a seniority list of all employees covered by this Agreement.

- 23.3 Seniority points for the purpose of creating the eligible list for promotion, ~~pursuant to Section 2-63 (2)(a) & (3)(d) of the Civil Service Ordinance~~, are calculated by "total time served as a member of the department and include time served as a police cadet".

- 23.4 For purposes of patrol assignments and transfers, as outlined in Section 24 of this agreement, seniority shall be determined as defined in Section 23.1.

- 23.5 In the event the City determines that it is necessary to reduce the work force, such reductions shall be made by seniority as defined in Section 23.1.

23.5.1 In the event of a reduction in force, bumping shall be allowed from a higher rank to a lower rank in the unit provided the employee who is bumping has had prior service time in the lower rank. Any employee who bumps down due to a reduction in force shall be promoted back in the reverse order of bumping.

23.5.2 When an employee is bumped, seniority in ~~his/her~~their new rank shall be determined by the employee's prior length of service in the new rank to which ~~he/she~~the employee is bumping as well as the employee's length of service in the rank from which ~~he/she~~the employee was bumped.

23.5.3 Employees who bump into a position under Section 23.5.1 above will be compensated at the rate provided in the City's pay plan for that position.

23.6 In the event of a lay-off, the affected employee has recall rights for fifteen (15) months from the day of such lay-off, and employees will be recalled in the reverse order of lay-off.

23.6.1 Employees who are laid off will receive any separation pay to which they may be entitled.

23.6.2 The affected employee shall deliver ~~his or her~~their then mailing address and telephone number, if any, to the Chief of Police at ~~his~~the Chief's office and shall be obligated, as a continuing condition of ~~his~~their recall rights for said fifteen (15) month period, to continue to inform the Chief in writing of any change thereafter.

23.~~7~~6 All other promotional seniority determined prior to January 1, 2013 shall not be affected by this agreement and shall remain as currently in effect.

24. TRANSFERS:

24.1 All decisions regarding the voluntary transfer of officers to all patrol assignments ~~on the A, B, and C Teams~~ shall be made for the safe and necessary operation of the Department, as determined by the Chief, or ~~his~~their designee, in accordance with the following criteria: 1) Seniority; 2) Qualifications; 3) Experience; 4) Performance; 5) Special training of skills.

24.2 In those instances when two or more officers have requested the same assignment, the officer with the most seniority must be assigned to that vacancy unless the Chief or ~~his/her~~their designee specifically finds that, based upon the above criteria, the employee with the lesser seniority is more qualified for the assignment.

24.3 The Chief of Police shall make the decision regarding the involuntary transfer of an officer to any assignment for cause in accordance with departmental needs. Cause for an involuntary transfer includes, but is not limited to, those instances when:

1. the filling of a vacancy, either permanently or temporarily, is

determined necessary to the safe operation of the Police Department;

2. the employee does not have an acceptable working relationship with other employees on ~~his/her~~their shift;

3. The employee's assignment creates the appearance of a conflict of interest for the department;

4. the employee has failed to maintain sufficient competency to properly perform ~~his/her~~their assignment and assume the responsibilities of ~~their~~his/her position;

5. the employee's performance is not accomplishing the functions and objectives of the department;

6. the employee demonstrates a lack of knowledge of the laws required to be enforced~~ds~~ or an unwillingness or inability to perform assigned tasks;

7. the employee has failed to conform to work standards established for the employee's rank or position;

8. the transfer is necessary for the health and safety of the department;

9. the employee's current assignment creates a risk of liability for the department;

10. the employee is unable to maintain an appropriate level of cooperation in ~~their~~his/her dealings with other agencies to meet the goals that are a function of the employee's assignment.

24.4 No employee will be transferred for disciplinary reasons.

24.5 All officers involved in any transfer shall be given two (2) weeks prior notice. The Chief will meet with the officer at the officer's request to discuss the reasons for the transfer and provide the officers with specific written reasons relative to the above criteria.

24.6 Police Officers promoted to the rank of Sergeant will initially be assigned to Patrol and will remain in a Patrol assignment for six (6) months except as provided below. The six (6) month period begins on the date the Officer is sworn in to the rank of Sergeant. Sergeants with less than six (6) months in the bargaining unit may apply for other assignments in the event that no applications are received from unit members with over six (6) months in the unit.

24.7 Notwithstanding any other provisions of this section, specialized, outside assignments will not exceed three (3) years in duration; unless a public safety necessity dictates a longer duration. Specialized, outside assignments that involve the supervision of a unit, task force or group will not exceed five (5) years in duration. Specialized assignments are defined as sworn assignments with an outside agency or program.

24.7.1 Upon acceptance of assignment to a specialized, outside assignment, the

assigned officer will vacate ~~his/her~~their current assignment. At the conclusion of the specialized, outside assignment, the officer will be assigned to a non-specialty position within the department in accordance with that officer's seniority within the department. An officer returning to the department after a specialized, outside assignment will be entitled to "bump" an employee from that employee's current assignment in a non-specialty position in accordance with the returning officer's seniority within the department.

24.7.2 In cases where personnel are drawn only from a specialized unit because of departmental staffing issues or required training the officer will be allowed to return to their respective unit upon completion of their outside, specialty assignment, regardless of that officer's seniority within the department or specialized unit.

24.7.3 The duration of a specialized, outside assignment shall be at the sole discretion of the Chief of Police. The Chief of Police will be the final authority regarding the duration of an assignment.

25. LEAVES OF ABSENCE:

25.1 Military and Reserve Service Leave

Military leave and Reserve Service Leave shall be available to employees under the terms and conditions of applicable federal and/or State legislation. Any disputes as to rights under this provision are not arbitrable but may be determined by a court of competent jurisdiction.

25.2 Disability Leave of Absence

25.2.1 When disabled, an eligible employee may be placed on an unpaid leave of absence not to exceed three months if (1) either ~~he the employee~~ or ~~their~~his attending physician requests same or, (2) ~~the employee's~~his attendance or performance becomes unsatisfactory because of the disability. This initial twelve (12) week period will be processed as Family Medical Leave if the disability is covered by the Family Medical Leave Act.

25.2.2 Should the Chief of Police determine that an employee's attendance or performance is unsatisfactory because of a disability, the employee may be required to take a leave of absence. In making such a determination, the Chief of Police shall place major emphasis upon the recommendation of the employee's physician, as the recommendation concerns ~~his/her~~their health and physical capabilities. In the event the employee does not have a

physician, the Chief of Police may direct the employee to go to a physician selected by the City. In order that such physician shall have the necessary facts upon which to base ~~his/her~~their recommendation, the Chief of Police and the Director of Human Resources shall furnish the physician with a statement concerning the requirements of the job and the conditions under which it is performed. In any instance in which the Chief of Police requires the employee to go on a leave of absence, if the affected employee or Association files a grievance, the burden of proof shall then be upon the City as to the correctness of such determination. In the event such determination is found to be unjustified, the employee involved shall be reimbursed for all lost time and/or restored all lost sick leave credits.

25.2.3 Except for emergencies, the employee shall submit a written notification to the Chief of Police at least two weeks prior to ~~his/her~~their anticipated departure stating the probable duration of the leave. The Chief of Police may require the employee to provide a statement from ~~his/her~~their physician setting forth (1) the anticipated duration of the disability, and (2) whether ~~he/she~~the employee may continue to perform ~~his/her~~their work assignments.

25.2.4 Upon written request of the employee submitted to the Chief of Police at least two weeks prior to the expiration of the granted leave, and at the discretion of the City Manager, after recommendation of the Chief of Police and the Director of Human Resources, a disability leave of absence without pay may be extended or renewed for an additional period of time but not to exceed a total of twelve months duration.

25.2.5 Disabilities caused or contributed to by pregnancy are, for all job related purposes, temporary disabilities.

25.2.6 Accumulated sick leave benefits shall be applied to any portion of the requested or required leave so eligible at the option of the employee, but cannot be used to extend a disability leave beyond the twelve month period.

25.3 Personal Leave of Absence:

25.3.1 An employee may request a personal leave of absence without pay for a period not in excess of thirty (30) days. The Chief, in ~~his/her~~their sole discretion, may grant such leave.

25.3.2 During the period of such leave, the employee shall not be entitled to or accrue sick leave, vacation days or holiday pay. Insurance benefits shall continue as set forth in the Agreement. Seniority will accrue during the period of such leave.

25.4 Family Medical Leave

25.4.1 ~~FMLA leave is governed by the requirements of the state and/or federal FMLA laws, as they apply. An employee who has been employed for twelve (12) consecutive months and has worked 1250 hours in the last twelve months is entitled to up to a total of twelve weeks of Family Medical Leave in any twelve month period. The leave shall be an unpaid leave unless the employee elects to use accumulated vacation leave or accumulated sick leave.~~ The employee must give at least 30 days' notice of the intended date upon which Family Medical Leave will commence and terminate, unless prevented by medical emergency from giving that notice. Upon request, the employee shall provide medical certification, in the form of a completed City of Portland Health Care Provider Certificate Form, of the need for the leave. ~~FMLA leave is governed by the requirements of the state and/or federal FMLA laws, as they apply. If the requirements, benefits, definitions and/or scope of FMLA changes during the term of this Agreement, such changes are automatically incorporated by this Agreement.~~

~~25.4.2 Employees who request to use Family Medical Leave for the purpose of caring for a domestic partner or child of a domestic partner must satisfy the City's eligibility requirements for claiming an individual as a domestic partner.~~

25.5 The employee is expected to return to work upon the expiration of the granted leave or to have arranged an extension of the leave prior to its expiration. If the employee fails to return to work on the expiration of the granted leave the employee will be deemed to be absent without leave and will be disciplined in accordance with departmental work rules.

25.6 During the term of any leave of absence taken in accordance with this Article the City shall continue to provide the employee with health insurance coverage for the duration of any authorized leave. Employees shall continue to accrue sick and vacation leave and receive payment for holidays for the first twelve (12) weeks of any authorized leave, regardless of whether or not the employee is using any accrued sick or vacation leave during such time. After the first twelve (12) weeks, there will be no further accrual of holidays, sick or vacation time except when the City exercises its rights under 24.2.2 and places the employee on leave. Seniority, however, accrues during the term of the leave.

26. **RESPONSE TIME:**

26.1 Residency within the territorial limits of the City of Portland shall not be a condition of employment; however, in order to safeguard the health, safety, and welfare of

Portland citizens, the Chief of Police has authority to promulgate a Departmental Rule and Regulation establishing a required "response time" for employees.

- 26.2 Within five (5) working days of the date of promulgation of the rule, the Association may appeal the rule to a single arbitrator on the sole issue of whether or not the rule is reasonable. The selection of the arbitrator and the rules of arbitration shall be the same as those provided in Section 16.6 of Article 16, Grievance Procedure.

27. PRINTING COPY OF AGREEMENT:

- 27.1 The City will ~~provide a PDF file~~~~have five (5) copies~~ of the Agreement ~~for to~~ the Association within thirty (30) days subsequent to the ratification of the Agreement by both parties.

28. DUES DEDUCTION:

- 28.1 The City shall deduct regular weekly Association dues only upon receipt by the City Director of Human Resources of a signed authorization form from individuals who are members of the Association. Such authorization forms shall be supplied by the Association and be acceptable to the City. A sample copy of such form is appended hereto as Appendix ~~BC~~ and shall be the form used in every instance. Said forms shall include a provision that the deduction, once duly authorized, may be cancelled only after fourteen (14) days written notice by the member to the City Director of Human Resources. If any such notice of cancellation is not revoked in writing by the member and delivered to the City Director of Human Resources within the above fourteen (14) day period, the City shall cease making deductions for that member.
- 28.2 The City agrees to forward the aggregate dues deducted to the duly elected Treasurer of the Association as soon as practicable. The City further agrees to forward, with such aggregate dues, separate totals of amounts paid to the Portland Police Protective Association and the Police Superior Officer's Association. In the event of a change in the amount of the dues voted by the Union membership during the term of this agreement, the Treasurer of the Union shall notify the City Director of Human Resources of such change in writing. After receipt of such notice by the Director of Human Resources, dues as therein noted shall be deemed to have been authorized to be withheld on behalf of the employees who had previously signed authorization forms unless and until the Director of Human Resources receives a cancellation notice pursuant to Section ~~287.1~~ above.
- 28.3 The Association hereby agrees to indemnify, defend and hold the City harmless from any and all claims, actions, causes of action, grievances, loss, expenses, including attorneys fees, or any other possible obligations arising out of or relating to said dues deductions or other obligations pursuant to Sections ~~287.1~~ and ~~287.2~~

above.

28.4 Nothing contained in this Article 28~~7~~ shall be construed as requiring employees represented by the Association to become or remain members of the Association.

29. SAFETY COMMITTEE:

29.1 The Safety Committee shall be comprised of three (3) members appointed by the President of the PBA, one (1) member appointed by the President of the PSOBA, two (2) members appointed by the Chief of Police, and the Human Resources Department's designee.

29.2 The Committee shall meet bi-monthly or as set by the Committee, or more often at the request of any member of the Committee.

29.3 The Committee shall develop recommendations on matters affecting employee safety for the Chief of Police. Recommendations shall be adopted by the Committee, for transmittal to the Chief, by majority vote.

The Chief shall respond in writing to all recommendations of the Committee as expeditiously as possible.

30. TERM:

2930.1 This Agreement shall govern the rights of the parties from January 1, 2025~~4~~ until and including December 31, 2027~~4~~ provided, however, that if a new Agreement is not executed by the parties hereto on or before December 31, 2027~~4~~, the benefits of this Agreement accruing to the employees covered shall remain in effect until a new Agreement is reached, unless the parties shall mutually agree to the contrary.

IN WITNESS WHEREOF, the CITY OF PORTLAND has caused this Agreement to be signed and sealed by Danielle West, its City Manager and the PORTLAND POLICE SUPERIOR OFFICERS ASSOCIATION has caused this Agreement to be signed and sealed by ~~Eric Nevins~~Sean Hurley, its President, on the date first above written.

CITY OF PORTLAND

By_____

Danielle West, City Manager

PORTLAND POLICE SUPERIOR OFFICERS ASSOCIATION

By _____
~~Eric Nevins~~ Sean Hurley, its President

**APPENDIX A
PPSOA PAY PLAN**

Sergeant

8% COLA 07/06/25			5% COLA 07/05/26			5% COLA 07/04/27		
1	0 - 3 Yrs	\$46.16 \$1,846.40	1	0 - 3 Yrs	\$48.47 \$1,938.80	1	0 - 3 Yrs	\$50.89 \$2,035.60
2	3 - 5 Yrs	\$47.54 \$1,901.60	2	3 - 5 Yrs	\$49.92 \$1,996.80	2	3 - 5 Yrs	\$52.42 \$2,096.80
3	5 - 8 Yrs	\$48.97 \$1,958.80	3	5 - 8 Yrs	\$51.42 \$2,056.80	3	5 - 8 Yrs	\$53.99 \$2,159.60
4	8 - 10 Yrs	\$50.45 \$2,018.00	4	8 - 10 Yrs	\$52.97 \$2,118.80	4	8 - 10 Yrs	\$55.62 \$2,224.80
5	10+ Yrs	\$51.96 \$2,078.40	5	10+ Yrs	\$54.56 \$2,182.40	5	10+ Yrs	\$57.29 \$2,291.60

Lieutenant

8% COLA 07/06/25			5% COLA 07/05/26			5% COLA 07/04/27		
1*	0 - 3 Yrs	\$55.60 \$2,224.00	1*	0 - 3 Yrs	\$58.38 \$2,335.20	1*	0 - 3 Yrs	\$61.30 \$2,452.00
2	3 - 5 Yrs	\$57.27 \$2,290.80	2	3 - 5 Yrs	\$60.13 \$2,405.20	2	3 - 5 Yrs	\$63.14 \$2,525.60
3	5 - 8 Yrs	\$58.99 \$2,359.60	3	5 - 8 Yrs	\$61.94 \$2,477.60	3	5 - 8 Yrs	\$65.04 \$2,601.60
4	8 - 10 Yrs	\$60.76 \$2,430.40	4	8 - 10 Yrs	\$63.80 \$2,552.00	4	8 - 10 Yrs	\$66.99 \$2,679.60
5	10+ Yrs	\$62.58 \$2,503.20	5	10+ Yrs	\$65.71 \$2,628.40	5	10+ Yrs	\$69.00 \$2,760.00

* 1st step is 7% higher than top step Sergeant pay, all other steps are 3% higher

* 1st step is 7% higher than top step Sergeant pay, all other steps are 3% higher

* 1st step is 7% higher than top step Sergeant pay, all other steps are 3% higher

EMPLOYEE VOLUNTARY DEDUCTION FORM

INSTRUCTIONS: Please type or print.
The deduction form must accompany the payroll that change appears on.

27.1 Voluntary Cancellation of Membership

Page 402

APPENDIX C
Allowable Apparel and Equipment for On-Duty Use

Black Leather Jacket, Black Shoes & Black Leather Gloves
Winter Footgear
Business Suits/ Court Attire
Alterations to Suits/ Uniforms
Sweater
Black Boots
Prescription Eyewear
*Whistle and Chain
*Ear Phones
*Ticket Book Holders
*Off-Duty Holster
*On-Duty Holster (Approved)
*Badge
*Badge Case
*Black Pens
Flashlight (and replacement batteries, bulbs, lenses)
Flashlight holder
*Hand cuffs / Case
*Cuff Key
Practice Ammunition
Winter Scarf (Navy blue or black)
*Trooper-Style Pile Caps
*Insulated Collarless Vests
Sneakers (Chief designated)
Sunglasses
Turtleneck
Watch Cap
*Approved Multi-Purpose Knife
*Duty Bag
*Duty Belt (Nylon or Leather)
*BDU's for training purposes
*Duty Approved Weapon (~~Glock 17, 19 21, 26, 30 or pre-approved and inspected AR15/M16 .223 rifles~~), pre-approved weapons optics and attached flashlight and replacement batteries, bulbs and lenses
Promotional Exam Study Materials
Business Cards
Job Specific Books
*Outer Vest Carrier
Cell Phones
Fitbits, Smart Watches or other approved fitness activity tracking devices

*Items designated as equipment.

APPENDIX D

LEAVE INCENTIVE PROGRAM

I. Program

- A. Any eligible employee may volunteer to participate in this Unused Sick Leave Incentive Program.
- B. Any Officer who has used two (2) days or less of sick leave within the previous twelve (12) months may elect to convert six (6) days of earned sick leave to five (5) days of paid leave. Any remaining earned sick leave during this period shall be accumulative as sick leave in accordance with the provisions of the COLLECTIVE BARGAINING AGREEMENT.
- C. The usage of these paid leave days shall be scheduled by the Department so as not to increase any financial obligation to the City, e.g. overtime coverage.
- D. A day is defined to be eight (8) hours or ten (10) hours depending on schedule.
- E. These paid leave days converted from sick leave shall not be interpreted to extend vacation day accumulation as provided in the COLLECTIVE BARGAINING AGREEMENT. Specifically, the maximum vacation accrual shall not be increased.
- F. It is the sole responsibility of the employee to initiate participation in this incentive program. The employee shall provide written notification to the department's Principal Administrative Officer of his/her/their decision to participate and forward a copy to the SOA President.

For the City of Portland

Date

For the SOA

Date

APPENDIX E

PSOBA/PORTLAND POLICE DEPARTMENT – RHSA

The City agrees to create a Retirement Health Savings Account (RHSA) for Members of the collective bargaining unit. The RHSA will contain the following provisions:

1. Employees shall not be eligible to participate in the RHSA until they have successfully completed their six-month probationary period.

2. A participant in the RHSA will contribute pre-tax dollars, via payroll deduction, to the RHSA, in the following amounts:

a. Sick Leave Accrual Contribution – In those instances where the employee’s sick leave accrual at the end of the year (2021) reaches the number of hours designated below, the City agrees to contribute the monetary equivalent rate of compensation for the hours set forth below:

i. less than 400 hours	– 0 hours contributed
ii. 400 hours to 599 hours	– 20 hours contributed
iii. 600 hours to 799 hours	– 40 hours contributed
iv. 800 hours to 999 hours	– 60 hours contributed
v. 1000 hours to 1199 hours	– 80 hours contributed
vi. 1200 hours to maximum	-- 100 hours contributed

b. Catch up Contributions -- In the first year of the plan only, at the end of calendar year 2021, employees whose accruals eclipse the figures set forth above will be allowed to contribute “catch up” amounts as follows: Employees who reached 600 plus hours will be able to contribute 40 hours plus the 20 hours for the prior (400 hour) step. For employees with 800 plus hours, they will be able to contribute the 60 hours, plus the 40 hours plus the 20 hours for a total of 120 hours; and so on and so forth to the highest step.

c. Completion of Service – Upon completion of service with the Police Department, fifty percent (50%) of all employee’s compensable time as set forth in the CBA for termination pay, shall be deposited by the City into the employee’s RHSA at the then monetary equivalent rate of compensation. The

other fifty percent (50%) shall be paid to the employee in cash.

3. A participant in the RHSA may only withdraw funds for medical expenses. Withdrawal of funds may occur only upon separation from employment.

**MEMORANDUM OF AGREEMENT
BETWEEN THE CITY OF PORTLAND AND THE PORTLAND POLICE SUPERIOR
OFFICERS ASSOCIATION, FRATERNAL ORDER OF POLICE LODGE ME 109**

This Memorandum of Agreement (“MOA”) is entered into by and between the Negotiating Team of the City of Portland, Maine (the “City Negotiating Team”) and the Negotiating Team of the Portland Police Superior Officers Association (the “SOA Negotiating Team”) (collectively, the “Parties”).

WHEREAS, the City of Portland and the Portland Police Superior Officers Association are parties to a collective bargaining agreement that expired on December 31, 2024;

WHEREAS, the Parties have engaged in extensive negotiations to come to a tentative agreement regarding the terms of a successor collective bargaining agreement;

NOW THEREFORE, the Parties agree that the terms of the tentative agreement for a successor collective bargaining agreement are as follows:

1. The red-lined collective bargaining agreement attached hereto is hereby incorporated into this MOA and outlines the terms of the Parties’ tentative agreement for a successor collective bargaining agreement for the period of January 1, 2025 through December 31, 2027.
2. The City will begin withholding 50% of the premium required by the Maine Paid Family and Medical Leave Act (PFMLA), specifically 26 M.R.S. § 850-F, or an equal amount payable to an equivalent private plan pursuant to 26 M.R.S. § 850-H, from bargaining unit employees’ wages effective in the first pay period following implementation of the collective bargaining agreement. Following a request to bargain from the Union, the parties agree to impact bargain if the premium required by the PFMLA exceeds 1% of wages during the term of this collective bargaining agreement.
3. The addition of a 10+ year step on the pay plan, as well as any increases in current stipends or new stipends, including, but not limited to, the educational, speciality, and shift differential stipends, shall be effective July 6, 2025.
4. Upon implementation of the agreement, all bargaining unit members shall receive a one-time bonus in the amount of \$2,500.00.
5. The Parties agree to recommend and advocate adoption of the successor collective bargaining agreement to their respective principals.

PORTLAND POLICE SUPERIOR
OFFICERS ASSOCIATION,
FOP LODGE ME 109

CITY OF PORTLAND

By: Sgt. Sean Hurley, President
Date: _____

By: Keith Hansen, Chief Negotiator
Date: _____

Formula for New Program Costing on Tax Rate

1) FY25 Valuation:	15,145,000,000	\$15,145,000
2) FY25 Tax Rate (Total City & School): <u>Levy / (Valuation/1000)</u>		\$15.01
(a) FY25 Tax Rate (City):		\$6.57
(b) FY25 Tax Rate (County):		\$0.56
(c) FY25 Tax Rate (School):		\$7.88
3) FY25 Value of \$0.01 of Tax Rate (Total City & School):		\$151,450

FISCAL IMPACT NOTE	2025		2026		2027	
New Program Cost Data:	City Rate	City / Sch Combined Rate	City Rate	City / Sch Combined Rate	City Rate	City / Sch Combined Rate
Example:						
ADD: NEW ITEM ANNUAL EXPENDITURES		\$80,000		\$533,000		\$551,000
LESS: TOTAL NEW ITEM ANNUAL REVENUES		\$0		\$0		\$0
=NEW ITEM NET TAX RATE IMPACT PROJECTION	\$80,000	\$80,000	\$533,000	\$533,000	\$551,000	\$551,000
New Program Impact to the Tax Rate	\$0.0053	\$0.0053	\$0.0352	\$0.0352	\$0.0364	\$0.0364
New Program % Impact on Tax Rate	0.0804%	0.0352%	0.5357%	0.2345%	0.5538%	0.2424%
Tax Rate Including New Program	\$15.02	\$15.02	\$15.05	\$15.05	\$15.05	\$15.05

The cost of year 1 (FY25) is \$80K and only includes one-time ratification bonuses.

From: Raymondo Rezendes <raymondo.j.rezendes@gmail.com>

Date: Fri, May 2, 2025, 1:56 PM

Subject: Portland City Council Meeting May 5th, Agenda Order 175-24/25

To: City of Portland <hhsp@portlandmaine.gov>, <council@portlandmaine.gov>, <pcrs@portlandmaine.gov>, <mdion@portlandmaine.gov>, <jill.duson@legislature.maine.gov>, <craig.hickman@legislature.maine.gov>, <rachel.talbotross@legislature.maine.gov>, <rbillings@pressherald.com>, <gbenninghoff@pressherald.com>

To:

Municipality of Portland Maine
389 Congress Street
Portland Maine 04101

From:

Raymondo Rezendes
273 Cumberland Avenue Room 3-11
Portland Maine 04101

City Council Chambers

Meeting Agenda 175 24/25

Citizen Complaint/Grievance Submitted 03/25/2025

via City of Portland web portal <https://www.portlandmaine.gov/1509/Services>, and email addresses of Police Citizen Review subcommittee members.

To this date I have received no response of indication that my submission has been received, is being processed, or dismissed for indicated reasons.

The complaint resolves around the use of less than lethal firearm, the manner in which I was detained and the actions of Leutinant Hendricks, upon an unconscious victim and the excessive force used to manipulate my head as five other officers were on top of me, the late submission of Portland Police incident response reports of the arrest, Maine Medical Center trauma unit medical attention and medical records electronically signed by Dr. Stephen Patrick Saunders Emergency Medicine Thoracic Surgeon, the misdiagnosed chest wall contusion, the lack of follow up care for pain medicine for a gunshot wound and transportation to Cumberland County Jail, all of which occurred on the same date and during the same interval of time.

The medical attention is especially of greatest concern with respect to internal organ damage that was not ascertained using magnetic resonance imaging or any other medical procedure. While in the trauma unit, and before arriving, there was no triage medical procedure for the measure of my vital statistics. My medical records of Maine Health Partners Maine Medical Center, as part of States Attorney Evidence, do not indicate any vital sign measurement.

The probable cause reports are non existent in the States Attorneys Evidence in submission to the Grand Jury, nor were they revealed to Counsels for Defense, or Petition in Post Conviction Review, with exception of Attorney Phil Notis, who negotiated a plea in exchange for withdrawal of my Pro Se Petition, for time served and no revocation based on possession and violating conditions of release, by evidence destroyed by the testing procedure, of an Ordered Post Conviction Review in the Court of Judge Roland C. Cole.

As Representatives of a just society being this Municipality, County, State and Nation; I urge you with all of whatever amount of influence that you may find me to have, to motivate the Offices of the City Manager and Corporation Counsel to investigate the matters I've alleged in full camera view of the public, in order to corroborate the allegations or rule out professional malfeasance.

In light of the the length of time for response, and the historical resistance of the Portland Police Departments administrative resolve to retain "ownership," of their internal affairs files and folders; I suggest to those constituents who favor a Moratorium Ordinance that would suspend any increase in the Property Tax mil rate, to prepare Amicus Brief for potential legal matters. My argument is that as employees within a department of the municipality it is plausible to consider the entire department to be terminated from their job. The City Manager can access any of all files for job performance review, replace what she deems most effective of her job performance and then rehire the displaced employees. The job performance of the Police departments employees, is as contained a property of the Municipality as any other departments files and folders.

The Police Chief is subordinate to the City Manager, not an equal. The Unions of the Police Brotherhood, have instilled contractual clause that shields the property tax payer from the details of job performance for those employees that are entrusted with their families safety; independent review is the cost of doing business. The probable suspicion for malfeasance by concealed paperwork should drive home the point that "no one is above the law."

#MenToo

Thank you for your attention.

Raymondo Josef Rezendes

MEMORANDUM
City Council Agenda Item

FROM:

DATE: April 24, 2025

SUBJECT: Order 176-24/25 Accepting and Appropriating a \$5,995.00 Donation from Paul Rollins for the Police Department Dive Team - Sponsored by Danielle P. West, City Manager

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

Can action be taken at a later date: No If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City:

PRESENTATION: Please list the presenter(s), type, and length of presentation

I. SUMMARY

II. AGENDA DESCRIPTION

If approved, this donation would be used to fund specialized equipment for the Portland Police Department's (PPD) Dive Team. Specifically, the donated funds would be used for the purchase of an Aqua Eye handheld sonar for the Dive Team's use. The Aqua Eye is a handheld, all-weather device that uses sonar to identify anomalies in the water column that are consistent with a submerged body.

The Dive Team conducts search and recovery operations for victims of motor vehicle crashes, homicides, and other water-related deaths. The team also conducts searches for evidence in criminal investigations.

The donor, Paul Rollins, owner of Rollins Scuba Associates in South Portland, is the team's civilian administrator.

This item must be read on two separate days. It received its first reading on April 28. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is \$50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not

limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. Order - Accepting and Appropriating a \$5,995.00 for the Police Department Dive Team to Purchase Equipment
2. Chief Council Memo - Dive Team Donation

Prepared by:

Date: 04/24/2025

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL D. FOURNIER (A/L)
BENJAMIN GRANT (A/L)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

SARAH MICHNIEWICZ (1)
WESLEY PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**ORDER ACCEPTING AND APPROPRIATING A \$5,995.00 DONATION FROM PAUL
ROLLINS FOR THE PORTLAND POLICE DEPARTMENT DIVE TEAM**

ORDERED, that a donation of \$5,995.00 from Paul Rollins is hereby accepted and appropriated to the Portland Police Department Dive Team to purchase equipment; and

BE IT FURTHER ORDERED, that the City Manager or designee is hereby authorized to execute whatever documents are necessary or convenient to effect the intent and purpose of this Order.



TO: Portland City Council
Mayor Mark Dion

FROM: Mark Dubois, Chief of Police

CC: Danielle West, City Manager
Sgt. Anthony Ampezzan, Dive Team Commander

SUBJECT: Donation to Portland Police Regional Dive Team

I'm writing to request Council approval for a donation to fund specialized equipment for the Portland Police Department's Dive Team. The Dive Team, which is actually a regional dive team comprised of members from the PPD and the South Portland Police Department, conducts search and recovery operations for victims of motor vehicle crashes, homicides, and other water-related deaths. The team also conducts searches for evidence in criminal investigations. Each dive team member has been trained as a PADI (Professional Association of Diving Instructors) and is required to attend monthly training.

Paul Rollins, owner of Rollins Scuba Associates in South Portland, is the team's civilian administrator. He has dedicated thousands of hours over the past four decades to train officers on the Dive Team – the time and expertise he has provided to benefit the City are immeasurable. Mr. Rollins has offered to donate funds (\$5,995.00) for the purchase of an Aqua Eye handheld sonar for the Dive Team's use. The Aqua Eye is a handheld, all-weather device that uses sonar to identify anomalies in the water column that are consistent with a submerged body. Its range is approximately 150 feet. It can be used around piers, docks, and beaches, in fresh and salt water, making it ideal for use on the waterfront or in the Presumpscot River. It does not take the place of a diver, but can significantly enhance the Dive Team's ability to search an area quickly and effectively, especially important when dealing with low-visibility areas around piers and docks, and with the shifting tides of Casco Bay. When taking into consideration the stress of a missing person case on the family and loved ones, the value of this tool, with its potential to shorten that time of uncertainty, is clear. Sgt. Ampezzan, the Dive Team Commander, and Paul Rollins, the donor and Dive Team administrator, are happy to attend the meeting and answer any questions.

MEMORANDUM
City Council Agenda Item

FROM: Michael Goldman, Corporation Counsel

DATE: April 24, 2025

SUBJECT: Order 177-24/25 Extending for 180 Days the Moratorium on New Hotel Projects in the City of Portland Established by Order 77-24/25 - Sponsored by the Housing & Economic Development Committee, Pious Ali, Chair

SPONSOR: Councilor Pious Ali, Chair of the Housing and Economic Development Committee; meeting held April 15, 2025, and the vote was 4-0 to recommend approval by the City Council.

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading 4/28/2025

Final Action 5/5/2025

Can action be taken at a later date: No

Does this item involve a new contract with the City: No.

PRESENTATION: Michael Goldman/3 Minutes

I. SUMMARY

See Agenda Description below.

II. AGENDA DESCRIPTION

On November 4, 2024, the City Council passed Order 77-24/25, which established a 180-day moratorium on new hotel projects. The moratorium expires on June 2, 2025. The moratorium was put in place following the Council's finding that the current hotel inclusionary zoning ordinance (the "Hotel IZ Ordinance") is inadequate to ensure sufficient affordable housing for hotel employees and to otherwise prevent a worsening of the housing crisis in Portland. As required by the moratorium order, the Housing and Economic Development Committee met on April 15, 2025, and considered a presentation by Planning staff for potential amendments to the Hotel IZ Ordinance and gave Planning staff guidance for further research on the matter and preparing draft amendments to the ordinance for the Planning Board's consideration. Staff anticipate presenting amendments to the Planning Board in June, which means that the moratorium will expire before the Planning Board and City Council have an opportunity to consider the proposed amendments. Because the problems that gave rise to the ordinance still exist (i.e. the Hotel IZ Ordinance is inadequate to ensure sufficient affordable housing for hotel employees) and because the City is making reasonable progress to alleviate the problem by actively pursuing changes to the ordinance in accordance with the order, the Housing and Economic Development Committee voted 4-0 to recommend that the Council extend the moratorium for an additional 180 days pursuant to 30-A MRS 4356(2).

This item must be read on two separate days. It received its first reading on April 28. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

See Summary above and attached Memo and backup that was reviewed by the Housing and Economic Development at its April 15, 2025, meeting.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

The items aligns, as a policy matter, with Council Common Goal #2: “The Council will work to implement solutions to the housing crisis, including building more working class housing, improved support for the unhoused community such as an overdose prevention center as well as continued support for warming shelters. Additionally conduct independent assessment of Efficiencies, Outcomes, and Expenditures.”

V. FINANCIAL IMPACT

The hotel IZ policy has resulted in \$834,374 in contributions to the housing trust fund, with just over \$3 million in anticipated revenues from approved projects pending construction. The fee-in-lieu amount is adjusted annually. If the fee is updated to more accurately reflect current incomes and housing costs, assuming that hotel development trends hold steady, contributions to the housing trust fund could be expected to increased significantly.

With regard to extending the moratorium, there is no financial impact.

VI. STAFF ANALYSIS AND BACKGROUND

Staff support the proposed six-month extension while a proposed amendment to the hotel inclusionary zoning ordinance works its way through the Planning Board to the City Council for approval.

VII. RECOMMENDATION

Given the timeframe expected for review and recommendation to the City Council from the Planning Board, the Housing and Economic Development Committee voted 4-0 to recommend to the City Council a six-month extension of that moratorium.

VIII. LIST ATTACHMENTS

1. Order - Extending Hotel Moratorium
2. Hotel Inclusionary Memo and Backup
3. Draft HEDC Mins of 4-15-2025 Re Hotel IZ Ordinance

Prepared by:

Michael Goldman, Corporation Counsel

Date: 04/24/2025

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL D. FOURNIER (A/L)
BENJAMIN GRANT (A/L)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

SARAH MICHNIEWICZ (1)
WESLEY PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**ORDER EXTENDING FOR 180 DAYS THE MORATORIUM ON NEW HOTEL
PROJECTS IN THE CITY OF PORTLAND ESTABLISHED BY ORDER 77-24/25**

WHEREAS, the City of Portland continues to face a critical shortage of affordable housing; and

WHEREAS, in January 2019, by Order 134-18/19, the City Council adopted an inclusionary zoning ordinance for hotel projects as set forth in Section 18.2.5 of the City's Land Use Code (the "Hotel Inclusionary Zoning Ordinance"); and

WHEREAS, hotel projects create many jobs that do not pay employees at a rate sufficient to allow those employees to afford market rate housing in Portland, and the purpose of the Hotel Inclusionary Zoning Ordinance was to address that demand; and

WHEREAS, the Hotel Inclusionary Zoning Ordinance currently requires developers of hotel projects to provide one unit of low-income long-term rental housing for every 28 rooms in the hotel project or to pay a fee-in-lieu of such units to the Jill C. Duson Housing Trust Fund in the amount of \$4,692 for each guest room in the hotel project; and

WHEREAS, since 2019, nine hotel projects have been approved, are under review, are under construction, or have been constructed, including 801 guest rooms; and

WHEREAS, the developers of those hotel projects have provided no low-income long-term rental units and will generate only about \$3,556,000 in fees to the Jill C. Duson Housing Trust Fund; and

WHEREAS, the hotel projects that have been constructed since 2019 are projected to create approximately 489 jobs, many of which are expected to pay below 60% of the area median income; and

WHEREAS, hotel development continues to be robust and competes with housing development in Portland; and

WHEREAS, the Hotel Inclusionary Zoning Ordinance has not been substantially changed since its initial passage in 2019 and is inadequate to prevent serious public harm caused

by hotel development, including the lack of sufficient affordable housing for hotel employees employed at new hotels; and

WHEREAS, a 180-day prohibition on approval for new hotel projects was approved by Order 77-24/25 on November 4, 2024 to allow the City time to review and amend the Hotel Inclusionary Zoning Ordinance as necessary to ensure that there is sufficient affordable housing for hotel employees and otherwise prevent a worsening of the housing crisis; and

WHEREAS, as required by Order 77-24/25, the City's Housing and Economic Development Committee met on April 15, 2025 and received a presentation from Planning staff outlining potential amendments to the Hotel Inclusionary Zoning Ordinance; and

WHEREAS, Planning staff anticipate presenting proposed amendments to the Planning Board in June 2025; and

WHEREAS, the existing Moratorium is scheduled to expire on June 2, 2025, prior to consideration of proposed amendments by the Planning Board and City Council; and

WHEREAS, the conditions that gave rise to the original moratorium persist, and the City is actively working to address them by pursuing amendments in accordance with the process initiated by Order 77-24/25.

NOW, THEREFORE, pursuant to its authority in 30-A M.R.S. §§ 3001 and 4356, the Portland City Council hereby extends the existing Moratorium for an additional one hundred and eighty (180) days through November 29, 2025, effective immediately, on any and all applications and approvals for hotel projects, except that this Moratorium does not apply to any hotel projects that have any applications with the City or the Planning Board that are currently under review by the City or the Planning Board or that have already been approved by the City or Planning Board (the "Existing Hotel Projects"); and

BE IT ORDERED, that no permit applications for any hotel project, other than the Existing Hotel Projects, shall be accepted, processed, or reviewed by the City or the Planning Board for the extended period of this Moratorium; and

BE IT FURTHER ORDERED, that those provisions of the City's Land Use Code that are inconsistent or conflicting with the provisions of this Moratorium, are hereby repealed to the extent that they are applicable for the duration of this Moratorium, but not otherwise; and

BE IT FURTHER ORDERED, that during the time that this extended Moratorium is in effect, the City's Housing and Economic Development Committee, with the assistance of Housing and Economic Development and Planning staff, shall continue to review the Hotel Inclusionary Zoning Ordinance and identify policy concerns for the

Planning Board to consider in developing potential amendments to the ordinance for consideration by the City Council; and

BE IT FURTHER ORDERED, that this Moratorium shall remain in effect until the earlier of the effective date of necessary amendments to the Hotel Inclusionary Zoning Ordinance or November 29, 2025, unless further extended, repealed, or modified by the Portland City Council; and

BE IT FURTHER ORDERED, that to the extent any provision of this Moratorium is deemed invalid by a court of competent jurisdiction, the balance of the Moratorium that shall remain shall be considered valid.



Staff Memo To:

Housing & Economic Development Committee
Councilor Pious Ali, Chair

MEETING DATE

April 15, 2025

AGENDA ITEM

Agenda Item 2 – Hotel Inclusionary Zoning Ordinance

PURPOSE

An initial discussion on the history, background, and development trends related to the City’s hotel inclusionary zoning ordinance, with the committee providing direction on next steps.

COMMITTEE WORK PLAN/CITY COUNCIL GOAL ALIGNMENT

On December 16, 2024, the City Council established its 2025 Common Goals, outlining policy priorities and guiding the development of Council committee work plans. The Housing & Economic Development Committee (HEDC) identified the review and potential revision of the hotel inclusionary zoning ordinance (Chapter 14, Section 17.2.4) as a policy matter aligned with Council Common Goal #2: *“The Council will work to implement solutions to the housing crisis, including building more working class housing, improved support for the unhoused community such as an overdose prevention center as well as continued support for warming shelters. Additionally conduct independent assessment of Efficiencies, Outcomes, and Expenditures.”*

At its [January 21, 2025](#) meeting, the HEDC established its 2025 work plan, which includes reviewing and considering potential revisions to the City’s existing hotel inclusionary zoning ordinance.

BACKGROUND/ANALYSIS

On November 4, 2024, the City Council passed Order 77-24/25 (6-2, Mayor Dion & Councilor Rodriguez – No, Councilor Fournier Absent) (Attachment A) establishing a 180-day moratorium on new hotel projects in the City of Portland. The moratorium went into effect on December 4, 2024 and is set to expire on June 2, 2025.

Portland’s Hotel Inventory & Development Trends

According to lodging license data from the Maine Department of Health and Human Services, there are currently 41 licensed lodging places in the City of Portland, with approximately 3,500 total rooms. 68% of these hotels have been developed since 2000, and 18 (44%) have been developed since 2010.

History of Hotel IZ policy

In 2019, the City proposed and established a hotel inclusionary zoning (IZ) ordinance. The requirement applies to hotel projects with 10 or more rooms and any hotel expansions of 10 or more rooms within any five-year period. To meet the requirement, hotel projects can provide one unit of low-income housing for rent within the city for every 28 hotel rooms. Portland considers a low-income housing unit to mean one that is rented to households earning 80% AMI or less. The other alternative is for a hotel project to pay a linkage fee (fee-in-lieu) with a 2019 basis of \$3,806 per room, which is deposited into the City's Housing Trust Fund at the time the Certificate of Occupancy is issued. The linkage fee is adjusted annually; the 2025 hotel inclusionary fee-in-lieu is \$4,831 per guest room.

The impetus for the creation of a hotel inclusionary zoning ordinance was a steady rise in hotel/inn/motel development between 2012 and 2018. Local and national data indicated that job creation in the hospitality industry would involve a considerable amount of workforce households at average wage rates below what was required to afford housing in Portland at the time. As a result of the specifics of the industry's profile and anticipating an increase in hotel/inn/motel development in the coming years, the hotel inclusionary zoning ordinance was adopted on January 23, 2019, Order 134-18/19 (Attachment B) and became effective on February 22, 2019.

Hotel development post IZ policy

Since adoption of the ordinance in 2019, 14 projects have been approved. Of the 14 projects three hotel projects approved in that timeframe were not subject to hotel inclusionary zoning requirements (Table 1). One project was too small (<10 rooms) to trigger the requirement and the other two were products of approved master development plans (Thompsons Point and Portland Foreside), which gave them pending proceeding status under the pre-inclusionary zoning code.

Table 1: Approved Hotel Projects Exempt From Hotel IZ Regulations				
Address	Common Name	Approval Year	Total Rooms	Status
148 Coveside Drive	Diamond Cove	2024	8	Approved
Thompson's Point	Forefront Hotel	2023	148	Under Construction
58 Fore Street	Portland Foreside	2023	128	Approved
Total	3		284	

Of the 11 remaining projects (Table 2), four have been constructed and completed, resulting in a combined total of 223 rooms. Each of these projects elected to contribute to the Housing Trust Fund, generating a total of \$834,373 in contributions. Two additional projects are currently under construction: The Docent's Collection at 178–184 Middle Street, which will contain 19 rooms and contribute \$86,602 into the Housing Trust Fund and 215 Commercial Street, which will contain 15 rooms and contribute \$70,380 into the housing trust fund. Both are smaller-scale renovations of

former office spaces in the Old Port. The remaining five projects have received approval but have not yet begun construction. If built, the five remaining projects would add an additional 623 new rooms. If all 11 projects are constructed as approved, they would collectively generate approximately \$3.8 million in contributions to the Housing Trust Fund and 880 hotel rooms.

Table 2: Approved Hotel Projects Subject To Hotel IZ Regulations					
Address	Common Name	Approval Year	Total Rooms	Fee-in-lieu	Status
*121 Middle Street	Docent's Collection	2019	26	\$72,314	Construction Complete
1 Center Street	Canopy by Hilton	2019	135	\$513,810	Construction Complete
754 Congress Street	The Longfellow Hotel	2020	48	\$182,688	Construction Complete
54 York Street	The Weldon Hotel	2024	14	\$65,562	Construction Complete
178-184 Middle Street	Docent's Collection	2023	19	\$86,602	Under Construction
215 Commercial Street	-	2024	15	\$70,380	Under Construction
477 Congress Street	Time & Temperature	2023	181	\$849,252	Approved
1060 Westbrook Street	Hyatt Jetport	2024	119	\$558,348	Approved
465 Congress Street	Monument Hotel	2024	92	\$431,664	Approved
385 Congress Street	Fathom	2023	179	\$815,882	Approved
245 Commercial Street	Portland Harbor Hotel Expansion	2024	52	\$243,984	Approved
TOTAL	11		880	\$3,890,486	

121 Middle Street – Awaiting fee-in-lieu payment for 7 additional rooms, which are included in the total room count.

In terms of location, of the 14 projects approved since the implementation of the Hotel IZ policy, approximately 57%, a total of eight projects (699 rooms) are located in the City's B-3 Downtown Business zone. This zone spans from roughly Franklin Street to State Street and includes the Old Port, Arts District, and abuts the waterfront areas recognized as the region's core for arts, culture, commerce, and civic life, where hotel development is both anticipated and encouraged. For comparison, between 2019 and 2024, the City also approved 1,695 residential dwelling units within the B-3 zone, reflecting strong and balanced growth in both hotel and residential

development. This trend aligns with the goals outlined in *Portland's Plan 2030*, which reinforces downtown as the region's primary hub of activity for the region.

The remaining hotel projects are also located in areas where hotel development is generally expected. Two projects are in the B-5 zone—one at Thompson's Point and the other at 54 York Street, just outside the B-3 zone near Commercial Street and the Old Port/Waterfront Central neighborhoods. One project, part of the master development plan for the Portland Foreside mixed-use development, is located in the B-6 zone in the Eastern Waterfront. Another is situated in the Airport Business (A-B) zone, an area commonly associated with airport-related uses and business travel. Finally, one project was approved as part of a contract zone on Great Diamond Island.

Approved Hotel Projects by Zone (2019–2024)		
Zone	Total Hotel Projects	Total Rooms Approved
B-2b	1	48
B-3	8	699
B-5	2	162
B-6	1	128
A-B	1	119
Contract Zone	1	8
TOTAL	14	1,164

In terms of size, there is no clear evidence of a significant trend toward smaller hotel projects (<10 rooms) as a means of avoiding Hotel IZ requirements. The average size of hotels operating prior to the adoption of the IZ policy was 89 rooms, compared to an average of 83 rooms for hotels approved since its implementation. Only one project approved since 2019 has been under 10 rooms. However, a notable emerging trend in hotel development is the rise of smaller-scale hotels with fewer than 30 rooms, offering an alternative to traditional accommodations. These boutique-style properties typically feature apartment-style suites with fully equipped kitchens, separate dining and living areas, and private bedrooms. They often operate with limited on-site staff, minimal amenities, and rely on mobile check-ins and lacking a centralized reception area. Four such projects—121 Middle Street, 178–184 Middle Street (Docent's Collection), 215 Commercial Street, and 54 York Street (The Weldon Hotel)—fit this model. While these developments were still required to comply with Hotel IZ regulations, they reflect a growing and distinct segment of the hospitality market that tend to operate more in the vein of short term rentals.

ReCode Zoning Changes

As part of the City's ReCode initiative, adopted by the City Council on November 4, 2024, new hotels are now prohibited in the B-1, B-2b, and TOD-1 zones. The purpose of these zones is to support neighborhood- and community-oriented retail, business, and service establishments within a more urban development pattern. They are intended to foster mixed-use development and moderate- to high-density housing in urban neighborhoods that align with the City's investment in high-frequency transit infrastructure, encouraging walking, biking, and public transit use. By prohibiting hotels in these zones, the City prioritizes housing and mixed-use developments and directs hotels to designated areas better suited for such uses.

ReCode also included changes to the definition of "hotel" within the land use code. These changes were designed to more clearly define hotels as multi-room commercial facilities with centralized reception, management, and cleaning services, and to address the emerging trend toward non-traditional forms of hotel development more akin to short-term rentals.

Inclusionary Zoning Fee-in-Lieu Assumptions

Linkage fees are often used by cities as a way to offset the impacts of new development. Before establishing a linkage fee, communities typically conduct a study that formally and systematically establishes the nexus, or the 'link,' between new development and the fee's purpose. In the case of the city's hotel IZ policy, a linkage fee study was completed in 2018 to document the nexus between hotel development and demand for affordable housing (Attachment C). The basic principle of the study, which was conducted by the Greater Portland Council of Governments (GPCOG), is that new hotel development creates new jobs and attracts new households to fill those jobs, and that new affordable housing is necessary to accommodate them.

When the hotel policy was created, it was also the intent that the linkage fee would be periodically updated. Although no specific timeframe was established for these updates and in anticipation of upcoming discussions regarding the current Hotel IZ fee amounts, City staff requested an updated fee-in-lieu analysis from GPCOG in early 2025 (Attachment D). It is important to note that GPCOG's current work did not include an evaluation of the 2018 fee study methodology, but instead simply replicated the original methodology using current day income and housing cost assumptions. In almost all cases, the current study used the same data sources as the 2018 study; the one exception was for housing cost data, where the original data source was no longer available. Because of this change in the availability of data, GPCOG supplied three possible updated fee-in-lieu figures, reflecting three estimated affordability gaps based on three alternative rental cost data sources (the City of Portland Rent Board reports, American Community Survey, or HUD Fair Market Rent). These figures range from \$9,520 to \$10,620 to \$13,731 per room, depending on the rent data source used.

For purposes of comparison, staff conducted an initial analysis of the potential impact of these three possible fees, based on an average sized hotel in the City of Portland of 85 rooms. Under the possible fees, the total inclusionary zoning contribution for a hotel of this size would range from \$809,164 to \$902,720 to \$1,167,120. The total contribution for an 85 room hotel at the 2025 hotel IZ figure of \$4,831 per room would be \$410,635.

NEXT STEPS:

If the summary and recommendations for changes to the existing Hotel IZ ordinance align with the committee's and City Council's priorities, the City can proceed in several possible directions:

1. **Option 1 - Raise IZ fee-in-lieu:** This option would increase the hotel IZ fee-in-lieu based on the estimated affordability gap identified in the 2025 GPCOG study. Staff seeks committee direction on the preferred fee amount based on the rent data source used. Based on the Council's direction, the housing unit per room requirement within hotel inclusionary zoning policy would also be adjusted.
2. **Option 2 - Raise IZ fee-in-lieu & reduce applicability threshold:** In addition to raising the hotel IZ fee-in-lieu based on the estimated affordability gap from the GPCOG study, this option would amend the definition of a "Hotel project" to apply to any size hotel, rather than the current requirement of only applying to projects that include 10 or more guest rooms. Based on the Council's direction, the housing unit per room requirement within hotel inclusionary zoning policy would also be adjusted.
3. **Option 3 - Maintain existing fee-in-lieu & reduce applicability threshold:** This option would retain the existing hotel IZ fee-in-lieu while reducing the applicability threshold. The definition of a "Hotel project" would be amended to include any hotel, rather than only those with 10 or more guest rooms. As in Option 2, the threshold of >10 rooms would be removed, making the IZ requirements applicable to all hotel projects. Based on the Council's direction, the housing unit per room requirement within hotel inclusionary zoning policy would also be adjusted.

FISCAL IMPACT

The hotel IZ policy has resulted in \$834,374 in contributions to the housing trust fund, with just over \$3 million in anticipated revenues from approved projects pending construction. The fee-in-lieu amount is adjusted annually. If the fee is updated to more accurately reflect current incomes and housing costs, assuming that hotel development trends hold steady, contributions to the housing trust fund could be expected to increase significantly.

CONCLUSION(S)

This item is for discussion and direction. If the committee supports the presented options and provides additional guidance on revisions, staff recommends that the hotel moratorium be extended to allow time for staff to draft proposed Land Use Code revisions. These revisions would then be reviewed by the Planning Board, which will provide a recommendation on a text amendment to update the Hotel Inclusionary Zoning ordinance for consideration by the full City Council. Following the Planning Board's recommendation, the amendment will move forward to the full City Council for consideration and final decision.

PRIOR COMMITTEE REVIEW

N/A

PREPARED BY

Kevin Kraft, AICP
Director
Planning & Urban Development

Nell Donaldson
Director of Special Projects
Planning & Urban Development

ATTACHMENTS

Attachment A – Hotel Moratorium Order 77-24/25

Attachment B – Hotel IZ Ordinance Order 134-18/19

Attachment C – GPCOG Linkage Study 2018

Attachment D – GPCOG Linkage Study 2025

Attachment E – Hotel IZ Ordinance – Chapter 14

Order 77-24/25 Passage as amended: 6-2 on 11/04/2024 (Mayor Dion & Councilor Rodriguez-No, Councilor Fournier Absent)

Motion to waive second reading: Passed 7-1 (Dion-No, Fournier absent)

Motion to amend effective until date to 5/3/2024 if passed as an emergency and to send any changes made to the Planning Board. - Passed 7-1 (Dion-No, Fournier absent)

Motion to refer to HEDC Committee-Failed 3-5 (Sykes, Ali, Phillips, Trevorrow, Pelletier-No, Fournier absent)

Motion to pass as an emergency: Failed 6-2 (Dion & Rodriguez No, Fournier absent)

Effective 12/04/2024

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL D. FOURNIER(A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**ORDER ESTABLISHING A 180-DAY MORATORIUM ON NEW HOTEL PROJECTS
IN THE CITY OF PORTLAND**

WHEREAS, the City of Portland faces a critical shortage of affordable housing;

WHEREAS, in January 2019, by Order 134-18/19, the City Council adopted an inclusionary zoning ordinance for hotel projects as set forth in Section 18.2.5 of the City's Land Use Code (the "Hotel Inclusionary Zoning Ordinance"); and

WHEREAS, hotel projects create many jobs that do not pay employees at a rate sufficient to allow those employees to afford market rate housing in Portland, and the purpose of the Hotel Inclusionary Zoning Ordinance was to address that demand; and

WHEREAS, the Hotel Inclusionary Zoning Ordinance currently requires developers of hotel projects to provide one unit of low-income long-term rental housing for every 28 rooms in the hotel project or to pay a fee-in-lieu of such units to the Jill C. Duson Housing Trust Fund in the amount of \$4,692 for each guest room in the hotel project; and

WHEREAS, since 2019, nine hotel projects have been approved, are under review, are under construction, or have been constructed, including 801 guest rooms; and

WHEREAS, the developers of those hotel projects have provided no low-income long-term rental units and will generate only about \$3,556,000 in fees to the Jill C. Duson Housing Trust Fund; and

WHEREAS, the hotel projects that have been constructed since 2019 are projected to create approximately 489 jobs, many of which are expected to pay below 60% of the area median income; and

WHEREAS, hotel development continues to be robust and competes with housing development in Portland;

WHEREAS, the Hotel Inclusionary Zoning Ordinance has not been substantially changed since its initial passage in 2019 and is inadequate to prevent serious public harm caused by hotel development, including the lack of sufficient affordable housing for hotel employees employed at new hotels;

WHEREAS, a temporary 180-day prohibition on approval for new hotel projects is appropriate in order to allow the City time to review and amend the Hotel Inclusionary Zoning Ordinance as necessary to ensure that there is sufficient affordable housing for hotel employees and otherwise prevent a worsening of the housing crisis; and

WHEREAS, in the judgment of the City Council for the City of Portland, these facts create an emergency within the meaning of 30-A M.R.S. § 4356(1) (A) and the City Charter, requiring immediate action to prevent serious public harm; and

NOW, THEREFORE, pursuant to its authority in 30-A M.R.S. §§ 3001 and 4356, the Portland City Council hereby ordains that a Moratorium is imposed, effective immediately, on any and all applications and approvals for hotel projects, except that this Moratorium does not apply to any hotel projects that have any applications with the City or the Planning Board that are currently under review by the City or the Planning Board or that have already been approved by the City or Planning Board (the “Existing Hotel Projects”); and

BET IT ORDERED, that that no permit applications for any hotel project, other than the Existing Hotel Projects, shall be accepted, processed, or reviewed by the City or the Planning Board for the period of this Moratorium; and

BE IT FURTHER ORDERED, that those provisions of the City’s Land Use Code that are inconsistent or conflicting with the provisions of this Moratorium, are hereby repealed to the extent that they are applicable for the duration of this Moratorium, but not otherwise; and

BE IT FURTHER ORDERED, that during the time that this Moratorium is in effect, the City’s Housing and Economic Development Committee shall review the Hotel Inclusionary Zoning Ordinance and identify policy concerns for the Planning Board to consider in developing potential amendments to the ordinance for consideration by the City Council; and

BE IT FURTHER ORDERED, that this Moratorium shall remain in effect until the earlier of the effective date of necessary amendments to the Hotel Inclusionary Zoning Ordinance or June 2, 2025, unless extended, repealed, or modified by the Portland City Council; and

BE IT FURTHER ORDERED, that to the extent any provision of this Moratorium is deemed invalid by a court of competent jurisdiction, the balance of the Moratorium that shall remain shall be considered valid.

EXHIBIT B

Order 134-18/19

Passage: 9-0 on 1/23/2019

Effective 2/22/2019

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
BRIAN E. BATSON (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

KIMBERLY COOK (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**AMENDMENT TO PORTLAND CITY CODE CHAPTER 14
RE: HOTEL PROJECT INCLUSIONARY ZONING**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

*That Chapter 14, Sections 14-484, 14-485 and 14-488.1 is
hereby amended to read as follows:*

Sec. 14-484. Purpose.

It is in the public interest to promote an adequate supply of affordable housing for the city's residents. The purpose of this division therefore is to offer incentives to developers to include units of affordable housing within development projects, thereby mitigating the impact of market rate housing construction, or the demonstrated increase in affordable housing needs resulting from the creation of new lower-income jobs, on the limited supply of available land for suitable housing and helping to meet the housing needs of all economic groups within the city. The city believes that this division will assist in meeting the city's comprehensive goals for affordable housing, in the prevention of overcrowding and deterioration of the limited supply of affordable housing, and by doing so promote the health, safety and welfare of its citizens.

...

Sec. 14-485. Definitions.

...

Eligible project means a development project:

...

- (d) Projects shall not be considered "eligible projects" solely because they are subject to Section 14-487 ("Ensuring Workforce Housing").

Hotel Project is any hotel, inn or motel, as defined in Section 14-47 of Chapter 14 of the Portland City Code, consisting of 10 or more guest rooms for rent. Any such development that exists prior to the effective date of this Section but expands by 10 or more rooms within any 5 year period will also be considered a hotel project.

...

14-488.1 Inclusionary Zoning for Hotel Projects

(a) **Purpose:** This section is based on City analysis, most specifically the analysis documented in the Greater Portland Council of Government study "Proposed Hotel Linkage Fee: Supportable Range" dated August 29, 2018, that finds that new hospitality developments create a need for new affordable housing. This need is the result of the fact that hospitality developments necessarily create a number of jobs that do not pay employees at a rate sufficient to allow those employees to afford market-rate housing in the City of Portland.

(b) **Hotel Projects Conditional Uses:** Notwithstanding anything to the contrary in Chapter 14, all hotel projects are conditional uses subject to Planning Board review on the condition that they comply with the requirements of this Section 14-489.

(c) **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 Section 14-487 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.

(d) **Fee-in-Lieu Alternative:** As an alternative to providing Low Income Housing units under subsection (c) 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

and used for the purposes set forth in the ordinance and regulations applicable to that trust.

(e) **Annual Adjustments:** The amounts in (d) above shall be adjusted annually in the same way as the fee under Division 29 for Housing Replacement.

(f) **Regulations:** The Planning Board may promulgate implementing regulations based on this ordinance.

(g) **Applicability:** Notwithstanding the provisions of 1 M.R.S. § 302, Sec. 14-489 shall apply retroactively and include any and all actions and proceedings pending on September 26, 2018 or thereafter.

To: Jeff Levine, Planning & Urban Development Director
From: Stephanie Carver, GPCOG Planning Director
Date: 8/29/18
RE: Proposed Hotel Linkage Fee: Supportable Range

This memo has been expanded and updated based on additional data provided by the Maine Innkeepers Association.

Introduction

The City of Portland's Department of Planning & Urban Development is examining the feasibility of a proposal for assessing hotel linkage fees that would recover the cost of producing housing that is affordable for hotel employees. The purpose of this memo is to provide information to the City regarding the use of linkage fees for this purpose and outline a potential methodology for the calculation of a fee.

We have used the best available data to demonstrate how this methodology could be used to estimate a potential hotel linkage fee, but this does not constitute a recommendation from GPCOG as to the amount the City of Portland should charge for the hotel linkage fee nor is it a recommendation for the City of Portland to enact a hotel linkage fee ordinance.

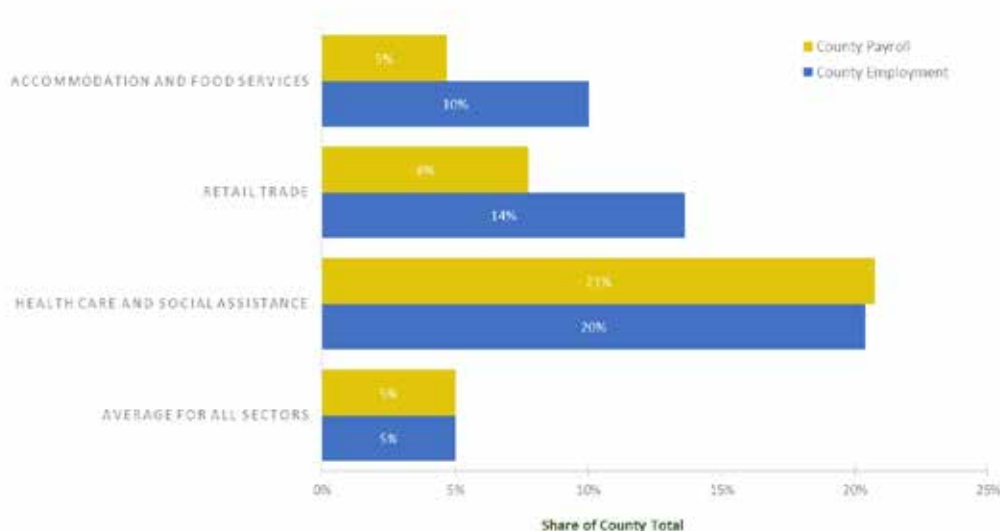
Background

Linkage fees are fees that cities may choose to implement to help mitigate the impact of new commercial development on the demand and availability of affordable housing. Prior to implementing a fee policy, communities often conduct a study to identify the connection, or “nexus” between new commercial development and the need for additional affordable housing. It is assumed that new commercial development contributes additional workers to a city’s workforce and adds new worker households. In many industries, a percentage of these households do not make enough to live and work in the same city. Looking outside the city to find affordable housing often results in longer commute times and higher transportation costs. If implemented, a linkage fee is typically charged to a developer as a condition of approval and it is assessed based on total square footage or number of units in the development.

The City's Comprehensive Plan identifies the increasing demand for affordable housing as an emerging issue and sets a goal of pursuing “policies to enable people who work in Portland to have the option to live in Portland.” To be considered affordable, housing should consume no more than 30% of a household’s income including rent, mortgage, utilities and other household related costs. Of the 1,130 housing units that were permitted and/or built in Portland between 2010 to 2014,

including apartments, condominiums and single-family homes, just 29% were offered at a rent or sales price affordable to a household earning the median incomeⁱ.

CUMBERLAND COUNTY EMPLOYMENT 2016



Source: US Census County Business Patterns, 2016

The Maine Office of Tourism estimates over 6 million tourists visited Portland in 2017. Hotel development is steadily increasing, with 1,811,050 square feet of hotel development - representing 2,647 units - currently in operation throughout the City. According to the US Census, the accommodation and food service sector is the third largest share of employment in Cumberland County, representing 10% of the County's workforce but only 5% of the County's payroll.

According to the Maine State Housing Authority the average rent (including utilities) for a two-bedroom apartment in Portland is \$1,053 per month, and the household income needed to afford the average rent in Portland is \$42,111 per year. However, this is the average rent paid by existing renters in Portland and new households moving to Portland will pay the current market rate, which is generally higher than the average rent. As of June 15, 2018, there are roughly 60 two-bedroom apartments listed for rent in Portland on Zillow, with monthly rents ranging between \$1,300-\$3,500. One third of those apartments are listed with rents between \$1,500 and \$2,000, and another third of those apartments are listed for more than \$2,000 per month. Therefore, a new household moving to Portland will expect to pay between 120%-330% of the average rent to live in the City.

There are a range of estimates available regarding the average wages of a full-time employee in this sector, and all are well below the household income needed to afford housing in Portland. According to the US Census, the average Cumberland County employee in this sector earns \$312 a week or \$16,227 per year. The Maine Department of Labor (DOL) estimates the median income for a full-time

Cumberland County employee in this sector to be significantly higher, \$24,908 per year. Additionally, as of 2017 the minimum wage in Portland is \$10.68/hour, so a full-time employee making this salary would earn an annual income of \$22,214. This affordability gap may force accommodation workers employed in Portland to seek housing outside of Portland.

Data

The minimum justified fee per square footage of hotel development outlined in this memo is based on data from both the US Census American Community Survey (ACS), and wage data from the Maine Department of Labor (DOL).

The US Census American Community Survey (ACS) data in this memo was used because it is the most comprehensive and consistent data source for demographic and economic characteristics of the population in GPCOG's service area. However, there are some limitations to the ACS data. First, it is 5-year sample data because this is the only data consistently available at the municipal, county, and state level. The drawback to using data pooled over five years is it averages out any short-term changes in income due to economic cycles or Portland's more recent minimum wage increase. Second, the median earnings reported by the ACS are based on what individuals report for their earnings regardless of whether they work full-time or part-time. As a result, these earnings may be skewed lower by individuals who work part-time, which may be more common for employment in the retail, food service, or accommodation sectors.

To balance these limitations, the median weekly wage data from the Maine DOL was also included in the analysis. The Maine DOL wage data is from the Quarterly Census of Employment and Wages (QCEW), which is based on employment and wage data reported to the Unemployment Insurance (UI) of the United States. The Maine DOL data also has some limitations. First, the data are only available at the industry level, so it is not possible to calculate the affordability gap for different occupations in the hotel sector. Second, the average weekly wage reported by the QCEW also does not differentiate between full-time and part-time employment. As a result, the weekly wage data reported by the Maine DOL may be skewed both by higher wage occupations and by part-time employment. The average weekly wage reported by Maine DOL was used to calculate yearly income based on full-time employment. This also assumes individuals employed in the accommodation sector can work full-time if they are willing and able toⁱⁱ.

Methodology

Methodologies used to calculate linkage fees vary, but in most cases the analysis begins with an estimation of the number of new employees associated with a typical development, in this case a hotel. In this methodology, a formula is used to calculate the affordability gap between what workers can afford to pay for housing and the average cost of market rate housing.

In Portland's case, a link is established between the creation of new jobs in the hotel sector and the increased demand for affordable housing through the following steps:

- **New Jobs.** Industry data was used to estimate the number of direct jobs that will be created by a new hotel with 180 units. According to the Urban Land Institute the typical hotel employs between 0.5-0.8 employees per hotel room. Using an average value of 0.65 employees per hotel room, it is estimated that a hotel with 180 rooms will employ 117 people. The current ratio of jobs per household was used to estimate how many households will be created by this new employment.
- **Households.** Currently there are 37,737 employed civilians aged 16 and over within the 30,211 total households in Portland. This means that on average there are 1.2 jobs per every household in Portland. Based on this ratio it is estimated that the 117 additional jobs created by a new hotel will create 94 new households in Portland. However, it is assumed employment in these households will be split up between different occupations, such as management, sales, service, and maintenance. The wages for each specific occupation may be higher or lower than the median wage for the hotel industry. Therefore, industry occupation employment and wage data examined from the ACS was used to estimate how many new households will be low income.

EMPLOYED POPULATION PER HOUSEHOLD 2016

	Portland	Cumberland County	Maine
Employed Civilian Population 16+	37,737	155,014	652,638
Total Households	30,211	117,871	551,109
Jobs/Household	1.2491	1.3151	1.1842

Source: American Community Survey 2016 5-year estimate

- **Jobs by Occupation.** Based on industry and occupation employment data from the ACS 64% of jobs in the hotel industry are service occupations, 19% of hotel jobs are management occupations, 13% of hotel jobs are sales and office occupations, and the remainder are maintenance and transportation occupations. The total number of jobs and households that will be created in each occupation was calculated by multiplying the share of hotel employment by occupation by the total number of new hotel jobs created.

NEW JOBS AND HOUSEHOLDS BY OCCUPATION CREATED BY NEW HOTEL EMPLOYMENT

	Share of Hotel Employment	Number of New Jobs	Number of New Households
Service	64%	74	60
Sales and Office	13%	15	12
Transportation	4%	4	3
Maintenance	1%	1	1
Management	19%	22	18
Total - All Occupations	100%	117	94

Source: American Community Survey 2016 5-year estimate;
GPCOG Analysis

Household Income. Median wage by occupation data for Cumberland County from the ACS was used to calculate the household income for each household in each occupation category. This calculation assumes 1 person in each new household works full-time in the hotel industry and any additional workers in the household earn the area median income:

NEW HOUSEHOLDS AND HOUSEHOLD INCOME BY OCCUPATION (ACS DATA)

	Number of New Households	Median Wage for Hotel Income Earner	Median Wage for Second Income Earner	Total Household Income
Service	60	\$18,109	\$9,015	\$27,124
Sales and Office	12	\$30,444	\$9,015	\$39,459
Transportation	3	\$31,695	\$9,015	\$40,710
Maintenance	1	\$33,421	\$9,015	\$42,436
Management	18	\$52,910	\$9,015	\$61,925

Source: GPCOG Analysis and American Community Survey 2016 5-year estimates

Median wage by industry data from the Maine DOL was also used to calculate the average household income for the 94 new households created by hotel employment:

NEW HOUSEHOLDS AND HOUSEHOLD INCOME (MAINE DOL DATA)

	Number of New Households	Median Wage for Hotel Income Earner	Median Wage for Second Income Earner	Total Household Income
Accommodation	94	\$24,908	\$12,164	\$37,072

Source: GPCOG Analysis and Maine DOL QCEW 2016

Affordability Gap. These estimates for household income by occupation were compared to housing affordability data from the Maine State Housing Authority to show the difference between what the new households created by hotel employment earn and the minimum income needed to afford a two-bedroom apartment in Portland. These results show that households with Service, Sales and Office, and Transportation occupations have a household income that is lower than the minimum income needed to afford rental housing in Portland. This household affordability gap is largest (\$14,987) for households with Service occupations, which also represent nearly 2/3 of households created by the new hotel employment.

AFFORDABILITY GAP ANALYSIS (ACS DATA)

	Number of New Households	Total Household Income	Income Needed to Afford Rent in Portland	Household Affordability Gap	Total Affordability Gap
Service	60	\$27,124	\$42,111	\$14,987	\$892,820
Sales and Office	12	\$39,459	\$42,111	\$2,652	\$32,048
Transportation	3	\$40,710	\$42,111	\$1,401	\$4,856
Maintenance	1	\$42,436	\$42,111	NA	\$0
Management	18	\$61,925	\$42,111	NA	\$0
Total					\$929,724

Source: Maine State Housing Authority, 2017; American Community Survey 2016 5-year estimates

The household affordability gap using the median wage by industry data from the Maine DOL was also calculated:

AFFORDABILITY GAP ANALYSIS (MAINE DOL DATA)

	Number of New Households	Total Household Income	Income Needed to Afford Rent in Portland	Household Affordability Gap	Total Affordability Gap
Accommodation	94	\$37,072	\$42,111	\$5,039	\$472,007

Source: Maine State Housing Authority, 2017; Maine DOL QCEW 2016

Aggregate Affordability Gap. The household affordability gap for each occupation was multiplied by the number of households with employment in each occupation to arrive at a total affordability gap that ranges between \$472,007 and \$929,724 per year. This number represents the difference between these households' ability to pay for their housing and the market cost of their housing based on the median monthly rent, for one year. In reality these

households may face higher rental housing costs since current Portland rents for new units are significantly higher than the median rent.

· **Final Calculation.** Dividing the affordability gap by the number of new hotel rooms results in an average affordability gap that ranges between \$2,622 and \$5,165 per room, or between \$3.91 and \$7.70 per square foot. Therefore, a fee between **\$3.90-\$7.70 per square foot** would cover a minimum justified housing affordability gap for the 94 new households created by a new 180-unit hotel employment for one year. This methodology assumes the median wage for a hotel income earner in the service industry, including full-time and part-time employees, is \$18,109 based on US Census ACS data. If it is instead assumed that hotel service industry employees are working full-time at the City's minimum wage of \$10.68/hour and making \$22,241 annually, then the minimum justified fee would be between \$2,622 and \$3,806 per room or **\$3.90-\$5.67 per square foot** of hotel development for one year. However, this assumes individuals working in the service sector are able to procure full-time employment, which is not always the caseⁱⁱ.

This example estimate represents the full cost of the affordability gap for employment in one hotel for one year as calculated by the proposed methodology. Multiple factors could potentially impact the demand for affordable housing and the City may determine a higher or lower percentage of this fee based on these variables. Furthermore, this fee could be re-evaluated periodically as circumstances such as inflation, rents, and rental housing supply change.

ⁱ Portland 2030 Housing Demand, GPCOG 2015

ⁱⁱ According to a 2016 study (<https://www.epi.org/publication/still-falling-short-on-hours-and-pay-part-time-work-becoming-new-normal/#epi-toc-21>) from the Economic Policy Institute the retail trade and leisure and hospitality sectors contributed to 63% of the growth in part-time employment and 54% of the growth in involuntary part-time employment from 2007-2015. Involuntary part-time employment is defined as individuals who are working part time because full time work could not be found or hours were reduced due to economic conditions (slack work).

MEMO

To: Kevin Kraft, Director of Planning & Urban Development
From: Kristina Egan, GPCOG Executive Director
Date: 3/18/25
Re: Hotel Linkage Fee Update

Introduction

In 2018, the City of Portland asked the Greater Portland Council of Governments (GPCOG) to assess the feasibility of a hotel linkage fee that could be used to help offset the cost of producing affordable housing for hotel employees. The resulting memo outlined the use of linkage fees for this purpose, proposed a methodology for calculating the fee, and provided a range of justifiable figures for implementation. Using this analysis, the City established inclusionary zoning requirements for hotels and an in-lieu fee of \$3,806 per guest room. This figure has been adjusted annually in the time since its adoption. The fee-in-lieu for 2025 is \$4,831 per guest room.

Recognizing significant market changes since 2018, the City of Portland requested an updated analysis in early 2025. The following memo replicates the original linkage fee methodology to the best extent possible using updated data.

Background

Linkage fees are tools cities can use to offset the impact of new commercial development on affordable housing availability and demand. Before implementing such a policy, communities typically conduct a study to identify the “nexus” between new development and the need for additional affordable housing. The assumption is that commercial growth brings new workers, some of whom may not earn enough to live in the city. This often forces households to seek housing outside the city, resulting in longer commutes and higher transportation costs. If adopted, a linkage fee is typically charged to developers as a condition of project approval, based on the development’s total square footage or number of units.

Data

Where possible, the hotel linkage fee range in this memo is based on the same data sources used in the original 2018 study. To maintain consistency, 2023 data was used across multiple sources, even when newer data was available in some cases.

Employment + Wage Data

This analysis relies on employment and wage data from the U.S. Census American Community Survey (ACS), which provides the most consistent workforce and wage estimates. The previous memo also incorporated wage data from the Maine Department of Labor as a point of comparison; however, the adopted hotel linkage fee was ultimately based on wage data from the ACS.

Housing Cost Data

The 2018 linkage fee study used rental data from the Maine State Housing Authority to establish a baseline housing cost, using a two-bedroom unit as a reference point (due to its ability to accommodate the assumed household size). However, in the time since, Maine Housing has stopped publishing rental data. As a result, this memo relies on several other readily available sources of rental data to estimate housing costs, including the Department of Housing and Urban Development's Fair Market Rent (FMR) Documentation System, the American Community Survey, and the City of Portland's Rent Board Report.

- **Fair Market Rent:** FMR represents the average cost of renting a moderately priced home, including utilities, in a specific area. It is used to set rent limits for housing assistance programs to ensure they align with current market conditions. The Portland, ME HUD Metro FMR Area includes municipalities in Cumberland County and parts of York County. Updated annually, FMR estimates are based on rental market surveys, American Community Survey data, and inflation adjustments.¹
- **U.S. Census ACS Data:** The ACS provides median gross rent estimates by unit size, accounting for both rent and utilities when not already included. Data is based on five-year samples, which help ensure statistical reliability but smooth out short-term rent fluctuations. Estimates reflect both market-rate and subsidized rentals.²
- **City of Portland Rent Board Report:** These annual reports provide data on rental availability, city-wide rent prices, rental market trends, and board actions on rent increases, among other topics.³

Methodology

Linkage fee calculations typically estimate the number of new employees and households generated by a development, such as a hotel. Wage and rent data are then used to estimate the gap between what these workers can afford for housing and the average market rent. This memo presents that analysis for Portland, using the most recent and locally relevant data, through the following steps:

Number of New Jobs

To estimate job creation, industry data was applied to a 180-room hotel – chosen as a representative example based on an actual development. While staffing levels vary based on factors such as hotel size, service level, and operational needs, the original linkage fee study assumed a ratio of .65 employees per hotel room, based on numbers from the Urban Land Institute. Using this ratio, a 180-room hotel is expected to generate 117 jobs.

Number of New Households

The current ratio of jobs per household was then used to estimate the number of households represented by this new employment. Portland currently has 39,590 employed civilians aged 16 and over across 32,393 households⁴, or an average of 1.22 jobs per household. Using this ratio, the 117 new jobs created by the example 180-room hotel would generate an estimated 96 new households.

Employment and Households by Occupation

The jobs held by hotel employees would span various occupations – management, sales, service, maintenance, etc.— with wages varying by role. To estimate how many of the households employed by a new hotel would be low-income, industry-specific employment and wage data from the American Community Survey was used. The American Community Survey groups Arts, Entertainment, Recreation, Accommodation, and Food Services together, reflecting industries tied to the service sector. While this broad category includes more than just hotel jobs, it offers the best available estimate for occupational distribution. Within this sector, approximately 56% of jobs are in service occupations, 31% in management, 7% in sales and office, 6% in transportation, and 1% in maintenance.⁵

The table below estimates the number of new employees and households created by occupation.

ESTIMATED NEW HOTEL JOBS AND HOUSEHOLDS BY OCCUPATION

	% of Service Sector Employment	# of New Hotel Employees ⁱ	# of New Households ⁱⁱ
Service	55.5%	65	53
Management	30.6%	36	29
Sales and Office	6.8%	8	7
Transportation	5.8%	7	6
Maintenance	1.2%	1	1
Total	100%	117	96

ⁱ Calculated by multiplying the percentage of service sector employment by the total estimated 117 hotel employees.

ⁱⁱ Calculated by multiplying the percentage of service sector employment by the total estimated 96 households.

Household Incomes

Household income estimates were calculated using Cumberland County's ACS median earnings data by occupation for 2023.⁶ This approach reflects the broader region where hotel workers in Portland may reside. The one exception is for service workers, where the City of Portland's 2023 minimum wage of \$14/hour was substituted for the ACS median wage. The household income calculations assume one person in each household works full time in the hotel industry and also assumes a second household member makes the area median earnings.⁷ The table below presents these estimated household incomes by occupation.

ESTIMATED NEW HOUSEHOLDS AND HOUSEHOLD INCOME BY OCCUPATION (2023 ACS DATA)

	# of New Households	Median Wage for Hotel Employee	Median Wage for 2 nd Income Earner ⁱⁱ	Total Household Income
Service ⁱ	53	\$29,120	\$10,899	\$40,019
Management	29	\$71,711	\$10,899	\$82,610
Sales and Office	7	\$42,467	\$10,899	\$53,366
Transportation	6	\$40,829	\$10,899	\$51,728
Maintenance	1	\$50,572	\$10,899	\$61,471

ⁱ The Service wage reflects Portland's 2023 minimum wage of \$14/hour, as the Census estimate was below the legal minimum.

ⁱⁱ The second income earner's wage of \$10,899 is based on 0.22 of the 2023 Census median earnings for all occupations in Cumberland County (\$49,540), reflecting the estimated 1.22 employees per household.

Affordability Gap

To create a range, the estimated household incomes for each occupation category were then compared to three different rent data sources to assess whether new hotel employees can afford a two-bedroom unit in Portland and to calculate the cumulative 'affordability gap.'

ESTIMATED AFFORDABILITY GAP: 2023 FAIR MARKET RENT FOR PORTLAND METRO AREA

[\$1,859 for a two-bedroom unit]

	New Households	Household Income	Income Needed ⁱ	Affordability Gap (HH)	Total Gap
Service	53	\$40,019	\$79,671	\$39,652	\$2,101,556
Management	29	\$82,610	\$79,671	- \$2,939	N/A
Sales and Office	7	\$53,366	\$79,671	\$26,305	\$184,135
Transportation	6	\$51,728	\$79,671	\$27,943	\$167,658
Maintenance	1	\$61,471	\$79,671	\$18,200	\$18,200
Total	96	--	--	--	\$2,471,549
Per Room					\$13,731

ⁱAnnualizing Fair Market Rent (\$1,859 * 12 months = \$22,308) and dividing by 0.28 yields \$79,671, ensuring rent remains just below the 30% housing cost burden threshold.

ESTIMATED AFFORDABILITY GAP: 2023 ACS MEDIAN GROSS RENT FOR PORTLAND

[\$1,664 for a two-bedroom unit]

	New Households	Household Income	Income Needed ⁱ	Affordability Gap (HH)	Total Gap
Service	53	\$40,019	\$71,314	\$31,295	\$1,658,635
Management	29	\$82,610	\$71,314	- \$11,296	N/A
Sales and Office	7	\$53,366	\$71,314	\$17,948	\$125,636
Transportation	6	\$51,728	\$71,314	\$19,586	\$117,516
Maintenance	1	\$61,471	\$71,314	\$9,843	\$9,843
Total	96	--	--	--	\$1,911,630
Per Room					\$10,620

ⁱAnnualizing ACS median rent (\$1,664 * 12 months = \$19,968) and dividing by 0.28 yields \$71,314, ensuring rent remains just below the 30% housing cost burden threshold.

ESTIMATED AFFORDABILITY GAP: 2023 CITY OF PORTLAND RENT BOARD

[\$1,595 for a two-bedroom unit]

	New Households	Household Income	Income Needed ⁱ	Affordability Gap (HH)	Total Gap
Service	53	\$40,019	\$68,357	\$28,338	\$1,501,914
Management	29	\$82,610	\$68,357	- \$14,253	N/A
Sales and Office	7	\$53,366	\$68,357	\$14,991	\$104,937
Transportation	6	\$51,728	\$68,357	\$16,629	\$99,774
Maintenance	1	\$61,471	\$68,357	\$6,886	\$6,886
Total	96	--	--	--	\$1,713,511
Per Room					\$9,520

ⁱAnnualizing ACS median rent (\$1,595 * 12 months = \$19,140) and dividing by 0.28 yields \$68,357, ensuring rent remains just below the 30% housing cost burden threshold.

Final Calculation

As shown on the previous page, dividing the total affordability gap by the 180 new hotel rooms results in an **estimated per-room affordability gap ranging from \$9,520 to \$10,620 to \$13,731** depending on the rent data source used (City of Portland Rent Board, American Community Survey, or HUD Fair Market Rent). This estimate reflects the full annual affordability gap associated with the jobs generated by a single hotel room based on the methodology from the original 2018 study.

¹ Department of Housing and Urban Development [FY 2023 Fair Market Rent Documentation System](#) for the Portland, ME HUD Metro FMR Area

² U.S. Census American Community Survey 2019-2023 5-year estimate (Table B25031)

³ [2023 Portland Rent Board Annual Report](#) (pg. 12)

⁴ U.S. Census American Community Survey 2019-2023 5-year estimate (Table DP03)

⁵ U.S. Census American Community Survey 2019-2023 5-year estimate (Table S2405)

⁶ U.S. Census American Community Survey 2019-2023 5-year estimate (Table B24011)

⁷ U.S. Census American Community Survey 2019-2023 5-year estimate (Table S2001)

17 HOUSING

17.1 HOUSING PRESERVATION AND REPLACEMENT

17.1.1 Purpose

The purpose of the housing preservation and replacement ordinance is:

- A. To promote and facilitate an adequate supply of housing, particularly affordable housing for all economic groups.
- B. To limit the net loss of housing units in the city.
- C. To preserve housing in zones where housing is permitted in the city for all residents in order to promote the health, safety, and welfare of its citizens.

17.1.2 Applicability

- A. Except as otherwise provided in this section, the housing preservation and replacement ordinance shall apply to the loss of three or more dwelling units in a five-year period, provided that such dwelling units were a legally registered residential use as of July 1, 2002. For the purposes of this section, dwelling units shall be as defined in Article 3, but also include rooming units that people rent in or sleep in within lodging houses, dormitories, shelters, and sheltered care group homes.
- B. Except as otherwise provided in this section, the housing preservation and replacement ordinance shall also apply to proposals that result in the loss of fewer than three dwelling units which were legally registered residential use as of July 1, 2002 for the purposes of creating surface parking.
- C. For the purposes of this section, loss of dwelling units shall mean the elimination or conversion to nonresidential use of a dwelling

unit and dwelling units that remain vacant for three years or more or are lost due to demolition unless the vacancy or demolition results from accidents outside of the owner's control, fire, natural disasters, or acts of war.

- D. Determination of number of the dwelling units within a structure or structures and the number of units lost will be based on the records of the Building Authority indicating the legal, registered use of the property since July 1, 2002 through the time of application. The actual use of the property for purposes of applicability of this section may be rebutted by the owner by proof of documentary evidence including but not limited to photographs, letters, and sworn affidavits. The Planning Authority may conduct its own investigation of the actual use and shall determine the applicability of this section based on the totality of the evidence.

17.1.3 Exemptions

This section does not apply to:

- A. Consolidation, elimination, or reconfiguration of one or more dwelling units within an existing structure, as long as all the resulting units remain as dwelling units after such consolidation, elimination, or reconfiguration, except as provided by (D) below. Conversion of a dwelling unit to a hotel or motel room shall not qualify for the exemption provided by this paragraph.
- B. Legally nonconforming dwelling units existing in zones which no longer permit residential uses.
- C. Property which has been ordered demolished by the City, pursuant to 17 M.R.S. § 2851, et seq., as amended, except where it is determined by

the Building Authority that the deterioration was caused by neglect or lack of maintenance.

- D. Paragraph (A) above notwithstanding, the conversion to a nonresidential use of any dwelling units located on the ground floor of a building within a mixed-use zone.

17.1.4 Planning Authority approval required

Notwithstanding any other provision of this section, a proposal to demolish or to convert three or more dwelling units to a nonresidential use in a zone where such use is otherwise permitted must first obtain approval from the Planning Authority. In addition to any other requirements of the Land Use Code, the applicant must submit a statement certifying the number of dwelling units to be demolished or converted to nonresidential use, as well as a description of the characteristics of each of those units.

17.1.5 Tenant notification requirements

Prior to elimination as a result of demolition or conversion to nonresidential use, the owner shall:

- A. Provide the Planning Authority a list containing the name of each tenant currently residing in the dwelling units to be demolished or converted to nonresidential use, as well as verification of compliance with tenant notice requirements of this subsection.
- B. Deliver to each tenant who occupies such a dwelling unit a written notice to vacate the unit. The notice shall either be sent by certified mail, return receipt requested, or served in-hand. The notice will grant the tenant not less than 90 days from the date of receipt of the notice to vacate the unit.
- C. File proof of service of the notice with the Planning Authority.

17.1.6 Housing replacement requirements

- A. The Planning Authority shall require, as a condition of approval, that an owner shall replace any dwelling units that are demolished or converted to nonresidential use.
- B. This requirement may be satisfied in any one of the following ways, which may be used in combination:
 - 1. *Construction of units.* The construction of housing units within a new structure or a new addition either on site or off-site.
 - 2. *Residential conversion.* The conversion of a nonresidential building to residential use.

17.1.7 Replacement unit requirement

In addition to the foregoing, all replacement units built pursuant to Subsection 17.1.6.B above shall:

- A. Be located within the same United States census block group as the parcel from which the dwelling units are being removed or within 1,500 feet of the dwelling units being removed.
- B. Not previously have been on the market as of the date of application.
- C. Be situated within a development which has not been a candidate for site plan approval as of the date of the application.
- D. Be comparable in size to the units replaced. For the purpose of this section, “comparable in size” means that the aggregate size of the replacement units will be no less than 80% of the size of the aggregate of the original units to be replaced and a similar bedroom mix.

17.1.8 Contribution to the Housing Trust Fund

- A. The applicant may meet the requirements of this housing replacement ordinance by depositing \$50,000 for each dwelling unit into the City’s Housing Trust Fund.

B. Beginning on January 1, 2004 and annually thereafter, the amount of the contribution shall be adjusted by multiplying this amount originally deposited for each unit by a fraction, the denominator of which shall be the “Consumer Price Index for Urban Wage Earners and Clerical Workers (“CPI-W”),” U.S. City Average, “All Items Index,” as published by the United States Bureau of Labor Statistics (“the index”) for January 1, 2003 year, and the numerator of which shall be the index for the same month in each subsequent year. In the event that the index is not then in existence, the parties shall use such equivalent price index as is published by any successor governmental agency then in existence, or, if none, then by such nongovernmental agency as may then be publishing an equivalent price index, in lieu of and adjusted to the index. If the index shall cease to use 1982-84 equals 100 as the basis of calculation, or if a substantial change is made in the terms or number of items contained in the index, the base index shall be adjusted to conform to such change, using such computation thereof, if available, as shall be employed by the United States Department of Labor in computing same. Notwithstanding anything herein to the contrary, contributions made after January 1, 2004 shall not be less than the amount originally required to be deposited for each rooming or dwelling unit.

17.1.9 Performance guarantee

Owners or affiliates must post a performance guarantee in the form of a letter of credit, or other security acceptable to the City attorney, in the amount equivalent to the amount the applicant would have been required to contribute to the

City’s Housing Trust Fund if the applicant had chosen that option pursuant to Subsection 17.1.8. Such a performance guarantee shall be valid for no more than three years, after which the full amount due shall be provided to the City’s Housing Trust Fund if replacement units satisfying the conditions of this housing replacement ordinance do not have certificates of occupancy.

17.1.10 Partial waiver of replacement requirements

A. Any owner who has applied for site plan review for elimination or conversion to nonresidential use of dwelling units may apply to the Zoning Board of Appeals for a partial waiver from the housing replacement requirements of this section. Such waiver may be a downward adjustment of up to 50% of the owner’s housing replacement obligation if the owner establishes to the board’s satisfaction that:

- 1.** The proposed development is consistent with the Comprehensive Plan.
- 2.** The proposed development provides significant value and benefit to the immediate and surrounding neighborhood, including, but not limited to, community enhancement, social benefits or job creation.
- 3.** The applicant demonstrates with objective evidence that the imposition of the requirements of this section would impose such an economic burden upon the project relative to its scope that it renders the project impossible to develop.
- 4.** The requested relief does not constitute a grant of a special privilege inconsistent with the limitations upon similar properties.

- B.** The Zoning Board of Appeals must make positive findings on each of the four criteria above in order for any such adjustment to be valid. An applicant aggrieved of a decision of the Zoning Board of Appeals may appeal a decision under this subsection pursuant to the provisions of Article 2.

17.1.11 Effect of other City ordinances

- A.** Nothing in this section shall permit the demolition or conversion to nonresidential use of dwelling units in residential property protected by Article 16, except as permitted by that ordinance.
- B.** A conditional zone may not be used to circumvent the application of this section. The terms of this section shall apply to any conditional zone which involves dwelling units affected by this section. Notwithstanding the foregoing, nothing herein shall be deemed to prevent the City and the applicant from agreeing to terms which exceed those imposed by this section by means of a conditional zone.

17.1.12 Appeals

Any applicant aggrieved by a decision of the Planning Authority under this section may appeal to the Zoning Board of Appeals within 30 days of that decision.

17.2 AFFORDABLE HOUSING

17.2.1 Purpose

It is in the public interest to promote an adequate supply of housing that is affordable to a range of households at different income levels. Therefore, the purpose of this section is to offer incentives to developers to include units of affordable housing within development projects and to require the

inclusion of affordable housing units in development projects in certain contexts. In so doing, this section will assist the city in meeting its comprehensive goals for affordable housing, in preventing the overcrowding and deterioration of the limited supply of affordable housing, and promote the health, safety, and welfare of its citizens.

17.2.2 Affordable housing incentives

- A. Eligible projects.** Under this subsection, eligible projects shall include any development project:
 - 1.** That is permissible under the provisions of this Land Use Code in the zone in which it is proposed.
 - 2.** That creates new dwelling units, among which is at least one low-income or workforce housing unit for rent or sale, through new construction, substantial alteration of existing structures, adaptive reuse or conversion of a nonresidential use to residential use, or any combination of these elements. Affordable housing units for sale or rent may not differ in exterior design from other units within an eligible project.
- B. Reduction of fees.** Notwithstanding any other provision of this Land Use Code or Chapter 6 to the contrary, development fees, including site plan review and inspection fees, subdivision review and inspection fees, impact fees, administrative fees, and construction and permit fees as described in Chapter 6 of the City of Portland Code of Ordinances, shall be reduced by the City for an eligible project in the manner described in Table 17-A. Development

TABLE 17-A: AFFORDABLE HOUSING FEE REDUCTIONS

% of New Units That are Low- Income or Workforce	Development Fee Discount	Cost of Work (Building Permit) Fees
10% up to but not including 15%	10% reduction	\$9.90 per \$1,000
15% up to but not including 20%	15% reduction	\$9.35 per \$1,000
20% up to but not including 25%	20% reduction	\$8.80 per \$1,000
25% or more	25% reduction	\$8.25 per \$1,000

TABLE 17-B: BONUSES FOR ELIGIBLE PROJECTS

% Low-income or Workforce Units	Density Permitted¹
10-19%	1.1 x base
20-29%	1.25 x base
30-49%	1.3 x base
50-74%	2.5 x base
>75%	2.5 x base

¹ "Base" is the number of units allowed under the zoning without this bonus but with any other bonuses applied.

fees do not include any fees charged for review conducted by any party other than the City.

- C. Expedited review.** The Planning Authority shall perform its review of an eligible project in as expedited a manner as is practical, without impairing the scope or thoroughness of the review. The Planning Authority may adopt administrative procedures to prioritize review of eligible projects and facilitate this expedited review. The Planning Board shall make its best efforts to give priority in scheduling workshops and public hearings related to any plans or applications required for an eligible project that are within the Planning Board's jurisdiction, without impairing the scope or thoroughness

of its review. At the conclusion of these public meetings, the Planning Board shall promptly issue a decision on all such plans and applications before it for consideration.

D. Density and height bonuses.

Notwithstanding any other provision of this Land Use Code to the contrary, in order to encourage low-income and workforce units in areas prioritized for growth, eligible projects as defined under Subsection 17.2.2 may avail themselves of the following options:

- 1. Density bonuses.** The maximum number of units that would otherwise be allowed under this Land Use Code shall be increased for an eligible project in the manner described in Table 17-B, applicable where residential is allowed as a permitted or conditional use in mainland zones.
- 2. Height bonuses.** In mixed-use zones, the TOD zones, and the RN-6, for eligible projects over ten units in size in which over 75% of units are low-income or workforce units, maximum heights as permitted under Article 7 shall be increased by 10 feet.
- 3. Unit size.** In order to be eligible for this subsection, the low-income and workforce housing units must meet Subsections 17.2.3(C)(2), (3), and (4).
- 4. Term of affordability.** Affordable units under this subsection shall be deed-restricted to remain affordable for 30 years or the longest term permitted under federal, state, and local laws, whichever is longer. Such deed restrictions shall be recorded in the Cumberland County Registry of Deeds.

17.2.3 Ensuring workforce housing

- A. Purpose.** Based on the City’s Comprehensive Plan and the City’s 2015 housing study, it is in the public interest to promote an adequate supply of housing that is affordable to a range of households at different income levels. The purpose of this subsection is to ensure that housing developments over a certain size provide a portion of workforce housing units and, by doing so, promote the health, safety, and welfare of Portland citizens.
- B. Applicability.** This subsection shall apply to site plan applications that create ten or more new dwelling units for rent or for sale through new construction, substantial alteration of existing structures, adaptive reuse or conversion of a nonresidential use to residential use, or any combination of these elements. This subsection shall not apply to projects that otherwise meet or exceed the standards of 17.2.3(C).
- C. Standards.** Development projects subject to this subsection shall meet to the following requirements:
1. At least 25% of the units in the project shall meet the definition of workforce housing unit for sale or for rent as defined in Article 3. The project shall have the option of paying a partial fee-in-lieu as per (5) below or providing an additional unit on-site for any fractional value.
 2. Projects shall not be segmented to avoid compliance with these provisions.
 3. Workforce units must be integrated with the rest of the development, must use a common entrance in the case of mixed market rate and workforce buildings, must

TABLE 17-C: MINIMUM TERM OF AFFORDABILITY FOR REQUIRED WORKFORCE UNITS

% of Workforce	
Units Provided	Minimum Term of Affordability
25%	30 years
50%	20 years
100%	10 years

provide no indication from the exterior or from areas inside the respective buildings that these units are workforce housing units, and must demonstrate general parity in unit design, finishes, and amenities between market and workforce units in the development. Applications shall include a narrative that addresses parity of workforce and market rate units, a description of workforce and market rate unit attributes and amenities, phasing if applicable, and integration into the respective building and site design.

4. Workforce units need not be the same size as other units in the development but the cumulative number of bedrooms in such units shall be no less than 25% of the total number of bedrooms in the development.
5. As an alternative to providing workforce housing units, projects may pay a fee-in-lieu of some or all of the units. In-lieu fees shall be paid into the Housing Trust Fund. The fee for affordable units not provided shall be \$150,000 per unit, adjusted annually in the same way as the fee under Subsection 17.1.8.
6. Workforce housing units for sale, if converted to workforce housing units for

rent, shall become subject to the income limits and other requirements of such units.

7. The term of affordability for the required 25% workforce units provided shall be defined as shown in Table 17-C.
 8. Projects shall be subject to an affordable housing agreement with the City of Portland, unless a project is otherwise subject to such an agreement requiring an equal or greater percentage of affordable units at an equal or lower income target level than required by this section.
- D. Density and height bonuses.** Projects that are subject to this subsection shall be eligible for density and height bonuses under Subsection 17.2.2(D).
- E. Implementation guidance.** The Housing & Economic Development Department shall provide guidance on income verification methods, affordable housing agreements, and subsequent monitoring requirements.
- F. Reporting to City Council.** In conjunction with the annual report on the Housing Trust Fund, the Planning Authority shall annually report on developments subject to this subsection, the number of units produced, the amount of fee-in-lieu collected, and the overall effectiveness of this subsection in achieving its stated purpose.

17.2.4 Inclusionary zoning for hotel projects

- A. Purpose.** This subsection is based on City analysis, most specifically the analysis documented in the Greater Portland Council of Government study *Proposed Hotel Linkage Fee: Supportable Range* dated August 29, 2018, that finds that new hospitality developments create a need for new affordable housing. This need is

the result of the fact that hospitality developments necessarily create a number of jobs that do not pay employees at a rate sufficient to allow those employees to afford market-rate housing in the City of Portland.

- B. Hotel projects.** For the purposes of this subsection, hotel projects shall include any hotel as defined in Article 3 consisting of 10 or more guest rooms for rent to transient guests or to extended stay guests of up to six months. Any expansion of an existing hotel by 10 or more rooms within any five-year period will also be considered a hotel project.
- C. 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 17.2.3(C)(2), (3), and (4) and in the implementing regulations governing low-income units. Such units shall contain two bedrooms and be a minimum of 900 SF in floor area. 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.
- D. Fee-in-lieu alternative.** As an alternative to providing low-income housing units under Subsection 17.2.4(C) 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.

- E. Annual adjustments.** The amounts in Subsection 17.2.4(D) above shall be adjusted annually in the same way as the fee under Section 17.1.8.
- F. Implementation guidance.** The Housing & Economic Development Department shall provide guidance on income verification methods, affordable housing agreements, and subsequent monitoring requirements.

17.3 JILL C. DUSON HOUSING TRUST FUND

17.3.1 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 moderate income housing needs through a combination of funds as set out in this article.

17.3.2 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 17.1.8.
- B.** In-lieu fees under Subsections 17.2.3 and 17.2.5.
- 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.

17.3.3 Management of the trust fund

The City Manager, or their 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.

17.3.4 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 17.1 shall be given to the creation of new housing stock, through either new construction or conversion of nonresidential buildings to residential use.

17.3.5 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 17.1.
- 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.

17.3.6 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.

17.4 CONDOMINIUM CONVERSION

17.4.1 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.

17.4.2 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.

17.4.3 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 17.4.4, 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 shall be hand delivered to the tenant or mailed, by certified mail, return receipt requested, postage prepaid, to the tenant at the address of the unit or such other address as the tenant may provide. The notice shall be effective when actually received. No tenant may be required by a developer to vacate without having been given notice as required herein, except for the reasons specified in the applicable law of forcible entry and detainer, and in accordance with the procedures thereof. The terms of a tenancy, including rent, may not be altered during the notice period, except as expressly provided in a preexisting written lease. If, within 120 days after a tenant is required by a developer to vacate, the developer records a declaration of condominium without having given notice as required herein, the developer

shall be presumed to have converted in violation of this article.

- C. Option to purchase.** For a 60-day period following the giving of notice as required in Subsection 17.4.3(A), the developer shall grant to the tenant an exclusive and irrevocable option to purchase the unit of which the tenant is then possessed, which option may not be assigned. If the tenant does not purchase or contract to purchase the unit during the 60-day period, the developer may not convey or offer to convey the unit to any other person during the following 180 days at a price or on terms more favorable than the price or terms previously offered to the tenant, unless the more favorable price or terms are first offered exclusively and irrevocably to the tenant for an additional 60-day period. This subsection shall not apply to any rental unit that, when converted, will be restricted exclusively to nonresidential use. If, within two years after a developer records a declaration of condominium, the use of any such unit is changed such that but for the preceding sentence, this subsection would have applied, the developer shall be presumed to have converted in violation of this article.

17.4.4 Relocation payments

If the tenant does not purchase the unit, the developer shall, before the tenant is required by the developer to vacate, make a cash payment to the tenant in an amount equal to the amount of rent paid by the tenant for the immediately preceding two months, provided that this requirement shall not apply to any tenant whose gross income exceeds 80% of the median income of the Portland SMSA, adjusted for family size, as determined by the

U.S. Department of Housing and Urban Development at the time notice is given as required in Subsection 17.4.3. Additionally, the developer shall, upon demand, provide assistance to the tenant in the form of referrals to other reasonable accommodations and in determining the tenant's eligibility for relocation payments as provided herein.

17.4.5 Conversion permit

Before conveying or offering to convey a converted unit, the developer shall obtain a conversion permit from the Building Authority. The permit shall issue only upon receipt of a completed application therefore in a form to be devised for that purpose, payment of a fee of \$25,000 per converted unit, to be adjusted annually in the same way as the fee under Chapter 14, Section 17.1.8 of this code, at least \$1,000 of which shall be appropriated to the Housing Safety Office for the administration and enforcement of the Rent Stabilization Ordinance, Chapter 6, Articles XII and XIII of this code, and the remainder of which shall be paid into the Jill C. Dusen Housing Trust Fund, and a finding, upon inspection, that each unit, together with any common areas and facilities appurtenant thereto, is in full compliance with all applicable provisions of Chapter 6, Articles II, III, and V and Chapter 10, Article II of the City of Portland Code of Ordinances, and the Life Safety Code as adopted by the state. The developer shall post a copy of the permit in a conspicuous place in each unit and shall make copies available to prospective purchasers upon request.

17.4.6 Variation by agreement

No provision of or right conferred by this Section 17.4 may be waived by a tenant, by agreement or

otherwise, and any such waiver shall be void. Any attempt to require, encourage, or induce a tenant to waive any provision hereof, or right conferred hereby, shall be a violation of this article. Nothing herein shall be construed to void any term of a lease which offers greater rights than those conferred hereby.

17.5 RELOCATION OF DISPLACED TENANTS

17.5.1 Purpose

The purpose of this section is to encourage the retention of a diverse housing supply throughout the downtown and in areas readily accessible to the downtown, to ensure that persons displaced as the result of redevelopment of residential units to nonresidential uses within the B-3 Downtown Business zone are treated fairly and consistently, and to ensure that persons so displaced will be relocated at the reasonable expense of the developer to comparable housing at a location providing comparable access to services and amenities.

17.5.2 Notice and eligibility for relocation assistance

When a proposed development will result in the displacement of residents of an existing structure, the developer of the property shall give all tenants written notice as set forth below and shall provide relocation assistance as set forth below for any tenant whose gross income is 80% or less of the median income of the Portland SMSA, adjusted for family size, as determined by the U.S. Department of Housing and Urban Development at the time the developer gives the tenant written notice of intent to cause removal of the residential unit. Such written notice shall be given to the tenant at least 120 days before the tenant shall be required to

vacate the premises and shall contain the following statement:

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 Planning and Urban Development, City of Portland, 389 Congress Street, Portland, Maine 04101.

17.5.3 Relocation assistance for all tenants

The developer shall provide, upon demand, assistance to all tenants who will be displaced by the development in the form of referrals to other reasonable accommodations and in determining the tenants' eligibility for relocation payments as provided herein. The developer shall make relocation payments to eligible tenants in accordance with the schedule adopted by the City Council in Subsection 17.5.4.

17.5.4 Schedule of relocation payments for eligible tenants

The developer shall, before the tenant is required by the developer to vacate, make a cash payment to the tenant in an amount equal to the amount of rent paid by the tenant for the immediately preceding two months.

**DRAFT MINUTES FROM
HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE MEETING
HELD ON 4/15/2025 RE HOTEL INCLUSIONARY ZONING ORDINANCE**

Item #2: Discussion: Hotel Inclusionary Zoning Ordinance and identify policy concerns for the Planning Board to consider in developing potential amendments to the Ordinance for consideration by the City Council

Kevin Kraft presented the history, background, and development trends related to the City's hotel inclusionary zoning ordinance. Nell Donaldson presented GPCOG's Nexus and Linkage Fee Study.

According to lodging license data from the Maine Department of Health and Human Services, there are currently 41 licensed lodging places in the City of Portland, with approximately 3,500 total rooms. 68% of these hotels have been developed since 2000, with 18 (44%) having been developed since 2010. In 2019, the City proposed and established a hotel inclusionary zoning ordinance. In the case of the City's IZ policy, a linkage fee study was completed in 2018 to document the nexus between hotel development and demand for affordable housing. The current linkage fee-in-lieu is \$4,831 per guest room. When the hotel policy was created, it was also the intent that the linkage fee would be periodically updated. In early 2025, City staff requested an updated fee-in-lieu analysis from GPCOG. Based on available data sources, GPCOG supplies three possible update fee-in-lieu figures based on three alternative rental cost date sources. These figures range from \$9,520 to \$10,620 to \$13,731 per room, depending on the rent date source used.

Staff is providing three options on moving forward. With committee guidance, staff is recommending the hotel moratorium be extended to allow time for staff to draft proposed Land

Use Code revisions for Planning Board review (in May/June) and eventually for consideration by the full City Council (in June/July).

The Committee held a discussion regarding the study methodology, and intended outcomes. Questions regarding the linkage fee, wage rates, number of hotel employees in Portland, creating housing affordable for hotel employees, and other methods to measure how to address the housing crisis were discussed. The Committee also noted that to create municipal led public housing, there would need to be a massive, revolving housing trust fund. Staff asked the Committee for their goal for the Hotel Inclusionary Zoning ordinance - is it to create the housing units required in the ordinance or is it to support investment into the Housing Trust Fund to leverage funding to create a greater amount of affordable housing?

Councilor Sykes noted the benefits of municipal led public housing is greater efficiency when compared to developers in the private market, and for that reason, leans towards trying to get a larger fee (that is more in line with what it costs to create housing) and try to capitalize a fund the City could use to produce publicly-owned housing.

Councilor Phillips indicated she would like to meet with the Planning Department.

Councilor Michniewicz asked staff to discuss their recommendation for option 2 (“raise IZ fee-in-lieu and reduce applicable threshold”).

Staff noted the current fee-in-lieu has not discouraged hotel development, so there is the thought there is room to increase the fee. Also, the current fee was calculated based on data from at least 2018 or earlier, so there is needed updating. Recalibrating the fee includes considering the impact on local developers. The fee should not be set so high that the unintended consequence is limiting the pool of developers from local and large commercial developers to only large commercial developers. Reducing the threshold from applying to projects that include

ten or more guest rooms would maintain consistency with changes made during ReCode.

Councilor Sykes indicated she leans towards option 2, but thinks the fee is far too low. The fee should be at a place that does not completely disincentivize hotel development. Larger corporations that are building hotels are probably in a place that is much easier for them to absorb the fee-in-lieu. Therefore, maybe tier the fee on the cost of the hotel room or ask the developer what the rate would be to rent a room for a week and then have that be the fee-in-lieu.

The Committee held a discussion on directing staff on how to proceed. Staff will implement the changes requested by the Committee, then bring the revised proposal to the Planning Board who would then make a recommendation to the City Council for consideration.

To allow the time necessary to conduct this work and hold the public hearings, the Committee directed staff to bring an extension request to the City Council to extend the moratorium from ending on June 2 to ending an additional six months from that date.

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

On a motion by Council Sykes, seconded by Councilor Michniewicz, the Committee voted 4-0 to recommend to the City Council extension of the current 180-day moratorium on new hotel projects and expansions to allow time for a review of the Hotel Inclusionary Zoning ordinance.

MEMORANDUM
City Council Agenda Item

FROM:

DATE: April 24, 2025

SUBJECT: Order 178-24/25 Amendment to Portland City Code Chapters 15 and 30 Re: Vehicles for Hire - Sponsored by the Sustainability & Transportation Committee, Regina Phillips, Chair

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

Can action be taken at a later date: No If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City:

PRESENTATION: Please list the presenter(s), type, and length of presentation

I. SUMMARY

II. AGENDA DESCRIPTION

On September 11, 2024, the Sustainability and Transportation Committee reviewed and recommended the attached revisions to Chapter 30. The proposed changes would require non-motorized and most motorized multi-seat bicycles used for commercial purposes to be licensed with the City.

This item must be read on two separate days. It received its first reading on April 28. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is \$50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. Amendment - Ch 15 and Ch 30 Vehicles for Hire
2. Chapter015.Licenses and Permits 10.18.2021 (1)
3. Chapter030.Vehicles for Hire 8.12.2019

Prepared by:

Date: 04/24/2025

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL D. FOURNIER (A/L)
BENJAMIN GRANT (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

SARAH MICHNIEWICZ (1)
WESLEY PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**AMENDMENT TO PORTLAND CITY CODE
CHAPTERS 15 AND 30 RE: VEHICLES FOR HIRE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

- 1. That the Sections 15-12, 30-75, 30-81, and 30-85 are hereby amended to read as follows:*

Sec. 15-12. Fees and expiration dates.

(a) Unless specified elsewhere in this Code, fees for licenses issued pursuant to this Code and the expiration date of each license shall be as follows:

. . .

Location in Code	Description	Fee	Expiration Date
Ch. 30, Art. IV	Bicycle cabs	105.00, plus 21.00 per driver	April 30
<u>Ch. 30, Art. IV</u>	<u>Tour bicycle cabs</u>	<u>200.00, plus 25.00 per driver</u>	<u>April 30</u>

Location in Code	Description	Fee	Expiration Date
Ch.30, Art. V	Tour companies	315.00, plus 32.00 per vehicle/operator operator	April 30
Ch. 35	Marijuana Cultivation - Tier 1	500.00	Twelve months/concurrent with state license

. . .

Secs. 30-75. Definitions.

As used in this article, unless the context otherwise indicates, the following words shall have the following meanings:

Bicycle cab means any vehicle that is powered by means of a person operating a ~~two-or-three-wheeled~~ non-motorized vehicle, or vehicle powered by a motor having a maximum piston displacement of less than 25 cubic centimeters or an electric motor with a capacity not exceeding 750 watts and that also includes a separate seating area for passengers.

Tour bicycle cab means any bicycle cab that solicits, provides or offers rides to individuals or groups for profit that are pre-paid or pre-arranged.

Street, way, or public place means any street, way, trail, path, promenade, park, plaza, square, or other public property, or portion thereof.

To operate means to pedal, push or otherwise cause the bicycle

| cab to move.

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Sec. 30-81. Denial, suspension, or revocation.

In addition to the general provisions of chapter 15 relating to the grounds for denial, suspension or revocation of license, a bicycle cab license may be denied, suspended or revoked on any of the following grounds:

- (a) The applicant or licensee or any operator is less than seventeen (17) years of age or has had a disqualifying criminal conviction or civil offense as provided in Section 30-33(b)(3-6).
- | (b) Charging more than the fare established by this article, if applicable.
- (c) Disobeying any order or direction of the city traffic engineer, the license inspector, or any police officer.
- (d) Causing or permitting any violation of this article or chapter 25.

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Sec. 30-85. Maximum fare; rate card to be displayed on vehicle.

The fare for any trip in any licensed bicycle cab shall not exceed five dollars (\$5.00) per passenger per quarter hour or fraction thereof, regardless of the distance of the trip. A rate card to be issued by the director and bearing the following statement shall be displayed on each vehicle in such a manner as to be visible to passengers riding in the bicycle cab at all times while such vehicle is in service:

PASSENGER INFORMATION

The maximum fare for any trip in this vehicle is \$5.00 per passenger per quarter hour or fraction thereof, regardless of the distance of the trip. If you have questions or complaints about the fare you have been charged or the service you have received, please call the director the of Permitting and Inspections department ~~waterfront and transportation facilities~~ of the City of Portland at (207) 874-~~85576900~~, or write to:

Director of ~~Waterfront & Transportation~~
~~Facilities~~Permitting and Inspections
City of Portland
~~40 Commercial~~389 Congress Street
Portland, Maine 04101

Please include your name, address and telephone number to allow adequate follow-up by the city.

This provision shall not apply to Tour Bicycle Cabs.

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Chapter 15 LICENSES AND PERMITS*

***Cross reference(s)**--Uniform procedure for assessments, § 1-16; administration, Ch. 2; funds due to city, § 2-201 et seq.; permits for burglar alarm systems, § 2.5-17; license for bottle clubs, § 3-26 et seq.; license for amusement devices, § 4-26 et seq.; license for music, dancing and special entertainment, § 4-51 et seq.; license for gaming, § 4-81 et seq.; license for sidewalk tanks and pumps for petroleum products, § 10-116 et seq.; inspection performance requirements, § 11-37; license for food service establishments, § 11-46 et seq.; license for street vendors, § 19-29 et seq.; license for transient sales, § 19-56 et seq.; license for pawnbrokers, junk dealers, secondhand dealers and flea markets, § 23-26 et seq.; excavator license, § 25-119; license for wreckers and vehicle towing, § 28-286 et seq.; licenses for taxicabs and limousines, § 30-31 et seq.; licenses for horse-drawn cabs, § 30-42 et seq.

Art. I. In General, §§ 15-1--15-14.5

Art. II. Reserved, §§ 15-15--15-20

Art. III. State Liquor Licenses and Special Entertainment Licenses, § 15-21

Div. 1. Renewals, §§15-21--15-30

Div. 2. Site Restriction, §§15-31--15-40

Div. 3. Training Requirements, §§15-41--15-43

ARTICLE I. IN GENERAL

Sec. 15-1. Definitions.

Words used in this chapter shall have their common meanings except that, as used in this chapter or in chapters related to this chapter, the following terms shall have the meanings set forth in this section, unless the particular licensing provision, or the context in which the term appears, clearly establishes that a different meaning was intended:

Actual ownership interest shall mean and include any legal or equitable interest in either the licensed firm, corporation, partnership or other entity, or the assets of that entity which are the subject matter of the license, other than any mortgage or security interest created solely as security for valuable consideration. In the case of stock in a corporation, the term shall be limited to those persons who individually or collectively have an interest in more than one-half of the voting shares of the

corporation. In the case of a limited partnership, the term shall not include ownership of limited partnership shares.

Bona fide nonprofit organization shall mean and include a bona fide nonprofit, charitable, educational, political, civic, recreational, patriotic or religious organization, which is organized under the provisions of 13 M.R.S.A. § 901, or 13-B M.R.S.A. § 201, or which is recognized as such by the Internal Revenue Service under 26 U.S.C.A. § 501(c)(3).

Bottle club means any person operating on a regular basis a premises for social activities in which members or guests provide their own alcoholic beverages.

Disqualifying criminal conviction shall mean and include any conviction for any criminal offense punishable by imprisonment for any period of time, whether or not the sentence was imposed or served, but shall not include any conviction which is shown to have been set aside on appeal or collaterally, or for which a pardon, certificate of rehabilitation, or the equivalent under the law of the sentencing jurisdiction has been granted, or which is not rationally related to the purpose of licensing the particular activity or device.

Person aggrieved shall mean and include any person whose license is suspended or revoked or whose license application is denied by any administrative official charged with responsibility for the granting or supervision of any license.

Principal officers shall mean and include the applicant and any officer, director, partner, owner, manager, or person who either has an actual ownership interest in the entity or directs any policy of the entity.

(Code 1968, § 901.3; Ord. No. 231-80, 12-22-80; Ord. No. 562-84, § 1, 4-23-84; Ord. No. 183-84, 9-24-84; Ord. No. 165-15/16, 3-7-2016)

Cross reference(s)--Definitions and rules of construction generally, § 1-2.

Sec. 15-2. Applicability.

(a) It is the sense of the city council that, to the extent practical, licensing procedures within the city should be uniform, and should be conducted at all times so as to give the maximum degree of protection to the licensee consistent with protection of the public health, safety and welfare. To that end, this chapter shall apply to all licenses and permits issuable by the city

through the Permitting and Inspections Department, and all licenses and permits issued by the state to which the city council have a right or duty to offer recommendations, comments, or to consent, set forth in this Code. Notwithstanding the aforesaid, any more stringent licensing or other requirement of this Code which is not inconsistent with this chapter, shall be deemed to be an additional requirement of this chapter.

(b) The Director of the Permitting and Inspections Department or his or her authorized designee shall be responsible for licensing of taxicabs and liveries under article II of chapter 30, and all references herein to the Permitting and Inspections Department shall be to the said director in regard to such licensing.

(Code 1968, § 901.1; Ord. No. 231-80, 12-22-80; Ord. No. 562-84, § 2, 4-23-84; Ord. No. 294-04/05, 6-20-05; Ord. No. 165-15/16, 3-7-2016; Ord. 18-17/18, 8-21-2017)

Sec. 15-3. License required.

(a) No person shall engage in, operate any business, or use or permit the use of any device for which one (1) or more licenses are required by this Code or permit others operating under such licenses to act, without having obtained each and every such license required therein and shall not operate or use such license or device during any time that the applicable license has been suspended or after revocation as provided herein.

(b) A license may be issued pending receipt of the criminal history report from the State Bureau of Identification for pawnbrokers, junk dealers, secondhand dealers and flea markets as defined in Section 23-16, provided that the Permitting and Inspections Department has received all other documentation required for the issuance of such license and a copy of the applicant's criminal history record from the Portland Police Department, which criminal history record does not contain a disqualifying criminal conviction. If, after issuance of the license, the Permitting and Inspections Department receives a criminal history report from the State Bureau of Identification that contains disqualifying information, the Permitting and Inspections Department shall immediately move to suspend or revoke the license pursuant to Chapter 15 Section 15-8(a)(6) of the City Code.

(c) Any person engaged in, or operating any business or activity, or who uses or permits the use of any device for which a

license is required, shall procure a license for each and every such business activity, device or location of each activity or device unless this Code specifically provides to the contrary.

(d) Every license shall be exhibited in a conspicuous place on the premises, device or vehicle at all times that the premises, device, or vehicle is open to the public.

(Code 1968, § 901.2; Ord. No. 231-80, 12-22-80; Ord. No. 152-02/03, 2-3-03; Ord. No. 165-15/16, 3-7-2016; Ord. 18-17/18, 8-21-2017)

Sec. 15-4. Licensing authority.

(a) All licenses shall be issued, denied, suspended or revoked and all hearings shall be held by the Permitting and Inspections Department except as expressly provided in this Code. The Permitting and Inspections Department is authorized to notify the state licensing division of bureau of alcoholic beverages that the city council consent to the extension of existing state liquor licenses to city licensees pending the next meeting of the city council.

(Code 1968, § 901.4; Ord. No. 231-80, 12-22-80; Ord. No. 576-81, § 1, 3-16-81; Ord. No. 361-82, 1-4-82; Ord. No. 562-84, § 3, 4-23-84; Ord. No. 165-15/16, 3-7-2016; Ord. 18-17/18, 8-21-2017)

Sec. 15-5. Applications.

(a) All applications shall be made in writing on a form provided by the Permitting and Inspections Department. Each application submitted to the Permitting and Inspections Department shall state the name and business address of each applicant, the license desired, location to be used, if any, the date of the application, and such additional information as may be deemed necessary or useful by the Permitting and Inspections Department in determining whether such permit or license applied for should be issued.

(b) Other papers:

- (1) Any application for a license for which a criminal conviction is a disqualification under this Code shall be accompanied by a written waiver of the applicant's right to privacy or confidentiality under the State Criminal History Records Act [16 M.R.S.A. § 611 et seq.] and otherwise to the extent necessary for the Permitting and Inspections Department, acting through the chief of police, to determine whether or not such disqualification exists.

- (2) If the applicant is other than a natural person, the names of all principal officers shall accompany the original application.
- (3) A statement to the fact that no employee or officer of the city is beneficially interested in the license or licenses, or in lieu thereof, a statement of the names of such employees or officers as are beneficially interested.
- (4) In the case of a renewal, the licensee shall submit to the Permitting and Inspections Department on a form provided by the Permitting and Inspections Department, a certified ownership report for the previous twelve (12) month period. Such report, among other things, shall list the names of all persons, or groups of persons acting in concert who at any time during the period had an actual ownership interest.
- (5) Any organization claiming status as a bona fide nonprofit organization shall furnish sufficient evidence of such status.

(Code 1968, § 901.5; Ord. No. 231-80, 12-22-80; Ord. No. 165-15/16, 3-7-2016; Ord. 18-17/18, 8-21-2017)

Sec. 15-6. Fees.

(a) *Application fees.* Except as expressly provided, all applications for original licenses or for the consent of the city council, other than a flea market seller, temporary FSE or auction license, shall be accompanied by an administrative fee of forty-five dollars (\$45.00) to defray the cost of processing the application. All applications for renewal of licenses shall be accompanied by the fees for issuance and an administrative fee of thirty-five dollars (\$35.00), except for a flea market seller to defray the cost of processing the application. In any case where notice by publication or mail is required, the applicant shall pay the cost of publication and postage in advance. Application fees shall not be refundable.

- (1) Applications for any original licenses pursuant to Chapter 35, other than licenses for Small Scale Caregivers, shall be accompanied by an administrative fee of five hundred dollars (\$500.00). Applications for renewal of licenses pursuant to Chapter 35, other than

licenses for Small Scale Caregivers, shall be accompanied by an administrative fee of two hundred and fifty dollars (\$250.00).

- (2) Applications for original Small Scale Caregiver Licenses shall be accompanied by an administrative fee of fifty dollars (\$50.00). Applications for renewal of Small Scale Caregiver Licenses shall be accompanied by an administrative fee of forty dollars (\$40.00).

(b) *Appeals fee.* Appeals from determinations of the Permitting and Inspections Department shall be accompanied by a filing fee of twenty-five dollars (\$25.00) and the appellant shall also pay the full cost of publication and postage in advance, if such notice is required. For the purposes of this subsection, notice by publication shall be deemed to apply to the hearing on appeal whenever the requirement of publication would exist in the first instance. Appeals fees shall not be refundable except that, upon a successful appeal, the Permitting and Inspections Department shall credit the appeal fee toward the fee for issuance and shall refund any excess.

(c) *Filing fees.* Whenever any document, other than an application for any license, is required or permitted to be filed with the Permitting and Inspections Department in connection with any license, and no fee for such filing is otherwise prescribed, the fee for filing such document shall be two dollars (\$2.00) for the first page, and one dollar (\$1.00) for each page thereafter. Filing fees shall not be refundable.

(d) *Fees for issuance.* Fees for issuance of licenses shall be as provided in section 15-12. Fees for issuance shall be refundable in the amounts, and under the conditions, as set forth in a policy adopted by the Permitting and Inspections Department.

(e) *Late fees.* An additional fee shall be charged for issuance of any license after expiration of the holder's prior license, unless the application for the renewal license was filed prior to such expiration. The additional fee for issuance or renewal of any license applied for after the applicant has commenced the activity, or has permitted the use of the device to be licensed prior to such issuance, shall be ten dollars (\$10.00) or five (5) percent per month of the fee for issuance, whichever is greater, but shall not exceed the fee specified in this chapter for issuance of that license. Late fees shall not be refundable.

(f) *Proration.* The fee for issuance of an original license, unless issued late as provided in subsection (e), and which is issuable on an annual basis, but which when issued will not give the licensee twelve (12) full months use prior to expiration, shall be reduced by ten (10) percent for each full month that licensee will not have the use of the license, but in no case shall the license fee be reduced by more than fifty (50) percent. Notwithstanding the foregoing, there shall be no proration of the fee for excavators' licenses issued pursuant to chapter 25, article VII of this Code.

(g) *Fees to be cumulative.* Fees provided for in this section shall be deemed cumulative and shall be in addition to any other fee or fees required for the issuance of any permit under section 15-12. Where a maximum license fee is established by the state, the fees set by this chapter shall be deemed cumulative to the extent of such maximum fee.

(h) *Refunds where activity subsequently prohibited.* If, during the unexpired term of the license, a licensed activity is subsequently prohibited by amendment to this Code, the Permitting and Inspections Department shall refund to the licensee a portion of the license fee in accordance with the formula for proration of fees set forth in section 15-6(f).

(Code 1968, § 901, 6; Ord. No. 231-80, § 901.6, 12-22-80; Ord. No. 554-81, § 901.6, 3-2-81; Ord. No. 40-82, 6-21-82; Ord. No. 554-85, 5-14-85; Ord. No. 210-85, § 1, 10-21-85; Ord. No. 30-87, 7-6-87; Ord. No. 424-89, 5-15-89; Ord. No. 247-04/05, 5-16-05; Ord. No. 224-09/10, 5-17-10; Ord. No. 203-11/12, 6-4-12; Ord. No. 165-15/16, 3-7-2016; Ord. 18-17/18, 8-21-2017)

Sec. 15-7. Investigation of applicant.

(a) Upon receipt of an application for any license or permit, other than a renewal application substantially identical to the original application, the Permitting and Inspections Department shall inquire of other city departments, as appropriate, for comments as to whether a license may be granted consistently with the provisions of the laws and ordinances enforced by such departments. In all appropriate cases, the building authority shall verify that the premises to be used for the proposed activity comply with the building code, electrical code, plumbing code and zoning ordinance, and if applicable, state junkyard screening law; the health authority shall cause inspections to be made of the proposed location of any premises dispensing food or liquor; the fire chief shall cause inspection to be made for the purpose of

determining if city ordinances, a state law, or state regulations concerning fire and safety have been complied with; and if the license is not issuable to any class of persons, the police chief shall cause an investigation to be made of the principal officers or persons to be licensed. All such persons shall report to the Permitting and Inspections Department in writing, and copies of any such report shall be deemed a public record.

(b) Whenever a criminal background check is done prior to issuance of a license, any cost of such background check which is charged to the City by another agency shall be added to the fees to be paid by the applicant.

(Code 1968, § 901.7; Ord. No. 231-80, 12-22-80; Ord. No. 115-84, § 1, 8-6-84; Ord. No. 247-02/03, 5-19-03; Ord. No. 165-15/16, 3-7-2016; Ord. 18-17/18, 8-21-2017)

Sec. 15-8. Standards for denial, suspension or revocation.

(a) *Grounds.* In addition to any other specific provision of this Code authorizing such action, a license or permit may be denied, suspended or revoked upon a determination of the existence of one (1) or more of the following grounds:

- (1) Failure to fully complete the application forms; knowingly making an incorrect statement of a material nature on such form; or failure to supply any additional documentation required or reasonably necessary to determine whether such license is issuable, or failure to pay any fee required hereunder;
- (2) The licensed activity, or persons on the premises for the purpose of participating in the licensed activity, or persons patronizing the licensed device have caused one (1) or more breaches of the peace; or
- (3) There is a clear danger that a breach of the peace will occur if the licensed activity is permitted; or
- (4) The licensed activity or persons patronizing the licensed premises will substantially and adversely affect the peace and quiet of the neighborhood, whether or not residential, or any substantial portion thereof;
- (5) The licensee has violated any provision of this Code in the course of the conduct of the activity or device for which the license or licenses have been applied for, or

have been issued; or

- (6) The occurrence of any event subsequent to issuance of the license which event would have been a basis for denial of the license shall be grounds for revocation thereof; or
- (7) The applicant's or licensee's real or personal property taxes, or final judgments due and payable to the city, are determined to be in arrears as of the date of the license or application; or that real or personal property taxes or final judgments due and payable to the city on account of the premises for which application has been made or a license issued have not been paid in full as of the date of the license or application. Real or personal property taxes or final judgments that are less than thirty (30) days past due at the time of the license or permit application, that are less than \$500.00, or that are determined by the City Manager of his or her designee to not be owed as per §2-203(f) shall not be considered in arrears for purposes of this section.

(b) *Hearings.*

- (1) Except as expressly provided in this Code, no license to which this chapter applies may be revoked or suspended without prior notice to the licensee, and after a hearing.
- (2) In the case of the suspension or revocation of a license, a hearing shall be given to the licensee and a generalized statement of the nature of the complaint constituting the basis for the proposed action shall be included in the notice of hearing. Unexcused failure of licensee to appear at the hearing shall be deemed a waiver of the rights to said hearing.
- (3) Upon a determination that immediate and irreparable harm will be suffered by the public prior to the time that a hearing on suspension or revocation of a license can be scheduled and a finding of probable cause for such suspension or revocation, the Permitting and Inspections Department may suspend a license, pending hearing, effective upon the giving of actual notice to the licensee; provided that the Permitting and Inspections Department shall give an opportunity to be heard as soon as practicable thereafter. At any hearing, the licensee

shall be given the opportunity to answer the complaint and to present evidence. The complainant shall also be notified of the hearing and given the opportunity to be heard.

- (4) All suspensions or revocations shall be upon substantial evidence and all hearings shall be conducted with substantial fairness and strict adherence to the rules of evidence shall not be required.
- (5) All hearings on suspension or revocation of licenses shall be held within thirty (30) days of delivery to licensee of the generalized statement of complaint.

(c) *Abandoned licenses.* The applicant shall pay the issuance fee and obtain any license from the Permitting and Inspections Department within thirty (30) days after it has been approved by the Permitting and Inspections Department. Upon failure to pay the issuance fee and obtain the license within said thirty-day period, the approval shall be void and the application deemed abandoned. For good cause shown, the Permitting and Inspections Department may extend the thirty-day period provided such extension does not result in the issuance of the license being delayed more than one hundred eighty (180) days from its approval by the Permitting and Inspections Department.

(Code 1968, § 901.8; Ord. No. 231-80, 12-22-80; Ord. No. 291-83, 12-5-83; Ord. No. 562-84, §§ 4, 5, 4-23-84; Ord. No. 196-88, 11-7-88; Ord. No. 165-15/16, 3-7-2016; Ord. 18-17/18, 8-21-2017; Ord. No. 220-17/18, 6-4-2018)

Sec. 15-9. Appeals.

(a) *Procedure.* An appeal to the city manager may be taken by any person aggrieved by the denial, suspension or revocation of a license by the Permitting and Inspections Department by filing a notice of appeal and the prescribed fee with the city manager within thirty (30) days of the decision appealed from, and not thereafter. Every appeal should be in writing and shall state the basis for the appeal. Within two (2) business days of the filing of an appeal, the city manager shall designate himself or any agent or employee to act as hearing designee in the appeal. The hearing designee shall hear the appeal within ten (10) business days after the filing of the appeal and may affirm, reverse or modify the decision appealed from. The taking of an appeal shall not stay a decision appealed from, except that at the request of the licensee, the Permitting and Inspections Department may stay the effective date of a suspension, revocation or denial of a renewal license

upon a finding that the public is not likely to suffer any harm during the pendency of the appeal. In such case, the Permitting and Inspections Department shall make a written finding of his or her decision in this regard and shall notify the appellant.

(b) *Scope of review.* On appeal, the hearing officer shall review the decision of the Permitting and Inspections Department and any disciplinary action taken pursuant thereto to determine whether the decision was based upon substantial evidence and the disciplinary action taken was proportionate to the violation. The hearing officer may take additional evidence with respect to such decision or action and if additional testimony or evidence is taken shall determine the appeal upon all of the evidence, except as provided in this section.

(c) *Appeal to the superior court.* Any person aggrieved by a decision of a hearing officer on appeal may appeal therefrom to the superior court in accordance with the provisions of Maine Rule of Civil Procedure 80B.

(Code 1968, § 901.9; Ord. No. 231-80, 12-22-80; Ord. No. 562-84, § 6, 4-23-84; Ord. No. 182-84, 9-24-84; Ord. No. 165-15/16, 3-7-2016; Ord. 18-17/18, 8-21-2017)

Sec. 15-10. Notices of hearing.

(a) *Content.* Whenever a public hearing is required, the Permitting and Inspections Department shall give notice of the time and place of the hearing, the type of license involved, and the nature of the hearing, and the address or location of the property involved.

(b) *Service.* Except as expressly provided, whenever notice by mail is required, such notice shall be mailed by regular United States mail at least ten (10) days in advance of the hearing date. When notice by publication is required, such notice shall be published in a newspaper of general circulation in the city at least once, not more than thirty (30), nor less than seven (7) days before the date of the hearing. Where notice to abutters is required, all owners or occupants of property within five hundred (500) feet of such parcel or tract shall be deemed to be abutters, and service shall be made by ordinary mail at least seven (7) days before the date of the hearing. In the case of abutters, the owners and occupants of property listed in the assessor's records on the last tax date prior thereto, shall be deemed to be the persons to whom notice is to be given. The Permitting and Inspections Department shall take reasonable measures to notify renters in close proximity.

(c) *Notice requirements not mandatory.* Failure of any person other than the applicant or licensee to receive a notice of the public hearing shall not necessitate another hearing and shall not invalidate any action taken as a result thereof, except as otherwise expressly provided by law.

(Code 1968, § 901.10; Ord. No. 231-80, 12-2-80; Ord. No. 165-15/16, 3-7-2016; Ord. 18-17/18, 8-21-2017)

Sec. 15-11. License not to be transferable.

(a) No license shall be transferred to any person, to any location, or to any other vehicle or device, and no license fee shall be refunded if the licensed activity is ceased prior to the expiration of the license. All purported transfers not in accordance with this section are void. A license shall be deemed the subject of an attempted transfer whenever there is a sale of the business, vehicle or device, or where there is a change in actual ownership interest. Upon any such event, the licensee shall immediately surrender the license to the Permitting and Inspections Department; except that, in the case of death, bankruptcy or receivership of any licensee, the duly appointed executor or administrator of the deceased licensee or the duly appointed trustee or receiver of the bankrupted licensee or licensee receivership may retain the license and operate under the same for the benefit of the estate with the written permission and approval of the Permitting and Inspections Department until such time as such operation is no longer needed to benefit the estate. Thereafter, such personal representatives, receivers, or trustees shall either return the license to the Permitting and Inspections Department or transfer same to any other person, under order of the court having jurisdiction and upon written notice to the Permitting and Inspections Department. In the interim, between the death of the licensee and the appointment of an executor or administrator, or in cases where no administration of the estate of a deceased licensee is contemplated, the widow or widower or person designated by all of the heirs of the deceased licensee may take over the license upon written notice to the Permitting and Inspections Department. Duly appointed and qualified guardians and conservators of the estate of a licensee may retain the license of their ward during the term of office upon written notice to the Permitting and Inspections Department.

(b) In all cases arising out of this section in which the Permitting and Inspections Department is required to determine the identity or composition of or ownership interests in an applicant

or licensee, or to determine whether a transfer of an ownership interest in an applicant or licensee has taken place, he shall look to the substance rather than the form of transactions and any person aggrieved may appeal the Permitting and Inspections Department's determination to the city manager.

(Code 1968, § 901.11; Ord. No. 231-80, 12-22-80; Ord. No. 562-84, § 7, 4-23-84; Ord. No. 165-15/16, 3-7-2016; Ord. 18-17/18, 8-21-2017)

Sec. 15-12. Fees and expiration dates.

(a) Unless specified elsewhere in this Code, fees for licenses issued pursuant to this Code and the expiration date of each license shall be as follows:

Location in Code	Description	Fee	Expiration Date
Ch. 3, Art. II	Bottle clubs (must obtain FSE and entertainment if applicable)	\$940.00	June 30
Ch. 3, Art. III	Brewery, Winery and On-Premises Consumption Distillery License (must obtain FSE and/or entertainment if applicable)	\$525.00	Concurrent with state liquor license
Ch. 3, Art. III	Small Brewery, Winery and Distillery Manufacturing License	\$250.00	Effective November 1, 2019; Concurrent with state liquor license

Location in Code	Description	Fee	Expiration Date
Ch. 3, Art. III	Large Brewery, Winery and Distillery Manufacturing License	\$2,000	Effective November 1, 2019; Concurrent with state liquor license
Ch. 4, Art. II	Amusement devices (other than adult amusements), per device	\$153.00 for up to 25 and all additional @ \$10.00 per device	Twelve months or concurrent with state liquor license or with any city license
	Adult amusement devices, per location	\$978.00	Twelve months or concurrent with state liquor license or with any city license
Ch. 4, Art. III	Entertainment:		
	Single Entertainment Event - Private Property	\$50	Per event
	Single Entertainment Event - Public Property	\$50	Per event
	Indoor Entertainment	\$500	12 months or concurrent with state liquor license or any city license
	Outdoor Entertainment	\$700	12 months or concurrent with state liquor license or any city license

Location in Code	Description	Fee	Expiration Date
	Combined Entertainment	\$800	12 months or concurrent with state liquor license or any city license
	Sound Mitigation Review Fee	\$150	Per sound mitigation plan
	Expanded Entertainment Addendum	\$100	Per event
Ch. 4, Art. IV	Gaming:		
	Beano	\$104.00	December 31
	Games of chance (application fee pursuant to section 15-6 only)		
Ch. 4, Art. V	Nudity in licensed businesses	\$1,474.00	June 30
Ch. 11, Art. II	Food service establishments (FSE):		
	Temporary FSE:		
	a. Unopened prepackaged food	\$93.00	Three months
	b. Opened or nonprepackaged food	\$93.00	Per event not to exceed two weeks

Location in Code	Description	Fee	Expiration Date
	Mobile FSE (Chapter 19) a. pushcarts	\$322.00	March 31
	b. Food Trucks	\$546.00	March 31
	Street vendor cooler storage space - maximum of 7 sq. ft.	\$38.00 per 3.5 sq. ft. of space	March 31
	FSE-No food preparation on premises	\$181.00	January 31
	FSE-With preparation limited to hot beverages only	\$142.00	January 31
	FSE-With beer and wine take out	\$415.00	January 31
	FSE/Commissary - Food preparation on premises	\$459.00	January 31
	Marijuana Food Processing Establishment	\$459.00	Concurrent with marijuana license
	FSE's with liquor:		
	FSE-Class A lounge (Class X)	\$2,774.00	Concurrent with state liquor license
	FSE-Class A restaurant (Class I)	\$1,873.00	Concurrent with state liquor license

Location in Code	Description	Fee	Expiration Date
	FSE-Hotel (Class IA)		
	FSE-Class A restaurant/lounge (Class XI)	\$2,326.00	Concurrent with state liquor license
	FSE-Qualified catering service (Class I)	\$1,873.00	Concurrent with state liquor license
	Innholder-15 rooms or less	\$1,436.00	Concurrent with state liquor license
	Innholder-16 to 40 rooms	\$1,928.00	Concurrent with state liquor license
	Innholder-more than 40 rooms	\$2,239.00	Concurrent with state liquor license
	FSE-Spirituuous license (Class II)	\$611.00	Concurrent with state liquor license
	FSE-Vinous license (Class III)	\$410.00	Concurrent with state liquor license
	FSE-Malt license (Class IV)	\$824.00	Concurrent with state liquor license

Location in Code	Description	Fee	Expiration Date
	FSE-Malt and vinous license (Classes III and IV combined)	\$906.00	Concurrent with state liquor license
	FSE-Nonprofit club (Class IV with catering or Class V without catering)	\$737.00	Concurrent with state liquor license
	FSE-Liquor catering	\$33.00	Per event
	FSE-Temporary (bona fide nonprofit organization) with any spirituous, vinous or malt license and special entertainment	\$65.00	Per 2-day period
	FSE-Auditorium	\$584.00	Concurrent with State Liquor License
	FSE-Civic Auditorium	\$1,851.00	Concurrent with State Liquor License
Ch. 12, Art. VII	Operation of rendering facilities	263.00	September 30
Ch. 16	Massage establishment	\$65.00	September 30
	Combined massage establishment/massage therapist	\$55.00	
	Massage therapist	\$38.00	

Location in Code	Description	Fee	Expiration Date
	Conditional massage therapist	\$38.00	
Ch. 19, Art. II	Night Street Vendor (must also obtain FSE and street vendor)	\$218.00	
Ch. 19, Art. III	Transient sellers	\$109.00	December 31
Ch. 21	Farmers' Markets on private property	\$26 per vendor	March 31
Ch. 23, Art. II	Flea market seller	\$22.00	Last day of February
	Flea market Operator	\$55.00 \$246.00	Per day Annual/March 1st
	Secondhand dealer, junk dealer, pawnbroker ¹ (including used cars)	\$153.00	December 31
	Junk collector	\$26.00	December 31
Ch. 28, Art. IV	Wreckers and vehicle towing	\$278.00	June 30
Ch. 28, Art. VII	Valet Parking	\$ 2 7 3 . 0 0 p e r l o c a t i o n	Twelve months
	Valet Parking Special Event Permit	\$64.00	
Ch. 28, Art. VIII	Licensing of Booting of Motor Vehicles	\$105.00	October 31
Ch. 30, Art. II	Taxicabs and liveries:		

¹ Reflects city practice for junk dealers and pawnbrokers.
15-19

Location in Code	Description	Fee	Expiration Date
	Taxicab business license	315.00	April 30
	Livery business license	315.00	April 30
	Taxicab driver's license	79.00	April 30
	Taxi Replacement license	11.00	
	Livery driver's license	21.00	April 30
	Livery replacement license	11.00	
Ch. 30, Art. III	Horse-drawn cabs	210.00, plus 21.00 per driver	April 30
Ch. 30, Art. IV	Bicycle cabs	105.00, plus 21.00 per driver	April 30
Ch.30, Art. V	Tour companies	315.00, plus 32.00 per vehicle/operator operator	April 30
Ch. 35	Marijuana Cultivation - Tier 1	500.00	Twelve months/concurrent with state license
	Marijuana Cultivation - Tier 2	5,000.00	Twelve months/concurrent with state license
	Marijuana Cultivation - Tier 3	10,000.00	Twelve months/concurrent with state license

Location in Code	Description	Fee	Expiration Date
	Manufacturing - manual	2,500.00	Twelve months/concurrent with state license
	Manufacturing - high hazard	5,000.00	Twelve months/concurrent with state license
	Retail Marijuana - medical	5,000.00	Twelve months
	Retail Marijuana - adult use	10,000	Twelve months/concurrent with state license
	Small Scale Marijuana Caregiver	250.00	Twelve months
	Marijuana Testing	1,000.00	Twelve months/concurrent with state license

(b) Fees for licenses to be established by the city pursuant to state law shall be as follows:

Description	Fee	Expiration Date
Amusements, including images; pageantry; sleight of hand tricks; puppet shows; feats of balancing; wire dancing; personal agility; or dexterity	\$22.00	Per day

Description	Fee	Expiration Date
Billiards or pool, per table	\$33.00	Twelve months or concurrent with state liquor license or with any city license
Bowling alley, per establishment	\$92.00	April 30
Circus	\$181.00	Per day
Circus (bona fide nonprofit organization)	\$27.00	Per day
Going-out-of-business sale	\$104.00	--
Menageries	\$22.00	Per day
Motion picture theatres (other than open-air drive-in) operating more than six (6) months:		
Seating capacity 999 or less, per screen	\$295.00	June 30
Seating capacity 1,000 or more, per screen	\$486.00	June 30
Temporary--One (1) week or less	\$33.00	One week
Temporary--More than one (1) week but less than two (2) months	\$49.00	Two months
Temporary--More than two (2) months but less than six (6) months	\$77.00	Six months

Description	Fee	Expiration Date
Roller skating rink	\$164.00	June 30

(Code 1968, §§ 302.6, 414.1, 414.5, 712.2, 714.6, 714.7, 901.12; Ord. No. 391-72, 7-5-72; Ord. No. 201-74, 4-17-74; Ord. No. 645a-75, 11-17-75; Ord. No. 231-80, 12-22-80; Ord. No. 553-81, § 1, 3-2-81; Ord. No. 554-81, 3-2-81; Ord. No. 576-81, § 2, 3-16-81; Ord. No. 694-81, 5-18-81; Ord. No. 82-81, § 1, 7-6-81; Ord. No. 392-82, 2-1-82; Ord. No. 564-82, 5-17-82; Ord. No. 565-82, 5-17-82; Ord. No. 566-82, 5-17-82; Ord. No. 510-84, § 1, 4-2-84; Ord. No. 591, 5-21-84; Ord. No. 658-84, 5-30-84; Ord. No. 431-85, § 3, 2-20-85; Ord. No. 554-85, 5-14-85; Ord. No. 212-85, §§ 1, 2, 10-21-85; Ord. No. 116-86, § 1, 3-3-86; Ord. No. 551-86, 5-12-86; Ord. No. 189-87, § 2, 12-7-87; Ord. No. 386-88, 5-16-88; Ord. No. 425-89, 5-15-89; Ord. No. 29-89, 6-19-89; Ord. No. 258-90, 2-21-90; Ord. No. 351-90, 5-21-90; Ord. No. 264-91, 3-4-91; Ord. No. 358-91, 5-20-91; Ord. No. 183-91, 12-2-91; Ord. No. 175-92, 3-16-92; Ord. No. 245-93, 3-22-93; Ord. No. 83-93, § 1, 9-8-93; Ord. No. 94-93, 9-20-93; Ord. No. 221-94, § 2, 2-23-94; Ord. No. 314-94, 5-16-94; Ord. No. 229-95, 4-3-95; Ord. No. 34-95, 7-5-95; Ord. No. 264-96, § 1, 5-20-96; Ord. No. 128-98, 10-19-98; Ord. No. 282-99, § 2, 5-17-99; Ord. No. 228-00, § 1, 5-15-00; Ord. No. 276-01, 5-21-01; Ord. No. 277-01, 5-21-01; Ord. No. 119-01/02, § 6, 12-3-01; Ord. No. 258-01/02, 5-20-02; Ord. No. 260-01/02, 5-20-02; Ord. No. 246-02/03, 5-19-03; Ord. No. 248-02/03, 5-19-03; Ord. No. 180-03/04, 4-7-04; Ord. No. 217-03/04, 5-17-04; Ord. No. 68-04/05, 10-4-04; Ord. No. 247-04/05, 5-16-05; Ord. No. 245-05/06, 5-15-06; Ord. No. 227-06/07, 5-21-07; Ord. No. 196-07/08, 4-28-08; Ord. No. 246, 07-08, 5-19-08; Ord. No. 224-09/10, 5-17-10; Ord. No. 229-12/13, 5-20-13; Ord. No. 159-12/13, 4-22-13; Ord. 52-14/15, 9-15-2014;)Ord. 246-14/15, 6-24-2015; Ord. 109-15/16, 11-16-2015; Ord. 181-15/16, 3-21-2016; Ord. 180-15/16, 3-21-2016; Ord. 18-17/18, 8-21-2017; Ord. No. 111-17/18, 11-20-2017; Ord. No. 218-17/18, 5-21-2018; Ord. No. 244, 5-20-2019; Ord. No. 285-19/20, 7-15-2019; Ord. No. 25-19/20, 8-12-2019; Ord. No. 166-19/20, 5-18-2020; Ord. No. 152-19/20, 10-5-2020; Ord. No. 74-21/22, on 10-18-2021, retroactive to 9/13/2021)

Sec. 15-12.1. Waiver of fees.

The city council may, in its discretion, waive or reduce any fee required of any nonprofit organization where the council determines that the purpose of the licensed activity or the funds to be raised by the activity are of direct benefit to the citizens of the city. Additionally, the Permitting and Inspections Department may waive or reduce the fee required of the nonprofit organization for a temporary food service establishment license when the organization demonstrates that it will retain 100 percent of the proceeds of the temporary sale of food.

(Ord. No. 527-82, 5-3-82; Ord. No. 230-12/13, 5-20-13; Ord. No. 165-15/16, 3-7-2016; Ord. 18-17/18, 8-21-2017)

Editor's note--Ord. No. 527-82, adopted May 3, 1982, added a new § 901.12A to the 1968 Code, which provisions, at the discretion of the editor, have been codified as § 15-12.1 of this Code.

Sec. 15-13. Supplementation of applications.

Whenever a license is in effect, the licensee shall be responsible for notifying the Permitting and Inspections Department in writing of any material change in facts set forth in the application for any license held from the city within seven (7) days thereafter. Failure to comply with this requirement shall be a violation of this chapter.

(Code 1968, § 901.13; Ord. No. 231-80, 12-22-80; Ord. No. 165-15/16, 3-7-2016; Ord. 18-17/18, 8-21-2017)

Sec. 15-14. Violations.

In addition to any action which may be taken by the Permitting and Inspections Department or the city council with respect to the suspension or revocation of a license:

(a) Violation of this chapter, or of any licensing provisions of the city governed by this chapter, or of any rule made pursuant thereto shall be a civil violation subject to the penalties of section 1-15; and

(b) The Permitting and Inspections Department is authorized to institute, or cause to be instituted by the corporation counsel, in the name of the city, any and all actions, legal or equitable, that may be appropriate or necessary for the enforcement of the provisions of this article.

(Code 1968, § 901.14; Ord. No. 231-80, 12-22-80; Ord. No. 165-15/16, 3-7-2016; Ord. 18-17/18, 8-21-2017)

Sec. 15-14.5. Inspections.

(a) A licensee must allow any city official who is on duty access to the licensed premises at the same times and in the same manner as access is allowed to the public except that no entry fee may be charged.

(b) A licensee must also allow access to the licensed premises to any city official authorized to determine compliance with federal, state or city law at any reasonable time, including any time that access is allowed to the public.

(c) A violation of this section is grounds for license nonrenewal, suspension, or revocation, in addition to any other penalties authorized by this Code.
(Ord. No. 27-96, 7-15-96)

Editor's note--Ord. No. 27-96, passed Jul. 15, 1996, amended this Code by adding provisions to be included as § 15-15. Such provisions have been redesignated as § 15-14.5 at the discretion of the editor, inasmuch as other provisions were previously codified as § 15-15.

ARTICLE II. RESERVED*

***Editor's note**--Ord. No. 129-98, adopted Oct. 19, 1998, repealed Art. II, Divs. 1 and 2, §§ 15-15--15-20, relative to moratorium on liquor licenses, which derived from Ord. No. 325-92, §§ 1--3, adopted Apr. 23, 1992; Ord. No. 116-92, adopted Oct. 5, 1992; Ord. No. 103-95, adopted Nov. 6, 1995; and Ord. No. 222-96, adopted May 6, 1996.

Sec. 15-15. Reserved.
Sec. 15-16. Reserved.
Sec. 15-17. Reserved.
Sec. 15-18. Reserved.
Sec. 15-19. Reserved.
Sec. 15-20. Reserved.

ARTICLE III. STATE LIQUOR LICENSES AND SPECIAL ENTERTAINMENT LICENSES

DIVISION 1. RENEWALS.

Sec. 15-21. Renewal hearings for state liquor licenses or name changes.

The City License Administrator is authorized to approve the renewal of State liquor licenses, name changes, or any changes in license classification other than a change allowing the sale of spirituous alcohol, without holding a hearing, unless the License Administrator determines that hearing is necessary, or has received a request from a member of the City Council or a City official for a hearing on a specific application. Hearings shall be held by the City Council.

(Ord. No. 146-96, 1-17-96; Ord. No. 98-03/04, 11-17-03; Ord. No. 285-19/20, 7-15-2019)

Sec. 15-22. Reserved.
Sec. 15-23. Reserved.
Sec. 15-24. Reserved.
Sec. 15-25. Reserved.
Sec. 15-26. Reserved.
Sec. 15-27. Reserved.
Sec. 15-28. Reserved.
Sec. 15-29. Reserved.
Sec. 15-30. Reserved.

***Editor's note-** Pursuant to Council Order 81-09/10, passed on October 19, 2009 repealed Article IV in its entirety and was replaced with Division 2 (Site restriction) and Division 3 (Training requirements).

DIVISION 2. SITE RESTRICTION.

Sec. 15-31. Site restrictions.

The City License Examiner shall not accept an application for a State liquor license of any type for a business that will be located on premises that are the same, or substantially the same, as premises that held a business for which a liquor license of any type was not renewed, for a period of one hundred and eighty (180) days following the later of the date of the non-renewal, or the date of a final decision in any appeal of the non-renewal. Any premises containing some but not all of the original premises shall be considered substantially the same as the original premises.
(Ord. No. 152-03/04, 2-23-04; Ord. No. 81-09/10, 10-19-09)

Sec. 15-32. Reserved.
Sec. 15-33. Reserved.
Sec. 15-34. Reserved.
Sec. 15-35. Reserved.
Sec. 15-36. Reserved.
Sec. 15-37. Reserved.
Sec. 15-38. Reserved.
Sec. 15-39. Reserved.
Sec. 15-40. Reserved.

DIVISION 3. TRAINING REQUIREMENTS

Sec. 15-41. Training requirements for individuals who serve

alcohol.

Individuals who serve alcoholic beverages pursuant to a liquor license that allows the service of alcohol for consumption on the premises must complete a server training program certified by the state bureau of liquor enforcement no later than September 1, 2010, or within ninety (90) days of the commencement of his or her employment with a licensee if said employment begins within ninety (90) days of September 1, 2010 or thereafter.

(Ord. No. 81-09/10, 10-19-09)

Sec. 15-42. Record keeping.

Liquor licensees whose license allows the service of alcohol for consumption on the premises shall maintain on the licensed premises, or in the case of a caterer at the principle place of business, written records of the server training programs completed by individuals who serve alcohol and shall produce those records upon request by the city license administrator, a member of the Portland police department, or an agent of the state bureau of liquor enforcement.

(Ord. No. 81-09/10, 10-19-09)

Sec. 15-43. Failure to meet training requirements.

Failure to meet the training requirement imposed by section 15-41 may result in the denial of a liquor license pursuant to 28-A M.R.S.A. §653(2)(G).

(Ord. NO. 81-09/10, 10-19-09)

Chapter 30 VEHICLES FOR HIRE*

*Cross reference(s)--Operation of buses in parks, § 18-20; streets, sidewalks and other public places, Ch. 25; traffic and motor vehicles, Ch. 28.

Art. I. In General, §§ 30-1--30-15

Art. II. Taxicabs, §§ 30-16--30-38.5

Div. 1. Generally, §§ 30-16--30-30

Div. 2. Licenses, §§ 30-31--30-38.5

Art. III. Horse-Drawn Cabs, §§ 30-39--30-74

Div. 1. Generally, §§ 30-39--30-41

Div. 2. Licenses, §§ 30-42--30-46

Div. 3. Operating Requirements, §§ 30-47--30-74

Art. IV. Bicycle Cabs, §§ 30-75--30-92

Div. 1. General Provisions, §§ 30-75--30-76

Div. 2. Licenses, §§ 30-77--30-91

Div. 3. Operating Requirements, §§30-82--30-92

Art. V. Tour Companies, §§ 30-93--30-109

Div. 1. General Provisions, §§30-93--30-94

Div. 2. Licenses, §§30-95-30-99

Div. 1. Operating Requirements, §§30-100--30-109

Art. VI. Rental Vehicles, §30-110

ARTICLE I. IN GENERAL

Sec. 30-1. Reserved.

Sec. 30-2. Reserved.

Sec. 30-3. Reserved.

Sec. 30-4. Reserved.

Sec. 30-5. Applicability to transportation of disabled persons.

This chapter shall not apply to any vehicle used for the transportation of passengers for hire which meets each and every one of the following requirements:

(a) The vehicle is equipped with a ramp or lift mechanism designed to accomplish wheelchair access;

(b) The vehicle, at all times when used for hire, is

transporting one (1) or more physically disabled persons; provided, however, not all persons within the vehicle need be physically disabled provided they are accompanying a physically disabled person;

- (c) The vehicle is designed and operated to provide only non-emergency transportation to passengers who are wheelchair-bound or otherwise restricted in mobility due to physical incapacity, injury, sickness or other medical or age-related reason. For purposes of this chapter, non-emergency medical transportation vehicles are taxicabs, except that any motor vehicle utilized by a regional or nationally affiliated transportation agency that is registered and in good standing as a Maine non-profit corporation or is a public state or local agency, and that performs a background check on its drivers shall be excluded from this definition and the provisions of Article II. Any person or business who is unlicensed and claims to qualify for this exception bears the burden of proof to demonstrate that the exception is applicable; and

- (d) The vehicle is operated for hire only by prearrangement.

Any doubt as to the applicability of the exemption created by this section shall be resolved against the application of this section. Any vehicle operated for hire, although designed for handicapped use, when not so used, shall be subject to the applicable provisions of this chapter.

(Ord. No. 534-86, 5-5-86; Ord. No. 286-07/08, 6-16-08)

Sec. 30-6. Reserved.
Sec. 30-7. Reserved.
Sec. 30-8. Reserved.
Sec. 30-9. Reserved.
Sec. 30-10. Reserved.
Sec. 30-11. Reserved.
Sec. 30-12. Reserved.
Sec. 30-13. Reserved.
Sec. 30-14. Reserved.
Sec. 30-15. Reserved.

ARTICLE II. TAXICABS; LIVERIES*

***Cross reference(s)**--Operation of buses in parks, § 18-20; streets, sidewalks and other public places, Ch. 25; traffic and motor vehicles, Ch. 28.

DIVISION 1. GENERALLY

Sec. 30-16. Definitions.

Terms used in this article shall have their common meanings except that the definitions set forth in chapter 15 or in this section shall apply unless the context clearly indicates that a different meaning is intended.

Compensation means delivering or providing any money, item of value, credit card charge slips, other pecuniary consideration or compensation, reward, donation, tip or any other remuneration, whether such is paid voluntarily or upon solicitation, demand, request, contract, agreement or as a surcharge.

Director means the designee of the city manager.

Disqualifying criminal offense means and include any conviction for any criminal offense punishable by imprisonment for any period of time, whether or not the sentence was imposed or served, but shall not include any conviction which is shown to have been set aside on appeal or collaterally, or for which a pardon, certificate of rehabilitation, or the equivalent under the law of the sentencing jurisdiction has been granted.

For hire means the transportation for compensation of passengers.

License inspector means and includes any person designated by the director to perform inspections of taxicabs.

Limousine means any vehicle designed to carry 5 or more passengers behind the driver's seat which is of a type customarily designated as a luxury "stretch limousine" and is used for the transportation of passengers for hire solely on a reserved hourly or flat rate basis.

Livery, except as provided in section 30-17A below, means any motor vehicle designed to carry 3 or more passengers behind the driver's seat which is used for the transportation of passengers

for hire on a prior reserved hourly or flat rate basis. Livery vehicles shall not be available for hire on a "hail" or walk-up basis by passengers on the street and shall not include a limousine.

Metered zone means and includes the Cities of Portland, other than Peaks Island, South Portland and Westbrook and the Towns of Cape Elizabeth, Falmouth and Scarborough.

Taxicab means and includes any motor vehicle used for the transportation of passengers for hire, the destination and route of which are under the direction and control of the passengers; except that the provisions of this article shall not apply to a motor vehicle licensed by another municipality to operate as a taxicab or other vehicle for hire which is operated within the City of Portland in response to:

- (a) A call to convey a passenger from the city to such other municipality; or
- (b) A request to convey a passenger from the city to such other municipality when such request is made at the point of delivery in the city of a passenger from such other municipality; or
- (c) A request to convey a passenger from such other municipality to the city.

"Taxicab" does not include a limousine or livery vehicle as defined above, or a vehicle which operates solely on a fixed schedule and route such as, but not limited to, a bus.

To operate means and includes to drive, or regularly to cause, induce, permit or suffer another to drive, whether or not such other person acts in the capacity of an agent, servant, employee, lessee or independent contractor.

(Code 1968, § 902.2; Ord. No. 231-80, 12-22-80; Ord. No. 303-92, 4-6-92; Ord. No. 231-99, 3-15-99; Ord. No. 57-04/05, 10-4-04; Ord. No. 294-04/05, 6-20-05; Ord. No. 286-07/08, 6-16-08; Ord. No. 188-08/09, 4-6-09; Ord. No. 26-10/11, 8-16-10)

Cross reference(s)--Definitions and rules of construction generally, § 1-2.

Sec. 30-17. Applicability.

(a) All provisions of this Article shall apply to taxicabs and livery vehicles which operate between any of the municipalities within the metered zone and the city, except that livery vehicles shall

not be required nor allowed to have taximeter and the provisions of section 30-21 shall not apply to liveries. This article shall not apply to the Casco Bay Islands except as provided herein for Peaks Island.

(b) Limousines operating within the city or based in the city are exempt from the provisions of this Article.

(c) Livery operators which hold a current interstate operating authority from the Federal Motor Carrier Safety Administration and the liveries covered by such interstate operating authority are exempt from this Article. Failure to have a written prior reservation record at the time of pick-up, drop-off or conveyance of a passenger creates a rebuttable presumption that the vehicle and operator are required to be licensed as a taxicab under this Article. No livery shall operate as a taxicab nor accept passengers on a "hail" or walk-up basis, except as provided herein for a Peaks Island livery, even if such livery is covered by interstate operating authority or is licensed as a livery under this Article.

(Ord. No. 57-04/05, 10-4-04; Ord. No. 188-08/09, 4-6-09)

Sec. 30-17A. Service on Peaks Island.

(a) A vehicle providing transportation for hire services exclusively on Peaks Island, the destination and route of which are under the direction and control of the passengers, must be licensed as a livery hereunder and driven by a licensed livery driver. Such vehicle and driver shall comply with all requirements of this ordinance, except as follows:

- (1) Vehicle signage shall be on both front doors of the vehicle, stating the company name and "Peaks Island Livery Only"; the vehicle shall be licensed to operate solely on Peaks Island;
- (2) The vehicle license fee shall be one-half of the regular license fee for a livery vehicle. All other fees shall be the same;
- (3) The Peaks Island livery shall be available for hire on a "hail" or walk-up basis by passengers on the Island;
- (4) Rates shall be negotiated with the passenger prior to provision of service, subject to a maximum rate

not to exceed five dollars (\$5.00) per passenger per trip, which maximum fare shall be conspicuously posted on the exterior of both the rear doors of the livery and inside the vehicle;

- (5) The Peaks Island livery driver shall not be required to keep a log pursuant to section 30-25.

(b) Except as provided in this section, the Peaks Island livery and driver shall comply with all other requirements of this chapter.

(Ord. No. 188-08/09, 4-6-09; Ord. No. 26-10/11, 8-16-10)

Sec. 30-18. Equipment.

(a) *General requirements.*

- (1) All taxicabs and liveries shall submit to random vehicle inspections by the license inspector or the inspector's designee or a member of the Portland police department, in addition to the city's required annual inspection.
- (2) Taxicabs and liveries shall be at all times clean and in good repair inside and out. "Clean and in good repair" shall mean and include, without limitation, the following:
- a. No visible tears in carpeting;
 - b. No dents larger than six (6) inches in diameter;
 - c. No tears in seat upholstery;
 - d. No loose trash or large amounts of dirt or sand in the interior passenger area, whether or not the area is currently occupied by a passenger;
 - e. No missing trim or body work;
 - f. No cracks in windshield or windows;
 - g. Seat belts for all passenger seats visible and in working order;
 - h. No missing hubcaps;

- i. No visible primer paint;
 - j. No rust greater than one (1) inch in diameter; and
 - k. An operational jack and inflated spare tire.
- (3) Taxicabs and liveries shall be maintained at all times in compliance with the laws of the state relating to passenger vehicles and the rules and regulations of the state enacted pursuant thereto.
- (4) *Taximeters.* Taxicabs, other than those which operate exclusively on the islands, shall be equipped with taximeters which have been tested, approved and sealed by the state sealer of weights and measures, and which shall indicate fare and mileage by means of legible figures which are electrically illuminated during the period between sunset and sunrise, which fare shall be computed in accordance with the rate card and shall be calibrated the same fraction of a mile as the maximum fare provided in section 30-21(b)(1). Taximeters shall be so placed that the figures are in plain view of all passengers. Taximeters shall be connected directly to and be driven directly from the transmission by means of flexible shafts and flexible housing so connected and sealed as to not be subject to tampering.
- (5) *Exterior light.* Every taxicab shall be equipped with an exterior light affixed to the roof thereof which shall be covered with a translucent fixture marked with the word "Taxi" in legible lettering and which shall be operated during the period between sunset and sunrise. A livery vehicle is prohibited from having an exterior light.
- (6) *Notice to the Public.* Every taxicab and livery shall conspicuously display the following rules and regulations to notify the public of the requirements of all taxicab and livery vehicles;
- a. For taxicabs only, maximum fare schedule;
 - b. Smoking is not permitted in any taxicab or livery vehicle at any time;
 - c. Taxicab or livery driver permit, with picture i.d. shall be prominently displayed within the vehicle;

- d. The operator of each taxicab or livery shall conduct himself in a courteous and professional manner at all times;
- e. No person other than the driver is permitted to remain in the taxicab or livery at any time without the express consent of all passengers.
- f. Effective July 1, 2008, the director shall supply appropriate signage for each taxicab and livery and shall designate the location of such signage in the vehicle.

ANY VIOLATION OF THESE RULES AND REGULATIONS BY THE TAXICAB OR LIVERY DRIVER OR OWNER MAY BE REPORTED BY CALLING (207) 756-8310 OR BY WRITING TO:

TAXICAB LICENSING
C/o Manager of Transportation Policy
City of Portland
389 Congress Street
Portland, Maine 04101

Please include your name, address and telephone number to allow adequate follow-up by the city.

(b) *Identification.* Every taxicab shall be conspicuously, professionally and permanently marked in letters not less than one and one-half (1 1/2) inches in height with the word "Taxicab" and the owner's name or trade name or, in lieu of such name or trade name, with a design or monogram containing the owner's name or trade name. Such design or monogram shall be not less than eight (8) inches in diameter. The identification required hereunder shall be placed, at minimum, on the two front doors of the vehicle. Livery vehicles are required to be similarly marked as "Livery", and the words "taxi", "cab" or "taxicab" cannot be used in such marking.

(Code 1968, § 902.7; Ord. No. 231-80, 12-22-80; Ord. No. 643-81, § 1, 5-4-81; Ord. No. 303-92, 4-6-92; Ord. No. 39-92, § 1, 7-6-92; Ord. No. 231-99, 3-15-99; Ord. No. 57-04/05, 10-4-04; Ord. No. 294-04/05, 6-20-05; Ord. No. 286-07/08, 6-16-08)

Sec. 30-19. Conduct of driver.

When transporting passengers, all licensees shall be neat and clean in appearance. All articles of clothing shall be clean and in

good repair.

(Ord. No. 303-92, 4-6-92; Ord. No. 39-92, § 2, 7-6-92; Ord. No. 57-04/05, 10-4-04)

Sec. 30-20. Smoking in vehicle.

Smoking is not permitted in any taxicab or livery vehicle at any time, including times when there are no passengers in the vehicle or when the vehicle is not in operation as a taxicab or livery.

(Ord. No. 303-92, 4-6-92; Ord. No. 231-99, 3-15-99; Ord. No. 57-04/05, 10-4-04; Ord. No. 286-07/08, 6-16-08)

Sec. 30-21. Taxicab fares for service.

The maximum fares for taxicabs shall be as follows:

(a) *Within the metered zone.* Except as otherwise provided herein, the maximum fare for taxicab service solely which begins or ends in the city and is within the metered zone shall be one dollar and ninety cents (\$1.90) for the first one-tenth of a mile (the "drop" rate) or a fraction thereof and thirty cents (\$0.30) for each one-tenth of a mile or fraction thereof, thereafter. The fare shall be computed and displayed by the taximeter. No fare charged shall be in excess of the amount displayed by the taximeter. There shall be one (1) fare, divided equally, in the case of two (2) or more passengers who engage the taxicab for a trip between the same two (2) points. In all other cases, each passenger shall pay a separate fare, based upon the total taximeter rate to their individual destinations.

(b) *Outside the metered zone.* If a trip begins or ends within the city and the other point of destination is outside the metered zone, the passenger and driver shall agree upon the fare before the trip commences; otherwise the passenger shall be under no obligation to pay any fare.

(c) *Minimum jetport fare.* The minimum fare for pickup at the Portland International Jetport is five dollars (\$5.00) even if the taximeter fare is less. The taximeter shall be used for all such pickups.

(d) *Waiting time.* A charge for waiting time may be made only for time waited at the express direction of the passenger after the trip has begun and for time waited before the trip has begun, commencing five (5) minutes after the time at which the passenger

has requested the taxicab to call, or five (5) minutes after the taxicab actually calls, whichever is later. The charge for such waiting time shall be forty cents (\$0.40) per minute.

(e) *Sight-seeing.* Taxicabs may be employed for purposes of sight-seeing only according to a published route and rate which shall be provided to the passenger prior to commencement of the trip.

(f) *Bags and parcels.* No charge shall be made for the transportation of the bags or parcels of a passenger.

(Code 1968, § 902.8; Ord. No. 231-80, 12-22-80; Ord. No. 576-81, §§ 1, 2, 4-6-81; Ord. No. 471-84, 3-7-84; Ord. No. 332-88, 4-20-88; Ord. No. 63-89, 7-17-89; Ord. No. 303-92, 4-6-92; Ord. No. 249-97, 4-23-97; Ord. No. 56-04/05, 9-8-04; Ord. No. 57-04/05, 10-4-04; Ord. NO. 286-07/08, 6-16-08; Ord. No. 188-08/09, 4-6-09)

Sec. 30-22. Rates to be displayed by taxicabs.

(a) *Rate and information card.* The director shall issue, together with each taxicab business license, a rate and information card which sets forth the foregoing rates in clear, legible letters and a description of the metered zone. The rate and information card shall be clearly visible to passengers at all times when the taxicab is in service.

(b) *Statement of rates.* The maximum rate of fares charged by the taxicab pursuant to this article and any lesser rate actually charged by the taxicab shall be advertised on both back doors of the taxicab in lettering of a size to be approved by the director.

(c) *Statement of discounts.* Notice of any lesser rates routinely offered shall be displayed in clear and legible letters immediately adjacent to the rate and information card.

(Code 1968, § 902.9; Ord. No. 231-80, 12-22-80; Ord. No. 643-81, §§ 2, 3, 5-4-81; Ord. No. 471-84, 3-7-84; Ord. No. 303-92, 4-6-92; Ord. No. 57-04/05, 10-4-04; Ord. No. 294-04/05, 6-20-05)

Sec. 30-23. Display of license.

Every driver licensed hereunder shall display his or her taxicab or livery driver's license in the manner described by the director when the cab or livery is in service. The license shall be surrendered upon revocation, suspension or expiration of the taxicab or livery driver's license.

An annual inspection and registration decal, to be issued by

the director upon annual inspection commencing May 1, 1999, shall be affixed to the left lower corner of the windshield of each taxicab or livery licensed by, and operated in, the City of Portland. It shall be a violation of this ordinance to fail to display such inspection and registration decal. A license inspector or law enforcement officer shall immediately order the removal from service of any taxicab or livery that fails to display this decal or may immediately impound the taxicab operated without the required decal. A penalty of \$100.00 shall be paid by the owner of any taxicab or livery vehicle for each day it is operated without the required decal.

(Code 1968, § 902.10; Ord. No. 231-80, 12-22-80; Ord. No. 278-90, 3-19-90; Ord. No. 303-92, 4-6-92; Ord. No. 231-99, 3-15-99; Ord. No. 57-04/05, 10-4-04; Ord. No. 294-04/05, 6-20-05)

Sec. 30-24. Order of taxicab or livery vehicle from service.

(a) The license inspector or any law enforcement officer may require any licensee to present a taxicab or livery for inspection whenever the inspector or officer deems such inspection necessary because of a serious threat to the health or safety of passengers and may, in writing, order a taxicab or livery business licensee to remove from service any taxicab or livery which is in violation of this article; provided that a re-inspection shall be scheduled as soon as possible but in no case more than three (3) business days thereafter. There shall be a charge of fifty dollars (\$50.00) for each re-inspection of any taxicab or livery ordered removed from service hereunder.

(b) The license inspector or any law enforcement officer shall order a taxicab or livery business licensee or taxicab operator to immediately remove from service, or shall immediately impound, any taxicab or livery which does not exhibit a taxicab or livery decal issued pursuant to Section 30.23.

Any licensee aggrieved by an order made under this section may appeal at any time to the city director who shall, as soon as possible, and in no case more than five (5) business days thereafter, determine whether such taxicab or livery is in violation of this article and shall either affirm the order of the license inspector or law enforcement officer or give the licensee written permission to return the taxicab or livery to service. Notwithstanding any other provision of this article or chapter 15, the license of any licensee charged with operating a taxicab or livery which the license inspector has ordered out of service shall be suspended in accordance with section 15-8(b)(3), and shall

either be suspended or revoked upon a finding, after notice and hearing, that the violation has in fact been committed.

(Code 1968, § 902.13; Ord. No. 231-80; 12-22-80; Ord. No. 306-82, § 4, 1-4-82; Ord. No. 484-83, § 1, 4-20-83; Ord. No. 303-92, 4-6-92; Ord. No. 124-96, § 1, 11-4-96; Ord. No. 231-99, 3-15-99; Ord. No. 57-04/05, 10-4-04; Ord. No. 294-04/05, 6-20-05; Ord. No. 286-07/08, 6-16-08)

Sec. 30-25. Log; customer receipt.

(a) Each person licensed as a taxicab or livery business or driver hereunder shall maintain a log of all calls received and services provided, specifying the date, time, name, if available, and the pickup and drop-off location of each transport which either begins or ends within the metered zone. Such log shall be provided to the director or law enforcement officer upon request or may be examined by said director or officer during regular business hours of the business.

(b) Each person licensed as a taxicab or livery business or driver hereunder shall provide a receipt to any customer upon that customer's request. Such receipt shall show, at minimum, the date and time of the service provided, the name of the taxicab or livery company, and the cost thereof.

(Ord. No. 57-04/05, 10-4-04; Ord. No. 294-04/05, 6-20-05)

Sec. 30-26. Notice of violation; waiver of administrative hearing.*

The director, the license inspector or any authorized law enforcement officer may, prior to commencement of an administrative hearing, issue a notice of violation to any person charged with a violation of this article. Such notice shall be in a form approved by the city manager.

(Ord. No. 306-82, § 4, 1-4-82; Ord. No. 303-92, 4-6-92; Ord. No. 57-04/05, 10-4-04; Ord. No. 286-07/08, 6-16-08)

***Editor's note:** the waiver provision is now in § 30-38.

Sec. 30-27. Penalty.

Each act of violation and every day upon which any such violation shall occur shall constitute a separate offense. The city may enjoin or abate any violation of this article by appropriate action. In addition to the penalty set forth in section 1-15 of this Code, if the court finds for the city, the city shall recover its costs of suit including reasonable experts' fees, attorney's fees and reasonable and necessary investigative fees.

(Ord. No. 303-92, 4-6-92; Ord. No. 57-04/05, 10-4-04)

Sec. 30-28. Severability.

The provisions of section 1-14 of this Code shall apply to this article.

(Ord. No. 303-92, 4-6-92; Ord. No. 57-04/05, 10-4-04)

Sec. 30-29. Reserved.

Sec. 30-30. Reserved.

DIVISION 2. LICENSES*

*Cross reference(s)--Licenses and permits generally, Ch. 15.

Sec. 30-31. Required.

(a) *Business license.* Each taxicab or livery business, whether an individual, corporation, d/b/a, limited liability corporation, partnership, or other legal entity, shall obtain a taxicab or livery license from the director prior to permitting the operation of any taxicab or livery vehicles in the city. A taxicab or livery business license shall be obtained which covers all vehicles which will be used under the license. As provided in Chapter 15, there shall be a fee of three hundred fifteen dollars (\$315.00) per vehicle listed on the business license. Only those vehicles listed on the business license may be used by the licensee as a taxicab or livery vehicle in the city. Vehicles can only be used for one purpose, i.e. either a taxicab or livery, and can only be listed on one license.

(b) *Driver's license.* No person shall operate a taxicab or livery vehicle within the city unless such taxicab or livery is covered by a business license and the driver thereof is currently licensed by the city to operate a taxicab or livery.

(c) *Licenses non-transferable.* Pursuant to section 15-11 of this Code, licenses issued hereunder are not transferable. If a taxicab or livery business license is denied or is revoked as a result of a disqualifying criminal conviction of the applicant or licensee for a class A, B or C crime, a taxicab or livery business license shall not be issued to an immediate family member for the period of such disqualification. "Immediate family member" means a spouse, parent, sibling or child living in the same household as the applicant or licensee who committed the disqualifying criminal

conviction.

(Code 1968, § 902.1; Ord. No. 231-80, 12-22-80; Ord. No. 303-92, 4-6-92; Ord. No. 231-99, 3-15-99; Ord. No 57-04/05, 10-4-04; Ord. No. 294-04/05, 6-20-05; Ord. 218-17/18, 7-1-2018)

Sec. 30-32. Application.

(a) Applications under this division shall be filed in accordance with chapter 15. In addition to the requirements of that chapter:

- (1) *Taxicab or livery business licenses.* Every application shall contain the following:
 - a. Every application shall be signed and verified by each of the principal officers of the applicant if the applicant is a corporation, and in all other cases by all persons having actual ownership interests in the applicant. If the applicant is a corporation, the application shall state the name and address and the date and place of birth of each of the principal officers of the applicant and of every person having management authority in the business of the applicant. In all other cases, the application shall state the name and address and the date and place of birth of every person having an actual ownership interest or having management authority in the business of the applicant.
 - b. A record of any disqualifying criminal conviction of any officer of, or person having an actual business ownership in, the applicant, or a statement that no such conviction exists shall be provided.
 - c. The make, type, year, serial number and license plate number of each vehicle for which a taxicab or livery business license is sought and the address of the garage or other terminal at which the vehicle will be stationed when not in service shall be stated.
 - d. A detailed description of the graphic design, insignia, wording and coloring which will appear upon the vehicle, if licensed, shall be included.

- e. An appropriate form of statement over the signature of each person signing the application, giving all persons and governmental agencies having information relevant to the above items permission to release the same to the director.
 - f. A person or business may obtain both a livery and taxicab business license, but there shall be a separate application form and fee for each such license. A vehicle shall not be licensed nor used both as a taxicab and a livery vehicle.
- (2) *Taxicab or livery drivers' licenses.* The taxicab or livery driver's license application shall:
- a. State the age of the applicant;
 - b. State current contact information, including home and work address, and home, work and cell telephone numbers, and e-mail address if available;
 - c. Contain a complete record of the applicant with respect to any disqualifying criminal conviction or a statement that no such conviction exists;
 - d. Contain a record of convictions for reckless driving, driving to endanger, operating or attempting to operate under the influence during the year preceding the application;
 - e. State whether any driver's license held by the applicant is presently revoked or has been revoked during the three (3) years preceding the application and the reasons for such revocation or revocations; and
 - f. The application shall contain an appropriate form of statement over the signature of the applicant giving all persons and governmental agencies having information relevant to the above items permission to release the same to the director and shall be accompanied by two (2) photographs of the applicant of such size as the director may specify.
 - g. An applicant may obtain both a taxicab and a livery driver's license but there shall be separate

application forms and fees for each such license.
No person shall drive a taxicab or livery without
having the appropriate license hereunder.

- (3) Every business licensed hereunder must maintain current records of the names, home addresses and telephone numbers of all of their drivers and must supply this information promptly to the director upon request. Every driver required to be licensed hereunder must have a current license for the vehicle he or she drives, and must provide the director with current contact information, including name, home and work address and home, work and cell telephone numbers and any e-mail address available. The driver shall promptly notify the director of any change in the contact information.

(Code 1968, § 902.3; Ord. No. 231-80, 12-22-80; Ord. No. 303-92, 4-6-92; Ord. No. 57-04/05, 10-4-04; Ord. No. 294-04/05, 6-20-05; Ord. No. 286-07/08, 6-16-08)

Sec. 30-33. Standards for denial.

(a) In addition to those standards set forth in chapter 15, a license under this division shall be denied to the following persons:

(1) *Taxicab or livery business licenses:*

- a. A corporation which is not licensed to do business in the state;
- b. An applicant other than the registered owner of the vehicle;
- c. A corporation if any principal officer thereof or any person having actual ownership interest therein has a disqualifying criminal conviction;
- d. An applicant, other than a corporation, if such applicant, any principal officer, or any person having an actual ownership interest or management authority therein has a disqualifying criminal conviction; and
- e. Any applicant whose taxicab or livery business license has been revoked within the three (3) years preceding the application.

The director shall make and keep a written record of every decision to deny an application for a taxicab or livery business license in the manner required by Title 1 M.R.S.A., Chapter 13.

(2) *Taxicab or livery drivers' licenses:*

- a. An applicant who has not attained the age of eighteen (18) years;
- b. An applicant who has a disqualifying criminal conviction, based upon the following:
 1. For a period of one (1) year from the date of the discharge of the sentence for the most recent conviction for a Class D or E crime, or an equivalent offense in any other jurisdiction, that falls into any one of the following categories: theft, robbery, burglary, assault, sex crimes, drugs, prostitution, weapons, or any major traffic offense except those specified in paragraph d below. In addition to the foregoing, this same one (1) year disqualification applies to an applicant who has a record of repeated minor traffic offenses which are not criminal violations. "Repeated minor traffic offenses" hereunder means more than two motor vehicle moving traffic violations within the twelve (12) months prior to the date of application, or more than five (5) moving traffic violations within the thirty-six (36) months prior to the date of application, with at least one of those offenses occurring within the twelve (12) months prior to the date of application. In the case of these non-criminal traffic offenses, the twelve (12) month disqualification period shall begin as of the date of the finding of violation of the most recent offense. Notwithstanding the foregoing, any motor vehicle moving violation which results in bodily injury or property damage shall be considered a major offense hereunder.
 2. For a period of one (1) year from the date of reinstatement of a license which has been

suspended or revoked in any jurisdiction, with the following exceptions:

- i. Where a license suspension results from the failure to file insurance with the Secretary of State pursuant to 29-A M.R.S.A. Chapter 13 (or other applicable law) or an order of court, the applicant must provide the director with (1) proof of valid insurance; and (2) documentation of the reinstatement of the applicant's driver's license. Following such proof, the license suspension shall not disqualify the applicant from receiving a taxicab or livery driver's license, provided there is no other disqualifying condition.
 - ii. Where a license suspension results from the failure to pay child support pursuant to 19-A M.R.S.A. Chapter 65 (or other applicable law) or an order of the court, the applicant must provide the director with documentation of re-instatement of the applicant's driver's license. Following such proof, the license suspension shall not disqualify the applicant from receiving a taxicab or livery license, provided there is no other disqualifying condition.
3. For a period of three (3) years from the date of the discharge of the sentence for the most recent conviction for a Class C crime, or an equivalent offense in any other jurisdiction.
 4. For a period of four (4) years from the date of discharge of the sentence for the most recent conviction for reckless driving, driving to endanger or operating a motor vehicle under the influence of intoxicating liquor or drugs more than one (1) time in the preceding ten (10) year period, regardless of the class of the offense and regardless of any lesser disqualification which might otherwise apply hereunder.

5. For a period of five (5) years from the date of the discharge of the sentence for the most recent conviction for reckless driving, driving to endanger or operating a motor vehicle under the influence of intoxicating liquor or drugs, which act was committed while operating any vehicle licensed under this chapter, or which act resulted in bodily injury.
6. For a period of five (5) years from the date of the discharge of the sentence for the most recent conviction for a Class B crime, or an equivalent offense in any other jurisdiction.
7. For a period of ten (10) years from the date of the discharge of the sentence for the most recent conviction for a Class A crime, or an equivalent offense in any other jurisdiction.
8. For a period of ten (10) years from the date of the discharge of the sentence for the most recent conviction if either of the following conditions occur:
 - i. The applicant has received more than two (2) criminal convictions for Class B, C or D crimes, or any combination of such crimes within the preceding ten (10) year period; or
 - ii. The applicant has utilized a weapon of any type in the commission of a crime.

Where an applicant for a taxicab or livery driver's license or a licensee has more than one (1) disqualifying criminal conviction within the previous ten (10) years, the applicant shall be disqualified for the longest applicable period of time. If an applicant receives a subsequent disqualifying criminal conviction during a period of disqualification for another offense, the disqualification period for the subsequent offense shall run from the date of the discharge of the

sentence for the subsequent conviction. If the disqualification period for the subsequent offense extends beyond the initial disqualification period, then the applicant shall remain disqualified for such additional time period.

(b) The periods of disqualification set forth in subsection (a) above, other than subsection (2) b.8. above may be reduced by six (6) months if the applicant can show that after the conviction he or she did at least one (1) of the following:

- (1) Successfully completed a drug or alcohol rehabilitation program, as evidenced by a certificate of completion of the program or a letter from an official of the program;
- (2) Successfully completed a domestic violence therapy program or treatment if the disqualifying criminal conviction involved domestic violence, as evidenced by a certificate of completion of the program, a letter from an official of the program or a letter from a licensed counselor or therapist; or
- (3) Made restitution for the crime committed, as evidenced by appropriate court documentation or probation records.

(c) The director shall make and keep a written record of every decision to deny an application for a taxicab or livery driver's license in the manner required by Title 1 M.R.S.A., Chapter 13.

(d) "Date of discharge" as used herein means the date upon which the sentence has been completed, including any probation or parole period, and the person has been discharged from the criminal justice system for the violation.

(Code 1968, § 902.4; Ord. No. 231-80, 12-22-80; Ord. No. 296-82, §§ 1, 2, 12-20-82; Ord. No. 303-92, 4-6-92; Ord. No. 144-96, 1-17-96; Ord. No. 231-99, 3-15-99; Ord. No. 57-04/05, 10-4-04; Ord. No. 294-04/05, 6-20-05; Ord. No. 286-07/08, 6-16-08)

Sec. 30-34. Conditions precedent to issuance.

Prior to issuance of any taxicab or livery vehicle license,
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and in addition to all other requirements of chapter 15 or this division, the following must occur:

- (a) For any business license: The applicant must file with the director a copy of the applicant's valid state certificate of registration of the vehicle to be licensed, a copy of the insurance certificate for the vehicle along with a certificate that lists the City of Portland as a certificate holder and providing for prior notice to the city of cancellation of the insurance policy, a valid certificate of inspection issued by the state sealer of weights and measures in the case of a taxicab only, and a certificate issued by the license inspector that the vehicle to be licensed complies with the safety and equipment requirements of this article. A copy of the current insurance certificate for the vehicle shall be kept in the vehicle at all times. In the case of a certificate that covers more than one (1) vehicle, a photocopy of the insurance certificate shall be kept in each vehicle.
- (b) For any driver's license: The applicant must file with the director a copy of a valid State of Maine driver's license. In addition, the director shall obtain a current criminal history report from the state bureau of identification and a driving record from the state department of motor vehicles; except that pending receipt of the criminal history report from the state bureau of identification a temporary taxicab or livery license may be issued to any applicant provided that the director has received both the applicant's driving record from the department of motor vehicles and a copy of the applicant's criminal history record from the Portland Police Department which criminal history record does not contain notation of an arrest or disqualifying criminal conviction.

(Code 1968, § 902.5; Ord. No. 231-80, 12-22-80; Ord. No. 461-87, 4-22-87; Ord. No. 303-92, 4-6-92; Ord. No. 39-92, § 3, 7-6-92; Ord. No. 248-97, 4-9-97; Ord. No. 231-99, 3-15-99; Ord. No. 57-04/05, 10-4-04; Ord. No. 294-04/05, 6-20-05; Ord. No. 286-07/08, 6-16-08)

Sec. 30-35. Fees.

Fees shall be as provided under chapter 15.

(Code 1968, § 902.6; Ord. No. 231-80, 12-22-80; Ord. No. 303-92, 4-6-92; Ord. No. 57-04/05, 10-4-04; Ord. 18-17/18, 8-21-2017)

Sec. 30-35.5. Transfer.

Notwithstanding any other provision of this article or chapter 15, and in lieu of any other fee, a taxicab or livery business license may be transferred to another vehicle for the unexpired term thereof upon payment of a fee of thirty-five dollars (\$35.00), and upon relinquishment to the director of the decal previously issued to the corresponding taxicab or livery vehicle, provided that the license application filed pursuant to sections 15-5 and 30-32(a) shall be supplemented as required by section 15-13.

(Code 1968, § 902.6; Ord. No. 231-80, 12-22-80; Ord. No. 306-82, § 1, 1-4-82; Ord. No. 303-92, 4-6-92; Ord. No. 231-99, 3-15-99; Ord. No. 57-04/05, 10-4-04; Ord. No. 294-04/05, 6-20-05; Ord. No. 54-18/19, 9-5-2018)

Sec. 30-36. Automatic revocation or suspension.

(a) *State of Maine driver's license.* No taxicab or livery driver's license shall be effective for the purposes of this division during any period in which the state driver's license of the licensee is suspended or revoked.

(b) *Obligation of taxicab or livery driver.* It is the obligation of the licensed taxicab or livery driver to notify the director of any suspension or revocation of his or her state driver's license and to return his or her taxicab or livery driver's license to the director within fourteen (14) calendar days of such suspension or revocation. It is a violation of this ordinance for a licensee to continue to operate a taxicab or livery vehicle after suspension of his or her state driver's license and the taxicab or livery driver's license shall be suspended for up to a maximum of one year from the date of the finding by the director of such violation by a licensee, in addition to any other penalty which may apply under this article. A copy of this paragraph shall be printed on the city's taxicab and livery driver's license application.

(c) *Obligation of business licensee.* It is a violation of this ordinance for a business licensee to knowingly employ a driver who does not hold a valid state driver's license or a driver's license required hereunder and to permit him or her to operate a vehicle licensed hereunder, and such business licensee shall be subject to a suspension of all licenses issued hereunder to that person for the duration of each current license and up to one (1) year thereafter for each license. Any person permitted or suffered to drive any taxicab or livery vehicle of the business licensee shall be considered to be "employed" by said business licensee for

purposes of this paragraph, however that person is designated, including but not limited to, an employee, independent contractor, lessee.

(Code 1968, § 902.11; Ord. No. 231-80, 12-22-80; Ord. No. 303-92, 4-6-92; Ord. No. 57-04/05, 10-4-04; Ord. NO. 294-04/05, 6-20-05)

Sec. 30-37. Grounds for suspension or revocation.

(a) *Any license.* In addition to the grounds for suspension or revocation of licenses set forth in chapter 15 and in this article and the grounds for denial set forth in this article which shall also be grounds for suspension or revocation of a license, either a taxicab or livery business license or a taxicab or livery driver's license shall be subject to suspension or revocation upon a determination that the licensee:

- (1) Knowingly took a longer route to his or her destination than was necessary unless so requested by the passenger;
- (2) Knowingly conveyed any passenger to a place other than that which the passenger specified;
- (3) Solicited or caused another person to solicit taxicab or livery passenger business in any manner whatsoever;
- (4) In the case of a livery, picked up or attempted to pick up a passenger on the street or in a public place, without an agreement arranged in advance for such pick-up; the burden shall be on the livery business or driver licensee to show the existence of such a pre-arranged agreement;
- (5) Transported any person other than the passenger first engaging the taxicab or livery without the express consent of such passenger;
- (6) Drove a taxicab or livery when not clean and neat in appearance;
- (7) Permitted any person other than the driver and a passenger or passengers to remain in the taxicab or livery at any such time, except a trainee, if a licensed taxicab or livery driver;
- (8) Refused to transport any orderly person upon request unless, in the case of a single taxicab or livery

business the taxicab or livery vehicle is engaged, or in the case of a taxicab or livery business operating more than one (1) taxicab or livery vehicle, all vehicles operated by such business and then in service are engaged (if no taxicab or livery vehicle is available at the time when a request for taxicab or livery service is telephoned to a dispatch service, the dispatch service shall arrange with the caller for transportation by the next available taxicab or livery using such dispatch service unless the caller expressly declined to make such arrangement);

- (9) In the case of a taxicab, charged more than the maximum fare specified in this article;
- (10) Failed to notify the director of any change of any material fact set forth in the application for such license; or
- (11) Removed from a taxicab or livery, or obscured, or caused to be removed from a taxicab or livery, or caused to be obscured, the notice and decal required by sections 30-22 and 30-23 or any other notice hereunder required to be posted in the vehicle;
- (12) Smoked or permitted another to smoke in the taxicab or livery.

(b) *Drivers' licenses only.* In addition to the provisions of subsection (a), a taxicab or livery driver's license shall be suspended or revoked upon the determination that the driver:

- (1) Engaged in any loud argument, fight or other disturbance; harassed, threatened or assaulted another person; intentionally damaged, destroyed or threatened to damage or destroy any property; or in any other manner engaged in conduct detrimental to the orderly and efficient transportation of passengers;
- (2) Failed to notify the director of any conviction for reckless driving, driving to endanger, operating a motor vehicle under the influence of intoxicating liquor or drugs, attempting to operate under the influence, or an equivalent offense in any other jurisdiction, or suspension or revocation of the privilege to operate a motor vehicle;

- (3) Failed to notify the director of any conviction or imprisonment within the then current license year.

(c) *Business licenses.* In addition to the provisions of subsection (a), a taxicab or livery business license shall be suspended or revoked upon a determination that:

- (1) There have been repeated violations by the driver or drivers employed by the licensee which resulted in four (4) or more suspensions of the same driver, or eight (8) or more suspensions of employees of the same person holding more than one (1) business license hereunder, establishing a pattern of conduct by the holder of the taxicab or livery business license(s);
- (2) The taxicab or livery business licensee or any person employed by such licensee has operated a taxicab or livery without a current and valid taxicab or livery driver's license for such vehicle; or
- (3) Any taxicab, livery, taxicabs or liveries covered by the taxicab or livery business license have been the subject of one (1) or more violation notices for failure to comply with the standards set forth in Section 30-18.

(d) "Employed by" or "employee" as used in this Article shall include but not be limited to, any employee, independent contractor, lessee or person permitted or suffered to drive any taxicab or livery vehicle of the business licensee.

(Code 1968, § 902.12; Ord. No. 231-80, 12-22-80; Ord. No. 306-82, § 6, 1-4-82; Ord. No. 450-86, § 1, 3-17-86; Ord. No. 277-90, 3-19-90; Ord. No. 303-92, 4-6-92; Ord. No. 124-96, § 2, 11-4-96; Ord. No. 231-99, 3-15-99; Ord. No. 57-04/05, 10-4-04; Ord. No. 294-04/05, 6-20-05; Ord. No. 286-07/08, 6-16-08)

Sec. 30-38. Penalties.

(a) *Maximum suspensions.* Except where a longer suspension or revocation is provided herein, the maximum suspensions of taxicab or livery drivers' licenses or business licenses for violations of this chapter or chapter 15 shall be as follows:

- 5 days for the first violation;
- 14 days for the second violation;
- 30 days for the third violation;

within a one-year period; provided that the minimum suspension for a violation of section 30-37(b)(2) or (b)(3) shall be for the duration of the current license period, and no license may be issued for a minimum of one (1) full calendar year from the date of suspension; such suspension or revocation to be in addition to the amount of time specified for any suspension incurred pursuant to subsection (d) below. If the director determines that the violation of section 30-37(b)(2) or (3) or section 15-8(a)(1) was knowing or willful, the suspension shall be for the duration of the current license period plus two (2) full calendar years plus the time applicable to the disqualifying criminal conviction.

(b) *Civil penalty.* In addition to, or instead of suspension of a license for the first 3 violations within a one year period, the city may impose a civil penalty of seventy-five dollars (\$75.00) for the first violation; one hundred and twenty-five dollars for the second violation (\$125.00) and two hundred and fifty dollars (\$250.00) for the third violation.

(c) *Waiver fee.* In the event a licensee wishes to waive his right to an administrative hearing prior to imposition of a suspension and/or a civil penalty for a first violation, the licensee may do so by payment of a waiver fee of fifty dollars (\$50.00) which shall be the penalty for such first violation. Such payment of the waiver fee shall constitute an admission of the violation and shall be recorded as a first violation. This provision shall not apply to any violation which has a mandatory suspension hereunder nor to any violation which is also a violation of state law. If a single incident results in more than one violation hereunder, only one of those violations shall be considered a first violation for purposes of this subsection, and additional penalties may be imposed for the additional violations arising from that incident.

(d) *Revocation.* Four (4) violations within a one-year period shall result in revocation of the taxicab or livery driver's license or business license, or both, and right to apply for a license for a minimum period of three (3) years from the date of revocation, unless a longer period of disqualification for such violations is provided in this article.

(e) In the event a taxicab or livery driver is found to be in violation of any of the standards for denial of a driver's license under section 30-33(a)(2) above, any license issued to such person shall be immediately revoked for the duration of the term of the license in addition to the disqualification provided in said

subsection, with the exception of the violations in subsection 30-33(a)(2)b., paragraph 2., sub-paragraphs i. and ii. for which the suspension shall be for the period of time the state driver's license is suspended.

(f) *Violations cumulative.* If a person or business has more than one license under this article, violations under any of those licenses shall be cumulative for purposes of determining the number of violations by such person and/or business.

(Ord. No. 303-92, 4-6-92; Ord. No. 39-92, § 4, 7-6-92; Ord. No. 231-99, 3-15-99; Ord. No. 57-04/05, 10-4-04; Ord. No. 294-04/05, 6-20-05; Ord. No. 286-07/08, 6-16-08)

Sec. 30-38.1. Notice and opportunity for a hearing.

- (1) Except as expressly provided in this Code, no license to which this chapter applies may be revoked or suspended without prior notice to the licensee, and after an opportunity for a hearing.
- (2) In the case of the suspension or revocation of a license, a generalized statement of the nature of the complaint constituting the basis for the proposed action shall be included along with a notice of the right to a hearing. Unexcused failure of a licensee (or applicant) to appear at the hearing shall be deemed a waiver of the rights to said hearing.
- (3) Upon a determination that immediate and irreparable harm will be suffered by the public prior to the time that a hearing on suspension or revocation of a license can be scheduled and a finding of probable cause for such suspension or revocation, the director may suspend a license, pending hearing, effective upon the giving of actual notice to the licensee; provided that the director shall give an opportunity to be heard as soon as practicable thereafter. At any hearing, the licensee shall be given the opportunity to answer the complaint and to present evidence. The complainant, if any, shall also be notified of the hearing and given the opportunity to be heard.
- (4) All suspensions or revocations shall be upon substantial evidence and all hearings shall be conducted with substantial fairness and strict adherence to the rules of evidence shall not be required.

- (5) All hearings on suspension or revocation of licenses shall be held within thirty (30) days of delivery to licensee of the generalized statement of complaint.
- (6) The foregoing process of notice and an opportunity to be heard shall apply to the denial of a license, provided, however, the applicant shall have no right to operate unless and until the denial is finally overturned.

(Ord. No. 286-07/08, 6-16-08)

Sec. 30-38.2. Appeals.

(a) *Procedure.* An appeal to the city manager may be taken by any person aggrieved by the denial, suspension or revocation of a license by the director by filing a notice of appeal and the fee of twenty-five dollars (\$25.00) with the city manager within thirty (30) days of the decision appealed from, and not thereafter. Every appeal should be in writing and shall state the basis for the appeal. Within two (2) business days of the filing of an appeal, the city manager shall designate himself or any agent or employee, other than the director, to act as hearing officer in the appeal. The hearing officer shall hear the appeal within ten (10) business days after the filing of the appeal and may affirm, reverse or modify the decision appealed from. The taking of an appeal shall not stay a decision appealed from, except that at the request of the licensee, the director may stay the effective date of a suspension, revocation or denial of a renewal license upon a finding that the public is not likely to suffer any harm during the pendency of the appeal. In such case, the director shall make a written finding of his or her decision in this regard and shall notify the appellant.

(b) *Scope of review.* On appeal, the hearing officer shall review the decision of the director and any disciplinary action taken pursuant thereto to determine whether the decision was based upon substantial evidence and the disciplinary action taken was proportionate to the violation and authorized hereunder. The hearing officer may take additional evidence with respect to such decision or action and if additional testimony or evidence is taken shall determine the appeal upon all of the evidence, except as provided in this section.

(c) *Appeal to the superior court.* Any person aggrieved by a decision of a hearing officer on appeal may appeal therefrom to the superior court in accordance with the provisions of Maine Rule of

Civil Procedure 80B.
(Ord. No. 286-07/08, 6-16-08)

Sec. 30-38.3. General provisions to apply.

Except to the extent that this division contains a contrary provision, all provisions of chapter 15 shall be additional to the provisions of this division.

(Code 1968, § 902.14; Ord. No. 231-80, 12-22-80; Ord. No. 303-92, 4-6-92; Ord. No. 286-07/08, 6-16-08)

Reserved. Sec. 30-38.4.

Reserved. Sec. 30-38.5.

ARTICLE III. HORSE-DRAWN CABS

DIVISION 1. GENERALLY

Sec. 30-39. Definitions.

For purposes of this article, the following definitions shall apply, unless the context clearly implies otherwise:

Director means the designee of the city manager.

Horse-drawn cab means any horse-drawn vehicle used for the transportation of passengers for hire.

License inspector means and includes any person designated by the director to perform inspections of taxicabs.

Street, way, or public place means any street, way, trail, path, promenade, park, plaza, square, or other public property, or any portion thereof.

To operate means to drive, or to cause or permit another to drive.

(Ord. No. 509-84, § 1, 4-2-84; Ord. 18-17/18, 8-21-2017)

Sec. 30-40. Exemptions.

This article shall not apply to the following:

- (a) Horse-drawn cabs operated by or in conjunction with the

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sponsor of any street festival, celebration, or other special event authorized by the city council;

- (b) Horse-drawn cabs operated for destination service only, by private prearrangement, in conjunction with special or ceremonial occasions, such as weddings or official visits.

(Ord. No. 509-84, § 1, 4-2-84; Ord. No. 579-84, § 1, 5-7-84)

Sec. 30-41. General licensing provisions to apply.

Except to the extent that this article contains a contrary provision, all general licensing provisions of chapter 15 shall apply to this chapter.

(Ord. No. 509-84, § 1, 4-2-84)

DIVISION 2. LICENSES

Sec. 30-42. Required.

No person shall operate a horse-drawn cab on any street or way or in any public place without a horse-drawn cab license. A separate license shall be required for each such vehicle.

(Ord. No. 509-84, § 1, 4-2-84)

Sec. 30-43. Applications.

In addition to the general provisions of chapter 15 relating to the contents of applications, applications for horse-drawn cab licenses shall contain the following:

- (a) A complete listing of all operators to be employed by or associated with the applicant, giving their full names, ages, and present addresses;
- (b) A complete record of disqualifying criminal convictions, if any, for all operators to be employed by or associated with the applicant, and for the applicant, or if the applicant is other than an individual, for each principal officer of the applicant; and
- (c) A detailed description of each horse, vehicle, and other equipment to be used by the applicant, including a photograph of each such horse and the plans and specifications of each such vehicle, a veterinarian's

certificate of health for such horse, and the address or location at which each such horse and vehicle is to be kept or stored while not in service.

(Ord. No. 509-84, § 1, 4-2-84; Ord. 18-17/18, 8-21-2017)

Sec. 30-44. Reserved.

(Ord. No. 509-84, § 1, 4-2-84; Ord. No. 173-05/06, 3-6-06; Ord. 18-17/18, 8-21-2017)

Sec. 30-45. Conditions precedent to issuance.

Prior to the issuance of any horse-drawn cab license, and in addition to any other requirements of this article or chapter 15, the applicant shall file with the director the following:

- (a) A certificate issued by the license inspector that the vehicle to be licensed and all operators thereof comply with the rules made under authority of this article by the director; and
- (b) An insurance policy covering the term of the license and executed by an insurance company authorized to issue such policies in this state in the usual form of vehicle liability insurance policies in this state for injuries to persons and property resulting from the use and operation of the vehicle to be licensed. Such policy of insurance shall be issued for a principal sum sufficient to provide indemnity in an amount of not less than three hundred thousand dollars (\$300,000.00) combined single limit, for bodily injury, death and property damage. A certificate of insurance bearing an endorsement thereon by the issuing agent shall be deposited with the director. Such certificate shall state that the issuing agent shall notify the director in writing no less than thirty (30) days prior to the cancellation thereof.

(Ord. No. 509-84, § 1, 4-2-84; Ord. No. 579-84, § 2, 5-7-84; Ord. No. 173-05/06, 3-6-06)

Sec. 30-46. Denial, suspension, or revocation.

In addition to the general provisions of chapter 15 relating to the grounds for denial, suspension, or revocation of licenses, a horse-drawn cab license may be denied, suspended, or revoked on any of the following grounds:

- (a) The applicant or licensee or any operator is less than eighteen (18) years of age or has had a disqualifying

criminal conviction;

- (b) Charging more than the fare established by this article;
- (c) Disobeying any order or direction of the city traffic engineer, the license inspector, or any police officer;
or
- (d) Causing or permitting any violation of this article or chapter 25.

(Ord. No. 509-84, § 1, 4-2-84; Ord. 18-17/18, 8-21-2017)

DIVISION 3. OPERATING REQUIREMENTS

Sec. 30-47. For sight-seeing only; fixed routes; no stopping.

No licensed horse-drawn cab shall be operated except for sight-seeing trips following a fixed route and beginning and ending at the same location. Such routes and locations shall be as designated and assigned from time to time by the city traffic engineer, who shall also have authority to erect appropriate signs or markers, and to impose such conditions on the use of such routes and locations as he deems proper, including limiting the same of such vehicles in operation on the same route or at the same location at any one (1) time, and restricting the days, times, or other circumstances of operation on any such route or at any such location. No such vehicle shall stop, stand, or park in any place while on route, to load or unload passengers or otherwise, except in obedience to traffic regulations, traffic-control devices, or the directions of a police officer or other authorized person.

(Ord. No. 509-84, § 1, 4-2-84)

Sec. 30-48. Not to obstruct traffic; police orders.

No licensed horse-drawn cab shall be operated in any manner which unreasonably or unnecessarily obstructs or impedes the free flow of vehicular or pedestrian traffic or otherwise endangers the public safety. Any police officer, or the city traffic engineer, may at any time order the operator of any such vehicle to move along, pull over, make way, or temporarily discontinue the use of any such route or location, or any portion thereof, for the public safety or convenience.

(Ord. No. 509-84, § 1, 4-2-84)

Sec. 30-49. Traffic regulations to apply.

Except to the extent that this article contains a contrary provision, all traffic regulations of chapter 28, article III, shall apply to the operation of licensed horse-drawn cabs.
(Ord. No. 509-84, § 1, 4-2-84)

Sec. 30-50. Maximum fare; rate card to be displayed in vehicle.

The fare for any trip in any licensed horse-drawn cab shall not exceed five dollars (\$5.00) per passenger per quarter hour or fraction thereof, regardless of the distance of the trip. A rate card to be issued by the director and bearing the following statement shall be displayed in the interior of each such vehicle so as to be clearly visible to all passengers at all times while such vehicle is in service:

PASSENGER INFORMATION

The maximum fare for any trip in this vehicle is \$5.00 per passenger per quarter hour or fraction thereof, regardless of the distance of the trip. If you have questions or complaints about the fare you have been charged or the service you have received, please call Business Licensing for the City of Portland (telephone: 874-8557) (email: BL@portlandmaine.gov), or write to:

Business Licensing
City of Portland
389 Congress Street
Portland, Maine 04101

Please include your name, address and telephone number to allow adequate follow-up by city.

(Ord. No. 509-84, § 1, 4-2-84; Ord. No. 579-84, § 3, 5-7-84; Ord. No. 173-05/06, 4-6-06; Ord. 18-17/18, 8-21-2017)

Sec. 30-51. Display of plate.

A plate, to be issued by the Permitting and Inspections Department and bearing an identification number, shall be displayed in a conspicuous place on the exterior of each licensed horse-drawn cab at all times while in service.

(Ord. No. 509-84, § 1, 4-2-84; Ord. No. 173-05/06, 3-6-06; Ord. 18-17/18, 8-21-2017)

Sec. 30-52. Solicitation of business.

No person shall solicit business in any manner for any licensed horse-drawn cab while on route. Solicitation while standing shall include shouting, hollering, whistling, clapping, or making other loud noises, grabbing or otherwise annoying or harassing passersby, or any other conduct or commotion detrimental to the image or reputation of the trade or the public safety or convenience.

(Ord. No. 509-84, § 1, 4-2-84)

Sec. 30-53. Passengers to be seated and well-behaved.

No operator of any licensed horse-drawn cab shall load or admit more passengers at any one (1) time than may be fully seated in such vehicle. Every passenger in any such vehicle shall be and remain fully seated at all times while on route and shall refrain from any other conduct or behavior detrimental to the safety or comfort of passengers or others. No such operator shall refuse to transport any orderly person upon request.

(Ord. No. 509-84, § 1, 4-2-84; Ord. No. 579-84, § 4, 5-7-84)

Sec. 30-54. Care and treatment of horses.

Every horse used in the operation of any licensed horse-drawn cab shall be well fed, watered, and neatly groomed at all times while in service. No person shall feed, water, or groom any such horse while on route. No person shall physically abuse or mistreat any such horse.

(Ord. No. 509-84, § 1, 4-2-84)

Sec. 30-55. Conduct and appearance of operators; rule-making authority.

Every operator of any licensed horse-drawn cab shall be courteous, well dressed, and neatly groomed at all times while on duty, and shall refrain from any loud argument, fight or disturbance, or any other conduct or behavior detrimental to the image or reputation of the trade or the safety or comfort of passengers or others. The director shall have authority to make reasonable rules and regulations, consistent with the public safety and the image and reputation of the trade, governing the training and qualifications of such operators.

(Ord. No. 509-84, § 1, 4-2-84; Ord. No. 579-84, § 5, 5-7-84; Ord. No. 173-05/06, 3-6-06)

Sec. 30-56. Design and appearance of vehicles; rule-making authority.

Every licensed horse-drawn cab shall be kept clean and neat in appearance at all times while in service. The director shall have authority to make reasonable rules and regulations, consistent with the public safety and the image and reputation of the trade, governing the design and construction of such vehicles.

(Ord. No. 509-84, § 1, 4-2-84; Ord. No. 173-05/06, 3-6-06)

Sec. 30-57. Unsafe vehicles; inspections; ordering from service.

No licensed horse-drawn cab shall be operated at any time while unsafe, defective, or in disrepair. Any police officer, or the license inspector, may inspect any such vehicle at all reasonable times, while in service or otherwise, and may at any time order such vehicle to be removed from service or to remain out of service for any defect, unsafe condition, or want of repair. No such vehicle shall be returned to service except upon reinspection by such officer, or the license inspector, and a finding that such repair has been made or that such defect or unsafe condition has been corrected.

(Ord. No. 509-84, § 1, 4-2-84)

Sec. 30-58. Control of horses.

Every horse used in the operation of any licensed horse-drawn cab shall be kept under complete control by the operator of such vehicle at all times while in service and shall not be allowed to kick, run, race, rear up, or otherwise endanger the safety of passengers or others.

(Ord. No. 509-84, § 1, 4-2-84)

Sec. 30-59. Reserved.

(Ord. No. 509-84, § 1, 4-2-84; Ord. 18-17/18, 8-21-2017)

Sec. 30-60. Reserved.

(Ord. No. 509-84, § 1, 4-2-84; Ord. 18-17/18, 8-21-2017)

Sec. 30-61. Reserved.

Sec. 30-62. Reserved.

Sec. 30-63. Reserved.

Sec. 30-64. Reserved.

Sec. 30-65. Reserved.

Sec. 30-66. Reserved.

Sec. 30-67. Reserved.
Sec. 30-68. Reserved.
Sec. 30-69. Reserved.
Sec. 30-70. Reserved.
Sec. 30-71. Reserved.
Sec. 30-72. Reserved.
Sec. 30-73. Reserved.
Sec. 30-74. Reserved.

ARTICLE IV. BICYCLE CABS*

***Editor's note**--Ord. No. 133-98, adopted Oct. 19, 1998, repealed art. IV of this chapter, relative to bicycle cabs, which consisted of §§ 30-75--30-92 and derived from Ord. No. 228-95, adopted Apr. 3, 1995.

DIVISION 1. GENERAL PROVISIONS

Secs. 30-75. Definitions.

As used in this article, unless the context otherwise indicates, the following words shall have the following meanings:

Bicycle cab means any vehicle that is powered by means of a person operating a two- or three-wheeled non-motorized vehicle and that also includes a separate seating area for passengers.

Street, way, or public place means any street, way, trail, path, promenade, park, plaza, square, or other public property, or portion thereof.

To operate means to pedal, push or otherwise cause the bicycle to move.
(Ord. No. 228-95, 4-3-95; Ord. No. 133-98, 10-19-98 repealed Art. IV; Substitute Ord. No. 16-00, 6-19-00)

Sec. 30-76. General licensing provisions to apply.

Except to the extent that this article contains a contrary provision, all general licensing provisions of chapter 15 shall

apply to this article.

(Ord. No. 228-95, 4-3-95; Ord. No. 133-98, 10-19-98 repealed Art. IV; Substitute Ord. No. 16-00, 6-19-00)

DIVISION 2. LICENSES

Sec. 30-77. Required.

No person shall operate a bicycle cab on any street or way or in any public place without a bicycle cab license. A separate license shall be required for each vehicle. Any license issued to an operator who is less than eighteen (18) years old shall be restricted to operation between the hours of 8 a.m. to 6 p.m.

(Ord. No. 228-95, 4-3-95; Ord. No. 133-98, 10-19-98 repealed Art. IV; Substitute Ord. No. 16-00, 6-19-00)

Sec. 30-78. Applications.

In addition to the general provisions of chapter 15 relating to the contents of applications, applications for bicycle cab licenses shall contain the following:

- (a) A complete listing of all operators to be employed by or associated with the applicant, giving each person's full name, age and present address.
- (b) A complete record of disqualifying criminal convictions or civil offenses as defined in Section 30-33(b) (3-6), if any, for all operators to be employed by or associated with the applicant, and for the applicant, or if the applicant is other than an individual, for each principal officer of the applicant.
- (c) A detailed description of each bicycle cab and any other equipment to be used by the applicant, including a photograph of each bicycle cab and the specifications of each such vehicle.

(Ord. No. 228-95, 4-3-95; Ord. No. 133-98, 10-19-98 repealed Art. IV; Substitute Ord. No. 16-00, 6-19-00)

Sec. 30-79. Licensing authority.

Notwithstanding any provision of chapter 15 to the contrary, the Permitting and Inspections Director, or his or her designee, (referred to hereafter as the "director") shall be the licensing authority for bicycle cab licenses.

(Ord. No. 228-95, 4-3-95; Ord. No. 133-98, 10-19-98 repealed Art. IV; Substitute Ord. No. 16-00, 6-19-00; Ord. No. 173-05/06, 3-6-06; Ord. 18-17/18, 8-21-2017)

Sec. 30-80. Conditions precedent to issuance.

Prior to the issuance of any bicycle cab license, and in addition to any other requirements of this article or chapter 15, the applicant shall file with the director the following:

- (a) A certificate issued by the license operator that the bicycle cab to be licensed and all operators thereof comply with the rules made under authority of this article by the director; and
- (b) An insurance policy covering the term of the license and executed by an insurance company authorized to issue such policies in this state in the usual form of vehicle or other liability insurance policies in this state for injuries to persons and property resulting from the use and operation of the bicycle cab to be licensed. Such policy of insurance shall be issued for a principal sum sufficient to provide indemnity in the amount of not less than four hundred thousand dollars (\$400,000.00) combined single limit, for bodily injury, death and property damage. A certificate of insurance bearing an endorsement thereon by the issuing agent shall be deposited with the director. Such certificate shall state that the issuing agent shall notify the director in writing no less than thirty (30) days prior to the cancellation thereof. For bicycle cabs that propose to operate in any city park or other public place, the City shall be included in the policy as an additional named insured.

(Ord. No. 228-95, 4-3-95; Ord. No. 133-98, 10-19-98 repealed Art. IV; Substitute Ord. No. 16-00, 6-19-00; Ord. No. 173-05/06, 3-6-06)

Sec. 30-81. Denial, suspension, or revocation.

In addition to the general provisions of chapter 15 relating to the grounds for denial, suspension or revocation of license, a bicycle cab license may be denied, suspended or revoked on any of the following grounds:

- (a) The applicant or licensee or any operator is less than seventeen (17) years of age or has had a disqualifying criminal conviction or civil offense as provided in Section 30-33(b) (3-6).

- (b) Charging more than the fare established by this article.
- (c) Disobeying any order or direction of the city traffic engineer, the license inspector, or any police officer.
- (d) Causing or permitting any violation of this article or chapter 25.

(Ord. No. 228-95, 4-3-95; Ord. No. 133-98, 10-19-98 repealed Art. IV; Substitute Ord. No. 16-00, 6-19-00)

DIVISION 3. OPERATING REQUIREMENTS

Sec. 30-82. Operation limited to roadways; carrying of passengers; prohibited locations.

Licensed bicycle cabs shall be operated within roadways only. Bicycle cabs shall not be operated upon sidewalks or bicycle paths, except those paths specifically designated for that purpose by the Director of Parks and Recreation. Bicycle cabs may carry passengers to locations chosen by the passengers or may follow an agreed-upon route for sightseeing purposes. The city traffic engineer shall have the right to prohibit bicycle cabs from streets or roadways where the operation of such cabs will present a threat to the safety of the bicycle cab operator and passengers or to other users of the street or roadway. The traffic engineer also shall have the authority to erect appropriate signs or markers, and to impose such conditions on the use of routes and locations as he or she deems proper, including limiting the number of such bicycle cabs in operation on the same route or at the same location at any one (1) time, and restricting the days, times, or other circumstances of operation on any such route or at any such location. No such vehicle shall stop, stand, or park in any place while on route, to load or unload passengers or otherwise, except in accordance with traffic regulations, traffic-control devices, or the directions of a police officer or other authorized person. In no event shall a bicycle cab utilize a designated taxicab stand for any purpose whatsoever, unless required for an immediate response to an emergency situation. Bicycle cabs shall not be permitted at the Jetport.

(Ord. No. 228-95, 4-3-95; Ord. No. 133-98, 10-19-98 repealed Art. IV; Substitute Ord. No. 16-00, 6-19-00)

Sec. 30-83. Not to obstruct traffic; police orders.

No licensed bicycle cab shall be operated in any manner which unreasonably or unnecessarily obstructs or impedes the free flow of vehicular or pedestrian traffic or otherwise endangers the public safety. Any police officer or the city traffic engineer may at any time order the operator of any such vehicle to move along, pull over, make way, or temporarily discontinue the use of any such route or location, or any portion thereof, for the public safety or convenience.

(Ord. No. 228-95, 4-3-95; Ord. No. 133-98, 10-19-98 repealed Art. IV; Substitute Ord. No. 16-00, 6-19-00)

Sec. 30-84. Traffic regulations to apply.

Except to the extent that this article contains a contrary provision, all traffic regulations of chapter 28, article III, shall apply to the operation of licensed bicycle cabs.

(Ord. No. 228-95, 4-3-95; Ord. No. 133-98, 10-19-98 repealed Art. IV; Substitute Ord. No. 16-00, 6-19-00)

Sec. 30-85. Maximum fare; rate card to be displayed on vehicle.

The fare for any trip in any licensed bicycle cab shall not exceed five dollars (\$5.00) per passenger per quarter hour or fraction thereof, regardless of the distance of the trip. A rate card to be issued by the director and bearing the following statement shall be displayed on each vehicle in such a manner as to be visible to passengers riding in the bicycle cab at all times while such vehicle is in service:

PASSENGER INFORMATION

The maximum fare for any trip in this vehicle is \$5.00 per passenger per quarter hour or fraction thereof, regardless of the distance of the trip. If you have questions or complaints about the fare you have been charged or the service you have received, please call the director of waterfront and transportation facilities of the City of Portland at (207) 874-6900, or write to:

Director of Waterfront & Transportation Facilities
City of Portland
40 Commercial Street
Portland, Maine 04101

Please include your name, address and telephone number to allow adequate follow-up by the city.

(Ord. No. 228-95, 4-3-95; Ord. No. 133-98, 10-19-98 repealed Art. IV; Substitute
30-40

Ord. No. 16-00, 6-19-00; Ord. No. 173-05/06, 3-6-06)

Sec. 30-86. Display of plate and badge.

A plate, to be issued by the director and bearing an identification number shall be displayed in a conspicuous place on each licensed bicycle cab at all times while in service. A badge, to be issued by the director and identifying the wearer by number as a licensed operator of such vehicle, shall be worn prominently on his or her person by each such operator at all times while on duty.

(Ord. No. 228-95, 4-3-95; Ord. No. 133-98, 10-19-98 repealed Art. IV; Substitute Ord. No. 16-00, 6-19-00; Ord. No. 173-05/06, 3-6-06)

Sec. 30-87. Solicitation of business.

No person shall solicit business in any manner for any licensed bicycle cab while on route. Prohibited solicitation while standing shall include shouting, hollering, whistling, clapping, or making other loud noises, grabbing or otherwise annoying or harassing passersby, or any other conduct detrimental to the image or reputation of the trade or the public safety or convenience.

(Ord. No. 228-95, 4-3-95; Ord. No. 133-98, 10-19-98 repealed Art. IV; Substitute Ord. No. 16-00, 6-19-00)

Sec. 30-88. Passengers to be seated and well-behaved.

No operator of any licensed bicycle cab shall load or admit more passengers at any one (1) time than may be fully seated in such vehicle. Every passenger in any such vehicle shall be and remain fully seated at all times while on route and shall refrain from any other conduct or behavior detrimental to the safety or comfort of passengers or others. No such operator shall refuse to transport any orderly person upon request, unless such person requests transportation to a destination that exceeds the distance that the operator determines he or she can practicably travel.

(Ord. No. 228-95, 4-3-95; Ord. No. 133-98, 10-19-98 repealed Art. IV; Substitute Ord. No. 16-00, 6-19-00)

Sec. 30-89. Care and maintenance of bicycle cab.

Each licensed bicycle cab shall be at all times clean and in good repair.

(Ord. No. 228-95, 4-3-95; Ord. No. 133-98, 10-19-98 repealed Art. IV; Substitute Ord. No. 16-00, 6-19-00)

Sec. 30-90. Conduct and appearance of operators; rule-making

authority.

Every operator of any licensed bicycle cab shall be courteous at all times when on duty and shall refrain from any loud argument, fight or disturbance, or any other conduct or behavior detrimental to the image or reputation of the trade or the safety or comfort of passengers or others. The director shall have authority to make reasonable rules and regulations, consistent with the public safety and the image and reputation of the trade, governing the training and qualifications of such operators.

(Ord. No. 228-95, 4-3-95; Ord. No. 133-98, 10-19-98 repealed Art. IV; Substitute Ord. No. 16-00, 6-19-00; Ord. No. 173-05/06, 3-6-06)

Sec. 30-91. Unsafe vehicles; inspections; order from service.

No licensed bicycle cab shall be operated at any time while unsafe, defective or in disrepair. Any police officer or the license inspector may inspect any such vehicle at any and all reasonable times, while in service or otherwise, and may at any time order such vehicle to be removed from service for any defect, unsafe condition, or want of repair. No such vehicle shall be returned to service except upon reinspection by such officer, the license inspector or the director, and upon a finding that such repair has been made or that such defect or unsafe condition has been corrected.

(Ord. No. 228-95, 4-3-95; Ord. No. 133-98, 10-19-98 repealed Art. IV; Substitute Ord. No. 16-00, 6-19-00; Ord. No. 173-05/06, 3-6-06)

Sec. 30-92. Storage of vehicles and equipment.

No bicycle cab or related equipment shall be kept or stored on any street or way or in any public place while not in service.

(Ord. No. 228-95, 4-3-95; Ord. No. 133-98, 10-19-98 repealed Art. IV; Substitute Ord. No. 16-00, 6-19-00)

Editor's note—Ord. No. 133-98, adopted Oct. 19, 1998, repealed Art. IV of this chapter, relative to bicycle cabs, which consisted of §§30-75-30-92 and derived from Ord. No. 228-95, adopted Apr. 3, 1995. Art. IV was reinstated on June 15, 2000.

ARTICLE V. TOUR COMPANIES

DIVISION 1. GENERAL PROVISIONS

Sec. 30-93. Definitions.

As used in this article, unless the context otherwise indicates, the following words shall have the following meanings:

Tour company means any individual, group, or entity that solicits, provides or offers tours to individuals or groups for profit of any portion of the City of Portland. For purposes of this Article, an individual, group, or entity that exclusively provides tours that are pre-paid and pre-arranged with a charter group or cruise line is not a *tour company* and is not required to be licensed as a *tour company* by the City.

Tour vehicle means any motorized vehicle or apparatus that is used to transport individuals or passengers during a tour of and in any portion of the City. Tour vehicles shall include, but shall not be limited to, cars, trucks, vans, buses, motorcycles, mopeds, and segways.

Street, way, or public place means any street, way, trail, path, promenade, park, plaza, square, or other public property, or portion thereof.

To operate means to drive, pedal, pull, push or otherwise cause the tour vehicle to move.
(Ord. No. 181-15/16, 3-21-2016)

Sec. 30-94. General licensing provisions to apply.

Except to the extent that this article contains a contrary provision, all general licensing provisions of chapter 15 shall apply to this article.
(Ord. No. 181-15/16, 3-21-2016)

DIVISION 2. LICENSES

Sec. 30-95. License Required.

No tour company shall operate a tour vehicle on any street or way or in any public place without a tour company license. In obtaining or renewing a tour company license, accurate information for each operator and vehicle shall be provided pursuant to Section 30-96. An operator for whom such information has not been provided to the Licensing Authority is not licensed to operate. A vehicle for which such information has not been provided to the Licensing Authority is not licensed to be operated. Any operator who is less than eighteen (18) years old

shall be restricted to operation between the hours of 8 a.m. to 6 p.m.

(Ord. No. 181-15/16, 3-21-2016)

Sec. 30-96. Applications.

In addition to the general provisions of chapter 15 relating to the contents of applications, applications for tour company licenses shall contain the following:

- (a) A complete listing of all operators to be employed by or associated with the applicant, giving each person's full name, age and present address.
- (b) A complete record (Maine Criminal History Record search) of disqualifying criminal convictions or civil offenses as defined in Section 30-33(b)(3-6), if any, for all operators to be employed by or associated with the applicant, and for the applicant, or if the applicant is other than an individual, for each principal officer of the applicant.
- (c) A detailed description of each tour vehicle and any other equipment to be used by the applicant, including a photograph of each tour vehicle and the make, model, color, year, power, and seating capacity specifications of each such vehicle.

(Ord. No. 181-15/16, 3-21-2016)

Sec. 30-97. Licensing authority and regulations.

Notwithstanding any provision of chapter 15 to the contrary, the City Manager or his or her designee shall be the licensing authority for the owner/operator, vehicle, and operator licenses.

The City Manager or his or her designee shall also have the authority to promulgate rules and regulations for tour licenses as he or she may deem necessary.

(Ord. No. 181-15/16, 3-21-2016)

Sec. 30-98. Conditions precedent to issuance.

Prior to the issuance of any tour company license, and in addition to any other requirements of this article or chapter 15, the applicant shall file with the City Manager or his or her designee the following:

- (a) A certificate issued by the applicant that the tour company to be licensed and all operators operating thereunder shall comply with the rules made under authority of this article by the licensing authority; and
- (b) An insurance policy covering the term of the license and executed by an insurance company authorized to issue such policies in this state in the usual form of vehicle or other liability insurance policies in this state for injuries to persons and property resulting from the use and operation of the tour company to be licensed. Such policy of insurance shall be issued for a principal sum sufficient to provide indemnity in the amount of not less than four hundred thousand dollars (\$400,000.00) per occurrence, for bodily injury, death and property damage. A certificate of insurance bearing an endorsement thereon by the issuing agent shall be deposited with the licensing authority. Such certificate shall state that the issuing agent shall notify the licensing authority in writing no less than thirty (30) days prior to the cancellation thereof. The City of Portland shall be included in the policy as an additional named insured.

(Ord. No. 181-15/16, 3-21-2016)

Sec. 30-99. Denial, suspension, or revocation.

In addition to the general provisions of chapter 15 relating to the grounds for denial, suspension or revocation of license, a tour company, tour operator, or tour vehicle license may be denied, suspended or revoked on any of the following grounds:

- (a) The applicant or licensee or any operator is less than seventeen (17) years of age or has had a disqualifying criminal conviction or civil offense as provided in Section 30-33(b) (3-6);
- (b) Disobeying any order or direction of the City Manager or his or her designee, including, but not limited to, the city traffic engineer, license inspector, or any police officer; or
- (c) Causing or permitting any violation of this article or chapter 25.

(Ord. No. 181-15/16, 3-21-2016)

DIVISION 3. OPERATING REQUIREMENTS

Sec. 30-100. Operation limited to roadways; carrying of passengers; prohibited locations.

Licensed tour vehicles shall be operated within roadways only. Tour vehicles shall not be operated upon sidewalks or bicycle paths, except those paths specifically designated for that purpose by the Director of Parks and Recreation. Tour vehicles may carry passengers to locations chosen by the passengers or may follow an agreed-upon route for sightseeing purposes. The City Manager or his or her designee shall have the right to prohibit tour vehicles from streets or roadways where the operation of such vehicles will present a threat to the safety of the tour vehicle operator and passengers or to other users of the street or roadway. The City Manager or his or her designee also shall have the authority to erect appropriate signs or markers, and to impose such conditions on the use of routes and locations as he or she deems proper, including limiting the number of such tour vehicles in operation on the same route or at the same location at any one (1) time, and restricting the days, times, or other circumstances of operation on any such route or at any such location. No such vehicle shall stop, stand, or park in any place while on route, to load or unload passengers or otherwise, except in accordance with traffic regulations, traffic-control devices, or the directions of a police officer or other authorized person. In no event shall a tour vehicle utilize a designated taxicab stand for any purpose whatsoever, unless required for an immediate response to an emergency situation. Tour vehicles shall not be permitted at the Jetport.
(Ord. No. 181-15/16, 3-21-2016)

Sec. 30-101. Not to obstruct traffic; police orders.

No tour company or tour vehicle shall be operated in any manner which unreasonably or unnecessarily obstructs or impedes the free flow of vehicular or pedestrian traffic or otherwise endangers public safety. Any designee of the City Manager, including, but not limited to, police officers and the city traffic engineer, may at any time order the operator of any such company or vehicle to move along, pull over, make way, or temporarily discontinue the use of any such route or location, or any portion thereof, for the public safety or reduction of high-traffic areas.
(Ord. No. 181-15/16, 3-21-2016)

Sec. 30-102. Traffic regulations to apply.

Except to the extent that this article contains a contrary provision, all traffic regulations of chapter 28, article III, shall apply to the operation of licensed tour companies and tour vehicles.

(Ord. No. 181-15/16, 3-21-2016)

Sec. 30-103. Display of plate and badge.

A plate, to be issued by the licensing authority and bearing an identification number shall be displayed in a conspicuous place on each licensed tour vehicle at all times while in service. A badge, to be issued by the licensing authority and identifying the wearer by number as a licensed operator of such tour company or tour vehicle, shall be worn prominently on his or her person by each such operator at all times while on duty.

(Ord. No. 181-15/16, 3-21-2016)

Sec. 30-104. Solicitation of business.

No person shall solicit business in any manner for any licensed tour company or tour vehicle while on route. Prohibited solicitation while standing shall include shouting, hollering, whistling, clapping, or making other loud noises, grabbing or otherwise annoying or harassing passersby, or any other conduct detrimental to the image or reputation of the trade or the public safety or convenience.

The City Manager or his or her designee may restrict the solicitation of business to certain designated areas within a specified zone in certain high-traffic areas.

(Ord. No. 181-15/16, 3-21-2016)

Sec. 30-105. Passengers to be seated and well-behaved.

No operator of any tour company or tour vehicle shall load or admit more passengers at any one (1) time than may be fully seated in such tour vehicle. Every passenger in any such tour vehicle shall be and remain fully seated at all times while on route and shall refrain from any other conduct or behavior detrimental to the safety or comfort of passengers or others.

(Ord. No. 181-15/16, 3-21-2016)

Sec. 30-106. Care and maintenance of tour vehicle.

Each licensed tour vehicle shall be at all times clean and in good repair.

(Ord. No. 181-15/16, 3-21-2016)

Sec. 30-107. Conduct and appearance of operators; rule-making authority.

Every operator of a licensed tour company or tour vehicle shall be courteous at all times when on duty and shall refrain from any loud argument, fight or disturbance, or any other conduct or behavior detrimental to the image or reputation of the trade or the safety or comfort of passengers or others. The City Manager or his or her designee shall have authority to make reasonable rules and regulations, consistent with the public safety and the image and reputation of the trade, governing the training and qualifications of such operators.

(Ord. No. 181-15/16, 3-21-2016)

Sec. 30-108. Unsafe vehicles; inspections; order from service.

No licensed tour vehicle shall be operated at any time while unsafe, defective or in disrepair. The City Manager or his or her designee, including, but not limited to, any police officer or the license inspector may inspect a tour vehicle at any and all reasonable times, prior to being placed into service, while in service, or otherwise, and may at any time order such vehicle to be removed from service for any defect, unsafe condition, or want of repair. No such vehicle shall be returned to service except upon re-inspection by such officer, the license inspector or the licensing authority, and upon a finding that such repair has been made or that such defect or unsafe condition has been corrected.

(Ord. No. 181-15/16, 3-21-2016)

Sec. 30-109. Storage of vehicles and equipment.

No tour vehicle or related equipment shall be kept or stored on any street or way or in any public place while not in service.

(Ord. No. 181-15/16, 3-21-2016)

ARTICLE VI. RENTAL VEHICLES

Sec. 30-110. Rental of Golf Carts for Operation on City Streets.

(a) Definitions. The following words shall have the following definitions for purposes of this article.

(1) A *rental golf cart* means any golf cart rented or offered for rent to be operated on City streets. "Rental golf cart" shall not include any golf cart rented or offered for rent to be operated solely on a golf course or other public or private property.

(2) A *golf cart rental operator* means any entity or individual who rents or offers to rent a rental golf cart to the public.

(b) Limitations on number of rental golf cart operators and rental golf carts.

(1) The City Manager may set a cap on the number of golf cart rental operators that may operate in the city at one time. If such a limit is met, the city shall determine operators through a competitive bidding process.

(2) The City Manager may set a cap on the number of rental golf carts that may operate in the city at one time. The Sustainability and Transportation Committee will review an annual report and recommendation made by the City Manager regarding the number of rental golf carts available for public use.

(c) Rental golf carts to be powered by non-fossil fuel sources.

(1) All golf carts offered for rental purposes by golf cart rental operators shall be powered by battery/electricity by May 1, 2021.

(d) Annual Registration Required. Beginning May 1 2020, every golf cart rental operator shall register each rental golf cart annually with the city.

(1) The annual registration fee shall be:

a. \$75.00 for each electric powered rental golf cart;

b. \$150.00 for each non-electric powered rental golf cart;

(2) Upon registration, the City shall inspect all rental golf carts for compliance with this Article and shall issue a Rental Golf Cart decal that must be prominently displayed on each rental golf cart.

(e) Rental Golf Cart Criteria. Every golf cart rental operator must ensure that each rental golf cart:

- (1) Have and properly display a current Island Use Registration, pursuant to Chapter 28 of this Code;
- (2) Have and properly display a current Rental Golf Cart decal;
- (3) Display the name of the golf cart rental operator and its telephone number in letters no smaller than two (2) inches; and
- (4) Be stored on private property when not in active use and not be stored stored in the City right-of-way.

(f) Golf cart rental operators shall ensure that all individuals operating a rental golf cart comply with the requirements of Sec. 28-185, including having a valid driver's license.

(Ord. No. 11-19/20, 8-12-2019)

MEMORANDUM
City Council Agenda Item

FROM: Victoria Volent, Housing Program Manager

DATE: March 25, 2025

SUBJECT: Order 188-24/25 Accepting and Adopting the 2025 Jill C. Duson Housing Trust Fund Annual Plan - Sponsored by the Housing & Economic Development Committee, Pious Ali, Chair

SPONSOR: Housing and Economic Development Committee, Councilor Pious Ali, Chair. The HEDC met on February 25, 2025 and voted 3-0 to recommend approval by the City Council.

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading 4/28/2025

Final Action 4/28/2025

Can action be taken at a later date: No

Does this item involve a new contract with the City:

PRESENTATION:

I. SUMMARY

Section 17.3.4 of the Land Use Code requires the City Council to adopt a Housing Trust Fund annual plan.

II. AGENDA DESCRIPTION

The Housing and Economic Development Committee held a public hearing on February 25, 2025, and voted 3-0 to recommend to the City Council approval of the *2025 Jill C. Duson Housing Trust Fund Annual Plan*.

The Annual Plan establishes the priorities for allocating Housing Trust Funds. The 2025 Plan would make available \$363,558 of the \$863,558 total housing trust fund balance for the development of affordable housing while maintaining a balance of \$500,000 in the fund.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

The Jill C. Duson Housing Trust Fund (also referred to as the Housing Trust Fund or HTF) is established by Chapter 14, Section 17.3 of the City's Land Use Code. Section 17.3.4 states that "each fiscal year the City Council shall adopt a Housing Trust Fund annual plan" and that 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."

The Land Use Ordinance requires that the *Jill C. Duson Housing Trust Fund Annual Plan* includes a description of the programs to be funded, the amount of funds budgeted, and a description of how funds would be distributed among very-low, low, and moderate-income households.

Funding priorities for Housing Trust Fund resources are recommended for opportunities where other funding sources do not work or are not effective, such as projects designed to create housing affordable for households earning 80% to 120% of the area median income (i.e. \$97,800 to \$153,000 for a four-person household), or rental housing projects targeted to very-low income households at or below 50% of the area median income

(i.e. \$63,750 for a four-person household). Shovel-ready projects with mixed income targeting and a mix of bedroom sizes, including family-size units of 3+ bedrooms, are strongly encouraged.

The Housing Trust Fund resources are also intended to promote the retention of affordable housing. Staff recommends that Housing Trust Fund resources be made available, if necessary, to exercise the City's right of first refusal it may have in connection with potential foreclosure issues with affordable homeownership units created through the Inclusionary Zoning Ordinance. Therefore, staff recommends maintaining a minimum balance in the Housing Trust Fund.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

VII. RECOMMENDATION

Staff is seeking City Council approval of the *2025 Jill C. Duson Housing Trust Fund Annual Plan*, including the description of the programs to be funded, the amount of funds budgeted, and the description of how funds would be distributed among very-low, low, and moderate-income households.

VIII. LIST ATTACHMENTS

1. Order - Accepting and Adopting the 2025 Jill C. Duson Housing Trust Fund Annual Plan
2. Jill C Duson Housing Trust Fund Annual Plan 2025

Prepared by:

Victoria Volent, Housing Program Manager

Date: 03/25/2025

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL D. FOURNIER (A/L)
BENJAMIN GRANT (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

SARAH MICHNIEWICZ (1)
WESLEY PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**ORDER ACCEPTING AND ADOPTING THE 2025 JILL C. DUSON HOUSING TRUST
FUND ANNUAL PLAN**

ORDERED, that the 2025 Jill C. Duson Housing Trust Fund Annual Plan, attached hereto, is
hereby accepted and adopted.

JILL C. DUSON HOUSING TRUST FUND

2025 ANNUAL PLAN

The Jill C. Duson Housing Trust Fund (also referred to as Housing Trust Fund or HTF) is established by Chapter 14, Section 17.3.1 of the City's Land Use Code. Section 17.3.4 states that "each fiscal year the City Council shall adopt a housing trust fund annual plan" and that 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."

The Annual Plan establishes the priorities in which the current balance of the Housing Trust Fund would be allocated and should be in conformity with the 2025 City Council Common Goals.

2025 ANNUAL PLAN

City Ordinance requires that the Jill C. Duson Housing Trust Fund Annual Plan include a description of funding priorities, the amount of funds budgeted, and a description of how funds will be distributed among very-low, low, and moderate income households.

Funding Budget

The funding budget is based on the balance in the Housing Trust Fund as of February 25, 2025. It has been the City Council's practice to maintain a minimum balance of \$500,000 in order to have resources to act quickly when there is an emergency, such as a need to cure a potential mortgage default that could result in loss of an affordable unit. This right to cure will be included in the affordable housing covenants that are recorded in the Cumberland County Registry of Deeds for each affordable unit.

The funding available from the Jill C. Duson Housing Trust Fund is **\$863,550**. See **Attachment 2**.

Funding Priorities

Housing Trust Fund resources should focus on opportunities where other funding sources do not work or are not effective, such as projects designed to create housing affordable to households earning at or below 80% to 120% of the area median income (i.e. \$97,800 to \$153,000 for a four person household), or projects designed to create housing affordable to households earning up to 50% of the area median income (i.e. \$63,750 for a four person household).

Priority use of Housing Trust Funds would be to support creating workforce housing units affordable to households earning at or below 100% of the area median income.

Funding Distribution

Housing Trust Funds will be distributed through a competitive application process. The *Affordable Housing Development and Tax Increment Financing Application* will be issued, at a minimum, on an annual basis to notify potential applicants that the application is available. Applications will be reviewed by an evaluation team of City of Portland staff who will evaluate and score each application utilizing the scoring factors outlined in Attachment #1 as well as the 2025 City Council Common Goal requirement to use an equity analysis in order to recommend the most qualified applicant based on the information submitted.

Recommendations will be forwarded to the City Council’s Housing and Economic Development Committee for review. Housing and Economic Development Committee recommendations will be forwarded to the City Council for final review and approval.

Goals for Distribution

The goal for the distribution of these funds is for the “to serve as a vehicle for addressing very low, low, and moderate income housing needs through a combination of funds as set out in this article.” (Chapter 14 Section 17.3.B of the Land Use Code). Development should be consistent with the Annual City Council Common Goals, the City’s Comprehensive Plan and the HUD Five-Year Consolidated Plan. The City of Portland seeks development projects that create contextually appropriate housing density in and proximate to neighborhood centers, concentrations of services, and transit nodes and corridors as a means of supporting complete neighborhoods. Projects should not require a contract or conditional zone (although other rezoning consistent with the City’s Comprehensive Plan may be considered). Resolution of any zoning issues is required before City Council approval of the applicants funding request. Developments should incorporate quality, sustainable design.

Eligible Projects

Projects receiving Housing Trust Funds must create housing units that promote economic diversity with the development and within the neighborhood in which the development is located. New construction, conversion of non-residential property to housing and rehabilitation of existing units that creates or maintains affordable units is eligible

In this Plan, adaptive reuse is defined as creating housing in an existing building that was originally built or designed for a use other than housing.

Housing Trust Fund resources are also intended to promote the retention of affordable housing. Housing Trust Fund resources should also be made available, if necessary, to exercise the City’s right of first refusal in connection with potential foreclosure issues with affordable homeownership units. The City shall have a right of first refusal if an affordable unit is forced to sell due to increased fees or has become delinquent in its payments and is in risk of foreclosure or any other legal threats to the Unit’s affordability restrictions. The City shall also have the option of using Housing Trust Funds to support affordable units facing large special assessments that may pose a risk to the owner household’s ability to maintain their unit’s affordability. The City of Portland shall have the right of first refusal to purchase any affordable unit that is in jeopardy of losing its affordability restrictions

due to foreclosure, delinquency of condominium fee payments, or any other cause outside of the agreed upon term of restriction. The City's Right of First Refusal is not intended to infringe upon the ability of a mortgage lender to recapture any money owed by the affordable unit owner. The intent is to ensure affordability of the unit for eligible households.

Financing Parameters

Housing Trust Funds should be a resource of last resort and should be focused on opportunities where other funding sources do not work or are not effective. Applicants requesting financial assistance from the Housing Trust Fund must provide documented efforts made to obtain other private, federal, state or local resources for the project.

Form of Awards

A variety of funding mechanisms will be utilized including no-interest loans, below-market loans, forgivable loans, and grants. Type of funding will be determined after review of a number of factors including amount necessary to make the project feasible, the project type, income targeting, number of affordable units, and duration of the affordability period.

Maximum Award Amount

Awards will be determined on a per affordable unit basis. The average City investment per unit, excluding TIF financing, is approximately \$10,000. The City contribution per unit typically would not exceed \$18,000. This amount may be adjusted at the discretion of the City Council, only for unusual circumstances where a larger amount is the only way a project that meets other City goals can move forward. In those cases, the higher cost per unit must be tied into the goals outlined in the City's Comprehensive Plan and/or City Council Common Goals.

Affordability Restrictions

Affordability restrictions are required. In the case of rental or cooperative units, the units must remain affordable for the life of the housing unit, which is presumed to be a minimum of thirty (30) years but may be longer. In the case of ownership housing, the units must remain affordable for the longest feasible time while maintaining an equitable balance between the interests of the owner and the interest of the City of Portland. These restrictions must be secured by a declaration of covenants and restrictions recorded in the Cumberland County Registry of Deeds

Affordable Housing Agreement

In the case of ownership housing, the owner of each affordable unit will be required to sign and record in the Cumberland County Registry of Deeds an Affordable Housing Agreement (AHA) with the City and to include the affordability restrictions as a covenant to the project's deed. The Affordable Housing Agreement shall be referenced directly in the property's deed unless

prohibited by federal, state, or local law. In order to guarantee affordability in homeownership units, this recorded covenant would limit increases in sales price according to the calculation defined by the City as defined in the implementation regulations. It would limit the incomes of subsequent buyers to the same income limits initially applied. It would also provide a right of first refusal and other purchase rights to the City or its designee (e.g. another eligible household, or a nonprofit corporation).

Sales must be made through an arms-length arrangement. No employee, agent, stockholder, officer, director, servant, or family member of the Owner or its Management Company, or its employees, agents, or servants thereof, related either by blood, marriage, or operation of law may qualify for a unit financed with Housing Trust Funds or receive any benefit related in any way to the administration or compliance with the conditions contained therein.

Affordability

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

Right of First Refusal

The City of Portland shall have the right of first refusal to purchase any affordable unit that is in jeopardy of losing its affordability restrictions due to foreclosure, delinquency of condominium fee payments, or any other cause outside of the agreed upon term of restriction. The City's Right of First Refusal is not intended to infringe upon the ability of a mortgage lender to recapture any money owed by the affordable unit's owner. The intent is to ensure affordability of the unit for eligible households.

Implementing Regulations

Regulations to further specify the details of the parameters outlined in this Annual Plan, maybe developed, including, but not limited to:

1. Specific methodology for income verification; and
2. Underwriting criteria.

Attachments

- 1) Point System for Evaluating and Scoring Applications
- 2) Sources and Uses: Jill C. Duson Housing Trust Fund

Attachment 1

Point System for Evaluating and Scoring Applications

Policy Objectives: Total 45 Points

Proposed use of funds to achieve the City of Portland's goals and address demonstrated need. 20 points

Maximum points will be awarded for those applications that:

1. Market Demand - 6 points
 - a. 6 points - high demand, meets the City's income targeting and rental housing priority, and preferences noted above
 - b. 1 point - moderate demand, sufficiently meets the City's income targeting priority
 - c. 0 points - does not demonstrate sufficient market demand, does not meet the City's income targeting priority
2. Economic diversity - 6 points
 - a. 6 points - creates housing options which promote economic diversity within the development **and** in the neighborhood in which the development is located, while meeting the income preferences noted above
 - b. 5 points – creates housing options which promote economic diversity within the neighborhood in which the development is located, while meeting the income preferences noted above
 - c. 4 points – creates housing options which promote economic diversity within the development (a mixed-income development), while meeting the income preferences noted above
 - d. 0 points does not promote economic diversity
3. CHDO - 2 points
 - a. 2 points - developer and owner are both controlled by CHDO
 - b. 1 points - either developer or owner are controlled by CHDO
 - c. 0 points neither developer nor owner are controlled by CHDO
4. City Subsidy - 6 points
 - a. 6 points - investment from City is <\$10,000/unit
 - b. 5 points - investment from City is > or = \$10,000 and <\$12,000/unit
 - c. 4 points - investment from City is > or = \$12,000 and <\$14,000/unit
 - d. 3 points - investment from City is > or = \$14,000 and <\$16,000/unit
 - e. 2 points - investment from City is > or = \$16,000 and <\$18,000/unit
 - f. 0 points - investment from City is > or = \$18,000/unit

Impact on surrounding neighborhood, including design compatibility and environmental issues. 25 points

Maximum points will be awarded for those applications where:

1. Site Selection - 7 points
 - a. 7 points – fully appropriate for use, project supports Comprehensive Plan goal for development along transit nodes and corridors
 - b. 5 point – appropriate, some concerns
 - c. 0 points – significant concerns, project does not support Comprehensive Plan goal for development along transit nodes and corridors

2. Exterior Design - 6 points
 - a. 6 points - the design is fully consistent with neighborhood design characteristics
 - b. 3 points - the design is an adequate fit with the neighborhood design
 - c. 0 points - the design is a significant outlier
3. Amenities and unit design - 7 points
 - a. 7 points -amenities & unit design are well thought out and appropriate for residents
 - b. 5 points - amenities & unit design are adequate
 - c. 0 points -amenities and unit design raise significant concerns that resident needs will not be adequately addressed
4. Environmental - 5 points
 - a. 5 points – Phase I identifies no environmental issues
 - b. 3 points - Phase I identifies an environmental issue, but a Phase II shows a feasible economically viable resolution which is included in the budgets
 - c. 0 points - there are significant unresolved environmental issues, or no Phase I has been received

Underwriting Criteria: Total 65 Points

Financial feasibility, including cost, development budget operating pro forma and the provision of secured and leverage funds. 20 points

Maximum points will be awarded for those applications that:

1. Development budget & sources and uses - 10 points
 - a. 10 points - EVERY development budget line item for which there is a City of Portland guideline complies with that guideline AND all other line items are reasonable and customary
 - b. 8 points - ONE budget line item falls outside City guidelines or outside the standard of “reasonable & customary”
 - c. 6 points - TWO budget line items item falls outside City guidelines or outside the standard of “reasonable & customary”
 - d. 0 points - more than two budget items fail to meet City guidelines or fall outside “reasonable and customary”
2. Operating pro forma – 10 points
 - a. 10 points - EVERY operating pro forma line item for which there is a City of Portland guideline complies with that guideline AND all other line items are reasonable and customary
 - b. 8 points - ONE budget line item falls outside City guidelines or outside the standard of “reasonable & customary”
 - c. 6 points - TWO budget line items item falls outside City guidelines or outside the standard of “reasonable & customary”
 - d. 0 points - more than two budget items fail to meet City guidelines or fall outside “reasonable and customary”

Applicant's ability to complete and operate project, including development team experience, capacity, property management track record, project readiness and timeframe for completion. 45 points

Maximum points will be awarded for those applications that:

1. Readiness to proceed - 10 points
 - a. 10 points – project meets the shovel ready definition noted in the Funding Priorities section above
 - b. 7 points - at least one letter of commitment or interest is included and ALL projected sources are projected at terms and conditions consistent with the City’s prior experience with the funder
 - c. 5 points - ALL projected sources of funding include letters of commitment, letters of interest, or, if no letter is included, are projected at terms and conditions consistent with the City’s prior experience with this funder
 - d. 0 points - one or more sources are projected on terms that are not consistent with the City’s prior experience with the funder and are not documented by letter(s) from funder(s)
2. Construction Time Line – 5 points
 - a. 5 points – There is a strong likelihood the project could proceed into construction within the first six months of the year following funding appropriation based on the timeline, narrative, and supporting documents
 - b. 2 points -There is a small likelihood the project could proceed into construction within the first six months of the year following funding appropriation based on the timeline, narrative, and supporting documents
 - c. 0 points -it is unlikely the project could proceed into construction within the first six months of the year following funding appropriation based on the timeline, narrative, and supporting documents
3. Track record of development team - 10 points
 - a. 10 points - every development team member has a successful track record with this type of project and at this scale
 - b. 7 points - all but one development team members have a successful track record with this type of project and at this scale; one development team member has relevant experience but at a smaller scale or not of this project type
 - c. 3 points - two development team members, while having relevant experience, are new to this type of project or this scale of development
 - d. 0 points - the development team does not meet the criteria above
4. Current Capacity of development team - 10 points
 - a. 10 points - development team members have exceptional depth of human and financial resources to complete this project
 - b. 8 points - development team members have the human and financial resources to complete this project
 - c. 3 points - development team has a staffing gap in a significant role and a plan to address that gap, OR there are some concerns about the financial resources of the team to move the development forward
 - d. 0 points - the development team does not meet the criteria described above
5. Sound Property Management - 10 points
 - a. 10 points – property manager agent demonstrates a successful track record in projects of similar size, scale, type and complexity to the proposed project. Properties under the agent’s management are violation free, have not been issued

an IRS form 8823 within the last three years, and have scored above average or better in physical inspection scores

- b. 5 points -property manager agent demonstrates a successful but limited track record in projects of similar size, scale, type and complexity to the proposed project. Properties under the agent's management are violation free, have not been issued an IRS form 8823 within the last three years, and have scored satisfactory in physical inspection scores
- c. 0 points – the property manager agent has either on-going violations, or has been issued an IRS form 8823 in the last three years, or has scored below average or lower

Attachment 2

Sources and Uses: Jill C. Duson Housing Trust Fund					
YEAR	DEPOSITS		YEAR	EXPENDITURES	
2002/03	Maine Medical Center HRO	\$ 315,580.00	2011	Avesta Oak Street Lofts	\$ (380,585)
2002	Sportsman's Grill HRO	\$ 40,000.00	2014	Housing First Pre-Development RFP	\$ (75,000)
2009	Berlin City Auto HRO	\$ 116,000.00	2015	65 Hanover & 52 Alder Sts Feasibility Study	\$ (9,250)
2010	Stop n Shop HRO 2010	\$ 289,250.00	2017	65 Munjoy Street	\$ (175,000)
2012	Rockbridge/Eastland Park HRO	\$ 42,500.00	2018	60 Parris Downpayment Assistance	\$ (24,000)
2012	Riverwalk/Ocean Gateway HRO	\$ 250,000.00	2019	977 Brighton Avenue	\$ (300,000)
2012	118 Congress LLC Easement	\$ 3,500.00	2020	Affordable Rental Housing Incentive	\$ (1,000)
2017	91 & 97 Belfort Street (sale of TAP)	\$ 86,423.99	2021	18 Luther Street	\$ (36,000)
2017	116 Upper A Street (sale of TAP)	\$ 78,526.74	2022	200 Valley Street	\$ (442,386)
2017	443 Congress Street IZ	\$ 280,000.00	2022	37 Front Street	\$ (499,500)
2018	62 India Street IZ	\$ 276,500.00	2023	155 Danforth Street	\$ (135,000)
2018	Short Term Rental Fee transfer	\$ 33,138.80	2023	37 Front Street	\$ (55,500)
2018	0 Thames Street (WEX) sale	\$ 1,000,000.00	2023	83 Middle Street	\$ (136,734)
2019	20 Thames Street IZ	\$ 270,000.00	2023	63 Front Street	\$ (333,000)
2019	20 Thames Street (for balcony overhang)	\$ 7,500.00	2023	200 Valley Street	\$ (49,154)
2019	17 Sumac Street (sale of TAP)	\$ 79,617.86	2024	155 Danforth Street	\$ (15,000)
2019	Short Term Rental Fee transfer	\$ 176,118.00	2024	45 Dougherty	\$ (1,175,885)
2019	Short Term Rental penalty fees	\$ 15,200.00	2024	45 Dougherty	\$ (24,115)
2020	Short Term Rental penalty fees	\$ 7,700.00	2023	63 Front Street	\$ (37,000)
2019	56 Hampshire St Easement Fee	\$ 12,123.00	2023	Riverton Park- not spent yet	\$ (910,103)
2019	121 Middle Street HOTEL IZ 3rd floor	\$ 41,866.00	2024	Dougherty Commons Condos- not spent	\$ (1,500,000)
2020	99 Capisic Street (sale of TAP)	\$ 163,168.93	2024	202 Woodford Street- not yet spent	\$ (492,000)
2020	Short Term Rental Transfer Fee	\$ 122,694.50	2024	186 Woodford Street- not yet spent	\$ (155,511)
2020	22 Bramhall Street (MMC overhang)	\$ 3,799.00	2024	70 East Oxford - not yet spent	\$ (650,000)
2020	50 Monument Square	\$ 222,789.00	2024	337 Cumberland (YFO)- not yet spent	\$ (1,080,000)
2020	121 Middle Street HOTEL IZ 2nd floor	\$ 30,448.00		Total Expenditures (spent + not spent)	\$ (8,691,723)
2020	Order 89 20/21	\$ 500,000.00			
2021	56 Hampshire (Verdante)	\$ 198,928.00			
2021	40 Free Street IZ	\$ 10,609			
2021	1 Center St. HOTEL IZ	\$ 513,810			
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 Ave IZ	\$ 150,000.00			
2022	5 India Street IZ	\$ 261,086.40			
2022	18 Luther Street (repayment of Loan)	\$ 36,000.00			
2022	Short Term Rental Fee transfer	\$ 79,459.60			
2022	City Manager Appropriation	\$ 250,000.00			
2022	Newell Street (sale of TAP)	\$ 8,100.00			
2022	Stroudwater (partial IZ fee)	\$ 16,233.90			
2022	75 Chestnut IZ	\$ 587,444.00			
2023	Short Term Rental Transfer Fee	\$ 129,378.47			
2023	218 Washington Ave IZ	\$ 461,250.00			
2024	178 Middle Street HOTEL IZ	\$ 86,602.00			
2024	754 Congress Street HOTEL IZ	\$ 182,688.00			
2024	387 Commercial Street IZ	\$ 707,130.00			
2024	Short Term Rental Fee transfer	\$ 112,522.68			
2024	54 York HOTEL IZ	\$ 65,562.00			
2024	126 North Street IZ	\$ 21,757.00			
2024	General Fund Allocation	\$ 4,880,125.75			
	Previous INTEREST EARNED	\$ 51,555.81			
	Total Deposits	\$13,555,011.69		AVAILABLE BALANCE	\$4,863,288.69
				Less Lambert Woods South (not yet approved)	(\$4,000,000.00)
				AVAILABLE BALANCE AFTER LWS APPROVAL	\$863,288.69
HRO - Housing Replacement Ordinance; IZ = Inclusionary Zoning Fee-in-lieu; TAP = Tax Acquired Property					
as of 2-25-2025					

MEMORANDUM
City Council Agenda Item

FROM:

DATE: March 25, 2025

SUBJECT: Order 189-24/25 Approving the 2025 Affordable Housing Development and Tax Increment Financing Application - Sponsored by the Housing & Economic Development Committee, Pious Ali, Chair

SPONSOR: Housing and Economic Development Committee, Councilor Pious Ali, Chair; the HEDC met on February 25, 2025 and voted 3-0 to recommend approval by the City Council

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading 4/28/2025

Final Action 4/28/2025

Can action be taken at a later date: No

Does this item involve a new contract with the City:

PRESENTATION:

I. SUMMARY

The *2025 Affordable Housing Development and Tax Increment Financing Application* is presented for City Council Approval.

II. AGENDA DESCRIPTION

The Housing and Economic Development Committee met on February 25, 2025, and voted 3-0 to forward this item to the City Council with a recommendation for passage.

The City of Portland has made the development of affordable housing a priority, as identified in the City of Portland's 2022-2026 HUD 5-Year Consolidated Plan, City Council Common Goals, and the Comprehensive Plan. To accomplish this priority, the City issues the *Affordable Housing Development and Tax Increment Financing Application* for the allocation of city resources budgeted for the development of affordable housing. The application establishes the goals for distribution of funds and/or the designation of an affordable housing tax increment financing district.

The *Affordable Housing Development and Tax Increment Financing Application* is amended on an annual basis to reflect the City Council's housing policy goals. Since 2002, the City of Portland has utilized an annual application and/or RFP process for the allocation of city resources budgeted for the development of affordable housing. In 2013, with the approval of the City Council's Housing Committee, the current application format was implemented.

In addition to the above-mentioned annual amendments, this year the *Affordable Housing Development and Tax Increment Financing Application* proposes the following:

- Amend the Application requiring Planning Board approval of development projects (prior to submitting an Application);
- Amend the Application requiring Notice to Proceed notification from MaineHousing for projects requesting HOME and/or Housing Trust Funding;

- Amend the Application notifying Applicants that applications deemed incomplete would be informed of the status of their application along with the missing components. Applicants requesting an Affordable Housing TIF and applying for the 9% LIHTC from MaineHousing would be provided a deadline for resubmission; applicants provided the opportunity to redress their submission and are still deemed incomplete would not be included in the priority funding requests for the 9% LIHTC program;
- Amend the Application notifying Applicants they will be responsible for reimbursing the City for all third-party legal and financial underwriting associated with Affordable Housing TIF requests.

Utilizing the *2025 Affordable Housing Development and Tax Increment Financing Application*, the City would make available an estimated \$878,481 (estimated HOME funding of \$514,923 + \$363,558 from the Jill C. Duson Housing Trust Fund) along with access to the City's Affordable Housing Tax Increment Financing Program. City staff would determine which funding source(s) is best for each project and then make funding recommendations to the Housing and Economic Development Committee and ultimately the City Council for final approval.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

The additional amendments to the Application are proposed with the intent of increasing efficiencies by streamlining processes to optimize time commitments and cut costs towards prioritizing local HOME and Housing Trust Funding for affordable housing development projects that have received all necessary approvals and are ready to begin construction within 12 months of their notice of award.

The Application itself would be distributed and made available to the public in several different ways. The Housing and Economic Development Department has several interested parties lists. The Application would be distributed through these email lists. In addition, Housing and Community Development staff would work with the City's Communication office to utilize all available public notice and social media tools. The Application would be available on the City's website as well as through an online portal called Neighborly. Staff would be available to provide technical assistance to any person or organization interested in completing the Application.

Priority use of Jill C. Duson Housing Trust Funds would be to support public/private partnerships that create workforce housing units that are affordable to households earning at or below 100% of the area median income (i.e. \$127,500 for a four-person household), and to provide funding opportunities where other funding sources do not work or are not effective, such as projects designed to create housing affordable to households earning at or below 80% of the area median income (i.e. \$97,800 for a four-person household).

Priority use of HOME Program funds would be given to developments that provide rental housing units to households earning at or below 50% (\$63,750 for a four-person household) of the area median income and below.

Priority use of the Affordable Housing Tax Increment Financing Program (AHTIF) would be to support projects receiving assistance through the Low-Income Housing Tax Credit Program or projects that create housing units that are affordable to households earning at or below 80% of the area median income. To comply with the AHTIF Statute's requirements, at least 33% of the housing units in the district would be affordable housing.

Applications would be reviewed by an evaluation team of City of Portland staff who would evaluate and score each application utilizing the scoring factors outlined in the Scoring Section.

The City of Portland seeks development projects that create contextually appropriate housing density in and proximate to neighborhood centers, concentrations of services, and transit nodes and corridors as a means of supporting complete neighborhoods.

Projects receiving HOME, HTF or an AHTIF Credit Enhancement Agreement funding must create housing units which promote economic diversity within the development and within the neighborhood in which the development is located.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

Issuance of the *2025 Affordable Housing Development and Tax Increment Financing Application* establishes the priorities of funding allocation and the use of City resources including those available through the HOME Program, the Jill C. Duson Housing Trust Fund and the City's Affordable Housing Tax Increment Financing Program.

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

VII. RECOMMENDATION

Staff is seeking City Council approval to establish the 2025 affordable housing investment priorities, goals for distribution of funds, and eligible project guidelines for incorporation into the *2025 Affordable Housing Development and Tax Increment Financing Application* and is requesting that the City Council vote to recommend that the City Council approve and adopt the *2025 Affordable Housing Development and Tax Increment Financing Application*.

VIII. LIST ATTACHMENTS

1. Order - Approving the 2025 Affordable Housing Development and Tax Increment Finance Application
2. Draft 2025 AHD and TIF Application
3. HEDC memo AH Dev and AHTIF amendments

Prepared by:

Date: 03/25/2025

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL D. FOURNIER (A/L)
BENJAMIN GRANT (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

SARAH MICHNIEWICZ (1)
WESLEY PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**ORDER APPROVING THE 2025 AFFORDABLE HOUSING DEVELOPMENT AND
TAX INCREMENT FINANCING APPLICATION**

ORDERED, that the attached Affordable Housing and Tax Increment Financing Application is
hereby approved.

Overview

Case Id:

Name:

Address:

Overview

Please provide the following information.



City of Portland Affordable Housing Development and Tax Increment Financing Application

**Housing & Economic Development
Department**
Victoria Volent
389 Congress St
Portland, ME 04101
207-874-5028
Vvolent@portlandmaine.gov

INTRODUCTION

The City of Portland recognizes affordable housing is a necessity to preserve human dignity, provide shelter and safety, ensure quality of life, and promote self-determination and economic growth. The development of affordable housing is also identified as a priority in the City of Portland's 2022-2026 U.S. Department of Housing and Urban Development (HUD) 5-year Consolidated Plan, City Council Common Goals, and the Comprehensive Plan. To accomplish this priority, the City of Portland is soliciting proposals for financial assistance that facilitate the development of affordable housing in the City of Portland.

The goal for the distribution of HOME Investment Partnerships Program (HOME) and Jill C. Dusen Housing Trust funds, or the designation of an Affordable Housing Tax Increment Financing (TIF) district, is to increase, preserve, and modify the overall supply of housing citywide to meet the needs, preferences and financial capabilities of Portland residents. Development should be consistent with the Annual City Council Common Goals, the City's Comprehensive Plan and the HUD Five-Year Consolidated Plan. The City of Portland seeks development projects that create contextually appropriate housing density in and proximate to neighborhood centers, concentrations of services, and transit nodes and corridors as a means of supporting complete neighborhoods.

Applications will be reviewed by an evaluation team of City of Portland staff who will evaluate and score each application utilizing the scoring factors outlined in the Scoring Section as well as the 2025 City Council Common Goals to incorporate an equity analysis for Council agenda items in order to recommend the most qualified application based on the information submitted.

Submission Process Overview

The City of Portland's Division of Housing and Community Development uses an application process to ensure public funds are utilized for maximum public benefit to accomplish specific objectives and provide fair access to all applicants. Applications are considered on a rolling basis. Applications utilizing HOME and/or Housing Trust Funds will be accepted until all budgeted funds are allocated. Applicants should contact the City of Portland to confirm the availability of funds prior to submitting an application.

Planning Board approval is required before the *Affordable Housing Development and Tax Increment Financing Application* may be submitted. Applicants are *highly encouraged* to file the required Major Site Plan and Subdivision applications with the Planning Department as soon as possible, in order to provide sufficient time for the local land use approval process to occur. Please contact Matthew Grooms, Deputy Director of Planning & Urban Development Department, at MGrooms@portlandmaine.gov for additional specifics on the land use approval process.

Projects requesting credit and funding awards from Maine Housing must receive Notice to Proceed notification prior to submitting the *Affordable Housing and Tax Increment Financing Application* requesting HOME and Housing Trust funds from the City of Portland.

Projects requesting an Affordable Housing TIF may be submitted prior to or without the Notice to Proceed from MaineHousing.

Request for Affordable Housing Tax Increment Financing (AHTIF) that will also be applying for the 9% Low Income Housing Tax Credit with MaineHousing must be submitted prior to April 30, 2025.

Applications must be submitted electronically through Neighborly's Participant Portal at:
<https://portal.neighborlysoftware.com/PORTLANDME/Participant>

Eligible Applicants

- Applicants must be for-profit or public and community non-profit entities
- The City of Portland strongly encourages BIPOC and women developers to apply for the resources made available through this application. Staff from the City's Housing and Community Development Division are available to provide assistance throughout the application process. Information regarding the City's Housing Development programs and resources is [Available Here](#)
- Certified Community Housing Development Organizations (CHDO's) or organizations eligible for CHDO certification are strongly encouraged to apply. The HUD definition of a CHDO organization is [Available Here](#)

Availability of Funding

- The City of Portland is making available a combination of FY 2025-2026 HUD Home Investment Partnership Program (HOME) funds (which includes a mandatory set-aside for CHDO organizations or organizations eligible for CHDO certification) and local funds from the Jill C. Dusen Housing Trust Fund (HTF) for Affordable Housing Development. City staff will determine which funding source is best for each project and then make funding recommendations to the City Council for final approval.
- The City of Portland reserves the right to partially fund application requests or deny any application that does not meet the application criteria. Material changes to the application after approval of the award of

funds may result in the cancellation of award and recapture of awarded funds. Cancellation shall be at the sole discretion of the City of Portland.

- **IMPORTANT NOTE: Resources available through this application cannot be used to develop off-site Inclusionary Zoning required units.**
- Estimated Total Funding Available: To Be Determined (HOME + HTF)

General Guidelines

- Developments shall provide decent, safe, and sanitary dwellings such as single-family homes, apartments, condominiums, or other living accommodations for households whose income does not exceed 120% of the median income for the area as defined by the U.S. Department of Housing and Urban Development (HUD). Affordable housing does not include facilities such as shelters, nursing homes, convalescent homes, hospitals, residential treatment facilities, correctional facilities, student dormitories, or unattached mobile homes, regardless of income level. Projects must show that the development meets an identified community housing need, the City's participation is financially necessary in order for the project to proceed, and the applicant has the financial capacity to support their project.

View % Median Income adjusted for household size [HERE](#)

- Priority use of HOME Program funds will be given to developments that provide rental housing units to households earning at or below 50% of the area median income and below (\$63,750 for a four-person household).
- Priority use of Housing Trust Funds will be to support public/private partnerships that create workforce housing units affordable to households earning up to 100% of the area median income (\$127,500 for a four-person household) with preference for households earning 80% of the area median income (\$97,800 for a four-person household) and below. Shovel ready projects with mixed income targeting and a mix of bedroom size, including family size units of 3+ bedrooms, are strongly encouraged.
- Priority use of Affordable Housing Tax Increment Financing (AHTIF) will be for projects receiving assistance through the Low Income Housing Tax Credit Program (LIHTC) or projects that create housing units affordable to households earning up to 80% of the area median income with preference for households earning 50% of the area median income or below. A minimum of \$500,000 in new taxable investment property value for affordable housing development is needed to qualify for an Affordable Housing TIF.
- Projects must create housing units which promote economic diversity within the development and within the neighborhood in which the development is located. New construction, conversion of non-residential property to housing, and rehabilitation of existing rental units that create accessible units or maintain affordable units are eligible.
- Projects must meet the affordability targets referenced in the General Guidelines Section along with all applicable income and rent restrictions of the City's funding source (HOME, HTF or AHTIF Programs).
- Projects must ensure that the affordable units within a mixed income development will be equal in square footage and comparable to the market rate units.
- Housing First developments are encouraged.
- Single Room Occupancy (SRO) and other supportive housing projects specifically for special needs populations are eligible under this application.
- HOME and HTF resources cannot be used to finance a developer's minimum obligations under the city's Inclusionary Zoning ordinance.

- The term shovel ready is defined as a project that has received all other funding approval from federal, state, local or private sources and demonstrates the ability to move to construction loan closing by June 2026.
- For purposes of this application and the use of Housing Trust Funding or the AHTIF, affordable means that the percentage of income a household is charged in rent and other housing expenses including utilities and mandatory fee, 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. See Exhibit #2 [Available Here](#).
- Projects seeking funding through these City resources must also apply for Inflation Reduction Act (IRA) Green/Clean energy related funding, even if those funds become available after submission of the application to the City.

Affordable Housing Tax Increment Financing (AHTIF) Guidelines

- **Applicants submitting applications deemed incomplete will be informed of the status of their application along with the missing components. Applicants requesting an Affordable Housing TIF and applying for 9% LIHTC from MaineHousing will be provided a deadline for resubmission; applicants provided the opportunity to redress their submission and are still deemed incomplete will not be included in the schedule of priority funding requests for the 9% LIHTC program.**
- Projects must comply with the City of Portland's Tax Increment Financing Policy.
- A financial underwriting analysis will be conducted by a third party on all projects requesting Credit Enhancement Agreement participation. **Applicants for CEA assistance will be responsible for reimbursing the City for all project legal and financial underwriting costs.**
- The approval process to establish an Affordable Housing Tax Increment Financing (AHTIF) District involves three steps. First, 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. MaineHousing reviews the application from the City to ensure compliance with MRS Title 30-A, §5245-5250-G.
- Projects approved for a site-specific tax increment financing district utilizing a Credit Enhancement Agreement must ensure that any firms employed in the construction phase of an Affordable Housing TIF-assisted project 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. State prevailing wage rates may exceed Davis-Bacon wage rates. Projects that are required to meet the local TIF policy wage rate requirements and federal Davis-Bacon wage requirements for the City of Portland must use the higher wage rate based on job classification. The City of Portland does not monitor Davis-Bacon wage rates when not required by City funding.
- AHTIF projects receiving funding through this application must set aside 10% of the units in the project for individuals or families residing in a City of Portland shelter. The City's Health and Human Services Department would be responsible for providing referrals, providing or coordinating supportive services and financial resources to assist with monthly rent payments. A Supportive Housing Agreement between the City and the Developer would document the services and expectations. At the time of loan closing or prior to disbursement of the City's funding, the requirements would be secured by a Declaration of Covenants which will be recorded in the Cumberland County Registry of Deeds
- Tax increment financing cannot be used to finance a developer's minimum obligation under the City's Ensuring Workforce Housing ordinance. However, tax increment financing can be used to provide affordability that exceeds Inclusionary Zoning requirements.

HOME and Jill C. Duson Housing Trust Fund Guidelines

- Projects that have previously received HOME funds are not eligible for additional HOME assistance.
- HOME funds will be awarded to projects creating rental units.
- **HOME eligible projects (i.e. all HOME funded projects and eligible Housing Trust funded projects) receiving funding through this application must set aside 10% of the units in the project for individuals or families residing in a Portland shelter.** The City's Health and Human Services Department would be responsible for providing referrals, providing or coordinating supportive services and financial resources to assist with monthly rent payments. A Supportive Housing Agreement between the City and the Developer would document the services and expectations. At the time of loan closing or prior to disbursement of the City's funding, the requirements would be secured by a Declaration of Covenants which will be recorded in the Cumberland County Registry of Deeds.
- The developer may not request disbursement of funds until the funds are needed for the payment of specified and actual costs. The amount of each request must be limited to the amount needed for the payment of actual costs. The City will disburse up to 90% of the loan proceeds during construction at 50% project completion. The remaining 10% will be disbursed upon receipt of an architect's certificate of substantial completion of the project. Any modification to the disbursement schedule must be agreed to by the City in writing prior to closing.
- Projects receiving assistance through this application are encouraged to participate in the Public Housing Authority Family Self Sufficiency Program.
- Projects receiving funding through this application must include a written occupancy policy that prohibits smoking in the units and the interior common areas of the project in addition to including a non-smoking clause in the lease for every household and making educational materials on tobacco treatment programs available to residents through the residence service coordinator, occupancy specialist, or property manager, such as the phone number for the statewide Maine Tobacco HelpLine.

Federal Requirements

Applicants are expected to be familiar with the guidelines/regulations that govern the HOME program. The following requirements apply to any project that is awarded HOME or other federal funding.

Environmental Review Requirements

Projects receiving HOME funding are subject to environmental review, clearance, and release of funds by the U.S. Department of Housing and Urban Development. Once an application has been submitted to the City of Portland, the applicant cannot take any "choice limiting actions" prior to receiving notification from the City that the environmental review process, including historic preservation review and clearance, has been completed and a release of funds has been received from the U.S. Department of Housing and Urban Development. *A Phase I ESA along with a lead and asbestos testing report is required before HUD Environmental Review Requirements can be completed.*

Choice limiting actions include, *but are not limited to*, (1) actions having an adverse impact – e.g. demolition, dredging, filling, excavation, including soliciting bids for these activities; (2) actions limiting the choice of reasonable alternatives – e.g. execution of a legally binding agreement; signing a purchase and sale agreement; signing an option agreement that does not allow the purchaser to elect to terminate the option agreement if the property is not desirable; entering into real property acquisition (including making bids on auctioned properties); leasing, rehabilitation, demolition, environmental remediation, related site improvements, relocating buildings or structures, conversion of land or buildings/structures (including soliciting bids to undertake these activities).

The City of Portland must complete an environmental review on every HOME project and the review must result in environmental clearance before the City can commit HOME funds to the project. The review will be completed by the City post application acceptance. Documentation of environmental clearance must be provided to the City for any projects that have already received environmental clearance.

- Federal Labor Standards and Other Wage Rate Requirements

As may be applicable, projects receiving HOME or AHTIF funding must ensure that they and all contractors and subcontractors meet requirements for federal or state prevailing wage rates specified under the Davis-Bacon Act and the City's TIF policy, respectively. The Davis-Bacon and Related Acts require all laborers and mechanics employed by contractors or subcontractors in the performance of construction work over \$2,000, financed in whole or in part with assistance received under HUD programs, shall be paid the prevailing wage as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-5). Projects that include 12 or more HOME-assisted units must meet the requirements of the Davis-Bacon and Related Acts. Any project approved for a site-specific tax increment financing district (AHTIF) utilizing a credit enhancement agreement must ensure that any firms employed in the construction phase of a TIF-assisted project compensate all employees the current wage rates and fringe benefits as required under applicable state prevailing wage law under 26 M.R.S. §1306, or Portland City Ordinance Ch. 33 §33-1 to 33-12, whichever is greater. State prevailing wage rates may exceed Davis-Bacon wage rates.

- Section 3

All HOME projects must comply with Section 3 regulations at 24 CFR Part 75. Contractors and subcontractors performing work on Section 3 covered projects must provide, to the greatest extent feasible, contracting and other economic opportunities to low- and very low-income persons, especially recipients of government assistance for housing, and to the businesses that provide economic opportunities to low- and very low-income persons. Projects that utilize over \$200,000 in HUD federal funding from any source or combination of sources, including MaineHousing, must report on Section 3 accomplishments.

- Minority and Women Owned Business (MWBE) Participation

All HOME projects must complete, track, and report on outreach and contracts given to women- and minority-owned businesses to ensure their inclusion, to the maximum extent possible, in the procurement of property and services. Applicants are encouraged to utilize firms certified as a Minority Business Enterprise or Women's Business Enterprise as part of the development team. The development team members include the developer, architect, attorney, general contractor, and management agent. Forms will be provided to the developer for tracking.

- Lead-Based Paint

All HOME funded residential rehabilitation, adaptive re-use and construction activities must comply with 24 CFR Part 35 and Section 401(b) of the Lead-Based Paint Poisoning Prevention Act.

- Access to the Internet

All new construction and substantial rehabilitation projects of multifamily rental housing will be required to provide the installation of broadband internet access to its residents to help narrow the digital divide for households in need.

- Fair Housing and Equal Opportunity

[Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d et seq.) (HUD implementation regulations 24 CFR Part 1); The Fair Housing Act (42 U.S.C. 3601-3620)(24 CFR Part 100-115); Equal Opportunity in Housing (Executive Order 11063, as amended by Executive Order 12259)(24 CFR Part 107); Age Discrimination Act of 1975, as amended (42 U.S.C. 6101)(24 CFR Part 146).]

The Fair Housing Act prohibits discrimination in all housing-related transactions based on race, color, national origin, religion, sex, disability, age or familial status. It also includes minimum accessibility design requirements for all new construction and rehabilitation projects and requires that reasonable accommodations be made in rules, policies, practices, services and reasonable structural modifications. Section 504 of the Rehabilitation Act of 1973 prohibits discrimination based on disability and requires that everyone have equal opportunity to obtain housing built with federal funds.

- Affirmative Marketing

Developers must have tenant selection policies and criteria to ensure that tenants are selected for occupancy at the property in a fair and equitable manner. Tenant selection policies must be based on objective criteria that expressly prohibit bias. Tenant selection procedures should be clear and easily understood by prospective tenants. An affirmative marketing plan is required to ensure that the property serves a diverse cross-section of the population of the market area, must consist of actions to provide information and otherwise attract eligible persons in the housing market area that might not otherwise apply without special outreach, and ensure that the housing is available to qualified applicants without regard to race, color, national origin, religion, sex, disability, or familial status.

- Violence Against Women Act

Developers must comply with the Violence Against Women Act (VAWA) requirements in 24 CFR §92.359 and 24 CFR Part 5, subpart L. The Violence Against Women Act was reauthorized in 2022 with increased protections for victims of domestic violence, dating violence, sexual assault, and stalking. HUD is currently formulating guidance on compliance with the reauthorization. Projects receiving funding during this program year will be required to follow this guidance, regardless of whether it is released after award.

- Relocation and Displacement

Developers must comply with all applicable federal requirements, including the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, for any persons or businesses displaced at any point during the project.

- Equal Employment Opportunity

All projects shall comply fully with the Nondiscrimination and Equal Opportunity Provisions of the Workforce Investment Act of 1998, as amended (WIA, 29 CFR part 37); the Nontraditional Employment for Women Act of 1991; title VI of the Civil Rights Act of 1964, as amended; section 504 of the Rehabilitation Act of 1973, as amended; the Age Discrimination Act of 1975, as amended; title IX of the Education Amendments of 1972, as amended; and with all applicable requirements imposed by or pursuant to regulations implementing those laws, including but not limited to 29 CFR part 37.

- Build America Buy America (BABA) Requirements

Developers must comply with the requirements of the Build America, Buy America (BABA) Act, 41 USC 8301 note, and all applicable rules and notices, as may be amended, if applicable to the infrastructure project. Pursuant to HUD's Notice, "Public Interest Phased Implementation Waiver for FY 2022 and 2023 of Build America, Buy America Provisions as Applied to Recipients of HUD Federal Financial Assistance" (88 FR 17001),

any funds obligated by HUD on or after the applicable listed effective dates, are subject to BABA requirements, unless excepted by a waiver.

On November 15, 2021, the Build America, Buy America Act (the Act) was enacted as part of the Infrastructure Investment and Jobs Act (IIJA). Pub. L. 117-58. The Act establishes a domestic content procurement preference, the BAP, for Federal programs that permit Federal financial assistance to be used for infrastructure projects. In Section 70912, the Act further defines a project to include “the construction, alteration, maintenance, or repair of infrastructure in the United States” and includes within the definition of infrastructure those items traditionally included along with buildings and real property. Starting May 14, 2022, new awards of Federal financial assistance from a program for infrastructure, and any of those funds obligated by the grantee, are covered under the Build America, Buy America (BABA) provisions of the Act, 41 U.S.C. 8301 note.

US Department of Housing and Urban Development (HUD) has implemented a department wide public interest de minimis, Small Grants, and Minor Components waiver to the BAP requirement as applied to iron, steel, manufactured products, and construction materials of the Act for recipients of Federal Financial Assistance, with the threshold for the waiver being set at \$250,000.00 for total project development cost.

This means that if the total project development cost is \$249,999.99 or less, the project is currently exempt from BABA requirements. If the total project development cost totals \$250,000.00 or more, the project is subject to BABA requirements.

Site Information and Criteria

- Site Control: Land or buildings proposed as part of a project under this application, must have site control at the time the application is submitted, in the form of title, purchase and sale agreement, option, long-term lease for a minimum of 90 years, or other acceptable method. At a minimum, site control must extend through December 31, 2025.
- Local Approvals: Local land use approval is required prior to submission of the application, and before the City Council will approve the funding request or AHTIF request.
- Applications must not require a contract or conditional zone. Resolution of any zoning issues is required before City Council approval of the applicants funding request or Affordable Housing TIF request.

Underwriting Guidelines

Applicant Capacity

All applicants must demonstrate capacity to develop, own and manage the proposed project. All applications must provide evidence of a development team with the capacity to successfully complete the project including:

- Key staff members assigned to the project with the abilities and experience to successfully complete the project within the proposed time frame.
- An architect, general contractor, and professionals on the team with the experience and capacity to complete the project.
- A management team with qualified personnel and the capacity and experience to operate, manage, and maintain the affordable rental property of size and mix of the proposed project. Applicants should demonstrate that properties under the property management team’s responsibility are violation free, have not been issued an IRS form 8823 within the last three years and have scored above average or better in physical inspection scores.
- Qualified staff with the capacity to perform ongoing property ownership requirements such as budgeting, tax accounting, and oversight of management and maintenance.

- A portfolio of current affordable housing projects that are financially sound and meeting their established goals.
- Support Services: Applications containing rental units targeted to special needs populations must include commitments for support services to be provided to the residents and have in place a policy to make accessible units available when needed if units are occupied by someone that does not need the accessible features.

Financial Feasibility

- Financial applications must be developed in accordance with the underwriting guidelines of the primary funding source, including adequate cash flow and debt coverage ratio, and conform to the City of Portland's underwriting criteria.
- All projects will be reviewed for the proposed use of funds compared to other resources. Applicants must describe the proposed mortgage and security position for the City of Portland's funding. The average City investment per unit, excluding Affordable Housing TIF financing, is approximately \$10,000. The City contribution per unit will typically not exceed \$18,000. This amount may be adjusted at the discretion of the City Council, only for unusual circumstances where a larger amount is the only way a project that meets other City goals is needed. In those cases, the higher cost per unit ratio must be tied to the goals outlined in the City's Comprehensive Plan.

Financing Terms

- The City reserves the right to partially fund application requests or deny any application that does not meet the application criteria, and adjust the terms of funding on a case-by-case basis based on changes in conventional lending and other financing sources.
- The City's funding is generally in the form of soft "gap" financing. To allow for future investment in affordable and workforce housing, the City seeks to achieve a reasonable return of capital and where possible a return on investment based on the financing features of each funding request. The City allows flexibility for creativity by development teams by establishing funding terms based on the financial structure of each development project.
- A key tool used to perform the financial analysis is the Debt Coverage Ratio (DCR). The City will underwrite to a 1.15 DCR in year 1 for capital subsidy and AHTIF.

Term of Affordability

- Rental housing projects funded with HOME and/or Housing Trust Funds must have a minimum affordability period of at least 30 years and in some cases may be 90 years. The affordability term is to be secured by a declaration of covenants and restrictions recorded in the Cumberland County Registry of Deeds.
- 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.

Capital Subsidy

Capital subsidy repayment is a priority for the City. Amortizing repayment of capital subsidy is expected. During the underwriting process, capital subsidy repayment terms will be determined based on projected cashflow available in year 1 and year 6 of projected operations. Based on a financial analysis of the development project, funding in the form of loans may range from:

- 30-year amortizing loans with interest rates of up to 5%
- Up to a 5-year deferral prior to start of amortizing payments

- Non-amortizing, deferred loans at 0%. Projects serving substantially underserved households may receive grants or deferred loans based on the demonstrated needs of the project.

Time Frame

- The applicant must list projected dates for the following: 90% document completion; commitment of non-City funds; closing; construction start-up; substantial completion, final completion and occupancy. Timeframes must be realistic and achievable.
- All funded projects must be able to start construction within 12 months of notice of award.

Market Demand

- Applicants must show that the development meets an identified community housing need and provide an analysis and discussion of market demand justifying the need for the proposed project.

Market Study

- An independent market analysis is required to be conducted as part of the due diligence investigation. This third party report will define the geographic market area from which tenants are likely to come, quantify the pool of eligible tenants, evaluate effective demand, capture rate, and absorption period, taking into account a review of developments planned for the market area and the projected time periods for these activities. The market study shall be dated no earlier than 180 days of submission of the initial application.
- If an independent market analysis is not provided, then the application should include the following information; commuting patterns with distance to amenities; walking/transit/bike score; comparison of the pro forma rent to the average rent at affordable comparables; waitlist at affordable comparables; and occupancy percentage at affordable comparables.

Site Evaluation

- The site should be accessible to schools, shopping, health, recreation and social facilities and employment opportunities. These criteria will be evaluated independently for each development based on the nature and proposed occupancy of the development, such as family, elderly or handicapped housing.
- Availability of transportation to residents of the development.
- Compatibility of the proposed development within the neighborhood or community including the age of housing, neighborhood diversity, and incidence of crime.

Parking

- In order to be considered for less than a 1:1 unit/parking ratio, the Developer must, as part of the application, document a plan that meets the City of Portland's local requirements or, if none are available, the following:
 - a. Documents the demand for on-site or off-site parking consistent with projects of similar size, location, and population.
 - b. Provide distance to bus line, grocery stores, walking score.
 - c. Documents the availability and costs of transportation alternatives that service the project site.
 - d. Describes alternatives to car parking that will be provided on-site such as parking for motorcycles and/or scooters and/or storage for bicycles.
 - e. Describes any proposed tenant incentive programs that will reduce car parking needs.
 - f. Describes tenant education efforts that will be implemented that will reduce car parking needs.

g. Provides for timely and ongoing monitoring of the plan and describes how adjustments to the plan will be implemented.

Utilities

- Developer must provide utility comparisons and commentary.

Design Compatibility

Projects must be designed to contribute to the character of the neighborhood and adhere to the following general guidelines.

- MUST comply with all applicable City Codes and Ordinances, including but not limited to the City's Green Building Code (Chapter 6, Article VII, Sec. 6-165) and the Affordable Housing Section of the City's Land Use Ordinance (Chapter 14 Article 17.2)). Please note that the Green Building Code may be more restrictive than the requirements in Maine Housing's Quality Standards and Procedure Manual. Applicants must provide evidence reasonably satisfactory to the City of Portland demonstrating that the project was designed, constructed and rehabilitated in accordance with the Green Building Code.
- Should establish a building form, scale, massing and rhythm appropriate for the surrounding neighborhood.
- Should provide a quality design that, where possible, reinforces the public realm of open space, sidewalks and streets through appropriately scaled entries that orient to the street instead of interior blocks or parking lots, and incorporate porches, fenestration, landscaping, and architectural details.
- MUST meet the accessibility requirements of the Fair Housing Act and Section 504 of the Rehabilitation Act of 1973, and the Maine Human Rights Act for multi-family housing. Provide for universal accessibility to the extent possible.
- Should provide visual and acoustical privacy between units while maximizing natural light and ventilation within units.

Monitoring

Projects receiving HOME funding may be charged an annual fee to cover the actual costs of federally required HOME monitoring, per 24 CFR 92.214(b)(1)(i).

Affordable Housing Tax Increment Financing (AHTIF)

AHTIFs will be sized to meet the projected needs of the project. Reducing project reliance on AHTIF subsidy over the term of the AHTIF subsidy is a priority for the City.

- During the underwriting process, the City will evaluate the level of the AHTIF at year 11 and 21 of projected operations. The percentage of the AHTIF will be adjusted downward if projections show a DCR above 1.20 in those years.
- For projects serving substantially underserved households (i.e. households with income below 30% AMI and unhoused people), in the unusual event that a year 1 DCR of 1.15 results in a negative DCR in the 30-year operating projections, a TIF may be sized to up to 1.20 in year 1 to maintain positive DCR through the 30-year period.
- During the term of the Affordable Housing District and the Development Program, tax increment revenues from the Affordable Housing District claimed by the City as captured assessed value may be used to pay authorized project costs.
- Tax increment revenues will be paid by the City to the Project owner pursuant to a Credit Enhancement Agreement to be entered into by and between the City and the Project owner.

Other Submission Requirements

Applications must include a balanced budget at 2% inflators for income and 3% inflators for expenses.

Applications must include a third party cost estimate by the General Contractor or estimator.

Applications must include all developer financial documents necessary to; demonstrate the financial ability to develop and complete the project; and viability of operating the project.

Applications in which there is a development partner or fee developer must include all legal agreements with that entity.

Applications must either submit an audit, or management statements and tax returns for the past three years.

Applications must either include the range of unit sizes and average size by bedroom count, or provide the square footage of units by bedroom size for each unit configuration.

POINT SYSTEM FOR EVALUATING AND SCORING APPLICATIONS (MAX 110)

Policy Objectives: Total 45 Points

Proposed use of funds to achieve the City of Portland's goals and address demonstrated need. 20 points

Maximum points will be awarded for those applications that:

- Market Demand – 6 points
 - 6 points – high demand, meets the City's income targeting priority and preferences noted in application.
 - 1 point – moderate demand, sufficiently meets the City's income targeting priority
 - 0 points – does not demonstrate sufficient market demand, does not meet the City's income targeting priority
- Economic diversity – 6 points
 - 6 points – creates housing options which promote economic diversity within the development and within in the neighborhood in which the development is located, while meeting the income preferences noted above
 - 5 points – creates housing options which promote economic diversity within the neighborhood in which the development is located, while meeting the income preferences noted above
 - 4 points – creates housing options which promote economic diversity within the development (a mixed-income development), while meeting the income preferences noted above
 - 0 points does not promote economic diversity
- CHDO – 2 points
 - 2 points – developer and owner are both controlled by CHDO
 - 1 points – either developer or owner is controlled by CHDO
 - 0 points neither developer nor owner is controlled by CHDO
- City Subsidy – 6 points
 - 6 points – investment from City is <\$10,000/unit
 - 5 points – investment from City is > or = \$10,000 and <\$12,000/unit
 - 4 points – investment from City is > or = \$12,000 and <\$14,000/unit

- 3 points – investment from City is > or = \$14,000 and <\$16,000/unit
- 2 points – investment from City is > or = \$16,000 and <\$18,000/unit
- 0 points – investment from City is > or = \$18,000/unit

Impact on surrounding neighborhood, including design compatibility and environmental issues. 25 points

Maximum points will be awarded for those applications where:

- Site Selection – 7 points
 - 7 points – fully appropriate for use, project supports Comprehensive Plan goal for development along transit nodes and corridors
 - 5 point – appropriate, some concerns
 - 0 points – significant concerns, project does not support Comprehensive Plan goal for development along transit nodes and corridors
- Exterior Design – 6 points
 - 5 points – the design is fully consistent with neighborhood design characteristics
 - 3 points – the design is an adequate fit with the neighborhood design
 - 0 points – the design is a significant outlier
- Amenities and unit design – 7 points
 - 7 points -amenities & unit design are well thought out and appropriate for residents
 - 5 points – amenities & unit design are adequate
 - 0 points -amenities and unit design raise significant concerns that resident needs will not be adequately addressed
- Environmental – 5 points
 - 5 points – Phase I identifies no environmental issues
 - 3 points – Phase I identifies an environmental issue, but a Phase II shows a feasible, economically viable resolution which is included in the budgets
 - 0 points – there are significant unresolved environmental issues, or no Phase I has been received

Underwriting Criteria: Total 65 Points

Financial feasibility, including cost, development budget operating pro forma and the provision of secured and leverage funds. 20 points

Maximum points will be awarded for those applications that:

- Development budget & sources and uses – 10 points
 - 10 points – EVERY development budget line item for which there is a City of Portland guideline complies with that guideline AND all other line items are “reasonable and customary”
 - 8 points – ONE budget line item falls outside City guidelines or outside the standard of “reasonable & customary”
 - 6 points – TWO budget line items item falls outside City guidelines or outside the standard of “reasonable & customary”
 - 0 points – more than two budget items fail to meet City guidelines or fall outside “reasonable and customary”
- Operating pro forma – 10 points
 - 10 points – EVERY operating pro forma line item for which there is a City of Portland guideline complies with that guideline AND all other line items are reasonable and customary
 - 8 points – ONE budget line item falls outside City guidelines or outside the standard of “reasonable & customary”
 - 6 points – TWO budget line items item falls outside City guidelines or outside the standard of “reasonable & customary”

- 0 points – more than two budget items fail to meet City guidelines or fall outside “reasonable and customary”

Applicant’s ability to complete and operate project, including development team experience, capacity, property management track record, project readiness and timeframe for completion. 45 points

Maximum points will be awarded for those applications that:

- Readiness to proceed – 10 points
 - 10 points – project meets the shovel ready definition noted in the Funding Priorities section in the application
 - 7 points – ALL projected sources of funding include letters of commitment, letters of interest, or, if no letter is included, are projected at terms and conditions consistent with the City’s prior experience with this funder
 - 5 points – at least one letter of commitment or interest is included and ALL projected sources are projected at terms and conditions consistent with the City’s prior experience with the funder
 - 0 points – one or more sources are projected on terms that are not consistent with the City’s prior experience with the funder and are not documented by letter(s) from funder(s)
- Construction Time Line – 5 points
 - 5 points – There is a strong likelihood the project could proceed into construction within the first six months of the year following funding appropriation based on the timeline, narrative, and supporting documents
 - 2 points – There is a small likelihood the project could proceed into construction within the first six months of the year following funding appropriation based on the timeline, narrative, and supporting documents
 - 0 points – It is unlikely the project could proceed into construction within the first six months of the year following funding appropriation based on the timeline, narrative, and supporting documents
- Track record of development team – 10 points
 - 10 points – every development team member has a successful track record with this type of project and at this scale
 - 7 points – all but one development team members have a successful track record with this type of project and at this scale; one development team member has relevant experience but at a smaller scale or not of this project type
 - 3 points – two development team members, while having relevant experience, are new to this type of project or this scale of development
 - 0 points – the development team does not meet the criteria above
- Current Capacity of development team – 10 points
 - 10 points – development team members have exceptional depth of human and financial resources to complete this project
 - 8 points – development team members have the human and financial resources to complete this project
 - 3 points – development team has a staffing gap in a significant role and a plan to address that gap, OR there are some concerns about the financial resources of the team to move the development forward
 - 0 points – the development team does not meet the criteria described above
- Sound Property Management – 10 points
 - 10 points – property manager agent demonstrates a successful track record in projects of similar size, scale, type and complexity to the proposed project. Properties under the agent’s management are violation free, have not been issued an IRS form 8823 within the last three years, and have scored above average or better in physical inspection scores

- 5 points – property manager agent demonstrates a successful but limited track record in projects of similar size, scale, type and complexity to the proposed project. Properties under the agent's management are violation free, have not been issued an IRS form 8823 within the last three years, and have scored satisfactory in physical inspection scores;
- 0 points – the property manager agent has either on-going violations, or has been issued an IRS form 8823 in the last three years, or has scored below average or lower

Housing and Economic Development Department
Gregory P. Watson, AICP
Director



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

From: Victoria Volent, Housing Program Manager

Cc: Gregory Watson, Director/Housing and Economic Dev. Dept.
Mary Davis, Division Director/Housing and Community Dev.

Date: January 21, 2025

Subject: Communication Item: Amendments to the *Affordable Housing Development and Tax Increment Financing Application*

PURPOSE

Communication item regarding amendments to the *Affordable Housing Development and Tax Increment Financing Application* for consideration.

COMMITTEE WORK PLAN/CITY COUNCIL GOAL ALIGNMENT

Increase efficiencies by streamlining processes to optimize time commitments and cut costs towards prioritizing local HOME and Housing Trust Funding for affordable housing development projects that have received all necessary approvals and are ready to begin construction within 12 months of their notice of award.

BACKGROUND/ANALYSIS

The City of Portland issues an annual Request for Proposal to facilitate the development of affordable housing through financial assistance to developers in the form of HOME, Housing Trust funds or the designation of an Affordable Housing TIF district. The number of requests for funding has dramatically increased, as has the number of applications that are incomplete or are not much more than at the concept phase. Staff is spending an increasingly amount of time reviewing and rereviewing incomplete/concept applications. These same incomplete/concept applications also undergo preliminary underwriting review, which results in a conditional underwriting recommendation, conditioned upon further underwriting. The time and money spent reviewing proposals that have neither obtain Planning Board approval or a notice to proceed from MaineHousing is not an efficient use of staff time and resources or Council time and resources. Additionally, HUD does not allow HOME funded projects to be charge processing fees (such as for underwriting).

The current process places the City at the start of the funding process when, to truly act as gap financing, the City's RFP should be a final step in the funding procurement process. Subsequently, City funding is approved and committed years before a project may receive a notice to proceed from MaineHousing, and well before a determination can accurately be made by underwriting that the City is not providing more than the necessary gap funding.

MaineHousing has confirmed City Council approval of gap funding (i.e. HOME and HTF) is not necessary for their application review; Council approval may be received after MaineHousing's review. But as noted above, affordable housing development projects are obtaining Council approval before MaineHousing's review. Development projects that subsequently do not receive funding from MaineHousing (i.e. are waitlisted) typically will try again and

resubmitted their application to MaineHousing the following year. This is one example of how City funding approvals can be tied up for years waiting for MaineHousing approval (i.e. the Notice to Proceed). Some development projects green lighted by MaineHousing require site plan amendment necessitating a trip back to the Planning Board to amend the site plan. Depending on the scope of those changes, funding agreements would also need to be amended and may even require further underwriting. For Affordable Housing TIF projects approved by the City Council, but waitlisted by MaineHousing, the developer may request staff to amend the AHTIF District Development Program and the Credit Enhance Agreement; the City absorbs the cost of the original and additional underwriting.

IMPACT

- Only 3 out of 16 projects reviewed during the 2021, 2022, 2023, and 2024 funding cycle have gone to loan closing. 2 have opened (during 2024), and 1 is under construction. Average time from Council approval to loan closing was 1 year and 5 months.
- During 2022, the one project approved for funding by the Council required a minor site plan amendment with the Planning Board after MaineHousing's review and recommendation. The project subsequently requested additional funding which required additional staff review and underwriting prior to further Council approval. The project received a notice to proceed from MaineHousing in March 2024 and is under construction.
- During 2023, 5 projects were reviewed by staff and underwritten; 4 received council funding approval; 1 pulled their application based on the underwriting review. Two of the 4 Council approved projects received a Notice to Proceed from MaineHousing during 2023- both projects anticipate beginning construction in early summer 2025.
- During 2024, 7 projects were reviewed and underwritten; 5 received council funding approval; 2 pulled their application based on staff and underwriting review. 3 received a Notice to Proceed from MaineHousing; 2 projects did not receive a Notice to Proceed and are on hold.
- During 2018, the average time from Council approval to loan closing was over 2 ½ years.
- Five projects reviewed and underwritten in 2023, required a major site plan amendment with the Planning Board based on comments from MaineHousing during their funding review.
- Two projects reviewed and underwritten in 2023, required an additional minor site plan amendment with the Planning Board (after Major Site plan amendment) based on comments from MaineHousing during their funding review.
- Two projects approved and funded in 2023, requested an extension (during 2024) on their site plan approval as they were not ready to move forward. Neither has pulled a building permit as of early 2025.
- During 2024, two projects required major site plan amendment after review with MaineHousing.
- During 2024, one project was reviewed by staff and forwarded for underwriting and presented to the HEDC prior to being reviewed by the Planning Board. The project was pulled by the developer after the HEDC meeting and has yet to receive PB approval.
- During 2024 one project was returned to the Council for a TIF amendment as it did not receive MaineHousing approval during the year (2023) the TIF was approved.

CONCLUSIONS

To reduce time and cut costs associated with the administration of the *Affordable Housing Development and AH TIF Application*; to prevent Council approving funding for projects waitlisted by MaineHousing; to prevent reviewing and underwriting projects that require multiple site plan reviews; to support the concept of gap financing; to recoup funding for projects requesting an Affordable Housing TIF; to discourage the submission of incomplete/concept proposals; and to encourage shovel ready projects, the *Affordable Housing Development and AH TIF Application* would benefit from the following implementations:

- Amend the Application requiring Planning Board approval (prior to submission);
- Amend the Application requiring Notice to Proceed notification from MaineHousing for projects requesting HOME and/or Housing Trust Funding;
- Amend the Application notifying Applicants that applications deemed incomplete will be informed of the status of their application along with the missing components. Applicants requesting an Affordable Housing TIF and

applying for the 9% LIHTC from MaineHousing would be provided a deadline for resubmission; applicants provided the opportunity to redress their submission and are still deemed incomplete will not be included in the priority funding requests for the 9% LIHTC program;

- Amend the Application notifying Applicants they will be responsible for reimbursing the City for all third party legal and financial underwriting associated with Affordable Housing TIF requests.

PREPARED BY Victoria Volent

ATTACHMENTS

Attachment 1: Development Funding Projects spreadsheet

Development Funding												
Project	Application	Underwriting	Seeking	Council	Planning Board	Wait Listed	Notice to	Loan Closing	Time Frame	Time Frame	Time Frame	
	Receipt Date	Memo Date	9% LIHTC	2nd Read	Approval		Proceed	Date	App to Loan Closing	Council to Loan Closing	NTP to Closing	
58 Boyd	6/10/2016 resubmitted 9-1-2017	10/24/2017	yes	8-13-15 (\$136,961) 10-17-2016 (\$64,000), 11-20-2017 (\$200,000)	11/28/2017 AFTER COUNCIL APPROVAL	11/30/2015 & 12-16-2016	3/14/2018	5/28/2019	3 yrs. 9 months	1 yr. 6 months	1 yr. 2 months	Final funding was \$200,000 in HOME
605 Stevens (Motherhouse)	6/12/2015			8-13-15 (\$426,262) 5-11-2017 (\$200,961)	6-26-15 2ND REQUEST FOR FUNDING WAS AFTER COUNCIL APPROVAL			6-17-2016 & 6/1/2017	1 year & 2 yrs.	10 months & 1 yr.		
977 Brighton	6-20-2016 (1st) 4/30/2018	6/12/2018	yes	9-5-2018 (\$300,000)	7/24/2018		11-30-15 (withdrawn by applicant) 11/2/2018 NTP	10/25/2019	3 yrs. 4 months & 1 yr. 5 months	1 yr. 1 month	1 yr.	TIF to Council 7-16-2018/ Home to Council 9-5-2018
178 Kennebec	4/27/2018	6/4/2018	4%	9/5/2018 (\$370,000)	Original approval 7-24-18. Extension Ltr 7-12-2019		?	9/10/2019	1 yr. 4 months	1 yr.		
Deering Place	3-29-2017 4/30/2018 2nd request	10/24/2017	4%	11-20-2017 (\$300,000) 8-23-2018 (\$200,000)	12/13/2017 AFTER COUNCIL APPROVAL	12/16/2016	3/14/2018	9/13/2019	2 yrs. 5 months & 1 yr. 4 months	1 yr. 9 months & 1 year	1 yr. 5 months	Total funding \$500,000 in HOME
Front Street Phase I	4/30/2018	6/3/2018	4%	8-23-2018 (\$510,174) 9-15-2018 (\$925,000)	7/23/2019 AFTER BOTH COUNCIL APPROVALS		11/8/2019	6-3-2021 (\$306,104 & \$555,000)	3 yrs. 1 month	2 yrs. 9 month & 2 yr. 8 months	1 yr. 6 months	Final funding \$306,104 HOME and \$555,000 HTF
Front Street Phase II	5/20/2019	6/3/2018	4%	9/5/2018 (\$574,070)	7/23/2019 AFTER COUNCIL APPROVAL		8/4/2021	10/4/2022	3 yrs. 4 months	3 yrs.	1 yr. 2 months	Final funding \$204,070 HOME and \$370,000 HTF
155 Danforth	5-30-2019 and revised 6-14-2021	7/29/2019 (\$299,999)	yes	9/14/2019 (\$299,999) 10-14-2021 (\$150,000)	8/13/2019	11/8/2019		4-5-2022 (\$299,999) 1-17-2024 (\$150,000)	2 yrs. 10 months & 2 yrs. 7 mo	2 yrs. 6 months & 2 yrs. 3 mo		\$299,999 HOME and \$150,000 HTF
83 Middle	5/29/2019	7/26/2019	yes	9/14/2019 (\$330,000) 9-11-2022 (\$255,800)	8/18/2020 (FOR 5 STORY 50 UNITS) 2021-MINOR AMEND TO 4 STORY BUILDING. REC EXTENSION ON 7-27-21	11/8/2019	2/24/2021	9/29/2021	2 yrs. 4 months	2 yrs. & 1 yr.	1 yr. 6 months	Final funding \$449,066 HOME and \$136,734 HTF
200 Valley Street	5-22-2019 (not funded) 4/21/2020	6/22/2020	yes	8-13-2020 (\$97,545 + \$497,455)	3/18/2020 AFTER COUNCIL APPROVAL	11/8/2019	2/24/2021	12/7/2021	1 yr. 7 months	1 yr. 3 months	286 days	
337 Cumberland	4/29/2020	6/29/2020		8-13-2020 (\$500,000)	9/15/2020 AFTER COUNCIL APPROVAL. REAPPLIED		2/24/2021	withdrew				withdrew application. Rec'd AHTIF on 9-17-2020
Washington Gardens	8-30-2019 (not funded) 4/30/2020	9/8/2020	yes	8-13-2020 (\$400,000)	8/10/2020		?	3/24/2021	328 days	223 days		

73 Winter St	3/20/2021	6/26/2021	yes	7/1/2021 (\$4000,000)	7/13/2021 AFTER COUNCIL APPROVAL		12/14/2021	4/12/2023	2 yrs.	1 yr. 9 months	1 yr. 3 months	
91 Winter St	3/20/2021	6/26/2021	yes	7/1/2021 (\$200,000)	7/13/2021 AFTER COUNCIL APPROVAL		12/14/2021	4/28/2023	2 yrs.	1 yr. 9 months	1 yr. 3 months	
45 Dougherty	3/9/2022	9/18/2022	no	10-17-2022 (TIF), 2-26- 24 (\$1.2M HTF)	5/24/2022 MINOR SITE PLAN AMEND 3-19-2024			3/20/2024	2 yrs.	1 yr. 5 months		project was amended during MSHA review
Riverton Park	5/15/2023	9/11/2023	4%	11/13/2023 (\$589,897 & \$910,103)	5/23/2023 REC EXTENSION ON 5-3-2024		pending	pending				Per Tyler P. MH waited 11 months from LIHTC app to tell PH they needed to cut costs. closing 4-2025
LWN	2/27/2023	10/13/2023	4%	AHTIF	2/28/2023, AMENDED ON 9-10-2024		pending	n/a				AHTIF only. Amended site plans per MH
LWS	7/10/2023	pending		on hold	2/28/2023		pending	pending				no later than Aug 2025
Dougherty Commons Condo	7/25/2023	pending		X	5/24/2022		pending	pending				
Dougherty Commons Apt	8/18/2023	on hold			5/24/2022							
25 Casco	5/23/2023	7/10/2023	yes	8/14/2023	7/25/2023 REC EXTENSION ON 6-24-2024		4/4/2024	n/a				AHTIF only
337 Cumberland (YFO)	5/8/2024	8/13/2024	yes	9-6-2024 \$1.08 M (HTF)	8/13/2024		pending	pending				
197 & 207 Oxford	4/30/2024	pulled app.	yes		Has not gone thru Workshop as of Oct 2024		pending	pending				
186 Woodford	4/29/2024	6-20-2024	yes	7-15-2024 (\$155,511 HTF and \$294,489 HOME)	3/26/2024 AMENDED 5-28-2023		pending	pending				
202 Woodford	4/29/2024	6/20/2024	yes	7-15-2024 (\$492,000 HTF)	3/26/2024 AMENDED 5-28-2024		on hold until 2025					
156 High	4/30/2024	need to reapply	yes		8/13/2024							
70 E Oxford	4/30/2024	6/20/2024	yes	8-19-2024 (\$650,000 HTF)	7/9/2024		pending	pending				
42 Atlantic (AHTIF only)	5/7/2024	7/7/2024	yes		7/30/2024		n/a					

MEMORANDUM
City Council Agenda Item

FROM:

DATE: April 25, 2025

SUBJECT: Order 190-24/25 Accepting an Easement from the Portland Housing Development Corporation at 17 Riverton Drive for Pump Station and Drainage Installation - Sponsored by Michael Goldman, Corporation Counsel

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

Can action be taken at a later date: No If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City:

PRESENTATION: Please list the presenter(s), type, and length of presentation

I. SUMMARY

II. AGENDA DESCRIPTION

This easement supports the City of Portland's infrastructure by formalizing access to maintain critical existing drainage systems and an existing pump station on land owned by the Portland Housing Development Corporation near 2 Riverton Drive. The easement is required as a condition of approval for Portland Housing's Riverton Park development, which includes the construction and rehabilitation of 182 affordable housing units.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is \$50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. Order - Accepting an Easement Re Pump Station and Drainage Installation and Maintenance

Prepared by:

Date: 04/25/2025

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL D. FOURNIER (A/L)
BENJAMIN GRANT (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

SARAH MICHNIEWICZ (1)
WESLEY PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**ORDER ACCEPTING AN EASEMENT FROM THE PORTLAND HOUSING
DEVELOPMENT CORPORATION AT 17 RIVERTON DRIVE FOR PUMP STATION
AND DRAINAGE INSTALLATION AND MAINTENANCE**

ORDERED, that an easement for the Portland Housing Development Corporation at 17
Riverton Drive, in substantially the form attached hereto, is hereby accepted; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the City Manager or
designee to execute said document and any other related documents necessary or
convenient to carry out the intent of said documents and this Order.

BE IT FURTHER ORDERED, that this order is enacted as an Emergency, pursuant to Article
II, Section 11 of the Portland City Charter, in order to make it effective
immediately.

MEMORANDUM
City Council Agenda Item

FROM:

DATE: April 25, 2025

SUBJECT: Order 191-24/25 Accepting an Easement from the Portland Housing Development Corporation at 17 Riverton Drive for a Public Sidewalk - Sponsored by Michael Goldman, Corporation Counsel

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

Can action be taken at a later date: No If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City:

PRESENTATION: Please list the presenter(s), type, and length of presentation

I. SUMMARY

II. AGENDA DESCRIPTION

This easement supports the City of Portland's infrastructure by formalizing public access over new sidewalk areas on land owned by the Portland Housing Development Corporation near 2 Riverton Drive. The easement grants the City the right to install, maintain, and repair ADA-compliant sidewalks for pedestrian and non-motorized uses. These improvements will support connectivity between private development and the City's public right-of-way while promoting long-term pedestrian mobility. The easement is required as a condition of approval for Portland Housing's Riverton Park development, which includes the construction and rehabilitation of 182 affordable housing units.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is \$50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. Order - Accepting an Easement Re ADA Compliant Sidewalks

Prepared by:

Date: 04/25/2025

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL D. FOURNIER (A/L)
BENJAMIN GRANT (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

SARAH MICHNIEWICZ (1)
WESLEY PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**ORDER ACCEPTING AN EASEMENT FROM THE PORTLAND HOUSING
DEVELOPMENT CORPORATION AT 17 RIVERTON DRIVE FOR A
PUBLIC SIDEWALK**

ORDERED, that an easement for a public sidewalk from the Portland Housing Development Corporation at 17 Riverton Drive, in substantially the form attached hereto, is hereby accepted; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the City Manager or designee to execute said document and any other related documents necessary or convenient to carry out the intent of said documents and this Order.

BE IT FURTHER ORDERED, that this order is enacted as an Emergency, pursuant to Article II, Section 11 of the Portland City Charter, in order to make it effective immediately.

MEMORANDUM
City Council Agenda Item

FROM:

DATE: April 23, 2025

SUBJECT: Order 192-24/25 Approving an Amendment to the Riverton Park Affordable Housing Development and Tax Increment Financing District RE: 2 Riverton Park - Sponsored by Michael Goldman, Corporation Counsel

SPONSOR: Michael Goldman, Corporation Counsel

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading 5/5/2025

Final

Action 5/5/2025

Can action be taken at a later date: No Riverton Park, LP is closing with MaineHousing within the month of May. To ensure the Order is in effect at the time of closing, staff is requesting action take place on May 5, 2025. To make this item effective immediately, staff is requesting that this item be passed as an emergency.

Does this item involve a new contract with the City: No

PRESENTATION: Greg Watson and Mary Davis will be available for questions.

I. SUMMARY

Amendment to the existing Riverton Park Affordable Housing Development and Tax Increment Financing District, the Declaration of Covenants, and Credit Enhancement Agreement to amend the unit count, affordability, and description of the project which will now be the rehabilitation of 20 residential buildings, and two non-residential buildings, and the construction of 64 units of low-income housing affordable as follows: 91 units at or below 50% of the area median income (\$64,900 for a family of four), 77 units at or below 60% of the area median income (\$77,900 for a family of four) and 14 units at or below 80% of the area median income (\$103,850 for a family of four).

II. AGENDA DESCRIPTION

The Housing and Economic Development Committee met on September 19, 2023, and voted (3-0, Dion absent) to forward this item to the City Council with a recommendation for passage. The Riverton Park Affordable Housing Development and Tax Increment Financing District was approved by the Portland City Council on November 13, 2023 (Order 55-23/24 and Order 58-23/24) and received a Certificate of Approval from MaineHousing on January 8, 2024.

Portland Housing Development Corporation, through Riverton Park LP, is proposing changes to the previously approved Riverton Park Affordable Housing Development and Tax Increment Financing District.

The previously approved development district includes a slightly different unit mix (130 units at or below 50% of the area median income, 34 units at or below 60% of the area median income and 18 units at 80% of the area median income), and the construction of a neighborhood center. The proposed affordable housing project would include the rehabilitation of 20 residential buildings and two non-residential buildings (an administration building and a resident service delivery building). The neighborhood center will not be constructed. The Declaration of Covenants needs to be amended to reflect the proposed new development program. The new development program will include 91 units at or below 50% of the area median income (\$64,900 for a family of

four), 77 units at or below 60% of the area median income (\$77,900 for a family of four) and 14 units at or below 80% of the area median income (\$103,850 for a family of four).

Five affirmative votes are required for passage after public comment. To make this item effective immediately, staff is requesting that this item be passed as an emergency. Seven affirmative votes are required for passage as an emergency after public comment.

III. BACKGROUND

Approval of an Amendment to the Riverton Park Affordable Housing Development and Tax Increment Financing District is key to making the project feasible. The City Council must authorize the amendments to the AHTIF District, the Declaration of Covenants and the Credit Enhancement Agreement.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

Amending the current Affordable Housing Tax Increment Financing District, which was approved by the Portland City Council on November 13, 2023 (Order 55-23/24 and Order 58-23/24) to support the rehabilitation of 20 residential buildings, and two non-residential buildings, and the construction of 64 units of low-income housing affordable as follows: 91 units at or below 50% of the area median income (\$64,900 for a family of four), 77 units at or below 60% of the area median income (\$77,900 for a family of four) and 14 units at or below 80% of the area median income (\$103,850 for a family of four).

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

VII. RECOMMENDATION

Staff is requesting the City Council to approve the amendments to the Riverton Park Affordable Housing Development and Tax Increment Financing District, Declaration of Covenants, along with an amendment to the Credit Enhancement Agreement with Portland Housing Development Corporation (Riverton Park, LP) and authorize the City Manager to sign and submit to MaineHousing for approval the documents amending the district in substantially the form(s) as enclosed.

VIII. LIST ATTACHMENTS

1. Order - Approving an Amendment to the Riverton Park Housing Dev and TIF
2. Dev Program Riverton FINAL
3. TIF Dec of Cov Riverton FINAL

Prepared by:

Date: 04/23/2025

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL D. FOURNIER (A/L)
BENJAMIN GRANT (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

SARAH MICHNIEWICZ (1)
WESLEY PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**APPROVING AN AMENDMENT TO THE RIVERTON PARK AFFORDABLE
HOUSING DEVELOPMENT AND TAX INCREMENT FINANCING DISTRICT RE:
2 RIVERTON PARK**

ORDERED, that the Riverton Park Affordable Housing Development and Tax Increment Financing District at 2 Riverton Park is hereby amended as set forth in the forms attached hereto; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the City Manager or designee to execute said Amendment and any other related documents necessary or convenient to carry out the intent of said Amendment and this Order; and

BE IT FURTHER ORDERED, that this order is enacted as an Emergency, pursuant to Article II, Section 11 of the Portland City Charter, in order to make it effective immediately.

CITY OF PORTLAND

**RIVERTON PARK AFFORDABLE HOUSING DEVELOPMENT AND TAX INCREMENT
FINANCING DISTRICT**

DEVELOPMENT PROGRAM

Date: _____, 2025

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Exhibits

- Exhibit A Estimated Allocation of Tax Increment and Estimated Tax Increment Revenues
- Exhibit B Estimated Development Costs
- Exhibit C Property Description and Configuration of the District
- Exhibit D Certificate of Assessor
- Exhibit E Credit Enhancement Agreement
- Exhibit F Tax Shift Computations
- Exhibit G Notice of Public Hearing
- Exhibit H City Council Orders
- Exhibit I Declaration of Covenants, Conditions and Restrictions
- Exhibit J District Narrative

Riverton Park
Affordable Housing Development and Tax Increment Financing District Development Program

Article I. Introduction and Summary of Benefits.

A. **Affordable Housing Development District.** This Development Program provides for the creation of an Affordable Housing Development District located at 2 Riverton Drive in Portland (327 B12001). The area includes approximately 17.72 acres in the B-2 Community Business and R-5a Residential zones. Multifamily is a permitted use in both zones. By providing for the reinvestment of a portion of the new or incremental tax revenues in the District, the District will provide an impetus for affordable housing development within the District and the development of affordable, livable housing and the containment of the costs of unplanned growth in the City.

B. **Benefits of the District.**

1. **Affordable Housing.** This Development Program will provide for the development of affordable housing in the City and the containment of the costs of unplanned growth.

2. **No City Bonds or Risks.** The District will not involve any borrowings by or the issuance bonds of the City to pay for any of the costs of the Development Program and will not affect existing tax revenues in any way.

3. **Additional Tax Revenues.** Creation of the District and Development Program will result in additional tax revenues for the City.

4. **Shelter of New Tax Base Growth.** Fifty percent (50%) of the captured assessed value of the District will be sheltered from the otherwise negative impacts of new development that result in increased county taxes and loss of State aid to education and revenue sharing when new development occurs without the creation of an Affordable Housing Tax Increment Financing District. The sheltered portion of the tax increment revenues will be used to pay Project Costs.

Article II. Development Program Narrative and Designation of the District.

Section 2.01: Statement of Means and Objectives. The City of Portland (“the City”), like many other Maine municipalities, desires to provide affordable housing in the City and to contain costs of unplanned growth by providing the facilities described in this Development Program.

In order to fulfill these goals, certain property has been proposed as the Riverton Park Affordable Housing Development Tax Increment Financing District (the “District”). The Development Program described herein will serve the purpose of administering the District as an Affordable Housing Development District pursuant to Chapter 206, subchapter 3 of Title 30-A of the Maine Revised Statutes, as amended (the “Development Program”). Upon approval by the City of Portland designating the District and adoption of this Development Program by the City, the designation of the District and adoption of the Development Program will become final immediately, subject only to approval by the Director of the Maine State Housing Authority. The Development Program provides for affordable housing similar in some respects to the economic development incentives called municipal tax increment financing (“TIF”) similar to that adopted by a number of other Maine municipalities including the City. A Development District involves the creation of a geographically defined district in the City and the “capture” or reinvestment of some of the new increased or “incremental” tax revenues generated on the increased assessed value of property in the District to pay certain costs of the development.

The District is designed to stimulate development of affordable housing in the City by allocating certain tax revenues generated on the increased assessed value in the District to Project Costs, consisting of allowable operating costs per 30-A M.R.S.A. §5249 and described in Section 2.03 hereof by Riverton Park, LP, its successors and assigns (the “Developer”). Under the Development Program, the City will make portions of the tax increment revenues as set forth in Section 3.04 hereof and under the Credit Enhancement Agreement attached hereto as Exhibit E (the “Credit Enhancement Agreement”) from the District available to the Developer pursuant to the Credit Enhancement Agreement. These revenues will be used either to pay or reimburse the Developer for Project Costs per Section 2.03 directly. All additional Project Costs will be the responsibility of the Developer, its successors or assigns. All tax increment revenues following expiration of the term of the Credit Enhancement Agreement will go directly into the City's general fund.

The District will result in significant new tax revenues for the City.

The Development Program thus will provide significant public benefit to the City by providing for the development of affordable housing in the City and for new tax revenues. The means and objectives of the Development Program are to provide: financial assistance towards Project Costs, and the development of affordable housing in the City.

The City, by adopting this Development Program, finds that the Development Program described herein, including the Capital Project, will provide substantial affordable housing in the City, thereby accomplishing an important public purpose.

Section 2.02: Brief Discussion of Financial Plan. The following is a brief summary of the Financial Plan. The Financial Plan is set forth in greater detail in Article III of this Development Program. As described in Section 3.04 hereof and Exhibit A hereof, the property taxes assessed by the City upon the Increased Assessed Value of property in the District (the “Tax Increment”) resulting from the investments by the Developer will be captured or used by the City under the Development Program to pay Project Costs described in Section 2.03 hereof. The development costs and sources and uses of funds associated with the Development Program within the District are described in Article III. The Project Costs and any continuing investment by Developer will be financed by Developer through equity of and loans to the Developer, its successors or assigns, and the tax increment revenues from the District. As part of the Development Program, the City and Developer will enter into a Credit Enhancement Agreement pursuant to which the City will pay to Developer the percentage of Tax Increment Revenues from the Increased Assessed Value with respect to property in the District, described herein as the Tax Increment Revenues (Developer’s Share) for the term of the District to pay Project Costs related thereto. All tax revenues from the District not payable to Developer under the Credit Enhancement Agreement will be paid to the General Fund of the City. Any tax revenues presently generated on existing property in the District will continue to be paid to the General Fund of the City. The Development Program costs will be paid only from the Tax Increment on assessed value produced by new development in the District occurring after the tax year ending on the March 31st prior to adoption of this Development Program.

Section 2.03: Project Costs Descriptions.

A. Project General Description. The Capital Project at 2 Riverton Park involves the renovation and construction of a building on approximately 17.72 acres, into an affordable housing neighborhood. The objective of the project is that 100% of the units in the District will be affordable housing, meaning a decent, safe and sanitary dwelling, apartment or other living accommodation for a household whose income does not exceed 80% of the median income for the area as defined by the United States

Department of Housing and Urban Development. This project consists of the rehabilitation of twenty (20) residential buildings and the construction of a sixty-four (64) unit low-income housing development with 91 (ninety-one) of the total units affordable to households at or below 50% of the area median income, 77 (seventy-seven) units affordable to households at or below 60% of the area median income, and 14 (fourteen) units affordable to households at or below 80% of the area median income. The zoning for the project assures that this number of units and this affordability objective will be met.

The Riverton Park project is projected to have a total local increased assessed valuation at build out of approximately \$20,514,320 based upon current real estate values and City assessment practices. Based upon the estimated tax rate upon completion, the project will generate approximately a twenty year annual average of \$172,987 in tax increment revenues to the Developer at full build out. A portion of this new revenue would be offset by increased county taxes and reduced state revenue sharing and education funding resulting from the increased state valuation, were it not included in a Development District.

“Project Costs” as defined in Title 30-A, Chapter 206, Section 5249 of the Maine Revised Statutes will include 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.

B. Need for the Affordable Housing TIF. Over the 20-year TIF, the estimated average annual payment is \$172,987 (as set forth in Exhibit A). Developer’s Share of the Tax Increment Revenue is designated to pay Qualified Reimbursable Costs, as defined in the Credit Enhancement Agreement, for the project at Riverton Park. The Tax Increment Revenue described in section 3.04 will help pay for operating costs over a period of twenty (20) years. Without the TIF and these other funding sources the project could not go forward.

The Municipal Affordable Housing Development District law enacted by the Maine Legislature in 2003 creates an opportunity to fill this gap in the project financing through the mechanism of the TIF program. The program operates essentially the same way that the traditional commercial TIF program has with a few exceptions. The Affordable Housing TIF program is administered by the Maine State Housing Authority.

Section 2.04: Relocation Plan. No relocation is necessary as a result of this project. The property is currently used as a commercial parking lot.

Section 2.05: Environmental Controls. All environmental controls required by law shall apply to development in the District, including any applicable requirements of the City of Portland Zoning Ordinance and all applicable State and Federal environmental laws and regulations.

Section 2.06: District Operation. The day-to-day operations of the District will require no substantial efforts by the City. Portland Housing Authority, its successor or assigns, will as property manager operate the improvements constructed and owned by Developer and pay all maintenance and operational expenses of its facilities. The City, however, will be responsible for maintenance and operation of any part of the District that may become a public road or other public facility.

Section 2.07: Assurance of Compliance. The City hereby determines that the District and this Development Program complies with the provisions of 30-A M.R.S.A. § 4349-A (growth management). The proposed development in the District is consistent with the Comprehensive Plan for the City of Portland which includes the City’s Comprehensive Plan, which calls for additional affordable housing in the City.

Section 2.08: Program Duration. The duration of the District will be twenty (20) years after the tax year in which this Development Program is approved by the Director of the Maine State Housing Authority. The period from April 1 of each year through March 31 of the next year is referred to herein as a “Tax Year.” The first Tax Year of the Development Program begins April 1, 2024, and the last Tax Year of the Development Program begins April 1, 2043.

Section 2.09: Approval Considerations and Characteristics of the District.

A. Statutory Considerations for Approval. Before designating the District and before establishing this Development Program, the City has considered any evidence presented at such public hearing and has considered whether the District and Development Program will contribute to the expansion of affordable housing opportunities within the City and to the betterment of the health, welfare or safety of the inhabitants of the City. The City hereby determines and finds that the District created hereunder and this Development Program will make a contribution to the expansion of affordable housing opportunities within the City and the betterment of the health, welfare or safety of its inhabitants, constituting good and valid public purposes and that any adverse economic effect on or detriment to any existing property interests is outweighed by the contribution made by the District and the Development Program to the availability of affordable housing within the City and to the betterment of the health, welfare and safety of its inhabitants.

B. Statutory Conditions for Approval; Physical Characteristics. The City hereby finds and determines that the District satisfies the conditions imposed under Chapter 206, subchapter 3 of Title 30-A of the Maine Revised Statutes, as amended, as a prerequisite to designation of the District, including those relating to the physical description of the District and to certain financial and statistical information as follows:

(i) All of the land in the District is suitable for residential uses, is zoned for residential uses, and is in need of rehabilitation or redevelopment and therefore at least 25%, by area, of the real property within the District meets at least one of the following statutory criteria: (1) be suitable for residential use; (2) be a blighted area; or (3) be in need of rehabilitation or redevelopment;

(ii) The total municipal acreage is 12,386 acres; the total area of the proposed AHTIF District would be approximately 17.72 acres and thus such area represents less than 2% (or 0.002518973%) of the total acreage of the City. The total area of the proposed AHTIF District (17.72) and the total area of all development districts in the City (877.0175) totals 894.7375 acres which is approximately 7.22% (894.7375/12,386) of total municipal acreage of the City. The 894.7375 acres includes two exempt districts—a Transit Oriented TIF District (30.00 acres) and a Downtown/Transit Oriented TIF District (416.7288 acres)—which, when subtracted from the 894.7375 acres is 448.0087 acres, which is 3.61% (448.0087/12,386) of the total acreage of the City and thus does not exceed 5% of the total acreage of the City. The total area of all existing affordable housing tax increment financing districts and the proposed AHTIF Districts is 33.89 acres or 0.273% of the total acreage of the City (33.89/12,386) and does not exceed 5% of the total acreage of the City;

(iii) The Original Assessed Value of the proposed Affordable Housing TIF District (\$0.00) combined with the Original Assessed Value of all existing Affordable Housing TIF Districts within the City totals \$4,279,961. The taxable property value as of the April 1st before MaineHousing approval (4/1/2023) equals \$14,872,866,446. As the aggregate OAV as a percent of taxable value is 0.0287%, the amount of Original Assessed Value does not exceed 5% of the total value of taxable property within the City as of the April 1st preceding the date of the designation of the District.

C. Community Housing Need. The City finds that this Capital Program will meet a community housing need identified in the City's Comprehensive Plan. The Credit Enhancement Agreement provides a mechanism to ensure the ongoing affordability for a period of at least 30 (thirty) years, which mechanism is the Declaration attached hereto as Exhibit I. The District is primarily a residential development in which 100% of the dwelling units will be 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. The Developer and the City shall comply with any rules adopted by the Maine State Housing Authority and with any conditions of approval imposed by the Maine State Housing Authority following designation of the District. The City shall report annually to the Director of the Maine State Housing Authority regarding the status of the District, including the following matters as required by law: (a) certify that the public purpose of the District is being met; (b) account for any sales of property within the District; and (c) certify that rental units within the District remain affordable.

Section 2.10: Designation of the District. The City, by adoption of this Development Program, hereby designates the Riverton Park Affordable Housing Development and Tax Increment Financing District as an Affordable Housing Development District and as an Affordable Housing Tax Increment Financing District. A plan depicting the District is attached hereto as Exhibit C and the District is further described therein.

Article III. Financial Plan.

Section 3.01: Cost Estimates for the Development Program. The estimated expenses of the Project Costs are set forth in Exhibit B.

Section 3.02: Amount of Indebtedness to be Incurred. The City will not incur any indebtedness in connection with the Development Program. The Development Program will be financed through a combination of funds of the Developer, its successors and assigns, various loans and the Tax Increment of the District.

Section 3.03: Sources of Anticipated Revenues. The source of the revenue to be used to pay the Project Costs of this Development Program is a portion of the Tax Increment on the Increased Assessed Value of the District. Tax Increment means all Property Taxes assessed by the City, in excess of any state, county or special district tax, upon the Increased Assessed Value of all property in the District. Increased Assessed Value means the valuation amount by which the Current Assessed Value of the District exceeds the Original Assessed Value of the District. Current Assessed Value means the assessed value of the District certified by the municipal assessor as of April 1st of each year that the District remains in effect. Property Taxes means any and all ad valorem property taxes levied, charged or assessed against property by the City or on its behalf.

Original Assessed Value means the assessed value of the District as of March 31, 2023. Attached hereto as Exhibit D is the anticipated form of certification of Original Assessed Value by the Assessor of the City of Portland in accordance with the requirements of Title 30-A § 5250-A of the Maine Revised Statutes. All Property Tax on the Original Assessed Value shall continue to be deposited in the general fund of the City.

The City will deposit the Tax Increment Revenues (Developer's Share) as described in Section 2.02 and Section 3.04 hereof and in Exhibit A into the Project Cost Account of the Affordable Housing Development Program Fund and pay such Tax Increment (Developer's Share) to Developer in accordance with the terms of the Credit Enhancement Agreement to be entered between the City and the Developer.

Section 3.04: Estimated Increased Assessed Value; Portion Applied to Development Program. The percentage of the Increased Assessed Value of the District to be retained as Captured Assessed Value in each year is 50% (Fifty percent). Such Captured Tax Increment Revenues will be returned to the Developer each year in the manner described below.

The Tax Increment Revenues (Developer's Share) to be paid to the Developer each year during the term of this Development Program will be an amount which shall be captured and retained to reimburse the Developer for Project Costs pursuant to the Credit Enhancement Agreement, which will be the entire amount of the 50% (Fifty percent) of captured revenue. The percentage determination of the Tax Increment Revenues (Developer's Share) as determined as described above shall apply regardless whether the actual Tax Increment Revenues are more or less than the estimated or projected Tax Increment Revenues set forth in Exhibit A.

"Tax Shift Formulas" mean the formulas utilized by the State of Maine in calculating: (a) the county tax payable in accordance with 30-A M.R.S.A. § 706 and 36 M.R.S.A. §§ 305(1), 381, as amended, and any successor provisions; (b) the municipal revenue sharing distribution of the Local Government Fund in accordance with 30-A M.R.S.A. §5681, as amended, and any successor provision, provided, however, that distribution of the Disproportionate Tax Burden Fund (the Revenue II fund), if any, shall not be taken into consideration in such calculation since taxes assessed on captured value within a tax increment financing district are included in the amounts of the property assessed in determining allocations of such Disproportionate Tax Burden Fund; and (c) State aid to education, including aid for total operating costs, total program cost allocation (taking into account the maximum local share or circuit breaker) and total debt service cost allocation (taking into account the maximum local share or circuit breaker), but not taking into account any hold harmless or hardship cushion that results in additional State aid to education to the prior year's level even through the calculation would have resulted in a reduction, all as computed in accordance with Maine Department of Education Form ED 261 or any successor form.

The amount of Tax Increment from the total Increased Assessed Value that is to be paid each year to the Developer under Credit Enhancement Agreement to pay or reimburse Project Costs is hereinafter called the "Tax Increment Revenues (Developer's Share)."

The table attached hereto as Exhibit A also sets forth: (i) the annual estimates of the Increased Assessed Value of the District resulting from implementation of the Development Program; (ii) the estimated annual Tax Increment Revenues per year on the Increased Assessed Value following implementation of the Development Program, stated respectively as (a) a total, and (b) the estimated amount of the Tax Increment Revenues (Developer's Share)

Based on the manner in which Tax Increment Revenues (Developer's Shares) are defined, a share of the incremental property tax revenues derived from the increased valuation will be returned to the Developer to cover the Project Costs as described in Section 2.03 hereof.

To comply with the provisions of the State of Maine, the Credit Enhancement Agreement includes a provision for the recapture of certain amounts relating to any affordable rental housing units that are not maintained as affordable for a period of at least thirty years.

Under this program and the Credit Enhancement Agreement, Captured Assessed Value will be 50% (Fifty percent) of the Increased Assessed Value. Accordingly, 50% (Fifty percent) of the Tax

Increment Revenues for each year during the term of the District shall be paid to the Developer each year pursuant to the Credit Enhancement Agreement.

An Affordable Housing Development Program Fund shall be established by the City consisting of a Project Cost Account. The Project Cost Account will be pledged to and charged with payment of amounts due to Developer under the Credit Enhancement Agreement. Upon receipt of each payment of property tax with respect to property in the District, the City shall deposit into the Project Cost Account according to the terms of the Credit Enhancement Agreement 50% (Fifty percent) of that portion of the payment constituting Tax Increment Revenues. The amounts in the Project Cost Account shall be used and applied solely to fund the payments to Developer under the Credit Enhancement Agreement.

Section 3.05: Description of Terms and Conditions of Agreements. A description of the terms and conditions of the agreements, contracts and obligations to be entered into by the City is set forth in the Credit Enhancement Agreement to be entered into by the City and the Developer which will be substantially in the form attached hereto as Exhibit E. The Credit Enhancement Agreement sets forth the obligations of the City to pay to Developer each year during the term of that Agreement Tax Increment Revenues (Developer's Share) from all Property Tax with respect to all property in the District.

Section 3.06: Calculation of Tax Shifts. In accordance with Maine statutes governing the establishment of affordable housing development districts, Exhibit F identifies the estimated tax shifts which will result during the term of the District from the establishment of the District, using formulas approved by the Director of the Maine State Housing Authority. Exhibit F also contains a summary of the methodology and calculations utilized in calculating such estimated tax shifts.

The Riverton Park project will pay property taxes to the City based upon the local assessed valuation of the project and the City's annual tax rate. Exhibit A shows the estimated property taxes that will be paid by the project over the next 20 years based upon the estimated local assessed valuation and the estimated tax rate of \$13.88/\$1,000 for the first year of the District. The amount of property taxes paid by owners of property in the District to City will be the same whether the project is included in a TIF district or not.

If the project is not part of a TIF, some of these new tax revenues will be offset by what are commonly called tax shifts. Since the City's total state valuation will be higher as a result of the project, its share of Cumberland County taxes will increase. The increased valuation and population will change the amount the City receives in State Revenue Sharing. The increased valuation and increased school enrollment will change the amount the City receives in state education aid.

Exhibit F thus shows the estimated amount of these tax shifts compared to what they would be if the new valuation is "sheltered" in a TIF and, therefore, does not get counted in the City's state valuation that is used in calculating county tax, revenue sharing and state education aid.

The actual extent and amount of the tax shifts can vary from this estimate since they are controlled by factors outside the City's control such as the rate of increase in the County budget, the amount of state sales and income tax collected, the amount of funding provided by the state for education aid, and the formula used to distribute that aid. So the extent and value of the shifts could be more or less than estimated.

Article IV. Municipal Approvals.

Section 4.01: Public Hearing. Before designating the District, the City legislative body of the City held a public hearing. Notice of the hearing was published on October 19, 2023, a date that was at least 10 days before the hearing, in The Portland Press Herald, a newspaper of general circulation within the City. Attached hereto as Exhibit G is a copy of the Notice of Public Hearing. The Public hearing was held in accordance with the requirements of 30-A M.R.S.A. § 5250 on November 13, 2023. At the public hearing, interested parties were given a reasonable opportunity to present testimony concerning the District and the Development Program. Before amending the District, the City legislative body of the City held a public hearing. Notice of the hearing was published on April 25, 2024, a date that was at least 10 days before the hearing, in The Portland Press Herald, a newspaper of general circulation within the City. Attached hereto as Exhibit G.1 is a copy of the Notice of Public Hearing. The Public hearing was held in accordance with the requirements of 30-A M.R.S.A. § 5250 on May 5, 2025. At the public hearing, interested parties were given a reasonable opportunity to present testimony concerning the District and the Development Program.

Section 4.02: Authorizing Votes. Attached as Exhibit H is a copy of the Orders proposed for adoption by the City Council of the City of Portland at a meeting thereof duly called and held on November 13, 2023 designating the District and adopting the Development Plan and as Exhibit H.1 is a copy of the Orders proposed for adoption by the City Council of the City of Portland at a meeting thereof duly called and held on May 5, 2025 amending the Riverton Park Affordable Housing and Tax Increment Financing District.

The undersigned, being the City Manager of the City of Portland, certifies that all of the information contained herein is true and correct to the best of my knowledge.

Dated: _____

Danielle P. West, City Manager,
City of Portland, ME

CITY OF PORTLAND
**Declaration of Covenants, Conditions and Restrictions for the Riverton Park Affordable
Housing Development and Tax Increment Financing District**

This Declaration of Covenants, Conditions and Restrictions (the “Declaration”) is entered into by and between the **City of Portland**, a public body corporate and politic with its principal place of business at 389 Congress Street, Portland, Maine, 04101 (“City”) and **Riverton Park, LP**, a Maine Limited Partnership with a mailing address of c/o Portland Housing Development Corporation, 14 Baxter Boulevard, Portland, Maine 04101 (“Developer”).

W I T N E S S E T H

WHEREAS, the Developer acknowledges that City is providing Affordable Housing Tax Increment Financing to the Developer (the “AHTIF”) for project operating costs associated with the rehabilitation of twenty (20) residential buildings and two non-residential buildings and the construction of a new sixty-four (64) unit low-income housing development located at 2 Riverton Drive, Portland, Maine (the “Development”); and

WHEREAS the Developer acknowledges City’s resulting beneficial interest in the Development, and Developer acknowledges that its ownership and operation of the Development are in furtherance of discharge of the public trust; and

WHEREAS, City has provided the AHTIF to Developer in consideration of the Developer’s agreement to abide by the provisions of this Declaration.

NOW THEREFORE, City and the Developer agree as follows:

1. **Term**. The term of this Declaration shall be for the period beginning on date of the approval of the District by the Director of the Maine State Housing Authority (the “Effective Date”) and continuing for twenty (20) years from the Effective Date of this Declaration (the “Qualified Project Period”).
2. **Enforceability of Covenants**. The covenants and restrictions of Developer set forth herein are intended to be and shall be considered covenants that run with the real estate described in

Exhibit A attached hereto and made a part hereof and shall bind all subsequent owners and holders of any interest in said real estate, except to the extent herein provided. The City may enforce the covenants set forth herein as a contract beneficiary whether or not Developer is or remains indebted to the City. The covenants of Developer set forth herein shall survive a sale, transfer, or other disposition of the Development by Developer, a foreclosure or transfer of title in lieu of foreclosure, but shall cease to apply to the Development in the event of involuntary noncompliance caused by substantial destruction, seizure, requisition, or change in law or an action of a governmental agency that prevents the City from enforcing the covenants, even though compensated by insurance.

3. **Covenants.** Developer hereby covenants and represents to the City as follows:

- a. **Development.** The Development shall consist of the land described in Exhibit A attached hereto, together with all buildings and improvements, which after completion of the work will contain a total of one hundred eighty-two (182) units of rental housing and related amenities. The units in the Development shall be of comparable quality and have comparable amenities. Developer shall not make any change in the number of the units in the Development.
- b. **Use.** The Developer shall rent or make available for rental all of the units in the Development on a continuous and non-transient basis to members of the general public throughout the Qualified Project Period. Developer covenants and agrees that no change of use shall occur without the express written consent of the City.
- c. **Low Income Units.** For a period of twenty (20) years at least (i) ninety-one (91) of the units will be occupied by households with incomes at or below fifty percent (50%) of the area median income, (ii) seventy-seven (77) of the units will be occupied by households with incomes at or below sixty percent (60%) of the area median income, and (iii) fourteen (14) of the units will be occupied by households at or below eighty percent (80%) of the area median income (referred to as the “Low Income Units”).
 - i. Income and area median income shall be as determined in accordance with Section 42 of the Internal Revenue Code of 1986 and associated regulations and guidance, all as may be amended from time to time, (“Section 42”) and income limits shall be adjusted for family size.
 - ii. Prior to initial occupancy and at least annually, the Developer shall verify that the income, based on the then current income, of each household occupying a Low Income Unit in the Development does not exceed the Applicable Income Limit (the “Determination”).
 - iii. A Low Income Unit occupied by a household, who at the commencement of occupancy, met the Applicable Income Limit shall continue to be treated as occupied by a qualified resident even though the household’s income may exceed the Applicable Income Limit, adjusted for family size, at the time of the most recent Determination, if after such Determination, but before the next

Determination, any unit in the Development of comparable size is occupied by a new household whose income does not exceed the Applicable Income Limit.

- iv. After initial occupancy but upon again becoming vacant, a Low Income Unit shall be treated as occupied by a household meeting the Applicable Income Limit until occupied (other than occupancy by another resident for a temporary period not to exceed 31 days), at which time the character of the unit shall be re-determined in light of the new resident's income.
- d. **Rent Restrictions.** For the Qualified Project Period, the Low Income Units shall be rent-restricted. A unit is rent-restricted if the gross monthly rent does not exceed one-twelfth ($1/12^{\text{th}}$) of thirty percent (30%) of the imputed income limitation applicable to the unit. The imputed income limitation is the Applicable Income Limit for the unit, except the adjustment for family size shall be based, not on the actual number of occupants, but by assuming the number of occupants as follows:
- i. For a unit without a separate bedroom, one individual.
 - ii. For a unit with one or more separate bedrooms, one and one-half individuals for each separate bedroom.

Gross monthly rent shall not include any payment under Section 8 of the United States Housing Act of 1937 and associated regulations and guidance, all as may be amended from time to time ("Section 8") but shall include any utility allowance, where applicable, taking into account such determinations under Section 8.

- e. **Discrimination Prohibited.** Developer shall not segregate or physically isolate the Low Income Units from each other and from other units in the Development and the Developer shall use its best efforts to proportionately distribute the Low Income Units among each unit size in the Development. Developer shall not refuse to rent a unit in the Development to any applicant because the applicant holds a voucher or a certificate of eligibility under Section 8.
4. **Compliance.** Developer agrees to furnish to City such information as City may require in a form acceptable to City, including without limitation certifications and/or verifications of occupancy and resident income, to determine Developer's compliance with the covenants set forth herein. Information deemed acceptable by Maine State Housing Authority shall be acceptable to the City.
5. **Income Certifications/Leases.** Developer shall use residential lease forms acceptable to City and obtain written and signed certifications of residents in a form acceptable to City to determine the qualifications of the residents for occupancy of a Low Income Unit. Such leases or certifications shall contain clauses wherein each resident (a) certifies as to the accuracy of statements made relating to the resident's income, (b) agrees that resident income and other eligibility requirements shall be deemed substantial and material obligations of the tenancy, (c) agrees to comply all requests for information with respect thereto from Developer or City, and (d) agrees that failure to provide accurate information or refusal to comply with a request

for information shall be deemed a violation of a substantial obligation of the tenancy. Developer covenants and agrees to take such action as City deems necessary to comply with the covenants herein or to correct or cure any failure of the Developer to comply with the covenants herein, including, without limitation, the eviction of any tenant in accordance with applicable law. Lease forms which have been approved by Maine State Housing Authority shall be deemed approved by City.

6. **Real Estate Taxes.** Developer agrees that it shall pay all real estate taxes assessed on the Development during its ownership of the Development. Nothing contained in this section shall be deemed a waiver or limitation on Developer's right to seek abatement of property taxes if Developer believes the Development is over-assessed.
7. **Records.** Developer shall maintain and keep current all books, documents, plans and records concerning the Development, including, but not limited to, books and records related to compliance with the covenants contained in this Declaration. Such books, records, documents and plans shall be kept for: (a) a minimum of six (6) years after the expiration of the Qualified Project Period for those books, records, documents and plans pertaining to the rent and occupancy requirements described in Section 3 of this Declaration and the rent roll for all units in the Development; and (b) for a minimum of six (6) years after the end of the fiscal year or calendar year, as applicable, for all other books, records, documents and plans pertaining to the Development. Upon reasonable notice, City may audit and examine these books, records, documents and plans, and may inspect the buildings, grounds, equipment offices of the Development.
8. **Violation.** Developer shall immediately notify the City if Developer anticipates or discovers any noncompliance with any restriction or covenant in this Declaration, including, without limitation, noncompliance with the occupancy restrictions in Section 3 of this Declaration. Developer agrees to take such action as the City deems necessary to prevent noncompliance or to correct or cure any failure to comply with the covenants in this Declaration. In the event the Developer fails to comply with the covenants set forth herein, and fails to cure such non-compliance within any applicable cure period, the City shall be entitled to exercise any of its rights under the documents executed in connection with the AHTIF, maintain an action in law or in equity against the Developer to recover damages incurred by the City from such failure, including, without limitation, reasonable attorneys' fees and costs, and to require the Developer (through injunctive relief or specific performance) to comply with the provisions and covenants set forth herein and to immediately cure any failure to comply with the covenants set forth herein by the Developer.
9. **Indemnification.** Developer shall indemnify and hold City and its agents harmless from and against any and all claims, demands, liability, loss, cost or expense (including, but not limited to reasonable attorney's fees and other costs of litigation) which may be incurred by the City arising out of or in any way related to the Developer's breach of any of its obligations under this Declaration or any action taken by the City to enforce or exercise its rights under this Declaration as a result of such breach, except for claims arising from the gross negligence or willful acts of the City. The obligations under this section shall survive the termination or expiration of this Declaration as necessary to effectuate its provisions.

10. **Modifications.** This Declaration may be amended or modified, in whole or in part, only by written agreement of Developer and the City clearly expressing the intent to modify this Declaration.
11. **Severability.** The validity of any clause, part or provision of this Declaration shall not affect the validity of the remaining portions thereof.
12. **Successors and Assigns.** This Declaration shall be binding upon Developer's respective heirs, personal representatives, executors, administrators, successors and assigns and shall inure to the benefit of and be enforceable by City, its successors, transferees and assigns.
13. **Governing Law.** This Declaration shall be construed in accordance with and governed by the laws of the State of Maine.
14. **Notices.** Any notice or demand required or provided for in this Declaration shall be in writing and shall be deemed to have been sufficiently given for all purposes when hand-delivered or mailed by certified or registered United States mail, postage prepaid, or sent by overnight United States mail or overnight commercial delivery service to the Developer or the City at their respective addresses set forth herein, or at such other address as either of them may from time to time hereafter designate by notice given to the other as herein provided. The City shall endeavor to provide a copy of any notice to Developer with a copy to Counsel, or such other addresses as may from time to time hereafter be designated by notice given to the City as herein provided.
15. **Intercreditor.** This Declaration is subject to the terms and conditions of the Intercreditor and Subordination Agreement by and among Maine State Housing Authority, the City of Portland, _____, and _____ **[construction lender and any other entities providing financing will also be parties]** dated _____, to be recorded in the Cumberland County Registry of Deeds herewith.

Signature pages follow.

IN WITNESS WHEREOF, this Declaration has been duly executed by the Developer and City as of _____, 2025.

CITY OF PORTLAND, ME

Witness

By: _____
Danielle P. West
Its: City Manager

State of Maine
Cumberland, ss.

_____, 2025

Personally appeared the above named Danielle P. West, City Manager to the City of Portland, and acknowledged the foregoing instrument to be her free act and deed in her said capacity and the free act and deed of said City of Portland.

Before me,

Notary Public/Attorney-at-Law

(Print or type name)

Signature page follows.

RIVERTON PARK, LP
By: PortHouse, LLC
Its: General Partner

Witness

By:_____
Brian Frost
Its: President

State of Maine
Cumberland, ss.

_____, 2025_

Personally appeared the above named Brian Frost, President of PortHouse, LLC, General Partner of Riverton Park, LP and acknowledged the foregoing instrument to be his free act and deed in said capacity and the free act and deed of said limited liability company and limited partnership.

Before me,

Notary Public/Attorney-at-Law

(Print or type name)

EXHIBIT A

MEMORANDUM
City Council Agenda Item

FROM:

DATE: April 23, 2025

SUBJECT: Order 193-24/25 Approving an Amended Credit Enhancement Agreement for the Riverton Park Affordable Housing and Tax Increment Financing District RE: 2 Riverton Park - Sponsored by Michael Goldman, Corporation Counsel

SPONSOR: Michael Goldman, Corporation Counsel

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading 5/5/2025

Final

Action 5/5/2025

Can action be taken at a later date: No Riverton Park, LP is closing with MaineHousing within the month of May. To ensure the Order is in effect at the time of closing, staff is requesting action take place on May 5, 2025. To make this item effective immediately, staff is requesting that this item be passed as an emergency.

Does this item involve a new contract with the City:

PRESENTATION: Greg Watson and Mary Davis will be available for questions.

I. SUMMARY

This is a companion order to Order XX above.

II. AGENDA DESCRIPTION

The Housing and Economic Development Committee met on September 19, 2023, and voted (3-0, Dion absent) to forward this item to the City Council with a recommendation for passage. The City Council approved the original Riverton Park Affordable Housing and Tax Increment Financing District on November 13, 2023.

This is a companion order to the order above.

To make this item effective immediately, staff is requesting that this item be passed as an emergency. Seven affirmative votes are required for passage as an emergency after public comment.

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

VII. RECOMMENDATION

Staff is requesting the City Council approve the amendments to the Riverton Park Affordable Housing Development and Tax Increment Financing District, Development Program, Declaration of Covenants, and Credit Enhancement Agreement with Portland Housing Development Corporation (Riverton Park LP) and authorize the City Manager to sign and submit to MaineHousing for approval the documents amending the district in substantially the same form as enclosed.

VIII. LIST ATTACHMENTS

1. Order - Approving Amendment to the CEA at Riverton Park
2. CEA Riverton FINAL

Prepared by:

Date: 04/23/2025

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL D. FOURNIER (A/L)
BENJAMIN GRANT (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

SARAH MICHNIEWICZ (1)
WESLEY PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**APPROVING AN AMENDMENT TO THE CREDIT ENHANCEMENT AGREEMENT
FOR THE RIVERTON PARK AFFORDABLE HOUSING AND TAX INCREMENT
FINANCING DISTRICT RE: 2 RIVERTON PARK**

ORDERED, that the amendment to the Credit Enhancement Agreement for the Riverton Park Affordable Housing Development and Tax Increment Financing District at 2 Riverton Park is hereby approved in substantially the form attached hereto; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the City Manager or designee to execute said Amendment and any other related documents necessary or convenient to carry out the intent of said Amendment and this Order; and

BE IT FURTHER ORDERED, that this order is enacted as an Emergency, pursuant to Article II, Section 11 of the Portland City Charter, in order to make it effective immediately.

CREDIT ENHANCEMENT AGREEMENT

between

THE CITY OF PORTLAND, MAINE

and

RIVERTON PARK, LP

DATED: _____, 2025

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EXHIBITS

Exhibit 1 Copy of District Map

THIS CREDIT ENHANCEMENT AGREEMENT dated as of _____, 2025, between the City of Portland, Maine, a municipal body corporate and politic and a political subdivision of the State of Maine (the “City”), and Riverton Park, LP, a Maine Limited Partnership (the “Developer”).

WITNESSETH THAT

WHEREAS, the City designated the *Riverton Park Affordable Housing Development and Tax Increment Financing District* (the “District”) pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, by action of the City Council at a meeting of the City Council held on November 13, 2023, Order 55- 23/24, as amended by further action of the City Council at a meeting held on May 5, 2025, Order 24/25 (the “Vote”) and pursuant to the same Vote adopted an affordable housing development program, including a financial plan, for the District (the “Development Program”); and

WHEREAS, the City received the approval of the District and the Development Program by Maine State Housing Authority (“MSHA”) on January 8, 2024, and anticipates approval of the amended District and the Development Program by Maine State Housing Authority; and

WHEREAS, the Development Program contemplates the execution and delivery of a credit enhancement agreement between the City and the Developer, and the City approved the execution and delivery of a credit enhancement agreement as described in the Development Program pursuant to the Vote, and the City and the Developer desire and intend that this Credit Enhancement Agreement be and constitute the Credit Enhancement Agreement contemplated and described in the Development Program in the name of and on behalf of the City; and

NOW, THEREFORE, in consideration of the foregoing and in consideration of the mutual promises and covenants set forth herein, the parties hereby agree as follows:

ARTICLE I DEFINITIONS

Section 1.1. Definitions.

The terms defined in this Article I shall, for all purposes of this Agreement, have the meanings herein specified, unless the context clearly requires otherwise:

“Act” means chapter 206 of Title 30-A of the Maine Revised Statutes and regulations adopted thereunder, as amended from time to time.

“Agreement” shall mean this Credit Enhancement Agreement between the City and the Developer dated as of the date set forth above, as such may be amended from time to time.

“Authority” means the Maine State Housing Authority.

“Captured Assessed Value” means the amount, stated as a percentage, of the Increased Assessed Value of the District that is retained in each Tax Year during the term of the District, as specified in Section 2.3 hereof, to fund Project costs authorized in the Development Program. See Exhibit 2 for further detail.

“City” shall have the meaning given such term in the first paragraph hereto.

“Current Assessed Value” means the then-current assessed real property value of the District as determined by the City Tax Assessor as of April 1 of each Tax Year that the District remains in effect.

“Development Program” shall have the meaning given such term in the recitals hereto.

“Development Program Fund” means the Affordable Housing Development Program Fund described in the Development Program and established and maintained pursuant to Article II hereof and 30-A M.R.S.A. § 5250-A(3)(A) consisting of the account further described herein.

“Director” means the Director of the Maine State Housing Authority.

“District” shall mean the lot or parcel of land on which the Project is located. A copy of the District map is attached hereto as Exhibit 1 as well as an informational map showing the Project in the District.

“Effective Date of the Development Program” means the start date identified in Section 2.08 of the Development Program.

“Fiscal Year” means July 1 to June 30 each year or such other fiscal year as the City may from time to time establish.

“Increased Assessed Value” means, for each Fiscal Year during the term of this Agreement, the amount by which the Current Assessed Value for such year exceeds the Original Assessed Value. If the Current Assessed Value is less than or equal to the Original Assessed Value in any given Tax Year, there is no Increased Assessed Value in that year.

“Original Assessed Value” means Zero Dollars (\$0.00), which is the taxable assessed real property value of the District as of March 31, 2023 (April 1, 2022).

“Non-Captured Increased Assessed Value” means, for each Fiscal Year during the term of this Agreement, the difference between the Increased Assessed Value and the Captured Assessed Value. See Exhibit 2 for further detail.

“Project” means the planned rehabilitation of twenty (20) residential buildings and two nonresidential buildings and the construction of a new sixty-four (64) unit low-income housing development at 2 Riverton Drive located in the District.

“Project Cost Account” means the project cost account associated with the Project as described in the Development Program and established and maintained pursuant to Title 30-A M.R.S.A. § 5250-A(3)(A)(1) and Article II hereof.

“Property Taxes” means any and all *ad valorem* property taxes levied, charged or assessed against the Project located in the District by the City, or on its behalf.

“State” means the State of Maine

“Tax Increment Revenues” means that portion of all real property taxes assessed and paid to the City in any Tax Year, in excess of any state, or special district tax, upon the Increased Assessed Value.

“Tax Payment Date” means the later of the date(s) on which property taxes levied by the City are due and payable, in full, from owners of property located within the City, or are actually paid to the City with respect to taxable property located within the District.

“Tax Year” shall have the meaning given such term in 30-A M.R.S.A. § 5246(16), as amended, to wit: April 1 to March 31.

Section 1.2. Interpretation and Construction.

In this Agreement, unless the context otherwise requires:

(a) The terms “hereby,” “hereof,” “hereto,” “herein,” “hereunder” and any similar terms, as used in this Agreement, refer to this Agreement, and the term “hereafter” means after, and the term “heretofore” means before, the date of delivery of this Agreement.

(b) Words importing a particular gender mean and include correlative words of every other gender and words importing the singular number mean and include the plural number and vice versa.

(c) Words importing persons mean and include firms, associations, partnerships (including limited partnerships), trusts, corporations and other legal entities, including public or governmental bodies, as well as any natural persons.

(d) Any headings preceding the texts of the several Articles and Sections of this Agreement, and any table of contents or marginal notes appended to copies hereof, shall be solely for convenience of reference and shall not constitute a part of this Agreement, nor shall they affect its meaning, construction or effect.

(e) All approvals, consents and acceptances required to be given or made by any signatory hereto shall not be withheld unreasonably.

(f) All notices to be given hereunder shall be given in writing and, unless a certain number of days is specified, within a reasonable time.

(g) If any clause, provision or Section of this Agreement shall be ruled invalid by any court of competent jurisdiction, the invalidity of such clause, provision or Section shall not affect any of the remaining provisions hereof.

ARTICLE II AFFORDABLE HOUSING DEVELOPMENT PROGRAM FUND AND FUNDING REQUIREMENTS

Section 2.1. Creation of Development Program Fund.

Within sixty (60) days after the Effective Date of the Development Program, the City shall create and establish a segregated fund in the name of the City designated as the “Riverton Park Affordable Housing Development and Tax Increment Financing District Program Fund” (hereinafter the “Development Program Fund”) pursuant to, and in accordance with the terms and conditions of, the Development Program and 30-A M.R.S.A. § 5250-A(3). The

Development Program Fund shall consist of the Project Cost Account which is pledged to and charged with the payment of Project costs described in the Development Program, as provided in 30-A M.R.S.A. § 5250-A(3)(A)(1). The Project Cost Account is pledged to and charged with the payment of costs in the manner and priority provided in Section 3.1(b) below.

Section 2.2. Liens.

The City shall not create any liens, encumbrances or other interests of any nature whatsoever, nor shall it hypothecate the Project Cost Account described in Section 2.1 hereof or any funds therein, other than the interest in favor of Developer hereunder; provided, however, that nothing herein shall prohibit the creation of property tax, sewer or other liens on property in the District in accordance with and entitled to priority pursuant to Maine law.

Section 2.3. Captured Assessed Value: Deposits into Development Program Fund.

(a) Each Tax Year during the term of this Agreement, commencing with the Tax Year beginning April 1, 2024, and continuing thereafter through the Tax Year beginning April 1, 2043 (collectively the “CEA Years”), the City shall retain in the District Fifty percent (50%) of the Increased Assessed Value as Captured Assessed Value. The remaining Fifty percent (50%) of the Increased Assessed Value shall constitute Non-Captured Increased Assessed Value.

(b) For each of the CEA Years, the City shall deposit into the Development Program Fund contemporaneously with each payment of Property Taxes during the term of this Agreement an amount equal to Fifty percent (50%) of that portion of the payment of Property Taxes constituting Tax Increment Revenues. The City shall deposit such Fifty percent (50%) portion into the Project Cost Account. The remaining Fifty percent (50%) portion of the property tax payment constituting Tax Increment Revenues, which arise from Non-Captured Increased Assessed Value, shall be deposited into the City’s general fund.

(c) Notwithstanding anything herein to the contrary, if the District property becomes exempt from the obligation to pay property taxes, after application by the owner of the District property to the City for such exemption, then upon the granting of such exemption, this Agreement shall terminate and no further deposit or payment obligations on the part of the City shall exist.

(d) Any and all revenues resulting from investment earnings on deposits in the Development Program Fund shall be retained in the Development Program Fund and applied for Development Program purposes relating to the Development Program Fund as prescribed by 30-A M.R.S.A Section 5250-A(3), subject to the payment obligations set forth in Article III below.

Section 2.4. Use of Monies in Development Program Fund.

All monies in the Development Program Fund that are allocable to and/or deposited in the Project Cost Account shall in all cases be used and applied to fund fully the City's payment obligations to Developer as described in Articles II and III hereof. Developer shall be obligated to use such payments for operating costs of the Project and credit enhancement pursuant to the Development Program and Title 30-A M.R.S.A. § 5249.

Section 2.5. Monies Held for Benefit of Developer.

All monies required to be deposited with or paid into the Project Cost Account under the provisions hereof and the provisions of the Development Program, exclusive of any investment earnings thereon, shall be held by the City for the benefit of Developer, subject to the payment obligations set forth in Article III below.

ARTICLE III PAYMENT OBLIGATIONS

Section 3.1. Developer Payments.

(a) On an annual basis, the City agrees to pay Developer, within thirty (30) days of the end of each Fiscal Year, all amounts then on deposit in the Project Cost Account.

(b) Notwithstanding anything to the contrary contained herein, if, with respect to any Tax Payment Date, any portion of the property taxes assessed against real or personal property located in the District remain unpaid, because of a bona fide valuation dispute being pursued by Developer, the property taxes actually paid with respect to such Tax Payment Date shall, first, be applied to taxes due on account of Original Assessed Value and deposited into the City's general fund; and second, shall constitute payment of Property Taxes with respect to Non-Captured Increased Assessed Value and deposited into the City's general fund; and third, shall constitute payment of Property Taxes with respect to Captured Assessed Value, to be applied to payment of Developer's share of the Tax Increment Revenues for the year concerned and deposited into Project Cost Account.

(c) Notwithstanding anything to the contrary contained herein, if, with respect to any Tax Payment Date, any portion of the property taxes assessed against real or personal property located in the District remain due to the City from and unpaid by Developer, for any reason other than a bona fide valuation dispute, or if any portion of any other fee or charge due to the City by Developer including but not limited to sewer and stormwater fees, ambulance fees, or assessments, remain unpaid, no payment of Developer's share of the Tax Increment Revenues for the year concerned will be deposited into the Project Cost Account until such property taxes assessed against real or personal property located in the District, and other fees, charges, and assessments are paid in full.

(d) Annually, Developer will provide financial statements as back-up documentation of Project Costs for its TIF payments, which documentation will be kept confidential by the City.

(e) Prior to receiving the first payment under this Agreement, Developer shall provide evidence reasonably satisfactory to the City of the Developer's ability to complete the Project in accordance with State law. Reasonably satisfactory evidence shall include documentation that the Developer has closed on complete financing for the Project.

(f) No less than monthly, during the course of construction of the Project, Developer must provide documentation in a form reasonably satisfactory to the City demonstrating that all firms employed in the construction phase of the Project have compensated their employees, at all relevant times, the current wage rates and fringe benefits as required under applicable state prevailing wage law, 26 M.R.S. §1306, or the City's minimum wage requirements set forth in Chapter 33, Sections 1-12 of the Portland City Code, whichever is greater.

(g) Developer must provide evidence reasonably satisfactory to the City demonstrating that the Project was designed, constructed and rehabilitated in accordance with the City's Green Building Code set forth in Chapter 6, Article VII, of the Portland City Code.

Section 3.2. Failure to Make Payment.

In the event the City should fail to, or be unable to, make any of the payments at the time and in the amount required under the foregoing provisions of this Article III including in the event that the amount deposited into the Project Cost Account is insufficient to reimburse Developer for the full amount due to Developer under this Agreement, the amount or installment so unpaid shall continue as a limited obligation of the City, under the terms and conditions hereinafter set forth, until the amount unpaid shall have been fully paid. Developer shall have the right to initiate and maintain an action to specifically enforce the City's obligations hereunder, including without limitation, the City's obligation to deposit Tax Increment Revenues to the Project Cost Account and its obligation to make payment out of the Project Cost Account to Developer.

Section 3.3. Manner of Payments.

The payments provided for in this Article III shall be paid directly to Developer at the address specified in Section 8.7 hereof in the manner provided hereinabove by check drawn on the City.

Section 3.4. Obligations Unconditional.

Subject to Developer's compliance with the terms and conditions of this Agreement, the obligations of the City to make the payments described in this Agreement in accordance with the terms hereof shall be absolute and unconditional, and the City shall not suspend or discontinue any payment hereunder or terminate this Agreement for any cause, other than pursuant to this Agreement or by court order or by reason of a final judgment by a court of competent jurisdiction that the District is invalid or otherwise illegal.

Section 3.5. Limited Obligation.

The City's obligations of payment hereunder shall be limited obligations of the City payable solely from Tax Increment Revenues pledged therefor under this Agreement. The City's obligations hereunder shall not constitute a general debt or a general obligation or charge against or pledge of the faith and credit or taxing power of the City, the State of Maine, or of any municipality or political subdivision thereof, but shall be payable solely from that portion of Tax Increment Revenues payable to Developer hereunder, whether or not actually deposited into the Project Cost Account in the Development Program Fund. This Agreement shall not directly, indirectly or contingently obligate the City, the State of Maine, or any other City or political subdivision to levy or to pledge any form of taxation whatever therefor or to make any appropriation for their payment, excepting the pledge of the Tax Increment Revenues established under this Agreement.

ARTICLE IV PLEDGE AND SECURITY INTEREST

Section 4.1. Pledge of and Grant of Security Interest in Project Cost Account.

In consideration of this Agreement and other valuable consideration and for the purpose of securing payment of the amounts provided for hereunder to Developer by the City, according to the terms and conditions contained herein, and in order to secure the performance and observance of all of the City's covenants and agreements contained herein, the City does hereby grant a security interest in and pledge Project Cost Account described in Section 2.1 hereof and all sums of money and other securities and investments therein to Developer.

Section 4.2. Perfection of Interest.

(a) Upon written request by Developer, the City will establish the Project Cost Account described in Section 2.1 hereof as a segregated fund under the control of an escrow agent, trustee or other fiduciary selected by Developer so as to perfect Developer's interest therein. The cost of establishing and monitoring such a fund (including the cost of counsel to the City with respect thereto) shall be borne exclusively by Developer. In the event such a fund is established under the control of a trustee or fiduciary, the City shall cooperate with Developer in causing appropriate financing statements and continuation statements naming Developer, or its designee, as pledgee of all such amounts from time to time on deposit in the fund to be duly filed and recorded in the appropriate state offices as required by and permitted under the provisions of the Maine Uniform Commercial Code or other similar law as adopted in the State of Maine and any other applicable jurisdiction, as from time to time amended, in order to perfect and maintain the security interests created hereunder.

(b) In the event Developer requires the establishment of a segregated fund in accordance with this Section 4.2, the City's responsibility shall be expressly limited to delivering the amounts required by this Agreement to the escrow agent, trustee or other fiduciary designated by Developer. The City shall have no liability for payment over of the funds concerned to Developer by any such escrow agent, trustee or other fiduciary, or for any misappropriation, investment losses or other losses in the hands of such escrow agent, trustee or other fiduciary. Notwithstanding any change in the identity of Developer's designated escrow agent, trustee or other fiduciary, the City shall have no liability for misdelivery of funds if delivered in accordance with Developer's most recent written designation or instructions actually received by the City.

Section 4.3. Further Instruments.

The City shall, upon the reasonable request of Developer, from time to time execute and deliver such further instruments and take such further action as may be reasonable and as may be required to carry out the provisions of this Agreement; provided, however, that no such instruments or actions shall pledge the credit of the City; and provided further that the cost of executing and delivering such further instruments (including the reasonable and related costs of counsel to the City with respect thereto) shall be borne exclusively by Developer.

Section 4.4. No Disposition of Project Cost Account.

Except as permitted hereunder, the City shall not sell, lease, pledge, assign or otherwise dispose, encumber or hypothecate any interest in the Project Cost Account and will promptly pay or cause to be discharged or make adequate provision to discharge any lien, charge or encumbrance on any part thereof not permitted hereby.

Section 4.5. Access to Books and Records.

All books, records and documents in the possession of either of the parties to this Agreement relating to the District, the Development Program, this Agreement and the monies, revenues and receipts on deposit or required to be deposited into the Project Cost Account shall at all reasonable times and upon reasonable notice be open to inspection by both parties to this Agreement, and the agents and employees of the parties to this Agreement.

ARTICLE V DEFAULTS AND REMEDIES

Section 5.1. Events of Default.

Each of the following events shall constitute and be referred to in this Agreement as an “Event of Default”:

- (a) Any failure by the City to pay any amounts due to Developer when the same shall become due and payable;
- (b) Any failure by the City to make deposits into the Project Cost Account as and when due;
- (c) Any failure by the City or Developer to observe and perform in all material respects any covenant, condition, agreement or provision contained herein on the part of the City or Developer to be observed or performed, which failure is not cured within thirty (30) days following written notice thereof; and
- (d) If a decree or order of a court or agency or supervisory authority having jurisdiction in the premises of the appointment of a conservator or receiver or liquidator of, any insolvency, readjustment of debt, marshaling of assets and liabilities or similar proceedings, or for the winding up or liquidation of Developer's affairs shall have been entered against the Developer or the Developer shall have consented to the appointment of a conservator or receiver or liquidator in any such proceedings of or relating to the Developer or of or relating to all or substantially all of its property, including without limitation the filing of a voluntary petition in bankruptcy by the Developer or the failure by the Developer to have an involuntary petition in bankruptcy dismissed within a period of ninety (90) consecutive days following its filing or in the event an order for release has been entered under the Bankruptcy Code with respect to the Developer.
- (e) If any secured lender of Developer accelerates the indebtedness owed to it;
- (f) If any written representation or warranty given to the City by Developer is knowingly incorrect or incomplete in any material respect, other than statements made about or in agreements with the City that were later changed by mutual consent;
- (g) If Developer fails to maintain adequate surety bonding during construction at the levels and terms as may be required from time to time by the Developer's secured lenders and/or Developer allows mechanics' liens to encumber the Project for a period of more than ninety (90) days.

(h) Any discontinuance of the District property as “affordable housing,” pursuant to the definition contained in Title 30-A M.R.S.A. Section 5246.

Section 5.2. Remedies on Default.

Subject to the provisions contained in Section 8.13, whenever any Event of Default described in Section 5.1 hereof shall have occurred and be continuing, the nondefaulting party, following the expiration of any applicable cure period, shall have all rights and remedies available to it at law or in equity, including the rights and remedies available to a secured party under the laws of the State of Maine, and may take whatever action as may be necessary or desirable to collect the amount then due and thereafter to become due, to specifically enforce the performance or observance of any obligations, agreements or covenants of the nondefaulting party under this Agreement and any documents, instruments and agreements contemplated hereby or to enforce any rights or remedies available hereunder. Further, the non-defaulting party may elect to terminate this Agreement upon 30 days’ written notice to the defaulting party.

Section 5.3. Remedies Cumulative.

Subject to the provisions of Section 8.13 below concerning dispute resolution, no remedy herein conferred upon or reserved to any party is intended to be exclusive of any other available remedy or remedies but each and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Agreement or now or hereafter existing at law, in equity or by statute. Delay or omission to exercise any right or power accruing upon any Events of Default to insist upon the strict performance of any of the covenants and agreements herein set forth or to exercise any rights or remedies upon the occurrence of an Event of Default shall not impair any such right or power or be considered or taken as a waiver or relinquishment for the future of the right to insist upon and to enforce, from time to time and as often as may be deemed expedient, by injunction or other appropriate legal or equitable remedy, strict compliance by the parties hereto with all of the covenants and conditions hereof, or of the rights to exercise any such rights or remedies, if such Events of Default be continued or repeated.

ARTICLE VI EFFECTIVE DATE, TERM AND TERMINATION

Section 6.1. Effective Date and Term.

Notwithstanding any other provision of this Agreement, this Agreement is conditioned upon receipt of the Director’s unconditional approval of the City’s designation of the District and adoption of the Development Program. Following execution and delivery of this Agreement, the Agreement shall not be or become binding and enforceable until receipt of such unconditional approval. Upon receipt of such approval, this Agreement shall remain in full force from the Effective Date of the Development Program, which is April 1, 2024, and shall expire March 31, 2044 or sooner upon the payment of all amounts due to Developer hereunder and the performance of all obligations on the part of the City hereunder, unless even sooner terminated pursuant to Section 3.4 or any other applicable provision of this Agreement.

The City may terminate this Agreement by delivering written notice of such termination to Developer in the event that Developer does not receive a certificate of occupancy for the Project

by January 1, 2027.

Section 6.2. Termination by City.

Notwithstanding anything to the contrary in this Agreement, in the event that the Declaration, as that term is defined below, is terminated by foreclosure of a lien on the Project that has priority over the Declaration, the City shall have the right to terminate this Agreement by providing Developer with 30 days written notice prior to the effective date of termination, except that in the event that the foreclosing lienholder agrees (for itself, its successors, assigns, and transferees) to be bound by the terms of this Agreement and that the Declaration (as described in Section 8.15 hereof) shall remain in full force and effect, then this Agreement shall remain in full force and effect and City shall have no right to terminate this Agreement.

Section 6.3. Cancellation and Expiration of Term.

At the acceleration, termination or other expiration of this Agreement in accordance with the provisions of this Agreement, the City and Developer shall each execute and deliver such documents and take or cause to be taken such actions as may be necessary to evidence the termination of this Agreement.

ARTICLE VII
ASSIGNMENT AND PLEDGE OF DEVELOPER'S INTEREST

Section 7.1. Consent to Pledge, Collateral Assignment Or Grant of a Security Interest.

The City hereby acknowledges that Developer may pledge, assign and grant a security interest in its right, title and interest in, to and under this Agreement as collateral for financing by a bank, financial institution, Maine State Housing Authority, or other public and private lending institutions and organizations to Developer for the Project, although no obligation is hereby imposed on Developer to make such assignment or pledge. Recognizing this possibility, the City does hereby consent and agree to the pledge and assignment of and the grant of a security interest in all Developer's right, title and interest in, to and under this Agreement and in, and to the payments to be made to Developer hereunder, to third parties as collateral or security for indebtedness or otherwise, on one or more occasions during the term hereof. The City agrees upon request to execute and deliver any assignments, pledge agreements, consents or other confirmations required by the prospective pledgee or assignee or secured party, including without limitation recognition of the pledgee or assignee or secured party as the holder of all right, title and interest herein and as the payee of amounts due and payable hereunder and any and all such other documentation as shall confirm to such pledgee or assignee or secured party the position of such assignee or pledgee or secured party and the irrevocable and binding nature of this Agreement, and provide to the pledgee or assignee such rights and/or remedies as the parties may reasonably deem necessary for establishing, perfection and protection of its interest herein. Developer shall be responsible for the City's necessary and reasonable costs of counsel with respect to any such pledge or assignment.

Section 7.2. Transfer.

Except as specified in Section 7.1 hereof, Developer shall not transfer or assign any

portion of its rights in, to and under this Agreement without the prior written consent of the City, which consent shall not be unreasonably withheld, conditioned or delayed.

ARTICLE VIII MISCELLANEOUS

Section 8.1. Successors.

In the event of the dissolution, merger or consolidation of the City or Developer, the covenants, stipulations, promises and agreements set forth herein, by or on behalf of or for the benefit of such party shall bind or inure to the benefit of the successors and assigns thereof from time to time and any entity, officer, board, commission, agency or instrumentality to whom or to which any power or duty of such party shall be transferred.

Section 8.2. Parties-in-Interest.

Except as herein otherwise specifically provided, nothing in this Agreement expressed or implied is intended or shall be construed to confer upon any person, firm or corporation other than the City and Developer any right, remedy or claim under or by reason of this Agreement, it being intended that this Agreement shall be for the sole and exclusive benefit of the City and Developer.

Section 8.3. Severability.

In case any one or more of the provisions of this Agreement shall, for any reason, be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Agreement and this Agreement shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

Section 8.4. No Personal Liability of Officials of the City.

(a) No covenant, stipulation, obligation or agreement of the City contained herein shall be deemed to be a covenant, stipulation or obligation of any present or future elected or appointed official, officer, agent, servant or employee of the City in his or her individual capacity, and neither the City Council nor any official, officer, employee or agent of the City shall be liable personally with respect to this Agreement or be subject to any personal liability or accountability by reason hereof.

(b) No covenant, stipulation, obligation or agreement of Developer contained herein shall be deemed to be a covenant, stipulation or obligation of any present or future officer, agent, servant or employee of Developer in his or her individual capacity, and no official, officer, employee or agent of Developer shall be liable personally with respect to this Agreement or be subject to any personal liability or accountability by reason hereof.

Section 8.5. Counterparts.

This Agreement may be executed in any number of counterparts, each of which, when so executed and delivered, shall be an original, but such counterparts shall together constitute but one and the same Agreement.

Section 8.6. Governing Law.

The laws of the State of Maine shall govern the construction and enforcement of this Agreement.

Section 8.7. Notices.

All notices, certificates, requests, requisitions or other communications by the City or Developer pursuant to this Agreement shall be in writing and shall be sufficiently given and shall be deemed given when mailed by first class mail, postage prepaid, addressed as follows:

If to the City:

City of Portland
Attn. Housing and Community Development Division
389 Congress Street
Portland, ME 04101

With a copy to:

Corporation Counsel's Office
389 Congress Street
Portland, Maine 04101

If to Developer:

Riverton Park, LP
c/o Portland Housing Development Corporation
14 Baxter Boulevard
Portland, Maine 04101

Either of the parties may, by notice given to the other, designate any further or different addresses to which subsequent notices, certificates, requests or other communications shall be sent hereunder.

Section 8.8. Amendments.

This Agreement may be amended only with the concurring written consent of both of the parties hereto.

Section 8.9. Records.

The City shall maintain records which are adequate in all respects to make the calculation of Increased Assessed Value and Tax Increment Revenues required to calculate the deposits into the Development Program Fund hereunder, and shall provide to Developer, upon request by Developer, a summary of such calculations.

Section 8.10. Reserved.

Section 8.11. Integration.

This Agreement completely and fully supersedes all other prior or contemporaneous understandings or agreements, both written and oral, between the City and Developer relating to the specific subject matter of this Agreement and the transactions contemplated hereby.

Section 8.12. Reserved.

Section 8.13. Dispute Resolution.

In the event of a dispute regarding this Agreement or the transactions contemplated by it, the parties hereto will use all reasonable efforts to resolve the dispute on an amicable basis. If the dispute is not resolved on that basis within sixty (60) days after one party first brings the dispute to the attention of the other party, either party may file suit to resolve the dispute in the Superior Court located in Cumberland County, State of Maine, which the parties agree shall have exclusive jurisdiction for all actions, proceedings and litigation arising from or relating directly or indirectly to this Agreement or any of the obligations hereunder. This clause shall not bar the City's assessment or collection of property taxes in accord with law, including by judicial proceedings, including tax lien thereof.

Section 8.14. Tax Laws and Valuation Agreement.

The parties acknowledge that all laws of the State now in effect or hereafter enacted with respect to taxation of property shall be applicable and that the City, by entering into this Agreement, is not excusing any non-payment of taxes by Developer. Without limiting the foregoing, the City and Developer shall always be entitled to exercise all rights and remedies regarding assessment, collection and payment of taxes assessed on Developer's property. In addition, the Development Program makes certain assumptions and estimates regarding valuation, depreciation of assets, tax rates and estimated costs. The City and Developer hereby covenant and agree that the assumptions, estimates, analysis and results set forth in the Development Program shall in no way (a) prejudice the rights of any party or be used, in any way, by any party in either presenting evidence or making argument in any dispute which may arise in connection with valuation of or abatement proceedings relating to Developer's property for purposes of ad valorem property taxation or (b) vary the terms of this Agreement even if the actual results differ substantially from the estimates, assumptions or analysis.

Section 8.15. Affordability Covenants.

The Developer and the City shall, in order to assure the continued affordability of the units in the Project as required by the Development Program, Maine State Housing Authority and applicable laws, regulations and ordinances, execute a declaration (the "Declaration") which is substantially in the same form as the Declaration of Covenants, Conditions and Restrictions which is attached to the Development Program as Exhibit I.

IN WITNESS WHEREOF, the City and Developer have caused this Agreement to be

executed in their respective corporate names and their respective corporate seals to be hereunto affixed and attested by the duly authorized officers, all as of the date first above written.

WITNESS:

CITY OF PORTLAND, ME

By: _____
Name: Danielle P. West
Its City Manager, Duly Authorized by the City
Council at its meeting on November 13, 2023

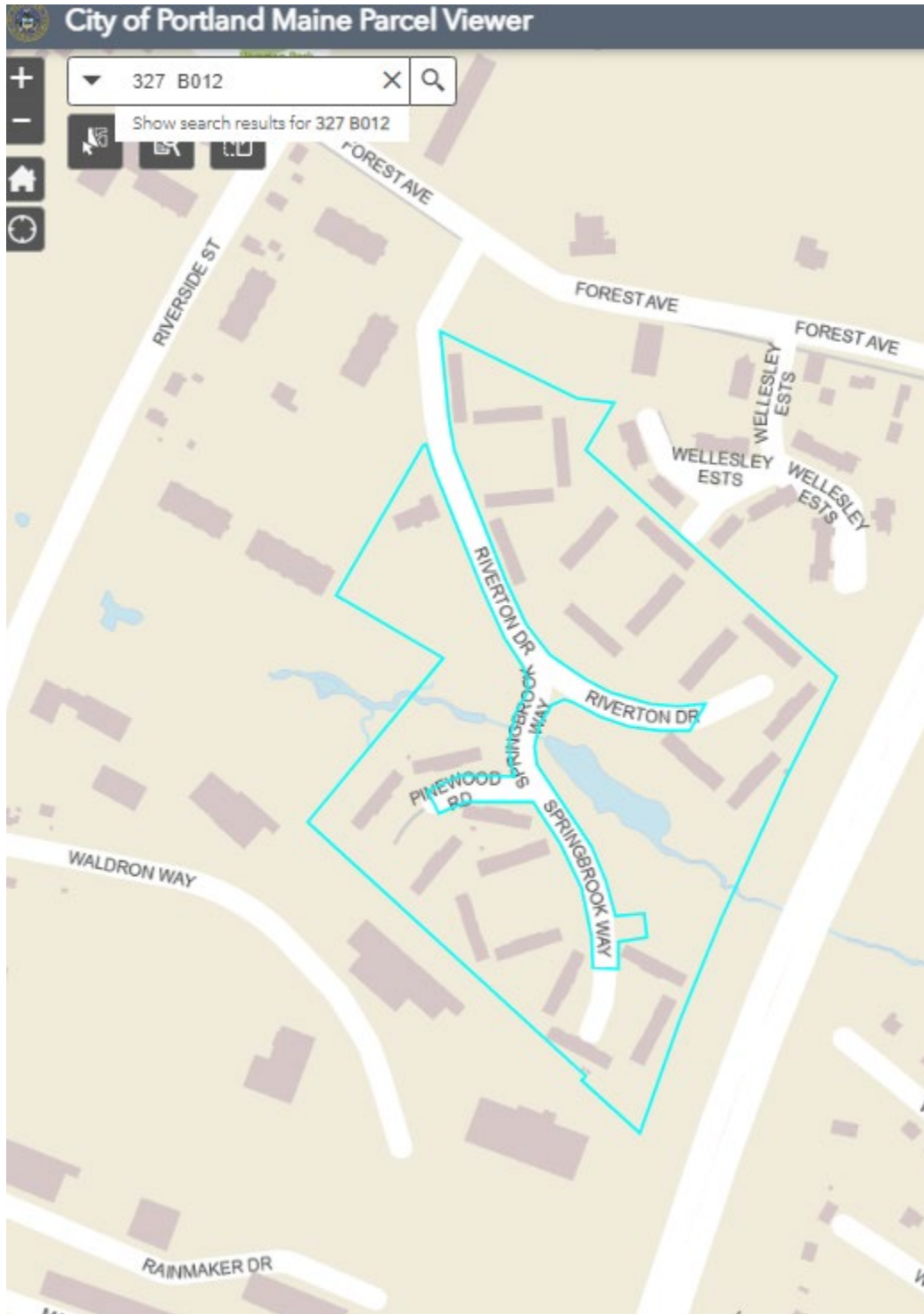
WITNESS:

RIVERTON PARK, LP
BY: PortHouse, LLC
Its: General Partner

By: _____
Name: Brian Frost
Its: President

EXHIBIT 1

Copy of District Map



MEMORANDUM
City Council Agenda Item

FROM:

DATE: April 30, 2025

SUBJECT: Order 194-24/25 Accepting and Appropriating a \$10,000 Donation from the Maine Community Foundation for an Asylum-Seeker Soccer Program at the City's Shelters - Sponsored by Danielle P. West, City Manager

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

Can action be taken at a later date: No If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City:

PRESENTATION: Please list the presenter(s), type, and length of presentation

I. SUMMARY

II. AGENDA DESCRIPTION

If accepted, this order would appropriate a \$10,000 donation from the Maine Community Foundation to assist with the costs of a pilot program for an indoor soccer program for asylum seekers in the City's emergency shelters. Hearts of Pine will organize the soccer pickup games, while the City of Portland's Parks and Recreation Department will provide gym space for the games. Additionally, the City of Portland Shelter Program will recruit asylum seekers, transport them to the gym, and cover any associated costs. The goal is to launch the program in May 2025. The initial cost to start the program is \$10,000 for program development, equipment (jerseys, soccer balls, cones, speaker fees) and other expenses. The Spring gym rental fees are waived for the pilot. Should the program prove to be successful, the total year-round program cost is estimated at \$40,000.

This item must be read on two separate days. Staff is requesting that the second reading be waived, which requires seven affirmative votes. Staff also requests that this item be passed as an emergency. Seven votes are required for passage as an emergency following public comment.

III. BACKGROUND

The initiative is a collaborative effort between several City departments and local organizations aimed at supporting, fostering economic development, and providing mental health and life skills support.

Hearts of Pine will play a central role in this initiative by organizing soccer pickup games and serving as the community-focused professional soccer team for the men. They will also provide necessary soccer equipment such as balls, pinnies, and goals, fostering community engagement and teamwork. Hearts of Pine will be in attendance at each session to manage and help organize the activities, ensuring smooth execution and active

participation.

The target population includes over 150 women and men residing in Portland's emergency shelters. These individuals face significant challenges, including housing instability, the need for work authorization, and a lack of community support. Mental well-being is also a critical concern, as many individuals in these shelters experience trauma and require emotional and psychological support to regain stability.

The Office of Economic Opportunity (OEO), with Melissa Hue overseeing program administration, is tasked with tracking and reporting on the initiative's progress and outcomes. OEO also partners with local organizations such as Boys to Men and In Her Presence to provide mental health and life skills support.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

The intended result is to accept and appropriate a \$10,000 donation from the Maine Community Foundation to support this pilot program.

V. FINANCIAL IMPACT

There will be no financial impact because this funding is a donation to the City of Portland from the Maine Community Foundation. Should the program be successful, staff, in partnership with Hearts of Pine, will propose a year-round indoor soccer program and identify sources and uses of funds.

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. Order - Soccer Donation
2. 3-29-2025 Memo to GW DL Re Program (1)
3. 1-14-2025 Email String T Chong and MCF
4. 2025.05.05 Public Comment - Order 194

Prepared by:

Date: 04/30/2025

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL D. FOURNIER (A/L)
BENJAMIN GRANT (A/L)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

SARAH MICHNIEWICZ (1)
WESLEY PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**ORDER ACCEPTING AND APPROPRIATING A \$10,000 DONATION FROM THE
MAINE COMMUNITY FOUNDATION FOR AN ASYLUM-SEEKER SOCCER
PROGRAM AT THE CITY'S SHELTERS**

ORDERED, that a donation of \$10,000.00 from the Maine Community Foundation is hereby accepted and appropriated to the Housing and Economic Development Department's Office of Economic Opportunity to support a program for an indoor soccer program for asylum seekers in the City's emergency shelters; and

BE IT FURTHER ORDERED, that the City Manager or designee is hereby authorized to execute whatever documents are necessary or convenient to effect the intent and purpose of this Order; and

BE IT FURTHER ORDERED, that this order is enacted as an Emergency, pursuant to Article II, Section 11 of the Portland City Charter, in order to make it effective immediately.



MEMO

TO: Danielle West City Manager, Dena Libner Assistant City Manager
FROM: Melissa Hue, Director, Office of Economic Opportunity
CC: Greg Watson, Director, Housing and Economic Development Department
DATE: March 29, 2025
RE: Request to approve 166 Riverside shelter program pilot initiative

PROJECT OVERVIEW:

The Soccer Pilot Program at 166 Riverside Shelter, located in the City of Portland, is designed to enhance the mental and physical health, workforce readiness, economic mobility, and community integration of over 150 women and men residing in emergency shelters. This program aims to address key needs such as housing, work authorization, community support, and mental well-being, through engaging activities centered around soccer and dance. The program brings together several key entities to deliver a holistic and supportive experience.

BUDGET AND BACKGROUND:

The objective of this proposal is to connect and discuss workforce development strategies, share essential resources, and plan workshops that help participants prepare for career opportunities. Key topics will include resume building, interview preparation, job search strategies, and essential workplace skills. The aim is to tackle health equity and create workforce readiness for individuals who may not currently be employed by laying the groundwork to access the workforce immediately upon receiving work authorization. This will be accomplished by developing additional soft skills and providing a clearer understanding of the employment landscape in Portland, ultimately enabling participants to step into meaningful work once they are authorized.

The target population includes over 150 women and men residing in Portland's emergency shelters. These individuals face significant challenges, including housing instability, the need for work authorization, and a lack of community support. Mental well-being is also a critical concern, as many individuals in these shelters experience trauma and require emotional and psychological support to regain stability.

Hearts of Pine will play a central role in this initiative by organizing soccer pickup games and serving as the community-focused professional soccer team for the men. They will also provide necessary soccer equipment such as balls, pinnies, and goals, fostering community engagement and teamwork. Noah from Hearts of Pine will be in attendance at each session to manage and help organize the activities, ensuring smooth execution and active participation.

In addition, the program will feature empowerment and mental health support workshops led by notable community leaders. Mickey Bondo, who leads the trauma-informed class, will facilitate an empowerment and mental health workshop for all women who participate. Nuna G., the Executive Director of Wounded Healers International, will lead a workout class specifically designed for the women, supporting their physical well-being while also providing a sense of strength and empowerment. Together, these workshops and activities will create a holistic approach to workforce readiness, mental health, and community empowerment for the participants.

The initial cost for the 2025 launch is estimated at \$10,000, which includes \$7,000 for program development through OEO, covering expenses for translation fees, curriculum creation, and other initial costs. Additionally, \$2,000 will be allocated for essential equipment, such as shoes, soccer clothing, jerseys, soccer balls, and cones, while \$1,000 will be set aside for other unforeseen initial expenses.

PROGRAM OBJECTIVE

The City of Portland aims to promote health equity and self-sufficiency within our shelters by focusing on both the physical and mental well-being of participants.

PROGRAM DESCRIPTION

The initiative is a collaborative effort between several city departments and local organizations aimed at supporting, fostering economic development, and providing mental health and life skills support.

The Parks and Recreation Department, led by Ethan Hipple, is responsible for permitting gym space for soccer games, ensuring that appropriate venues are available for youth soccer activities. The General Assistance Department, under the direction of Aaron Geyer, focuses on recruiting participants and facilitating transportation, ensuring accessibility for all players involved.

The Office of Economic Opportunity (OEO), with Melissa Hue overseeing program administration, is tasked with tracking and reporting on the initiative's progress and outcomes. OEO also partners with local organizations such as Boys to Men and In Her Presence to provide mental health and life skills support.

PROGRAM STRUCTURE

1. Frequency & Duration:

- **Launch Date:** May 7th- June 25th;
- **Seasons:** Spring
- **Frequency of Games & Workouts:** Weekly
 - **Location:** Talbot Gym, Nina Studio
 - **Day/Time:** Wednesdays, 5:30-7p, Starting May 7, 2025
 - **Max Capacity:** 30 participants (6 teams of 5 players), 30 Participants for women

· **Program Duration:** 8 Weeks, 1.5 hours per session]

Mental Health & Self Sufficiency Workshop Discussion-Mentorship Session (Boys to Men) & In Her Presence (Micky Bondo):

1. **Frequency:** Once a week (1-hour session)
2. **Objective:** Men and Women will engage in personal growth, leadership, and mentorship activities. The session will cover topics like communication, career readiness, and community building.
3. **Eligibility:** Participants must attend at least one mentorship session before participating in basketball games.



Lori Paulette <ljp@portlandmaine.gov>

Fwd: Soccer pilot project for asylum seekers living in our shelters - Tae

Tinan Melissa Hue <mhue@portlandmaine.gov>
 To: Lori Paulette <ljp@portlandmaine.gov>

Fri, Feb 28, 2025 at 10:46 AM

FYI

----- Forwarded message -----

From: **Tae Chong** <tae.y.chong@gmail.com>

Date: Tue, Jan 14, 2025 at 2:14 PM

Subject: Re: Soccer pilot project for asylum seekers living in our shelters - Tae

To: Laura Lee <llee@mainecf.org>, Melissa Hue <mhue@portlandmaine.gov>

Hi Laura,

Hi Tae

Happy New Year and nice to hear your voice! Sounds like a nice idea.

Just a few clarifying questions:

-is Melissa Hue the contact for this project and any potential grant support would be going to the City of Portland? If yes, please provide contact info for her and her title

The grant will go to the City of Portland. Melissa Hue is the Director of Office of Economic Opportunity. Her email is mhue@portland.gov She is in the email chain so that she can follow up with you.

-about how many participants are expected/hoped for?

We are planning to have as many pick up games as possible. Each team will have 6 players so there will be about 12 players per game. Heart of Pine and city of portland staff are meeting this Friday to talk about how many nights we can run this program and how many games can be played in two hours. I would say conservatively, 30 people a night, two nights possibly. The goal would be to get as many people from the shelter to play. So some kind rotating sign up.

-is the timeline Feb-May?

We would like to start in February but it could be March to June and then look for places to play outside.

-any other sources of funding?

We were invited to write an LOI to Cohen and I think we will try to find funding to expand this pilot project into summer and fall and expand the program to include women and teenagers at the family shelter if this pilot project is successful.

Gabriela of Sewell invited us to apply for Rapid Funding. I reached out to Philip at Maine Initiatives but haven't heard from him and Marty Groman of Betterment is looking into this.

Can you also update me on the other green crab project? If you're still looking for funding, perhaps you can consider applying to our Community Building grant program (deadline Feb 14)? FMI: <https://www.mainecef.org/apply-for-a-grant/available-grants-deadlines/community-building-grants/>

Oh, yes, I will look into this and apply for the Community Building grant for the green crabs project. I am meeting with UAC on Monday and will talk to them about it.

Thanks,

Laura

On Tue, Jan 14, 2025 at 12:40 PM Laura Lee <llee@mainecf.org> wrote:

Hi Tae,

Happy New Year and nice to hear your voice! Sounds like a nice idea.

Just a few clarifying questions:

-is Melissa Hue the contact for this project and any potential grant support would be going to the City of Portland? If yes, please provide contact info for her and her title

-about how many participants are expected/hoped for?

-is the timeline Feb-May?

-any other sources of funding?

Can you also update me on the other green crab project? If you're still looking for funding, perhaps you can consider applying to our Community Building grant program (deadline Feb 14)? FMI: <https://www.mainecef.org/apply-for-a-grant/available-grants-deadlines/community-building-grants/>

Thanks,

Laura

Laura K. Lee, PhD

Vice President, Community Impact

(207) 412-0838 | llee@mainecf.org

[2 Monument Square, Suite 403](#)

[Portland, ME 04101](#)

Pronouns: she/her/hers

I often send emails at odd hours to accommodate my own work/life balance. Please do not feel obligated to reply outside of normal business hours.



www.maine cf.org



Bringing people and resources together to build a better Maine.

From: Tae Chong <tae.y.chong@gmail.com>
Sent: Monday, January 13, 2025 2:30 PM
To: Laura Lee <llee@mainecf.org>
Subject: Soccer pilot project for asylum seekers living in our shelters - Tae

This message originated outside of Maine Community Foundation. Use caution when opening attachments, clicking links or responding to requests for information.

Happy New Year.

I am working on a project where I would like to provide soccer games organized by Maine's first professional soccer team, Hearts of Pine, for the asylum seekers living at our city shelters in Portland.

I spoke with Gabe Hoffman, the cofounder of Hearts of Pine, and he is going to have his staff organize the soccer pickup games. I also spoke with Ethan Hipple the director of the city of Portland parks and rec and they will find a gym and gym time for the soccer pickup game at no cost to Gabe Hoffman. I also spoke with Aaron Geyer, the director of our shelter program and he said that currently the city has about 100 asylum seeker young men living at our shelter for asylum seekers. The shelter program will provide free transportation to the city gym at no cost. What I need is money for staff and programming. I need money for staff to open up the gym, clean the gym, and for Heart of Pine staff to organize guest speakers for the soccer pickup game. Guest speakers will talk about how to take care of yourself mentally and physically during these trying times as well as advise asylum seekers on how to integrate into the US while waiting for work authorization. Gabe Hoffman said that they need about \$10,000 to pay for his professional staff to organize the pickup games, organize the guest speakers and to purchase jerseys, soccer balls, soccer nets etc. Is this something you could help me with? This is a pilot project we would like to start in February of 2025. I think this is timely because we know that there will be much negative press aimed at asylum seekers and undocumented immigrants, and I am trying to do something positive for them and our community.

The city of Portland has a 501c 3 and Melissa Hue will write the grants and reports for this pilot project.

Thank you so much my friend.

Best and Happy New Year.

Tae

--
 Melissa Hue

Director- Office of Economic Opportunity
City of Portland
Housing and Economic Development Department
[389 Congress Street](#)
Portland ME 04101
(207) 874-8988
mhue@portlandmaine.gov
she/her



Find us @PortlandOEO

May 5, 2025 City Council Meeting - Order 194-24/25

'Karen Snyder' via Public Comment

Fri, May 2, 2:09 PM (3 days ago)

to publiccomment@portlandmaine.gov, Mark, smichniewicz@portlandmaine.gov, Pious, Regina, Kate, April, Wesley, bgrant@portlandmaine.gov, Anna

Dear Mayor Dion and City of Portland City Councilors,

I am **against** Order 194-24/25 Accepting and Appropriating a \$10,000 Donation from the Maine Community Foundation for an Asylum-Seeker Soccer Program at the City's Shelters.

<https://portlandme.portal.civicclerk.com/event/7609/files/report/3939?>

This is because as Portland residents know by now, all that these "altruistic grants or donations" do is create a foot-in-the-door opportunity for special non-profits to justify and then ask for additional funds to "match the generous donation" in which the Portland tax payers would then have to subsidize but not only this it creates additional activities which are also indirectly funded by taxpayers that do not benefit Portland residents such as explained below:

Creates additional work for Director of Parks & Recs, Ethan Hipple, to then find appropriate gym space removing availability from residents rather than focusing on the 60 parks encompassing 1,000 acres amongst the rest of his duties.

Creates additional work for the GA Director, Aaron Geyer, then to spend valuable time to now recruit potential asylum seeker candidates for this "feel good" effort.

Creates additional administration work to justify Director of Economic Development, Melissa Hue, position to manage and create metrics and then "partner" with other non-profits in order to come up with future justifications for requesting more money for this endeavor.

In addition, if this order is approved, all it will do is provide another avenue for the Heart of Pines to use even more Portland tax payers money to fund what appears now to be a recruitment prospect business opportunity for them to see what asylum seekers have potential for their team without having to fund it themselves. This is not an "altruistic" effort by Heart of Pines and the round-about way they continued to leverage Portland taxpayer monies and publicly owned assets to support their private business opportunities really needs to stop.

It continues to amaze me with all the issues that are going on in the City of Portland, this Order 194-24/25 is even being contemplated. The city councilors need to reject this order and instead start focusing on the city's long term residents both tenants' and property owners' "mental health and wellbeing" resulting from the affordability issues, the increased safety issues going on with local businesses, and continued damage to the park systems with the ever increasing micro plastics, needles, debris, etc. .. For the City to think that taxpayers will continue to absorb tax increases for a soccer program for asylum seekers without the City EVER assisting such tax payers while their quality of life continues to decline is short of amazing.

Regards,

Karen Snyder

D1 Property Owner and Provider of actual affordable housing NOT being subsidized by Portland tax payers or by The State of Maine

MEMORANDUM
City Council Agenda Item

FROM:

DATE: March 20, 2025

SUBJECT: Order 195-24/25 Amendment to Portland City Code Chapter 14 RE: Institutional Overlay Zone for the University of New England Campus - Sponsored by the Planning Board, Brandon Mazer, Chair

SPONSOR: Sponsored by Brandon Mazer, Chair, City of Portland Planning Board
(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading 4/28/2025

**Final
Action 5/5/2025**

Can action be taken at a later date: No If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: No

PRESENTATION: Brandon Mazer, Chair Planning Board, Kevin Kraft, Director of Planning and Urban Development (5 minutes)

I. SUMMARY

The Planning Board voted unanimously (5-0, Mazer recused, Silk absent) to recommend that the City Council adopt zoning map and text amendments to establish an Institutional Overlay Zone (IOZ) for the University of New England (UNE) campus and rezone the campus to B-2 Community Business and OS-P Open Space Preservation zones.

II. AGENDA DESCRIPTION

On February 25, 2025, the Planning Board voted unanimously (5-0, Mazer recused, Silk absent) to recommend that the City Council adopt zoning map and text amendments to establish an Institutional Overlay Zone (IOZ) for the University of New England (UNE) campus and rezone the campus to B-2 Community Business and OS-P Open Space Preservation zones. The proposed amendments would create a uniform zoning designation across the entire UNE Portland campus, replacing the current mix of residential (RN-1 and RN-3), commercial (B-2), and industrial (I-M and I-H) zones with B-2 Community Business and OS-P Open Space Preservation, the latter of which would apply to portions of undeveloped land along the Capisic Brook. The City's major medical and higher education institutions are eligible to apply for IOZ designation, which is encouraged particularly when future development may be inconsistent with existing base zoning. These zoning changes aim to support the long-term evolution of the UNE campus by providing flexibility for academic spaces, residential housing, and publicly accessible open space to better serve students, faculty, staff, and visitors.

This item must be read on two separate days. This is its first reading.

III. BACKGROUND

The University of New England seeks the proposed zoning map and text amendments to implement the objectives of the Institutional Development Plan (IDP) and the long-term vision for their Portland campus. UNE would become the third IOZ in the City of Portland, following the adoption of overlays in recent years for Maine Medical Center and The Roux Institute at Northeastern University. Within the IOZ boundaries, supplemental zoning regulations that have been informed by the long-range planning of the IOZ application

itself, would apply to any development submitted by UNE in the future. Further, any modifications to the IOZ boundaries would require review by the City Council and any development at the Stevens Avenue campus that does not include UNE as an applicant, would be required to comply with the base zoning. Contemplated future development, as documented within the IDP, includes on-campus housing in the form of a residence hall, academic buildings, and an athletics facility.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

The intent of the zoning map amendment is to facilitate the future growth and evolution of the UNE Portland campus at 716 Stevens Avenue. Further, the IOZ process itself reflects a collaborative approach to zoning that allows for longer-term planning and community input that further the shared goal expressed in *Portland's Plan 2030*, which establishes a goal of having the City support sustainable growth in our community's educational institutions, noting the fact that such institutions are central to workforce development, employment, and the health of the local and regional economy. *Portland's Plan 2030* also establishes a goal of having the City's educational institutions incorporated into Portland's urban fabric through the use of high-quality design, through the management of impacts, through community partnerships, and innovative planning. Each of these adopted land-use goals are discussed at length within the IDP, and would be further facilitated through the proposed regulatory framework, and rezoning of the property to B-2 and OS-P.

Additionally, the zoning change would simplify regulatory requirements for a campus currently divided among multiple zoning districts that do not always align with or support institutional uses. Furthermore, rezoning undeveloped portions of the campus along Capisic Brook to OS-P Open Space Preservation would help preserve natural areas and advance key goals outlined in *Portland's Plan 2030*, such as identifying and protecting critical natural resources, restoring impaired water bodies, and supporting forest and scenic resources appropriate to Portland's urban context. It is important to note that the proposed actions do not include approval of any development proposals.

Any future development would need to comply with the proposed zoning changes under consideration and undergo subsequent site plan reviews to ensure conformance with the City's Site Plan Ordinance in the Land Use Code.

V. FINANCIAL IMPACT

The recommended zoning map and text amendments will have no financial impact on the City.

VI. STAFF ANALYSIS AND BACKGROUND

A report on the recommended zoning map and text amendments is included as part of the City Council packet.

VII. RECOMMENDATION

The Planning Board held a public hearing on February 25, 2025, to consider the proposed amendments and voted unanimously (5-0, Mazer recused, Silk absent) to recommend that the City Council adopt zoning map and text amendments to establish an Institutional Overlay Zone (IOZ) for the University of New England (UNE) campus at 716 Stevens Avenue and rezone the campus to B-2 Community Business and OS-P Open Space Preservation.

Based on the application materials, public testimony from Planning Board workshops (November 12, 2024, and January 28, 2025), and the public hearing (February 25, 2025), as well as other information reviewed during the process, the Planning Board has determined that the proposed amendments are consistent with the City of Portland's Comprehensive Plan. Accordingly, the Board recommends that the City Council adopt the proposed zoning map and text amendments for the UNE Portland campus at 716 Stevens Avenue.

VIII. LIST ATTACHMENTS

1. Amendment - UNE IOZ Text Amendments
2. UNE IOZ (Report)

3. Project Review Comments: Round 1 Comments Distributed on: October 17, 2024
4. UNE IOZ (Public Comment Received 2-24-2025)
5. UNE IOZ (Applicants Submittal and Drawings)
6. Attachment A - Article 8 Text Amendment
7. Attachment B - Zoning Map Amendment
8. Attachment C - IOZ Boundary
9. Attachment D - UNE IOZ Regulatory Framework
10. UNE IOZ City Council Report

Prepared by:

Date: 03/20/2025

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL D. FOURNIER (A/L)
BENJAMIN GRANT (A/L)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

SARAH MICHNIEWICZ (1)
WESLEY PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**AMENDMENT TO PORTLAND CITY CODE
CHAPTER 14 RE: INSTITUTIONAL OVERLAY ZONE FOR THE UNIVERSITY OF
NEW ENGLAND CAMPUS**

WHEREAS, based on the findings, conclusions, recommendations, and other information provided in the Planning Board Report to City Council dated April 22, 2025, which is incorporated herein by reference, as well as the testimony, public comment, and other information submitted to the City Council, at the public hearing held on May 19, 2025, the City Council adopts the findings and conclusions in the Planning Board Report and finds that the below referenced amendments to Chapter 14 of the City's Code of Ordinances is pursuant to and consistent with the City's Comprehensive Plan;

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

That Chapter 14, Article 8, is hereby amended to read as follows, on the following pages:

8.2.4 Review process

Any project within the Fort Sumner Park Overlay shall go before the Parks Commission for a recommendation to the Planning Board regarding potential impacts on Fort Sumner Park.

8.3 INSTITUTIONAL OVERLAY (IOZ)

8.3.1 Purpose

The Institutional Overlay Zone (IOZ) provides a regulatory tool available to the city's major medical and higher education campuses where an alternative regulatory structure is needed to facilitate a consistent, predictable, and clear growth management process. The purposes of the Institutional Overlay Zone are to:

- A. Acknowledge that the city's major academic and medical institutions play a prominent role in the health and well-being of the local and regional community, and to sustain that role, these institutions need flexibility to change and grow.
- B. Encourage proactive planning for institutional change and growth which identifies and addresses likely long-term institutional needs and cumulative impacts while leveraging potential benefits at the neighborhood, city, and regional level.
- C. Ensure that institutional change and growth both complements and, as appropriate, integrates adjacent or surrounding neighborhoods through carefully planned transitions.
- D. Support the formation and continuation of mutually beneficial public-private cooperation.
- E. Support an ongoing public engagement process that benefits both the institutions and nearby neighborhoods.
- F. Reflect Comprehensive Plan and other policy

objectives.

- G. Provide a regulatory tool for Portland's major institutions that includes the flexibility required to balance the particular needs of institutions with the needs of the surrounding neighborhood and wider community.

8.3.2 Location and applicability

The city's major medical and higher education institutions are eligible to apply for designation as Institutional Overlay Zones. Use of an Institutional Overlay Zone is encouraged for these institutions, particularly where proposed future development may be inconsistent with current base zoning.

8.3.3 Establishment

A. Application for an Institutional Overlay Zone.

Where an eligible institution seeks designation as an IOZ, they shall submit a zone change application consisting of two components:

- 1. An Institutional Development Plan (IDP) in accordance with Subsection 8.3.4.
- 2. A regulatory framework in accordance with Subsection 8.3.5. If adopted, this framework shall serve as the text and map amendment to the City's Land Use Code and zoning map.

- B. **Required public involvement.** At least two neighborhood meetings shall be required to establish designation as an IOZ. The first shall be held prior to the formal submission of a zone change application, and the second shall be held during the City's review. Meetings shall identify the concerns, if any, of affected residents and property owners, and should solicit feedback to inform the Institutional Development Plan (IDP) and regulatory framework proposed. Meetings shall be held in

a convenient location proximate to the institution. The applicant shall provide written notification to property owners of record within 500 feet of the proposed IOZ boundary at least ten days prior to the meeting dates, and shall maintain written records of the meetings.

- C. Required scoping meeting.** The eligible institution shall meet with the Planning Authority after the first required neighborhood meeting and prior to submission of the zone change application to confirm the focus of the Institutional Development Plan (IDP) and regulatory framework, including associated study areas that may be outside of the proposed IOZ boundary. The IDP and regulatory framework will vary in detail and focus depending on the eligible institution and its context. The content requirements in Subsections 8.3.4 and 8.3.5 and the recorded comments from neighborhood meeting(s) shall provide direction for the content of the IDP. The Planning Authority or Planning Board may require additional information or modify content requirements as is relevant to the eligible institution.
- D. Reviewing authority.** The Planning Board shall review the zone change application, including the IDP and regulatory framework. At least one public workshop and a public hearing before the Planning Board are required. Upon recommendation of the Planning Board, the City Council shall review and consider adoption of the Institutional Overlay Zone and the accompanying regulatory framework as an amendment to the City's Code of Ordinances.
- E. Future institutional development.** All new development shall be compliant with the established IOZ and accompanying regulatory

framework. It shall also be consistent with the IDP, consistent with the Comprehensive Plan, and shall meet applicable site plan standards, unless such standards are superseded by the regulatory framework. Any development proposed by an eligible institution outside the established IOZ boundary shall be reviewed under the standards of the applicable zone, unless such development is proposed in a residential zone and is functionally related to the operations within the IOZ, in which case it shall be addressed by the IDP and require an amendment to the IDP as applicable.

8.3.4 Institutional Development Plan (IDP)

- A. Purpose.** Any use conducted by an eligible institution and any construction by an eligible institution in an Institutional Overlay Zone shall be consistent with an Institutional Development Plan (IDP) approved by the Planning Board in accordance with this section. The purpose of the IDP is to establish baseline data about institutional land uses, facilities, and services, and to measure, analyze, and address the anticipated or potential impacts of planned institutional growth and change. The IDP shall serve as a background document that supports the proposed regulatory framework and informs subsequent site plan review(s).
- B. Planning horizon.** An IDP shall provide the City and abutting neighborhoods with a clear outline of the anticipated or potential growth and change of the eligible institution for the short- to medium-term (e.g. 1-5 and 5-10 years respectively), as well as a conceptual growth plan for the long-term (e.g. 10 years or more). However, the specific planning horizons for each institution will be determined as part of



the IDP approval process.

- C. Content.** The IDP submission shall address the following elements unless specifically modified by the Planning Authority or Planning Board, with the scope and level of detail to be clarified at the required scoping meeting:

- 1.** Context information, including:
 - a.** The institution's adopted mission, vision, or purpose statement.
 - b.** A summary of relevant baseline data on the institution, including:
 - i.** A neighborhood context plan.
 - ii.** An inventory of current programs and services.
 - iii.** A current census of the number of people using the institution (e.g., employees, enrollment, patients), with an indication of maximums and minimums over time.
 - iv.** An inventory and/or plan of all existing property holdings within the main campus and within the City of Portland, including an indication of functional land use links between off-campus properties and the main campus (e.g. remote parking).
 - v.** An inventory and/or plan of existing facilities, including data on use, floor area, and any existing functional connections between facilities.
- c.** A summary of the baseline characteristics of the existing campus and context of the institution, based on identified study areas, including:

- i.** A summary of existing resources, such as historic, open space, and natural resources.
 - ii.** A summary of the existing transportation system, including vehicular, pedestrian, transit, bicycle, and parking supply, demand, and utilization.
 - iii.** A summary of existing public infrastructure supporting the institution, including demand, utilization and any capacity issues.
 - iv.** Relevant municipal plans, projects, and studies that may influence the IDP study area and opportunities for integrating institutional growth.
 - d.** A summary of public involvement in the development of the IDP, including major areas of public concern.
- 2.** Assessment of future institutional growth and change, including:
- a.** A description of institutional needs and areas of future institutional growth and change, with:
 - i.** A projected census of users (e.g., enrollment /employment/patient/ visitor figures and anticipated variations over time).
 - ii.** Institutional objectives for property both within and outside the IOZ boundary (e.g. acquisition and/or disposition), including an indication of any functional land use connection for sites outside the IOZ boundary to the main campus.

- iii. A development plan addressing anticipated or potential institutional needs and physical improvements, including the proposed boundary of the IOZ and any phasing of the development.
- b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including:
 - i. Transportation and access, with:
 - a) An analysis of the projected changes in parking demand, supply, and impacts to the off-street and on-street parking capacity, including an explanation of the proposed parking plan.
 - b) An analysis of the projected changes in vehicular, pedestrian, transit, and bicycle access routes and facilities, their capacity, and safety.
 - c) A transportation, access, and circulation plan, representing the synthesis of the analysis, and including a program of potential improvements or set of guidelines to address access deficiencies to and within the IOZ. The plan should outline proposed mechanisms and potential strategies to meet transportation objectives, including transportation demand management, phasing, and when a Traffic Movement Permit (TMP) may be required.
 - ii. Environment, with:
 - a) An analysis of potential cumulative impacts on natural resources and open spaces.
 - b) An analysis of projected energy consumption, hazardous materials generation, noise generation, and similar issues as relevant.
 - c) An environmental plan, representing the synthesis of the analysis and including a proposed program or set of guidelines for future preservation, enhancement, conservation, and/or mitigation.
 - iii. Infrastructure, with:
 - a) An analysis of projected public utility demand and the capacity of associated infrastructure.
 - b) An analysis of projected public safety needs and projected impacts to the capacity of these services.
 - c) An infrastructure plan, representing the synthesis

of the analysis and including a proposed program or set of guidelines to support sustainable growth.

iv. Design, with:

- a)** An analysis of projected impacts to neighboring properties and public spaces, including potential shadow, wind, and lighting impacts, impacts of height and massing, and impacts to historic resources.
- b)** An analysis of transition areas between the institution and adjoining neighborhoods, including identification of key character defining components of the surrounding context.
- c)** An analysis of existing Crime Prevention Through Environmental Design issues and identification of how these principles would be addressed as part of the proposed campus development.
- d)** A conceptual built environment/public realm plan, representing the synthesis of the analysis and including a set of guidelines for urban design, landscape, open space, and streetscape treatments, with particular attention to

the treatment of edges (both within and abutting the IOZ boundary) to achieve compatible transitions.

v. Neighborhood engagement, with:

- a)** A plan for ongoing community engagement that represents best practices, promotes collaborative problem solving around community concerns, fosters transparency, and identifies mechanisms for neighborhood feedback and institutional accountability.
- b)** A property management framework that identifies the institution's process for handling operational property issues with neighbors.
- c)** Strategies for assuring communication pertaining to property acquisition and disposition in surrounding neighborhoods.
- d)** A set of construction management principles to apply to all institutional construction, that represent best practice, aim to minimize short- and long-term construction impacts on surrounding residents and businesses, and ensure a clear

communication strategy is in place in advance of construction.

D. Standards of review. The IDP shall:

1. Address all content requirements, unless explicitly modified by the Planning Authority or Planning Board.
2. Reflect the issues/topics identified in the required public process.
3. Demonstrate consistency with the City's Comprehensive Plan and the purpose of this ordinance.
4. Demonstrate how the property ownership, proposed growth, and requested regulatory framework relate to the institution's mission.
5. Demonstrate that traffic and parking impacts have been anticipated and that the proposed parking provision is justified as based on an assessment of options for reducing traffic and parking demands.
6. Outline an approach to open space, natural, and historic resources that supports preservation and enhancement.
7. Demonstrate that potential cumulative environmental impacts have been anticipated and can be minimized or satisfactorily mitigated.
8. Demonstrate that utility impacts have been anticipated and can be minimized or satisfactorily mitigated.
9. Reflect a comprehensive design approach that ensures appropriate transitions with the existing or future scale and character of the neighboring urban fabric.
10. Promote compatibility with existing or future uses in adjacent neighborhoods, maintain housing, and support local

amenities.

11. Anticipate future off-site improvements that would support the integration of the institution into the community and city-wide infrastructure.
12. Conform with the standards of Article 16 for designated landmarks or for properties within designated historic districts or designated historic landscapes, if applicable. ~~When proposed adjacent to or within 100 feet of designated landmarks, historic districts, or historic landscapes, the IDP shall be generally compatible with the major character defining elements of the landmark or portion of the district in the immediate vicinity.~~
13. Incorporate strategies to support clear communication and ongoing public engagement between institutions and nearby neighbors.

E. Approval. Upon finding that an eligible institution's IDP meets the standards of review, the Planning Board shall approve, approve with conditions, or deny an IDP.

F. Monitoring. The IDP shall establish a schedule for reporting on IDP implementation at regular intervals of not more than ten years from the date of approval of the initial or amended IDP, and identify thresholds for IDP amendments.

G. Amendments. An approved IDP shall guide campus development unless and until amended. If at any time the eligible institutions request minor amendments to an approved IDP, the Planning Authority may approve such minor amendments, provided that they do not constitute a substantial alteration of the IDP and do not affect any condition or requirement of the Planning Board. The applicant shall apply

identified in the Institutional Development Plan for review and approval by the Planning Authority.

J. Historic preservation

1. *Historic preservation review.* The B&M Cannery Building has been designated as a local historic landmark. The area of designation includes the B&M Cannery Building, as well as the area of the former Codfish Building and pier. The Historic Preservation Board's review of activity within the site of the former Codfish Building and pier is limited to review of any activity that would require a Certificate of Appropriateness that is proposed on a newly constructed pier. A Certificate of Appropriateness will not be required for the demolition of the Codfish Building or construction of a new pier and related infrastructure, including future alterations to the pier structure.
2. *Required interpretive elements.* Northeastern University shall include interpretive element(s) on top of or within the surface of the new pier that convey the history and significance of the Codfish Building. Prior to construction of said elements, the University shall submit the proposal to the Historic Preservation Board for its review and approval. The interpretive elements shall be designed in a manner that does not interfere with the use and functionality of the pier as a marine passenger facility and for water access by the Roux Institute and the public.
3. *100-foot review exemption.* The B&M Cannery Building is exempt from Subsection 13.6.4(E)(2) for review of

development within 100 feet of a landmark.

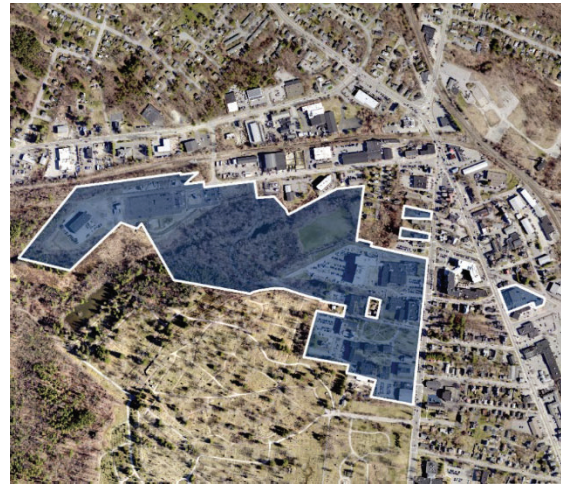


FIGURE 8-H: UNE IOZ BOUNDARY

8.3.8 The University of New England Overlay Zone Regulatory Framework

A. Applicability. The regulatory framework shall apply only to development proposed by the University of New England (UNE) within the boundary of the Institutional Overlay Zone (IOZ) and to which UNE holds right, title, or interest. Properties in the UNE IOZ shall continue to be governed by the regulations applicable to the underlying zone except as specifically modified by the regulatory framework. The UNE IOZ shall have the boundaries depicted in Figure 8-H.

B. Phasing and monitoring

1. UNE shall file monitoring reports every five years with the Planning Authority. Monitoring reports shall ensure that data in the IDP is current and provide a summary of progress on IDP implementation, including details of

acquisitions and divestments since the date of IDP approval.

2. Interim conditions shall be designed for a pleasant pedestrian experience through planting, lighting, wayfinding, graphics, artwork, or ornamental fencing to provide screening, buffers, and enhancement. Interim areas of the site which are not actively used for parking or construction staging will be appropriately left in a natural state, landscaped or accommodate gathering on lawns or other aesthetically hardened spaces.

C. Uses. In addition to the uses permitted in the underlying zone, laboratory and research facilities and off-street parking shall also be permitted as a matter of right within the IOZ.

D. Dimensional requirements

1. For the purposes of this IOZ, “lot” is defined as the contiguous lots under UNE ownership, including land separated by a

public or private right-of-way. The “lot” boundary is shown in Figure 8-H.

2. Side and rear setbacks shall not be required between buildings on contiguous lots owned by UNE on the condition that such contiguous lots shall be considered merged and shall not be separately conveyed unless required setbacks in the underlying zones are provided.
3. Maximum building heights for new principal buildings in the IOZ shall be governed by the maximum building heights map in Figure 8-I.

E. Transportation

1. *Transportation demand management (TDM).* At the time of the first site plan review following IDP approval, UNE shall submit a campus-wide TDM Plan substantially in accordance with those TDM objectives and strategies identified in the approved IDP. The TDM Plan may be

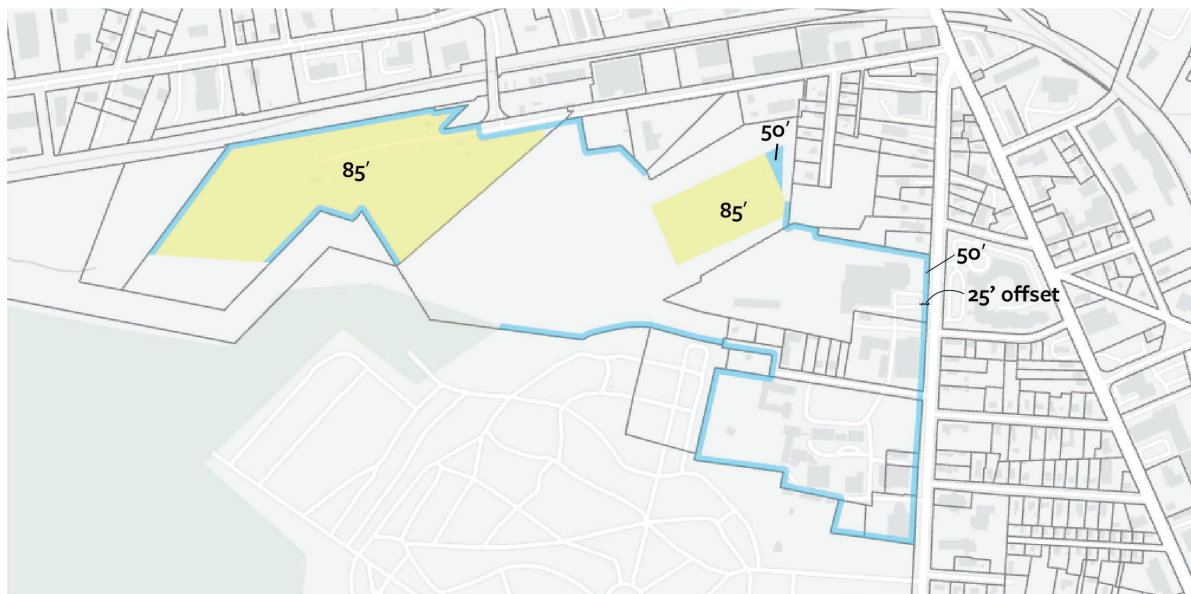


FIGURE 8-I: MAXIMUM BUILDING HEIGHTS



- phased into short-, mid-, and long-term actions to allow for progressive implementation over time.
- 2. Parking.** Parking requirements in the IOZ shall be established at the time of site plan review based on a parking study that includes a campus-wise analysis of demand and supply. Parking studies shall integrate parking and trip reduction achievement and data contained in the TDM Plan.

F. Environment. All new buildings and parking facilities proposed by UNE shall integrate with the surrounding context to allow connectivity amongst open space, pedestrian networks, and the Evergreen Cemetery, and to protect the critical natural resources associated with the Capisic Brook watershed. The Planning Board may approve a reduction of the setback requirement for a new building to the least amount necessary to achieve the goals of the development and minimize overall impacts, provided that the setback is not reduced to less than 40 feet.

G. Mitigation measures

- 1.** Site plan impacts to off-premise infrastructure shall be mitigated in a manner proportionate to those impacts. Mitigation may include financial or in-kind contributions to existing or planned City projects focused on mitigating the impacts of the development. Mitigation contribution shall be determined based on the City's standard procedure in effect at the time of site plan review.
- 2.** Impacts to natural resources shall be mitigated in accordance with local, state, and federal permitting standards in effect at the time.

H. Design

- 1.** All new development shall be designed to create a cohesive campus character.
- 2.** New buildings shall be designed with building entrance(s) and principle facades oriented towards existing campus buildings, open space, streets, and pedestrian pathways.
- 3.** New buildings will minimize visual impact of service areas, loading docks, and utility structures.
- 4.** All new development shall provide a variety of open spaces that are integrated into the existing campus.
- 5.** All new development shall provide adequate lighting for clear visibility at streets, pedestrian pathways, building entries, and parking areas. All lighting shall be compliant with UNE's lighting plan, which is included in the IDP.
- 6.** All signage shall be compliant with UNE's signage design standards, which are included in the IDP.

I. Neighborhood integration

- 1.** For the purposed of keeping surrounding residential areas appraised of its future development plans, and to address any neighborhood issues related to the operations of the UNE campus, UNE shall adhere to the ongoing neighborhood engagement principles identified in the IDP.
- 2.** Ongoing community engagement shall be conducted, including the continuation of posting project update's on UNE's Campus Planning web page and the creation of a dedicated email address for neighbor

communications with UNE's Planning Department.

3. UNE shall conduct annual neighborhood outreach through neighborhood meeting(s), to be hosted on campus, and shall provide the Planning Authority with a copy of the neighborhood notice and a record of participants, content, and feedback as described in Section 13.5.5(C).
4. A designated community contact shall be engaged to be the point of contact for providing information to the neighborhood and receiving feedback.

8.4 ISLAND TRANSFER STATION OVERLAY

8.4.1 Purpose

The purpose of the Island Transfer Station Overlay Zone is to establish a location for a transfer station for municipal solid waste and municipal public works activities. This zone shall be established through a conditional rezoning process in order to ensure the imposition of appropriate conditions for the protection of neighboring properties.

8.4.2 Permitted uses

- A. Municipal solid waste facilities, including compactors and storage bins, provided that the compactor shall be located within a fully enclosed structure.
- B. Recycling facilities, provided that all recycling areas shall be buffered and screened from neighboring properties.
- C. Municipal garages, material storage, and parking for vehicles.
- D. Maintenance of municipal vehicles and equipment.
- E. Minor wind energy systems co-located with public industrial or utility facilities, subject to

the applicable standards within Article 6.

8.4.3 Conditions

Requirements for setbacks and any operational limitations shall be established as part of the conditional rezoning process.

8.5 PEDESTRIAN ACTIVITIES DISTRICT (PAD) OVERLAY

8.5.1 Purpose and applicability

The purpose of the Pedestrian Activities District (PAD) Overlay is to ensure that key areas within the City, as identified on the PAD Overlay Zone map (Figure 8-HJ), are maintained as active, walkable, pedestrian-oriented activity centers. As such, the overlay requires that street-level frontages within those areas identified on the PAD Overlay Zone map should be occupied with active uses as identified in this section.

8.5.2 Use restrictions

- A. Within the PAD Overlay Zone, a minimum of 75% of the street level frontage, measured as a percentage of total building length excluding areas of vehicular and pedestrian egress, and any mechanical or electrical equipment rooms servicing the building, shall consist of the uses specified below. Such uses shall occupy a minimum of 40 feet in depth, measured from the street facing façade of the building.
 1. Bars
 2. Cultural facilities
 3. General services
 4. Governmental uses
 5. Hotels
 6. Low-impact industrial, provided that only retail sales of products produced on site, or eating and drinking areas shall be

716 Stevens Avenue
Institutional Overlay Zone, Zone Map and Text Amendment
ZN-003059-2024
University of New England

Submitted to:	Portland Planning Board	Prepared By:	Natasha Kypfer
Public Hearing Date:	February 25, 2025	Date:	February 21, 2025

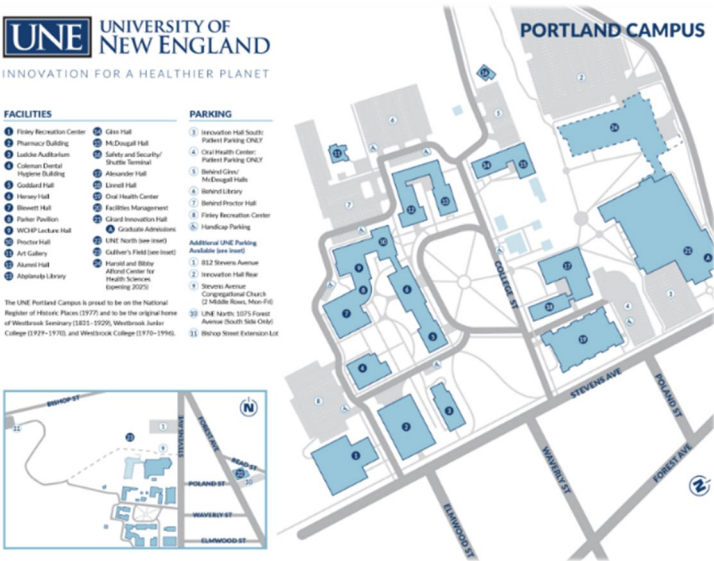


Figure 1: Image of the UNE Portland campus map, provided by the applicant.

I. INTRODUCTION

The University of New England (UNE) has submitted a zoning map and text amendment application to establish an Institutional Overlay Zone (IOZ) for UNE’s Portland Campus and to rezone the campus from a mixture of residential (RN-1 and RN-3), commercial (B-2), and industrial (I-M and I-H) zones, to B-2 Community Business, with certain environmentally sensitive areas being proposed as OS-P Open Space. This application is intended to establish zoning regulations that are conducive to the University’s long-term development plans and would allow for on-campus housing, academic buildings, and athletic facilities.

In the process of designating the IOZ, the Planning Board is tasked with reviewing the proposal and its associated components, including: 1) the Institutional Development Plan (IDP), a proactive planning document utilized to guide the anticipated growth for the institution and inform the Regulatory Framework, and 2) the Regulatory Framework, which establishes zoning requirements intended to facilitate future growth as outlined in the IDP. The Planning Board reviews these documents for consistency against the standards found within Section 8.5 of the Land Use Code, ultimately resulting in a recommendation to the City Council to adopt the IOZ boundaries and the Regulatory Framework.

Review of the UNE IOZ has spanned across multiple Planning Board workshops. The first Planning Board workshop on this item, which was held on [November 12, 2024](#), served as an initial introduction to the project and the IOZ process. The second Planning Board workshop, which was held on [January 28, 2025](#), focused on the proposed Regulatory Framework language and the proposed rezoning of the campus to B-2 Community Business and OS-P

Open Space. This report is intended to summarize the application’s consistency with the applicable review standards for an institutional overlay zone, listed under Section 8.3.4.D and 8.3.5.E in the Land Use Code, and with *Portland’s Plan 2030*.

The Planning and Urban Development Department mailed 191 notices advertising this meeting to property owners within 500 feet of the site. A legal advertisement ran in the February 13, 2025 and the February 14, 2025 editions of the *Portland Press Herald*.

Applicant: University of New England, Alan Thibeault

Representatives: Woodard & Curran, Caitlin Suhr
Bernstein Shur, Mary Costigan
Sewall Infrastructure, Diane Morabito

II. THE PURPOSE AND COMPONENTS OF AN IOZ

Section 8.5.1 of the Land Use Code describes the Institutional Overlay Zone (IOZ) as a regulatory mechanism, available solely to the five major medical and higher educational institutions within Portland, wherein an improved regulatory structure can be sought in order to facilitate a consistent, predictable, and clear growth management process. The five institutions are: Maine Medical Center, Mercy Hospital, the University of Southern Maine, the University of New England, and The Roux Institute at Northeastern University. Maine Med piloted the first IOZ back in 2017, with Roux following suit in 2022, therefore making UNE the third institution to pursue an IOZ.

The Land Use Code requires the following three components as part of the IOZ submission:

- The *Institutional Development Plan (IDP)* serves as a background document, or comprehensive plan, which is developed specifically by the eligible institution and is intended to guide development over the life cycle of the plan through its short-, medium-, and long-term growth. The IDP is intended to function as a stand-alone document and is envisioned as a fundamental component of the IOZ itself. The IDP would be approved by the Planning Board and is subject to meeting the content and review standards listed under Section 8.5.4, C&D.
- The *Regulatory Framework*, establishes supplemental zoning and land-use regulations, specific to the institution, that are directly informed by the IDP, and which are intended to allow for orderly growth and manage off-site impacts. The regulatory framework is first considered by the Planning Board, which makes a recommendation to the City Council around its adoption. If adopted by the Council, the regulatory framework would be added directly into the Land Use Code.
- The *IOZ Zoning Map* depicts the boundaries of an institution’s IOZ, and is a geographic element intended as an amendment to the City’s official zoning map. As with the regulatory framework, the IOZ map would require City Council adoption, following a recommendation by the Planning Board.

III. PROJECT SITE DATA

Property Size	72± acres
Property Address	716 Stevens Avenue
Existing Zoning	R-3, R-5, B-2, I-M, and I-H
Existing Use	UNE Portland Campus

Proposed Zoning	B-2, Community Business OS-P, Open Space Preservation
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IV. BACKGROUND AND EXISTING CONDITIONS

The University of New England is Maine's largest private university, with campuses here in Portland, in Biddeford, in Tangier, Morocco, as well as online. The IOZ application is exclusively for the Portland campus. Beginning as the Westbrook Seminary in 1831, today the campus occupies a roughly 72-acre site (see Figure 2), situated within the Deering Center neighborhood. UNE's campus includes the College of Dental Medicine, the Westbrook College of Health Professions, the College of Graduate and Professional Studies, Innovation Hall, and other fixtures like the Oral Health Center and Dental Hygiene Center clinics, and the UNE Art Gallery and Maine Women Writers Collection.

UNE's Portland campus is comprised of 25 separate buildings, 11 off-street parking areas, extensive forested open space areas, and other campus green spaces. The campus is centered around a historic campus core; the locally designated Westbrook College Historic District, which occupies the southeastern corner of the campus and includes several historic academic buildings organized around a campus quad. With regard to the surrounding campus context, Warren Avenue, Bishop Street Extension, and Bishop Street are to the north; Stevens Avenue is to the east; and the Evergreen Cemetery and Central Maine Power Utility Corridor are positioned to the south. Within the campus are several privately-owned residential properties that are situated along College Street (see Figure 1). Additionally, three UNE-owned parcels are located proximate to the campus proper but not directly on-site, with these being the properties at 1075 Forest Avenue, 798 Stevens Avenue, and 812 Stevens Avenue.

Prior to this application, the University had submitted a separate application (ZN-001549-2021) with the same aim of establishing an IOZ for UNE's Portland Campus. UNE worked closely with City staff and other stakeholders to develop a draft IDP and Regulatory Framework, and came before the Planning Board for a single workshop, which was held on [January 25, 2022](#). This application was ultimately withdrawn, as the University prioritized the permitting of the Center for Health Sciences, Application PL-002017-2022, which was approved by the Planning Board on [September 27, 2022](#).

V. REVIEW OF ZONE CHANGE TO B-2 AND OS-P

This application requests that the City rezone UNE's campus from RN-1, RN-3, B-2, I-M, and I-H to a combination of B-2 Community Business and OS-P Open Space Preservation, in order to create a more uniform underlying zoning framework for the university. As detailed in the application, the B-2 zone permits post-secondary schools by-right (definition included below), with this use being conditional in the RN-3, and not permitted within the other zones found within the campus. Rezoning the campus to B-2 would permit a range of activities and uses across the entire UNE Portland campus and would provide a more predictable permitting pathway for the University to grow as outlined in their draft IDP.

Post-secondary school Definition

A Post-secondary school is: A facility for postsecondary higher learning that grants associate or bachelor's degrees. The institution may also have research facilities and/or professional schools that grant master and doctoral degrees. Post-secondary schools may also include additional uses as part of the principal use, such as dormitories, cafeterias, restaurants, retail sales, indoor or outdoor recreational facilities, preschool facilities, and similar uses.

In examination of the zoning context, UNE is located just south of Morrill's Corner, which is anchored by a cluster of properties zoned TOD-1 Transit Neighborhood zone, which allows a diverse array of uses, and permits higher intensity development, to support high-frequency transit activity in this location. South of Morrill's Corner along Steven's Avenue, the zoning transitions from TOD-1 to B-2 Community Business, with various commercial, institutional (including outparcels owned and operated by UNE), and residential uses. Immediately across from UNE's campus is a large parcel zoned RN-5, which is the site of Park Danforth; a large-scale senior assisted living facility. The zoning then transitions to RN-3 along the east side of Stevens Avenue as one moves towards Deering Center, and these properties feature a mixture of small- and mid-scale residential development, a childcare facility (The Children's Center), a private school (St. Brigid School) and St. Joseph's Catholic Church. Beyond these properties, the zoning again transitions to B-1 Neighborhood Business and RN-5 at the site of the former St. Joseph's Convent, which has since been converted into age-restricted housing with additional on-site amenities and other commercial leased space. Along the west side of Steven's Avenue, property is predominantly zoned OS-R, which encompasses Evergreen Cemetery.

As stated above, the applicant is requesting that the UNE Portland Campus be rezoned to B-2 Community Business and OS-P Open Space Preservation. The purpose statements for these two zones are provided below.

B-2 Purpose Statement

The purpose of the B-2 zone is: To provide locations for a mixture of commercial, service, and residential uses in a comfortable pedestrian environment that is easily accessible and well-connected to surrounding neighborhoods. Such a mixture may serve the daily needs of nearby residents within walking distance, as well as surrounding neighborhoods via multiple modes of transportation. The zone provides a broad range of goods and services with a mixture of large and small buildings, such as grocery stores, shops and services located in shopping centers and along arterial streets. The B-2 zone's multi-modal orientation accommodates all modes of transportation, and the standards of the zone require that development relate to surrounding neighborhoods by design, orientation, and circulation patterns. The zone encourages mixed-use development, and provides locations for moderate to high-density housing, including three-family, four-family, townhouse, and multi-family structures in urban neighborhoods along arterials.

OS-P Purpose Statement

The purpose of the OS-P zone is: To preserve and protect open space as a limited and valuable resource, and to further the City of Portland's goals related to climate adaptation and resiliency. The OS-P zone prioritizes preservation and protection of Portland's critical conservation and natural resource areas. Very limited development may be allowed for sustainable energy generation, passive recreation and educational purposes, but must be compatible with and cause little impact to these areas.

In assessing the appropriateness of the B-2 use and dimensional provisions, Staff would note that the B-2 is generally more permissive than the current RN-1 and RN-3 zones, which constitute the majority of the University's land area, and all of the core upper campus area. As noted previously, the RN-3 zone does permit post-secondary schools as a conditional use, however the dimensional restrictions for the RN-3 are geared towards small-scale residential development, and are not well-suited for larger-scale institutional development. For example, building heights are limited to 35 feet, and lot coverage is limited to 50% for non-residential uses. The B-2 meanwhile permits building heights of up to 75 feet, and allows for more intensive development, with a requirement that just 10% of the lot be landscaped open space. From a use perspective, the B-2 zone permits a wide variety of different uses as detailed in Table 6-C in the Land Use Code, with a mixture of residential, institutional, commercial and light-industrial uses. These permitted uses encompass the vast majority of uses anticipated to occur at UNE's campus, as

indicated within the IDP under their 10± year development plan, including: student housing, an athletic facility, and future academic buildings and renovation/expansions to existing academic buildings.

In reviewing this application and the proposed zoning, City staff encouraged the Applicant to consider formally rezoning the applicant's proposed designated open space areas to OS-P, Open Space Preservation. As depicted in Figures 2 and 3 below, the evolution of the open space areas can be seen. In the first submission of this application, these areas were not defined. Based upon feedback from City staff, which encouraged the University to preserve high-value natural areas on campus within the Capisic Brook Watershed area, the applicant revised their height map to delineate open space or no-build areas as seen in Figure 3. The City then recommended that these areas be rezoned to OS-P, as this is an already defined zone with clear use and dimensional restrictions, and a purpose statement that aligns with the City's goals for the preservation of these critical natural resource areas on UNE's campus.



Figure 2: Rendering of original Height Overlay Map, provided by the applicant with their 11/08/2024 submittal.



Figure 3: Rendering of current Open Space and Height Map, provided by the applicant with their 2/7/2025 submittal.

VI. UPDATES BASED ON PREVIOUS WORKSHOPS AND FURTHER DISCUSSION

At the November 12, 2024 workshop, the Planning Board indicated support for the creation of the IOZ by UNE, and through discussions, highlighted several areas that deserved further study. In response, the Applicant provided revisions with their resubmission. Further, in light of the adoption of Recode, effective December 4, 2024, and in response to comments from the Board, Staff, and the public, UNE made significant revisions to their IOZ height map, by: plotting three OS-P areas (i.e. effectively ‘no build areas’ or 0-foot maximum height zones) and aligning the three outparcels along Forest and Stevens Avenues with the B-2 maximum height of 75-feet (in addition to the areas not within either the Open Space, or the two areas marked with 85-feet maximum height allowances). These changes are depicted above in Figures 2 and 3 above, as previously detailed.

At the January 28, 2025 workshop, the Planning Board largely focused on the following topics:

- Reducing the allowable building height between the proposed residential development and open space area/25-foot transition zone. This area was proposed to have a maximum building height of 75 feet, and the City had recommended that this be reduced to either 50 feet, as is permitted within the transition zone, or to be mapped as additional open space, in order to provide additional buffer in this location. This area abuts numerous homes along Mayfield Street. Minimizing activity in this location and reducing building heights would curtail numerous potential impacts to these abutters, including noise, light, and visual impacts.
- Reducing allowable building heights within the proposed transition zones, or establishing these zones as no-build areas.
- Consider expanding upon the required community engagement.
- Rezoning proposed open space areas to OS-P. Staff sought the Board’s feedback on the appropriateness of this, and the extent of the identified area(s).

VII. REVIEW OF INSTITUTIONAL DEVELOPMENT PLAN

A primary function of the IDP is to identify likely future development and identify whether such development is a short-term (1-5 years), medium-term (5-10 years) or long-term (10+ years) priority for the institution, as detailed in Section 8.5.4.B. The IDP itself is subject to several review standards, which are intended to ensure that the IDP comprehensively details the institution’s development plans, necessary infrastructure improvements, and strategies for mitigating development impacts and engaging with the surrounding neighborhood. Table 1 below provides an overview of each content category, listing whether or not the required information has been provided, and where within the IDP document the materials can be found.

TABLE 1: Section 8.3.4.C, Required Content of the Institutional Development Plan (IDP)			
	Content Category	Provided	Resource
1.	<u>Context Information:</u> Mission, vision, or purpose statement	✓	Provided as Chapter 1, on Pages 4-6. <i>UNE’s mission, vision, and core values are identified.</i>
2.	<u>Context Information:</u> Relevant baseline data	✓	Provided as Chapter 1, on Pages 7-22.
3.	<u>Context Information:</u> Baseline characteristics of the existing campus & context of UNE	✓	Provided as Chapter 1, on Pages 22-27.
4.	<u>Context Information:</u>	✓	Provided as Chapter 1, on Pages 27-28.

	Summary of public involvement		<i>The information is provided here, and supplemented by the neighborhood meeting packets included as Attachments H and I to this memo.</i>
5.	<u>Assessment of future institutional growth & change</u>	✓	Provided as Chapter 2, on Pages 29-36.
6.	<u>Analysis and associated plans for: Transportation & Access</u>	✓	Material provided as Chapter 3, on Pages 37-53.
7.	<u>Analysis and associated plans for: Environment</u>	✓	Material provided as Chapter 4, on Pages 54-70.
8.	<u>Analysis and associated plans for: Infrastructure</u>	✓	Material provided as Chapter 5, on Pages 71-74.
9.	<u>Analysis and associated plans for: Design</u>	✓	Material provided as Chapter 6, on Pages 75-84.
10.	<u>Analysis and associated plans for: Neighborhood Engagement</u>	✓	Material provided as Chapter 7, on Pages 85-93.

Attached to this report, are both the first and second round of review comments generated by the City (see Attachments 1 & 2), providing a summary matrix which demonstrates the status of the requirements, and sub-requirements, of the IDP. As further evidenced in the table above, the Applicant has provided all of the necessary requirements within each document. The section below provides an overview of how the IDP complies with each review standard:

Institutional Development Plan: Standards of Review

Based on LUC Section 8.3.4.D, staff has found:

1. Address all content requirements, unless explicitly modified by the Planning Authority or Planning Board.

Staff Findings: As demonstrated in Table 1 above and Attachments 1 & 2 (included), the Applicant has addressed all content requirements. No content requirements have been modified by the Planning Authority or the Planning Board.

2. Reflect the issues/topics identified in the required public process.

Staff Findings: Through the course of the multiple neighborhood meetings and Planning Board workshops, three predominant topics emerged: parking, environmental sensitivity, and proposed height. In response to these identified issues, the applicant provided additional documentation in the Transportation & Access section of the IDP, by the inclusion of designated OS-P zones on campus, and by modifying the proposed Height Map based on Planning Board, City staff, and public comment.

With respect to concerns around on-street parking in adjacent neighborhoods, the applicant has provided documentation demonstrating that the University has adequate parking supply to serve faculty, staff, students and visitors. Certain users elect to park on-street, primarily along Steven's Avenue, which is a public facility. As discussed in prior Planning Board workshops, the authority to establish and enforce on-street parking restrictions lies with the City, and the City. In evaluating current on-street parking demand in the vicinity of UNE, the City would note that this demand can be accommodated on Stevens Avenue, and

that the City's preference would be to maintain free on-street parking on Stevens Avenue, in order to provide additional traffic calming along this street.

3. Demonstrate consistency with the City's Comprehensive Plan and the purpose of this ordinance.

Staff Findings: *Portland's Plan 2030* establishes a goal of having the City support sustainable growth in our community's educational institutions, noting the fact that such institutions are central to workforce development, employment, and the health of the local and regional economy. *Portland's Plan 2030* also establishes a goal of having the City's educational institutions incorporated into Portland's urban fabric through the use of high-quality design, through the management of impacts, through community partnerships, and innovative planning. Each of these adopted land-use goals are discussed at length within the IDP, and would be further facilitated through the proposed regulatory framework, and rezoning of the property to B-2 and OS-P.

4. Demonstrate how the property ownership, proposed growth, and requested regulatory framework relate to the institution's mission.

Staff Findings: Within the IDP, UNE documents their campus master planning process, wherein they have worked to evaluate their existing and future programming needs and facility capacity to deliver educational programs to their students, including: a current facility assessment, current and future program requirements, and key institutional needs. Further, this is enumerated visually into the provided Figure 2.1: Campus Master Plan, on Page 33 of the IDP. UNE's mission statement states: "UNE prepares students to thrive in a rapidly changing world and, in so doing, to improve the health of people, communities, and our planet."

In assessing future institutional needs, the University prepared a list of short- mid- and long-term priority projects, which includes student housing, a new athletic facility, and potential future academic buildings. The University also prioritizes being a good steward of the land and a good neighbor within the community. In order to achieve these aims, the University proposes rezoning the property to B-2 and OS-P, in order to accommodate the above-listed uses, and preserve critical natural areas on campus. The regulatory framework supplements this work by increasing allowable heights in key locations, to allow for taller buildings with a smaller building footprint, in order to minimize impacts to natural resource areas. Further, the regulatory framework establishes transition zones to minimize the impact of new development on abutting property.

5. Demonstrate that traffic and parking impacts have been anticipated and that the proposed parking provision is justified as based on an assessment of options for reducing traffic and parking demands.

Staff Findings: As documented in the IDP, UNE's Portland campus is serviced by a variety of transportation infrastructure, which includes several arterial highways in close proximity, with convenient access to the Maine Turnpike (via Riverside Street, Warren Avenue and Bishop Street) and access to I-295 via Forest Avenue; it is further served by metro transit bus service, pedestrian infrastructure, EV charging stations, and a bicycle network. The IDP details available off-street parking supply and the anticipated demand for off-street parking as future planned development occurs. This information supports the University's position that there is an adequate supply of off-street parking available at present, and that this supply will be sufficient to serve future demand. Additionally, the University outlines numerous transportation demand management (TDM) strategies that are currently being utilized, such as subsidized transit passes, support

of carpooling and ridesharing, provision of extensive bicycle infrastructure on-campus, and the use of a variety of other incentives for users who do not commute using a single occupancy vehicle. These strategies are anticipated to continue reducing parking demand for the campus.

6. Outline an approach to open space, natural, and historic resources that supports preservation and enhancement.

Staff Findings: The UNE Portland campus occupies approximately 72 acres of land in Deering Center, however much of the campus is undeveloped or minimally developed, with the campus containing large tracts of undeveloped woodland and wetlands, which lie within the Capisic Brook Watershed, along with an active use recreational field, Gulliver's Field. The most intensively developed area is located at the southeast corner of the University's contiguous campus, and is centered around the historic core of the campus, the Westbrook College Historic District, a locally designated historic district with buildings dating back to the early 19th century, which are organized around the main campus quad. Preservation of the University's historic resources remains a prominent goal of the University, and is spoken to in detail within IDP. Furthermore, as a locally designated historic district, the review of any construction activity or exterior building modifications within the district, is subject to historic preservation review by the City. With respect to the University's critical natural resources and existing open spaces, the University details numerous strategies for minimizing impacts or even enhancing these resources, as was demonstrated under the University's Intermodal Transportation Facility project, which revegetated former impervious areas. The University is also proposing to rezone certain areas of the campus to OS-P, which would prevent future development in these locations particularly along the Capisic Brook. Rezoning natural areas of the campus to OS-P provides clarity on where future growth will be directed on the campus, ensuring predictability while minimizing potential impact on natural resources in the future.

7. Demonstrate that potential cumulative environmental impacts have been anticipated and can be minimized or satisfactorily mitigated.

Staff Findings: The IDP explicitly states that future development will not impact existing environmentally sensitive areas, such as streams on campus, and that minimum setbacks will be maintained for all future projects. *Table 4.1: Open Space Area Calculations* on Page 61, documents the commitment to preserve approximately 14% of UNE's total campus area as OS-P Open Space Preservation, or roughly 10.3 acres of the 72-acre campus. Furthermore, any future development projects subject to Site Plan review would still need to comply with all local standards, including those related to environmental and stormwater impacts.

8. Demonstrate that utility impacts have been anticipated and can be minimized or satisfactorily mitigated.

Staff Findings: The draft IDP includes a detailed infrastructure plan for the University which documents current utility demands related to water, wastewater, electricity, telephone & data, and natural gas and heating fuels, with listed strategies for ensuring adequate capacity for future development, for limiting or reducing demand for these services to the extent possible. This includes for example commitments to use low-flow fixtures, to design future buildings using high-efficiency building envelopes and mechanical systems to reduce energy demand, and to site development to maximize passive solar exposure and limit disturbance to on-site natural features to protect water quality.

9. Reflect a comprehensive design approach that ensures appropriate transitions with the existing or future scale and character of the neighboring urban fabric.

Staff Findings: Within the Open Space and Height Map, a transition zone buffer (shown in aqua), has been included and is noted along the campus edges, where the campus is located adjacent to residential and open space zones. The transition zone is generally 25 feet deep, however the zone increases in depth adjacent to the proposed residential building, which under the proposed height map, could be as tall as 85 feet from the average post-development grade. Within the transition zone, buildings would be required to step down to no more than 50 feet from the average post-development grade. By designating over 10 acres of the campus as OS-P Open Space Preservation and reducing building heights near existing residential neighborhoods, UNE creates a gradual transition from lower-scale structures to larger institutional and residential buildings appropriate for the campus. The proposed increased height in strategic locations enables vertical growth rather than horizontal expansion, promoting a more compact development footprint within the constrained urban campus while minimizing impacts on natural resources or abutting neighborhoods.

10. Promote compatibility with existing or future uses in adjacent neighborhoods, maintain housing, and support local amenities.

Staff Findings: Within the IDP, the University prioritizes minimizing impacts to abutting properties, and providing opportunities for the surrounding community to come on campus and enjoy campus amenities and open space. The proposed regulatory framework establishes a transition zone around much of the exterior of the campus, which limits building heights to 50 feet. Additionally, the University contemplates the construction of student housing on-campus, which would relieve some of the housing pressure on the surrounding neighborhood. Lastly, significant open space on-campus would be preserved under this proposal, and the University continues to work with Portland Trails to extend the local trail network across the University's campus.

11. Anticipate future off-site improvements that would support the integration of the institution into the community and citywide infrastructure.

Staff Findings: As detailed in their IDP, UNE has established strategies for assuring the acquisition or disposition of any property by the University is clearly communicated to abutters.

12. Conform with the standards of Article 16 for designated landmarks or for properties within designated historic districts or designated historic landscapes, if applicable. When proposed adjacent to or within 100 feet of designated landmarks, historic districts, or historic landscapes, the IDP shall be generally compatible with the major character-defining elements of the landmark or portion of the district in the immediate vicinity.

Staff Findings: As noted prior, the UNE Portland campus contains the Westbrook College Historic District. As detailed in the IDP, the character defining components of the buildings located within the historic district are identified within the IDP, and are used to inform the proposed design standards for new development on campus, to ensure a cohesive campus identity, while simultaneously ensuring that new development is a product of its time.

13. Incorporate strategies to support clear communication and ongoing public engagement between institutions and nearby neighbors.

Staff Findings: According to the IDP, the University prioritizes being a good neighbor and having meaningful engagement, which UNE states is critical to its success. The IDP details ongoing community engagement strategies, which include providing: monthly project updates for all current and active projects published in a publicly accessible format to their web page, and the creation of a dedicated email address that allows neighbors to direct questions, concerns, and feedback directly to UNE's Planning Department and its project team members.

VIII. REVIEW OF REGULATORY FRAMEWORK

Stemming from the IDP, the proposed regulatory framework (zoning) works to codify the institutional use(s) and related activities in line with UNE's stated mission to: *prepare students to thrive in a rapidly changing world and, in so doing, to improve the health of people, communities, and our planet.* UNE provided initial regulatory framework text (Attachment E), which the City amended and inserted into the draft updated Article 8 within the City's Land Use Code (Attachment 3). Table 2 below was created to provide an overview of each content category, listing whether or not the required information has been provided, and an overview of content details. Further, Figure 4 below depicts the Maximum Building Heights map proposed with the UNE IOZ.

TABLE 2: Section 8.3.5.D, Required Content of the Regulatory Framework			
	Content Category	Provided	Resource
1.	Zoning boundary of the IOZ	✓	Figure 6, shown below, identifies the zoning boundary clearly in the form of a map displaying the overlay zone, and a table, included within the IDP, lists all properties, identified by both CBL and address.
2.	Phasing and schedules	✓	UNE shall file monitoring reports every five (5) years with the Planning Authority, and at the time of submission of future site plan applications, UNE shall identify any required updates to the IDP, to allow the document to remain current.
3.	Uses	✓	In addition to those uses permitted within the B-2 and OS-P zones, the IOZ would also permit the following uses by right: • Laboratory and research facilities • Off-street parking
4.	Dimensional requirements	✓	The proposed IOZ would supplement the dimensional restrictions of the underlying zones as follows: • Transition zones to extend twenty-five feet (25') from the lot boundary and, within transition zones, the maximum building height shall be fifty feet (50'), as depicted by the UNE IOZ Height Map, Figure 3 provided above in the memo. • Maximum building heights for new principal buildings in the IOZ shall be governed by the UNE IOZ Height Map, Figure 3 provided above in the memo.
5.	Transportation	✓	TDM and parking requirements are highlighted in this section.
6.	Environment	✓	UNE's approach to the inclusion of open space and preservation of environmentally-sensitive areas.
7.	Mitigation measures	✓	A broad approach to identified mitigation measures are included here.

8.	Design	✓	The Regulatory Framework provides five (5) standard of design for the IOZ.
9.	Neighborhood integration	✓	Thresholds and requirements for neighborhood engagement are summarized here.
10.	Monitoring	✓	As noted above under 2., the applicant will prepare and file monitoring reports with the City every five (5) years.



Figure 4: The proposed Maximum Building Heights map, created by PUD, and included in the drafted Regulatory Framework.

Attached to this report, in the first round of review comments generated by the City (see Attachments 1), provided is a summary matrix which demonstrates the status of the requirements, and sub-requirements, of the Regulatory Framework. In the creation of finalizing this text (Attachment #3), City staff lead the drafting. As further evidenced in the table above, all of the necessary requirements within the document have been provided. Below delves into the Regulatory Framework standards of review:

Regulatory Framework: Standards of Review

Based on LUC Section 8.3.5.E, staff has found:

1. Be consistent with the Comprehensive Plan and the Institutional Development Plan.

Staff Finding: The drafted Regulatory Framework is consistent with both *Portland's Plan 2030* and the drafted Institutional Development Plan. Throughout the formation of the proposed IOZ, City staff has worked with the Applicant to revise the documents to not only include all required content, but also to strengthen the connection between the proposed land use regulations, and both Portland's Plan 2030 and the drafted IDP.

Specifically, Portland's Plan 2030 emphasizes the importance of prioritizing sustainable land use and transportation policies that enhance connectivity, walkable neighborhoods, and multimodal transportation while protecting the city's critical natural resources (pg. 19). It also emphasizes the need to balance continuity and change as Portland grows (pg. 27), and supporting sustainable growth in educational,

medical, and cultural institutions, while fostering a strong workforce by attracting and retaining human capital (pg. 43). Additionally, the plan encourages contextually appropriate housing density near neighborhood centers, service hubs, and transit corridors to support complete neighborhoods (pg. 50). Specifically, the Comprehensive Plan acknowledges the need for the City to support the orderly expansion of institutional uses—including educational, cultural, and medical campuses—recognizing their essential role in workforce development, employment, and the broader regional economy. Based on the goals and objectives of the Comprehensive Plan, the Regulatory Framework aligns with the plan's vision and will guide UNE's future growth in a manner that reflects the shared priorities outlined in the plan.

2. Provide a clear zoning framework, using graphics and tables as appropriate, to apply to future site plan reviews.

Staff Finding: The submitted Regulatory Framework is a concise yet functional set of supplemental development regulations that were drafted to help facilitate build-out of UNE's Portland campus in alignment with the draft IDP, while ensuring that impacts associated with such development is satisfactorily mitigated. The applicant has delineated the IOZ boundary and provided supplemental use and dimensional standards to complement and expand upon the underlying zoning regulations.

3. Provide specific regulatory statements as appropriate that respond to concerns raised during the required public involvement.

Staff Finding: The University has amended their IDP and the regulatory framework in response to feedback from both City staff and the Planning Board. Notably, this includes the mapping of more than 10 acres of OS-P across the UNE Portland Campus, to preserve critical natural resources, and the extension of the transition zone adjacent to the proposed residential development, proximate to the residential neighborhood along Mayfield Street.

4. Outline measurable goals and thresholds for improvements or other actions identified in the IDP to be advanced in subsequent site plan applications

Staff Finding: The drafted Regulatory Framework has outlined specific design-related language that expands upon the IDP and that would apply to future site plan and TDM Plan reviews, working to create a cohesive campus and integrate with baseline characteristics.

IX. NEIGHBORHOOD MEETINGS & PUBLIC COMMENT

The applicant has held two neighborhood meetings to-date, the first was held on June 13, 2024 at 6:00 PM at UNE in the Hannaford Lecture Hall, with the meeting documentation included under Attachment H. The total recorded attendance at the meeting was thirteen (13) members of the public, and the feedback centered on questions and/or concerns about property acquisitions, traffic/parking, and environmental impacts. The second meeting was held on October 30, 2024 at 6:00 PM at UNE in the Hannaford Lecture Hall, with the meeting documentation included under Attachment I. The total recorded attendance at the meeting was twelve (12) members of the public, and the feedback centered on questions and/or concerns about parking, building height, and the future student housing building.

The Planning and Urban Development Department has received zero written public comment at the time of publication of this memo.

X. REQUISITE CITY COUNCIL ACTION

Any proposed rezoning, regardless of whether it is favorably or negatively recommended by the Planning Board, must be approved by City Council vote in order to take effect.

XI. PROPOSED MOTIONS

- On the basis of materials submitted by the applicant, the City of Portland Land Use Code, Portland's Comprehensive Plan, public comment, and the information provided in the public hearing on February 25, 2025 for the application ZN-003059-2024, and/or other findings, the Planning Board finds that the proposed B-2 and OS-P zoning map amendment **[is/is not]** consistent with the Comprehensive Plan for the City of Portland; and therefore, the Planning Board **[recommends/does not recommend]** to the City Council adoption of the zoning map amendment for the area of land as shown:

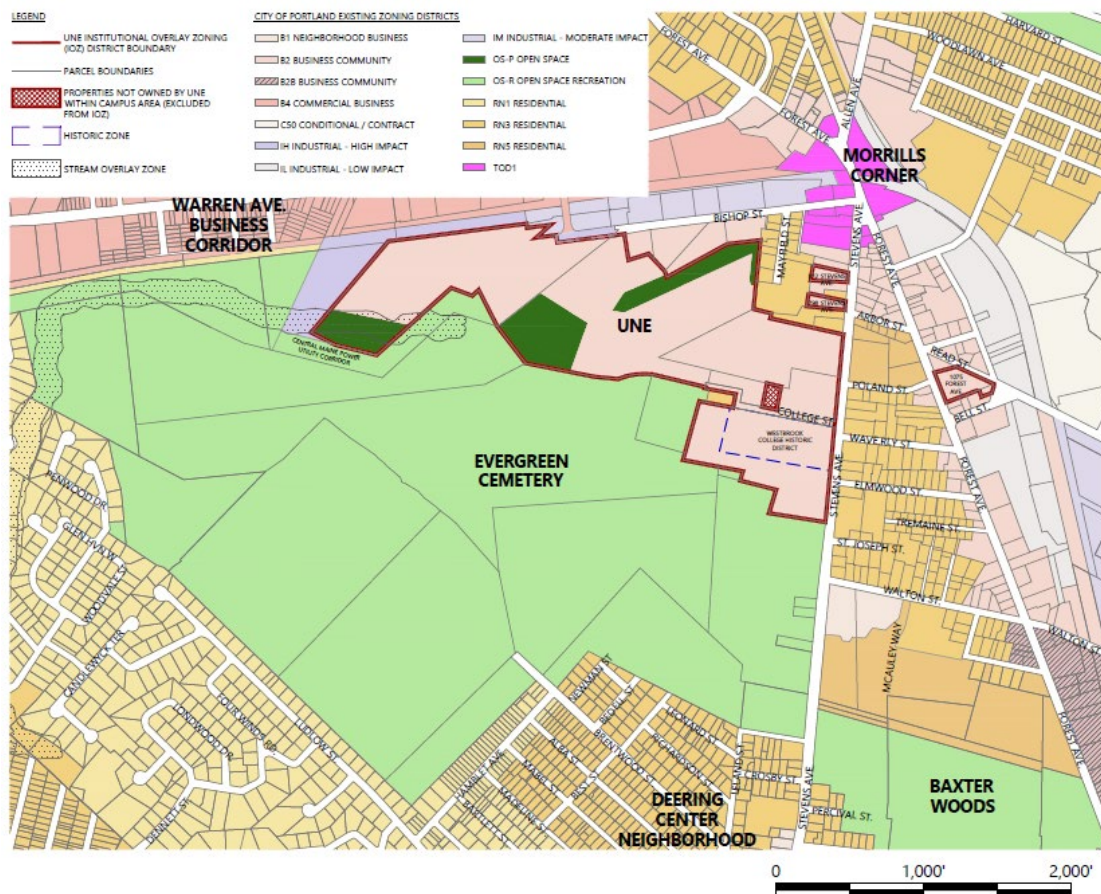


Figure 5: Proposed zoning map, provided by the applicant.

- On the basis of materials submitted by the applicant, the City of Portland Land Use Code, Portland's Comprehensive Plan, public comment, and the information provided in the public hearing on February 25, 2025 for the application ZN-003059-2024, and/or other findings, the Planning Board **[finds/does not find]** that the proposed Institutional Development Plan (IDP), as included in Attachment D, is consistent with the Institutional Development Plan standards of Section 8.3.4 of the Land Use Code.

3. On the basis of materials submitted by the applicant, the City of Portland Land Use Code, Portland's Comprehensive Plan, public comment, and the information provided in the public hearing on February 25, 2025 for the application ZN-003059-2024, and/or other findings, the Planning Board finds that the proposed IOZ zoning map amendment **[is/is not]** consistent with the Comprehensive Plan for the City of Portland; and therefore, the Planning Board **[recommends/does not recommend]** to the City Council adoption of the zoning map amendment for the area of land identified as UNE's Portland Campus as shown:

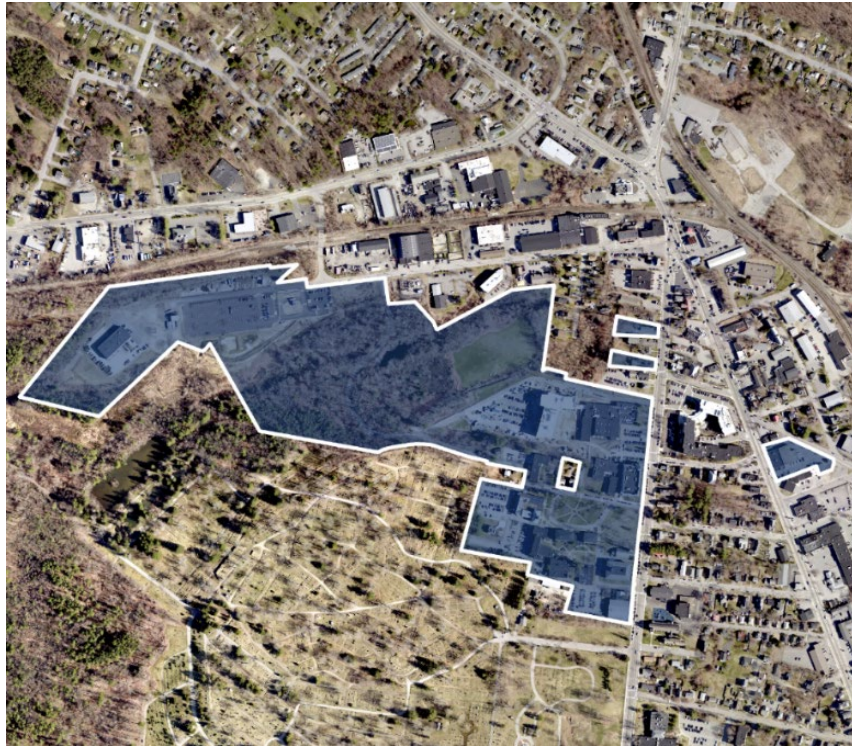


Figure 6: Proposed IOZ boundary map, created by Planning and Urban Development.

4. On the basis of materials submitted by the applicant, the City of Portland Land Use Code, Portland's Comprehensive Plan, public comment, and the information provided in the public hearing on February 25, 2025 for the application ZN-003059-2024, and/or other findings, the Planning Board finds that the proposed regulatory framework **[is/is not]** consistent with the standards of Section 8.3.5 of the Land Use Code; and therefore, the Planning Board **[recommends/does not recommend]** to the City Council adoption of the Regulatory Framework as included in Attachment 3.

XII. ATTACHMENTS

Staff Attachments

1. City Review Comments Round 1, October 17, 2024
2. City Review Comments Round 2, January 17, 2025
3. Proposed Regulatory Framework Text: Chapter 14 Section 8 "Overlay Zones", Red-lined

Applicants Submittal

- A. Cover Letter

- B. Checklist – Map and Text Amendment
- C. Right, Title, & Interest
- D. Institutional Development Plan
- E. Regulatory Framework (*as originally drafted by the applicant*)
- F. Proposed Map Amendment
- G. Vicinity Map
- H. Neighborhood Meeting #1 Certification Packet, June 13, 2024
- I. Neighborhood Meeting #2 Certification Packet, October 30, 2024
- J. Response to City Comments Round 1, December 20, 2024
- K. Response to City Comments Round 2, February 7, 2025

Project Review Comments: Round 1
Comments Distributed on: October 17, 2024



Project Title: University of New England Institutional Overlay Zone (UNE IOZ)
Project File No.: ZN-003059-2024
Project Address: 716 Stevens Avenue
Project Planner: Natasha Kypfer, Senior Planner

Att. 1

Dear Caitlin Suhr, Alan Thibeault, and Mary Costigan:

We have completed our initial review of your application (ZN-003059-2024), a Map and Text Amendment, proposing a new Institutional Overlay Zone (IOZ) for the University of New England (UNE) at approximately 684 Stevens Avenue, proposed to be zoned: B-2 Community Business. This development triggers review by the Planning Board and City Council, and is subject to the following regulations: Amendments – Article 1.10 and Institutional Overlay (IOZ) – Article 8.5.

An overview of the City's review can be viewed in the below worksheet(s) and review comments.

Next Steps

Please review all feedback and reach out to me, as the lead project review manager, if you have any questions. We will look forward to our upcoming meeting, scheduled for Tuesday, October 22nd at 11AM. Further, we have preliminarily scheduled your item for a workshop before the Planning Board for Tuesday, November 12th.

Sincerely,

A handwritten signature in black ink that reads "Natasha M. Kypfer".

Natasha Kypfer
Senior Planner

Worksheet(s) Table Legend:

Provided on Page # = Requirement Met

Partially Provided on Page # = Requirement Not Fully Satisfied

Not Provided = Requirement Not Satisfied

Institutional Development Plan (IDP): Content Land Use Code, Section 8.5.4.C					
Category	Sub-category	Requirement	Sub-requirement	Location, IDP Page #	Review Comments: Overview & Updates Requested
1. Context information	<i>a. The institution's adopted mission, vision, or purpose statement</i>			Pages 4-5	As stated and provided for on pages 4-5, UNE is guided by its Mission, Vision, and Core Values, as well as its own strategic plan ("Our World, Our Future").
	<i>b. A summary of relevant baseline data on the institution, including:</i>	<i>i. A neighborhood context plan.</i>		Pages 11-12, Figure 1.1	The UNE's approximately 72-acre campus is bounded by Warren Ave., Bishop St. Extension, and Bishop St. to the north; Stevens Ave. to the east; and, Evergreen Cemetery and CMP's Utility Corridor to the south, as depicted in provided Figure 1.1.
		<i>ii. An inventory of current programs and services.</i>		Page 7-9	The UNE Portland campus houses three academic colleges: the Westbrook College of Health Professions (WCHP), the College of Dental Medicine, and the College of Graduate and Professional Studies. In addition, UNE operates two health clinics on campus: the Oral Health Center and the Dental Hygiene Center, as well as UNE North, the Center for Global Humanities, and cultural institutions that include the Maine Women Writers Collection and the UNE Art Gallery.
		<i>iii. A current census of the number of people using the institution (e.g., employees, enrollment, patients), with an indication of maximums and minimums over time.</i>		Page 18, Table 1.3	Table 1.3 titled "FTE Student, Faculty, and Professional Staff Data", includes population data from 2016-2023 for student, faculty and professional staff, and campus population. Please also add an additional column to Table 1.3 that includes patient figures visiting the campus (for example, dental patients to the Oral

				Health Center), further, consider incorporating part-time data, as the provided table only documents FTE.
		<i>iv. An inventory and/or plan of all existing property holdings within the main campus and within the City of Portland, including an indication of functional land use links between off-campus properties and the main campus (e.g. remote parking).</i>	Page 17, Table 1.2	Table 1.2 titled “UNE Owned Properties in the City of Portland”, documents UNE’s total of 17 parcels, the majority of which are contiguous in the campus core, while several are outparcels. Please speak to the functional land use links between off-campus properties and the main campus (e.g. remote parking and the Bishop Street shuttle service).
		<i>v. An inventory and/or plan of existing facilities, including data on use, floor area, and any existing functional connections between facilities.</i>	Page 16, Figure 1.5 Pages 21-22	The UNE campus map is provided on page 16 as Figure 1.5, depicting the 25 distinct facilities and 11 parking areas, with an inset map centered around the Campus Quad. Please supplement Figure 1.5 Campus Map with a table listing the 25 facilities and 11 parking areas identified in Figure 1.5, organized chronologically by facility number. Please also incorporate the parking spaces data from Table 3.5 here as well. The table should include columns for facility name, total floor area, and use. For parking areas, organize chronologically by parking area # and include columns for total square footage, total number of existing spaces, and a breakdown of ADA and EV spaces.
	<i>c. A summary of the baseline characteristics of the existing campus and</i>	<i>i. A summary of existing resources, such as historic, open space, and natural resources.</i>	Page 19-20	UNE’s campus is the site of the Westbrook College Historic District, which includes six buildings built between 1834 and 1952. Further, existing open space and natural

	<i>context of the institution, based on identified study areas, including:</i>			resources are summarized, and include notation of the Portland Trails Forest City Trail connection and the Capisic Brook watershed area.
		<i>ii. A summary of the existing transportation system, including vehicular, pedestrian, transit, bicycle, and parking supply, demand, and utilization.</i>	Page 41-44, Table 3.5	Table 3.5 titled “UNE Portland Campus - Parking Spaces” details the currently 11 parking lots located on campus, plus the on-street parking along two principle campus roadways, which amounts to 882 spaces total, plus the 182 permitted spaces presently at the COM building. Please include a quick summary of the existing transportation system within the Context chapter, to incorporate what is detailed on pages 41-44.
		<i>iii. A summary of existing public infrastructure supporting the institution, including demand, utilization and any capacity issues.</i>	Page 20	Existing stormwater management systems utilize on-site infiltration systems, with secondary use of conveyance to the Stevens Ave. and Bishop St. CSO. Existing wastewater infrastructure for the campus is discharged to a CSO in College St. and Stevens Ave. Other public utilities include: PWD, CMP, and Unutil.
		<i>iv. Relevant municipal plans, projects, and studies that may influence the IDP study area and opportunities for integrating institutional growth.</i>	Page 21	A breakdown of the City’s Comprehensive Plan, with tie in to the eight policy guide topics as they relate to UNE’s work is provided with excerpts from Portland’s Plan that UNE works to promote and advance are underscored and include the: environment, economy, historic resources, and housing. Please include additional studies that should be referenced in this section, such as the: Portland-South Portland Smart Corridor Plan (final report dated June 2018), the One Climate Future

				Plan, and the Forest Avenue Redesign Project. For example, within the Smart Corridor Plan on Page 143 it states: “[The] University of New England (UNE) office at 1075 Forest Avenue, shown in Figure 142 is a parcel that addresses the street well, and would be enhanced by the recommended planting palette and materials design guidelines found later in this section.”
	<i>d. A summary of public involvement in the development of the IDP, including major areas of public concern.</i>		Page 22	UNE has worked to involve the public in the creation of the IDP during the IOZ submission process, this includes holding one of two required neighborhood meetings, which took place on June 13, 2024. Please be sure to update this section with the 10/30 neighborhood meeting date. Additionally, it may be beneficial to include a few sentences on the required review by both the Planning Board and City Council, as these will also be opportunities for public involvement.
<i>2. Assessment of future institutional growth and change, including:</i>	<i>a. A description of institutional needs and areas of future institutional growth and change, with:</i>	<i>i. A projected census of users (e.g., enrollment /employment/patient/ visitor figures and anticipated variations over time).</i>	Page 25, Table 2.2	Table 2.2 titled “Projected Growth of FTE Student, Faculty, and Professional Staff” provides a snapshot of data for the years of 2025, 2028, and 2033. Please include data on campus visitors, i.e. visiting faculty, prospective students, guests, etc.; to incorporate as a column in Table 2.2. Please also add patients seen for on-campus health visits.
		<i>ii. Institutional objectives for property both within and outside the IOZ boundary (e.g. acquisition and/or disposition), including an indication of any functional land use connection for sites outside the IOZ boundary to the main campus.</i>	Pages 26-28	UNE identifies five categories for key current and future institutional needs: campus reorganization, new building and renovation, educational/pedagogy

					improvements, campus infrastructure, and housing.
		<i>iii. A development plan addressing anticipated or potential institutional needs and physical improvements, including the proposed boundary of the IOZ and any phasing of the development.</i>		Pages 28-30, Table 2.3	A development plan is shown in Table 2.3, titled “10 +- Year Development Program”, which identifies three core priority timelines: the short-term (0-5 years), medium-term (5-10 years), and long-term (10+ years).
	<i>b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including:</i>	<i>i. Transportation and access, with:</i>	<i>a) An analysis of the projected changes in parking demand, supply, and impacts to the off-street and on-street parking capacity, including an explanation of the proposed parking plan.</i>		Please provide an analysis of the projected changes in parking demand, supply, and impacts, and a review of current parking conditions. The previous TDM plan could be utilized to assist in completing this section. Further, a discussion on how to mitigate neighborhood impact by reducing on-street parking usage by UNE students and personnel should be included here.
			<i>b) An analysis of the projected changes in vehicular, pedestrian, transit, and bicycle access routes and facilities, their capacity, and safety.</i>	Page 36-37, Tables 3.2 & 3.3	Table 3.2 titled “Trip Generation Analysis” provides a snap shot of vehicular usage projections for the student population in the years 2025, 2028, and 2033. Please provide more details, as it relates to pedestrian and bicycle usage in this section, which largely focuses on vehicular travel.
			<i>c) A transportation, access, and circulation plan, representing the synthesis of the analysis, and including a program of potential improvements or set of guidelines to address access deficiencies to and within the IOZ. The plan should outline proposed mechanisms and potential strategies to meet transportation objectives, including transportation</i>	Pages 38-44	UNE’s original TDM plan was created in 2010, and is routinely updated, most recently in April 2022. Strategies that emerged from the plan include: education and promotion, carpooling & ridesharing, transit service, incentives, EV charging infrastructure, bicycle infrastructure, and pedestrian & bicycle access. Please provide a more detailed transportation, access, and circulation

			<i>demand management, phasing, and when a Traffic Movement Permit (TMP) may be required.</i>		plan, that expands beyond the strategies identified in the TDM. As an example, perhaps providing a circulation plan of the core campus as a visual could then highlight potential opportunities for connections to the existing and future trail network. Please also speak to the existing Traffic Movement Permit (TMP) in this section, whether UNE envisions surpassing the threshold for a new TEMP under your build-out plans, i.e. indicate when a revised TMP may be required, or triggered, in the future.
		<i>ii. Environment, with:</i>	<i>a) An analysis of potential cumulative impacts on natural resources and open spaces.</i>	Page 52	Please provide an expanded analysis under the ‘Proposed Future Development and the Environment’ paragraph, which should detail potential cumulative impacts to the existing natural resources and open spaces on campus. For example, perhaps some good data to capture here could be existing vs. proposed impervious lot coverage, the existing open space on campus vs. proposed loss or gain of open space over time, and the existing square footage of wetlands vs. potential impacts or gains in the future.
			<i>b) An analysis of projected energy consumption, hazardous materials generation, noise generation, and similar issues as relevant.</i>	Pages 57-60	UNE’s operational sustainability is detailed within the categories of energy conservation, waste management practices, biomedical waster best practices, sustainable landscaping, and noise generation.
			<i>c) An environmental plan, representing the synthesis of the analysis and including a proposed program or set of guidelines for future</i>	Page 56, Figure 4.8	Figure 4.8 titled “Natural Resources and Campus Master Plan” shows proposed campus improvements in locations aimed to mitigate impact to natural resources.

			<i>preservation, enhancement, conservation, and/or mitigation.</i>		
		iii. Infrastructure, with:	a) <i>An analysis of projected public utility demand and the capacity of associated infrastructure.</i>	Pages 62-63	Utility demand and capacity are detailed through the lens of the various providers: water services supplied by PWD, electricity supplied by CMP, telephone & data services by Consolidated Communications and Spectrum, natural gas and heating fuels supplied by Unutil, and existing wastewater infrastructure.
			b) <i>An analysis of projected public safety needs and projected impacts to the capacity of these services.</i>	Page 64	UNE has security officers who provide 24/7 patrol and dispatch coverage of the campus, in addition, an emergency notification service (Rave Mobile Safety), provides faculty, staff, and students with timely updates during emergencies, speaking to the capacity of public safety as the campus grows.
			c) <i>An infrastructure plan, representing the synthesis of the analysis and including a proposed program or set of guidelines to support sustainable growth.</i>	Page 61-62, Figure 5.1	Figure 5.1 titled “Existing Stormwater Infrastructure and Campus Master Plan” illustrates existing City sanitary sewer and stormwater infrastructure surrounding and within the campus, as well, future stormwater run-off flows are detailed. Please include a set of guidelines to support sustainable growth at the conclusion of this chapter.
		iv. Design, with:	a) <i>An analysis of projected impacts to neighboring properties and public spaces, including potential shadow, wind, and lighting impacts, impacts of height and massing, and impacts to historic resources.</i>	Pages 65-72 Figures 6.1, 6.2, 6.3, & 6.4	The City wants to ensure UNE is adequately addressing potential impacts to the surrounding parcels, including: Evergreen Cemetery, the isolated parcels within the Campus, and properties on Mayfield Street. Please provide spot elevations on the buildings shown in Figure 6.2 to better dedicate heights. Provide rendering of

					proposed development looking from Mayfield Street towards proposed student housing building (west). Additionally, as UNE considered alternative building layouts and parking configurations for the conceptual student housing on the Gulliver's Field site?
			<i>b) An analysis of transition areas between the institution and adjoining neighborhoods, including identification of key character defining components of the surrounding context.</i>	Page 71-72, Figure 6.4	Figure 6.4 titled “Proposed Maximum Heights” has identified transition zones along the edges of the IOZ boundary. Please provide the design rationale for the proposed 50 ft height within the 25 ft-wide transition zone—was there any consideration of varying the maximum height to better align with the surrounding context? Did UNE consider mapping lower maximum heights along Capisic Brook, and what is the rationale for mapping 65 ft on the two outparcels fronting Stevens Avenue? Additionally, the parcel on Forest Avenue, under ReCode, would allow a height of up to 75 ft. We recommend removing the height limitation for that parcel should ReCode pass as proposed.
			<i>c) An analysis of existing Crime Prevention Through Environmental Design issues and identification of how these principles would be addressed as part of the proposed campus development.</i>	Page 72	UNE’s Campus Safety and Security Department monitors through in-person patrols and CCTV cameras and provides response 24/7, which contribute to low crime statistics on campus.
			<i>d) A conceptual built environment/public realm plan, representing the synthesis of the analysis and including a set of guidelines for urban design,</i>	Pages 71-75	Figure 6.4 titled “Proposed Maximum Heights” could be expanded on as a conceptual built environment/public realm plan for this section. Has there been consideration for a more

			<i>landscape, open space, and streetscape treatments, with particular attention to the treatment of edges (both within and abutting the IOZ boundary) to achieve compatible transitions.</i>		targeted contextual set of heights throughout the campus to address varying building typologies in adjacent neighborhoods?
		v. Neighborhood engagement, with:	<i>a) A plan for ongoing community engagement that represents best practices, promotes collaborative problem solving around community concerns, fosters transparency, and identifies mechanisms for neighborhood feedback and institutional accountability.</i>	Pages 76-77	UNE outlines four steps in their effort to provide ongoing community engagement, which include: -Developing a comprehensive CMP -Providing monthly project updates for all current/active projects -Creating a dedicated email address to allow neighbors to forward questions, concerns, and feedback -Attendance as local community neighborhood association meetings
			<i>b) A property management framework that identifies the institution's process for handling operational property issues with neighbors.</i>	Page 76	UNE directly oversees the maintenance and care of its facilities; it does not inspect or approve any off-campus housing.
			<i>c) Strategies for assuring communication pertaining to property acquisition and disposition in surrounding neighborhoods.</i>	Page 77	UNE has established strategies for assuring communication pertaining to property acquisition and disposition in surrounding neighborhoods, including alerting abutting properties of the transition of ownership and providing the appropriate contact information.
			<i>d) A set of construction management principles to apply to all institutional construction, that represent best practice, aim to minimize short- and long-term construction impacts on surrounding residents and businesses, and ensure a clear communication strategy is in place in advance of construction.</i>	Pages 82-84, + Attachment A	UNE has identified construction management principles that will be implemented to minimize impacts to its surrounding neighborhoods from noise, vibrations, ground movement, truck traffic, dust control and other construction related factors.

Regulatory Framework: Content
Land Use Code, Section 8.5.5.D

Category	Requirement	Location, R.F. – PDF Page # & Document Section	Review Comments
1. Zoning boundary of the IOZ	<i>The area to which the regulations apply, as shown on the zoning map, subject to other provisions of this ordinance (i.e. the map amendment to the City's zoning map)</i>	Page 144, Figure 8-H	General comment: Please add page numbers to the Regulatory Framework document itself.
2. Phasing and schedules	<i>Requirements that relate to particular proposed phases</i> <i>A chart showing the schedule or thresholds for submitting an amended IDP (or elements of an IDP, such as a Transportation Demand Management (TDM) Plan)</i>	N/A - No phasing or scheduling proposed (imminent site plan) at this time.	
3. Uses	<i>Clarification, as necessary, on permitted uses</i>	Page 146, Section C., Table 8-H	
4. Dimensional requirements	<i>Graphics, sketches, or standards, including details for transition zones within the IOZ boundary</i>	Pages 146-147, Section D., Figure 8-I	Staff requests further discussion regarding the proposed height map and how to consider the surrounding context. See attached comments.
5. Transportation	<i>Elements such as Transportation Demand Management Plan (TDM) trip reduction targets or contribution to area-wide TDM measures</i>	Page 148, Section E.	
	<i>Broad parameters for ensuring pedestrian, vehicular, bicycle and transit access and safety</i>		<i>City Staff is working with the applicant to draft language for this requirement section.</i>
	<i>Parking ratios and management strategies</i>		
	<i>Thresholds for access improvements</i>		
6. Environment	<i>The approach to the inclusion of open space and preservation of environmentally-sensitive areas</i>	Page 148, Section F.	
7. Mitigation measures	<i>The broad approach to identified mitigation measures, which would be addressed in greater detail in the site plan review process</i>	Page 148, Section G.	

	<i>Thresholds for addressing deficiencies</i>		<i>City Staff is working with the applicant to draft language for this requirement section.</i>
	<i>Goals for preservation/protection</i>		<i>City Staff is working with the applicant to draft language for this requirement section.</i>
8. Design	<i>Graphics and standards to clarify building placement and envelope (height and massing)</i>		<i>City Staff is working with the applicant to draft language for this requirement section.</i>
	<i>Guidelines for integration of site features</i>		
	<i>Required treatments for transition zones and treatment for all edges (both within and abutting the IOZ boundary)</i>		
	<i>Guidelines for establishing campus identity</i>		
9. Neighborhood integration	<i>Thresholds and strategies for neighborhood engagement</i>	Page 150, Section I.	
	<i>Mitigation of impacts on neighboring properties, including construction impacts</i>		<i>City Staff is working with the applicant to draft language for this requirement section.</i>
	<i>Buffering requirements</i>		
	<i>Objectives for pedestrian linkages and safety</i>		
	<i>Other requirements that address community concerns</i>		
10. Monitoring	<i>A schedule for regular monitoring reports on IDP implementation in accordance with the IDP</i>		This section should simply address monitoring, stating that updates will be provided to the Planning Authority every five years.

Project Review Comments: Round 2
Comments Distributed on: January 17, 2025



Project Title: University of New England Institutional Overlay Zone (UNE IOZ)
Project File No.: ZN-003059-2024
Project Address: 716 Stevens Avenue
Project Planner: Natasha Kypfer, Senior Planner

Att. 2

Dear Caitlin Suhr, Alan Thibeault, and Mary Costigan:

We have completed our second round of review of your application (ZN-003059-2024), a Map and Text Amendment, proposing a new Institutional Overlay Zone (IOZ) for the University of New England (UNE) at approximately 716 Stevens Avenue, proposed to be zoned: B-2 Community Business. This development triggers review by the Planning Board and City Council, and is subject to the following regulations: Amendments – Article 1.10 and Institutional Overlay (IOZ) – Article 8.5.

An updated overview of the City’s review can be viewed in the below worksheet and review comments. Only the IDP content table has been included for review in this second round, as the Regulatory Framework is being drafted by City staff, and will be presented at the second workshop.

Next Steps

Please review all feedback and reach out to me, as the lead project review manager, if you have any questions. We will look forward to our upcoming virtual meeting, scheduled for Thursday, January 23rd at 2:00PM. Further, we have scheduled your item for a second workshop before the Planning Board, for Tuesday, January 28th.

Sincerely,

A handwritten signature in black ink that reads "Natasha M. Kypfer".

Natasha Kypfer
Senior Planner

Worksheet(s) Table Legend:
Provided on Page # = Requirement Met
Partially Provided on Page # = Requirement Not Fully Satisfied / Staff includes suggested updates.
Not Provided = Requirement Not Satisfied

Review comments found in bold, in the below table’s far right column, indicate new comments added following the previous review round.

Institutional Development Plan (IDP): Content Land Use Code, Section 8.5.4.C					
Category	Sub-category	Requirement	Sub-requirement	Location, IDP Page #	Review Comments: Overview & Updates Requested
1. Context information	<i>a. The institution's adopted mission, vision, or purpose statement</i>			Pages 4-5	As stated and provided for on pages 4-5, UNE is guided by its Mission, Vision, and Core Values, as well as its own strategic plan ("Our World, Our Future").
	<i>b. A summary of relevant baseline data on the institution, including:</i>	<i>i. A neighborhood context plan.</i>		Pages 11-12, Figure 1.1	The UNE's approximately 72-acre campus is bounded by Warren Ave., Bishop St. Extension, and Bishop St. to the north; Stevens Ave. to the east; and, Evergreen Cemetery and CMP's Utility Corridor to the south, as depicted in provided Figure 1.1.
		<i>ii. An inventory of current programs and services.</i>		Page 7-9	The UNE Portland campus houses three academic colleges: the Westbrook College of Health Professions (WCHP), the College of Dental Medicine, and the College of Graduate and Professional Studies. In addition, UNE operates two health clinics on campus: the Oral Health Center and the Dental Hygiene Center, as well as UNE North, the Center for Global Humanities, and cultural institutions that include the Maine Women Writers Collection and the UNE Art Gallery.
		<i>iii. A current census of the number of people using the institution (e.g., employees, enrollment, patients), with an indication of maximums and minimums over time.</i>		Page 21, Table 1.3	Table 1.3 titled "FTE Student, Faculty, and Professional Staff Data", includes population data from 2016-2023 for student, faculty and professional staff, campus population, and patient visits. Note, UNE does not keep track of general campus visitors.
		<i>iv. An inventory and/or plan of all existing property holdings within the main campus and within the City of Portland, including an indication of</i>		Page 20, Table 1.2	Table 1.2 titled "UNE Owned Properties in the City of Portland", documents UNE's total of 17 parcels,

		<i>functional land use links between off-campus properties and the main campus (e.g. remote parking).</i>		the majority of which are contiguous in the campus core, while several are outparcels. An additional section speaks to the functional land use links between off-campus properties (outparcels) and the main campus.
		<i>v. An inventory and/or plan of existing facilities, including data on use, floor area, and any existing functional connections between facilities.</i>	Page 16, Figure 1.5 Pp. 17-19, Table 1.1	The UNE campus map is provided on page 16 as Figure 1.5, depicting the 25 distinct facilities and 11 parking areas, with an inset map centered around the Campus Quad. A campus facilities table has been provided detailing each facility, their location, name, total floor area, building height, and use. Further, the table includes each parking facility, a lot description, total parking area, total number of spaces including those ADA and EV charging compliant.
	<i>c. A summary of the baseline characteristics of the existing campus and context of the institution, based on identified study areas, including:</i>	<i>i. A summary of existing resources, such as historic, open space, and natural resources.</i>	Pages 22-23	UNE's campus is the site of the Westbrook College Historic District, which includes six buildings built between 1834 and 1952. Further, existing open space and natural resources are summarized, and include notation of the Portland Trails Forest City Trail connection and the Capisic Brook watershed area.
		<i>ii. A summary of the existing transportation system, including vehicular, pedestrian, transit, bicycle, and parking supply, demand, and utilization.</i>	Pages 41-53, Table 3.5 & 3.6 Page 50, Figure 3.6	Table 3.5 titled "UNE Portland Campus - Parking Spaces" details the currently 11 parking lots located on campus, plus the on-street parking along two principle campus roadways, which amounts to 882 spaces total, plus the 182 permitted spaces presently at the COM building. Table 3.6 details parking occupancy at the UNE Portland campus data and assumptions from 2015-2033. The chapter concludes with three main parking goals for the campus.

		iii. A summary of existing public infrastructure supporting the institution, including demand, utilization and any capacity issues.	Page 24	Existing stormwater management systems utilize on-site infiltration systems, with secondary use of conveyance to the Stevens Ave. and Bishop St. CSO. Existing wastewater infrastructure for the campus is discharged to a CSO in College St. and Stevens Ave. Other public utilities include: PWD, CMP, and Unutil.
		iv. Relevant municipal plans, projects, and studies that may influence the IDP study area and opportunities for integrating institutional growth.	Page 24-27	A breakdown of the City's Comprehensive Plan, with tie in to the eight policy guide topics as they relate to UNE's work is provided with excerpts from Portland's Plan that UNE works to promote and advance are underscored and include the: environment, economy, historic resources, and housing. Additional studies also referenced, are: One Climate Future, the Smart Corridor Plan, and the Forest Avenue Redesign Project.
	d. A summary of public involvement in the development of the IDP, including major areas of public concern.		Pages 27-28	UNE has worked to involve the public in the creation of the IDP during the IOZ submission process, this includes holding two required neighborhood meetings, which took place on June 13, 2024 and October 30, 2024, as well as the necessary Planning Board and City Council meetings during the adoption of the IOZ.
2. Assessment of future institutional growth and change, including:	a. A description of institutional needs and areas of future institutional growth and change, with:	i. A projected census of users (e.g., enrollment /employment/patient/visitor figures and anticipated variations over time).	Page 31, Table 2.2	Table 2.2 titled "Projected Growth of FTE Student, Faculty, and Professional Staff, and Patient Visits " provides a snapshot of data assumptions for the years of 2025, 2028, and 2033. Note, UNE does not keep track of general campus visitors.
		ii. Institutional objectives for property both within and outside the IOZ boundary (e.g. acquisition and/or disposition), including an indication of	Pages 32-34	UNE identifies five categories for key current and future institutional needs: campus reorganization, new building

		<i>any functional land use connection for sites outside the IOZ boundary to the main campus.</i>			and renovation, educational/pedagogy improvements, campus infrastructure, and housing.
		<i>iii. A development plan addressing anticipated or potential institutional needs and physical improvements, including the proposed boundary of the IOZ and any phasing of the development.</i>		Pages 34-35, Table 2.3	A development plan is shown in Table 2.3, titled “10 +- Year Development Program”, which identifies three core priority timelines: the short-term (0-5 years), medium-term (5-10 years), and long-term (10+ years).
	<i>b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including:</i>	<i>i. Transportation and access, with:</i>	<i>a) An analysis of the projected changes in parking demand, supply, and impacts to the off-street and on-street parking capacity, including an explanation of the proposed parking plan.</i>	Page 24, Pages 51-53	The context section notes: “A campus parking analysis, based upon the historical count data, projects a maximum occupancy rate per university population to be at 0.39 from 2025 to 2033. This rate is similar to the Institute of Transportation Engineers (ITE) 85th percentile parking rate.” Further, provided within the Transportation Plan section, UNE includes a parking analysis based upon the historical parking counts.
			<i>b) An analysis of the projected changes in vehicular, pedestrian, transit, and bicycle access routes and facilities, their capacity, and safety.</i>	Pages 43-45, Tables 3.2 & 3.3	Table 3.2 titled “Trip Generation Analysis” provides a snap shot of vehicular usage projections for the student population in the years 2025, 2028, and 2033. Based upon the most recent TDM survey UNE reports, of total trips to campus, approximately: 1% are transit trips, 1% are bicycle trips, and 3% are walking trips.
			<i>c) A transportation, access, and circulation plan, representing the synthesis of the analysis, and including a program of potential improvements or set of guidelines to address access deficiencies to and within the IOZ. The plan should outline proposed mechanisms and potential strategies to meet transportation objectives,</i>	Pages 45-53, Figure 3.6	UNE’s original TDM plan was created in 2010, and is routinely updated, most recently in April 2022. Strategies that emerged from the plan include: education and promotion, carpooling & ridesharing, transit service, incentives, EV charging infrastructure, bicycle infrastructure, and pedestrian & bicycle access. Figure 3.6 titled “Core Campus Bicycle and Pedestrian Connectivity”, shows the primary

			<i>including transportation demand management, phasing, and when a Traffic Movement Permit (TMP) may be required.</i>		campus sidewalks, bike facilities, and off-site connections. UNE notes, opportunities to expand this network (as visualized in Fig. 3.6), and to increase these alternative commuting modes, will continue to be explored. Details regarding the Traffic Movement Permit (TMP) have also been included in this section.
	ii. Environment, with:		<i>a) An analysis of potential cumulative impacts on natural resources and open spaces.</i>	Page 61 Page 80, Figure 6.4	Provided under the 'Proposed Future Development and the Environment' section, UNE details their commitment to preserving 10± acres on campus as dedicated open space, which is also depicted in Figure 6.4 titled "Proposed Open Space and Maximum Height Map". Staff suggests an additional table be added to this section, breaking down the acreage on campus, and providing the dedicated open space calculations.
			<i>b) An analysis of projected energy consumption, hazardous materials generation, noise generation, and similar issues as relevant.</i>	Pages 67-70	UNE's operational sustainability is detailed within the categories of energy conservation, waste management practices, biomedical waste best practices, sustainable landscaping, and noise generation.
			<i>c) An environmental plan, representing the synthesis of the analysis and including a proposed program or set of guidelines for future preservation, enhancement, conservation, and/or mitigation.</i>	Page 66, Figure 4.8	Figure 4.8 titled "Natural Resources and Campus Master Plan" shows proposed campus improvements in locations aimed to mitigate impact to natural resources.
		iii. Infrastructure, with:	<i>a) An analysis of projected public utility demand and the capacity of associated infrastructure.</i>	Pages 72-73	Utility demand and capacity are detailed through the lens of the various providers: water services supplied by PWD, electricity supplied by CMP, telephone & data services by Consolidated Communications and

					Spectrum, natural gas and heating fuels supplied by Unitil, and existing wastewater infrastructure.
			<i>b) An analysis of projected public safety needs and projected impacts to the capacity of these services.</i>	Page 74	UNE has security officers who provide 24/7 patrol and dispatch coverage of the campus, in addition, an emergency notification service (Rave Mobile Safety), provides faculty, staff, and students with timely updates during emergencies, speaking to the capacity of public safety as the campus grows.
			<i>c) An infrastructure plan, representing the synthesis of the analysis and including a proposed program or set of guidelines to support sustainable growth.</i>	Pages 71-74, Figure 5.1	Figure 5.1 titled “Existing Stormwater Infrastructure and Campus Master Plan” illustrates existing City sanitary sewer and stormwater infrastructure surrounding and within the campus, as well, future stormwater run-off flows are detailed. At the conclusion of this chapter, a set of guidelines to support sustainable growth was added.
		<i>iv. Design, with:</i>	<i>a) An analysis of projected impacts to neighboring properties and public spaces, including potential shadow, wind, and lighting impacts, impacts of height and massing, and impacts to historic resources.</i>	Pages 75-84 Figures 6.1, 6.2, 6.3, & 6.4	The City wants to ensure UNE is adequately addressing potential impacts to the surrounding parcels, including: Evergreen Cemetery, the isolated parcels within the Campus, and properties on Mayfield Street. Figure 6.1 was updated to include spot elevations on campus current and future buildings, in order to better delineate height. Further, Figure 6.3 was updated to provide a 3D view from Mayfield Street towards proposed student housing building (west). With regard to the future development of the Gulliver's Field site, UNE notes they are evaluating alternatives for building footprints and parking configurations within the general area depicted on the Campus Master Plan (Figure 2.1, P. 33). The

					general area for development will be within the existing Gulliver's Field site, however final design will be developed in the future and reviewed as part of site plan application
			<i>b) An analysis of transition areas between the institution and adjoining neighborhoods, including identification of key character defining components of the surrounding context.</i>	Page 79-81, Figure 6.4	Figure 6.4 titled "Proposed Open Space and Maximum Height Map" depicts open space (i.e. "no build" areas), as well, a 25-ft-wide transition zone around the interior perimeter of the contiguous campus, with a maximum height in that transition zone of 50-ft. UNE indicates the design rationale of which is to provide a stepback of building heights from the campus edges and adjacent properties, with the intent to focus densification and greater building heights internal to the campus. Further, the open space areas added to the plan will provide added buffering of neighboring properties, and will preserve existing wetland and open space areas, including along Capisic Brook and adjacent to the Mayfield Street neighborhood.
			<i>c) An analysis of existing Crime Prevention Through Environmental Design issues and identification of how these principles would be addressed as part of the proposed campus development.</i>	Page 81	UNE's Campus Safety and Security Department monitors through in-person patrols and CCTV cameras and provides response 24/7, which contribute to low crime statistics on campus.
			<i>d) A conceptual built environment/public realm plan, representing the synthesis of the analysis and including a set of guidelines for urban design, landscape, open space, and streetscape treatments, with particular attention to the treatment of edges (both within</i>	Pages 79-84, Figure 6.4	Figure 6.4 titled "Proposed Open Space and Maximum Height Map" was revised to include open space (i.e., "no build", areas). The open space areas added to the plan provide further buffering of neighboring properties, and will preserve existing wetland and open space areas, such as along Capisic Brook and adjacent to the Mayfield

			<i>and abutting the IOZ boundary) to achieve compatible transitions.</i>		Street neighborhood, and Evergreen Cemetery. UNE notes, the proposed maximum height areas have been selected to facilitate future development in portions of the campus that will not impact natural resources and will enhance campus engagement and safety.
		<i>v. Neighborhood engagement, with:</i>	<i>a) A plan for ongoing community engagement that represents best practices, promotes collaborative problem solving around community concerns, fosters transparency, and identifies mechanisms for neighborhood feedback and institutional accountability.</i>	Pages 85-86	UNE outlines four steps in their effort to provide ongoing community engagement, which include: -Developing a comprehensive CMP -Providing monthly project updates for all current/active projects -Creating a dedicated email address to allow neighbors to forward questions, concerns, and feedback -Attendance as local community neighborhood association meetings
			<i>b) A property management framework that identifies the institution's process for handling operational property issues with neighbors.</i>	Page 86	UNE directly oversees the maintenance and care of its facilities; it does not inspect or approve any off-campus housing.
			<i>c) Strategies for assuring communication pertaining to property acquisition and disposition in surrounding neighborhoods.</i>	Page 86	UNE has established strategies for assuring communication pertaining to property acquisition and disposition in surrounding neighborhoods, including alerting abutting properties of the transition of ownership and providing the appropriate contact information.
			<i>d) A set of construction management principles to apply to all institutional construction, that represent best practice, aim to minimize short- and long-term construction impacts on surrounding residents and businesses, and ensure a clear communication strategy is in</i>	Pages 91-93, + Attachment A	UNE has identified construction management principles that will be implemented to minimize impacts to its surrounding neighborhoods from noise, vibrations, ground movement, truck traffic, dust control and other construction related factors.

			<i>place in advance of construction.</i>		
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8 OVERLAY ZONES

8.1 COASTAL FLOOD RESILIENCE OVERLAY (CFROZ)

8.1.1 Purpose

The purpose of the Coastal Flood Resilience Overlay Zone (CFROZ) is to protect persons and structures from the adverse effects of sea level rise and storm surge associated with climate change by:

- A. Advancing adaptation strategies for long-term resilience.
- B. Complementing public realm resilience measures by guiding development on private property.
- C. Mitigating flood risks in a way that is specific to Portland's unique hydrological conditions and affected uses, particularly in areas that are not currently recognized as flood zones but are vulnerable to future sea level rise.
- D. Providing a balanced framework in which flood protection requirements are proportional to the vulnerability and risks of various occupancies.

8.1.2 Applicability

The provisions of the CFROZ shall apply to property or proposed projects wholly or partially within the boundaries of the Coastal Flood Resilience Overlay Zone as depicted on the City of Portland Zoning Map. However, property or proposed projects within the CFROZ boundary that are also located wholly or partially within special flood hazard areas with a BFE of 13 feet or higher as defined in Article 12 shall be exempt from the provisions of the CFROZ.

8.1.3 Relationship to underlying zoning

The CFROZ constitutes an overlay zone. The provisions

of the underlying zoning, as they may be amended from time to time, continue to apply, except as expressly superseded by this Section. Where conflicts exist between this Section and the remainder of this Code, the more restrictive provision shall govern.

8.1.4 Use classifications

- A. For the purposes of this Section, uses in the CFROZ shall be classified as follows:
 1. *Critical uses.* Critical uses generally include residential, governmental, educational, medical, emergency, and related high-risk uses.
 2. *Non-critical uses.* Non-critical uses generally include retail, restaurant, commercial, and related medium-risk uses.
 3. *Exempt uses.* Exempt uses generally include low risk and low occupancy uses such as parking, construction yards, and storage.
- B. Table 8-A shall determine whether a use is classified as critical, non-critical, or exempt. For uses not listed in Table 8-A, the Building Authority or the Planning Authority shall determine the classification based upon the most nearly comparable land use. Water-dependent uses shall be considered exempt.
- C. All accessory uses shall be considered non-critical, with the following exceptions:
 1. Accessory dwelling units.
 2. Child care centers and small child care facilities greater than 1,000 square feet in floor area.
 3. Clinics greater than 1,000 square feet in floor area.

TABLE 8-A: CLASSIFICATION OF USES AS CRITICAL, NON-CRITICAL, OR EXEMPT

		Critical	Non-Critical	Exempt
Residential	Single-family dwellings	●		
	Two-family dwellings	●		
	Three-family dwellings	●		
	Four-family dwellings	●		
	Townhouse dwellings	●		
	Multi-family dwellings	●		
	Live/work dwellings	●		
	Group homes	●		
	Lodging houses	●		
	Child care centers + small child care facilities	●		
Institutional	Clinics	●		
	Cultural facilities	●		
	Elementary, middle, and secondary schools	●		
	Emergency shelters	●		
	Governmental uses	●		
	Hospitals	●		
	Places of assembly	●		
	Post-secondary schools	●		
	Residential care facilities (small)	●		
	Residential care facilities (large)	●		
Commercial	Adult business establishments		●	
	Animal-related services		●	
	Auto, boat, and related dealerships		●	
	Auto service stations			●
	Bars		●	
	Bed and breakfasts	●		
	Exhibition, meeting, and convention halls		●	
	Funeral homes		●	
	General offices		●	
	General services		●	
	Greenhouse/Nursery, retail			●
	Hostels	●		
	Hotels	●		
	Marijuana retail store		●	
	Market garden			●

TABLE 8-A: CLASSIFICATION OF USES AS CRITICAL, NON-CRITICAL, OR EXEMPT

	Critical	Non-Critical	Exempt
Commercial	Neighborhood nonresidential reuse	●	
	Office park	●	
	Recreation and amusement centers	●	
	Registered marijuana dispensary	●	
	Restaurants	●	
	Retail	●	
	Small-scale marijuana caregiver	●	
	Specialty food service	●	
	Theaters and performance halls	●	
	Veterinary services	●	
Industrial	Communication studios	●	
	Construction & engineering services	●	
	Dairies		●
	Fish waste processing	●	
	Food & seafood processing, packing, and distribution	●	
	High-impact industrial uses	●	
	Impound lots		●
	Intermodal transportation facilities	●	
	Laboratory and research facilities	●	
	Low-impact industrial	●	
	Lumber yards		●
	Marijuana cultivation facility (<2,000 SF plant canopy)		●
	Marijuana cultivation facility (2,000-7,000 SF plant canopy)	●	
	Marijuana cultivation facility (>7,000 SF plant canopy)	●	
	Marijuana manufacturing facilities	●	
	Marijuana testing facilities	●	
	Printing and publishing	●	
	Recycling facilities		●
	Self-storage	●	
	Solid waste disposal facilities		●
	Studios for artists and craftspeople	●	
	Telecommunication towers (ground-mounted)		●
	Warehousing and distribution	●	

TABLE 8-A: CLASSIFICATION OF USES AS CRITICAL, NON-CRITICAL, OR EXEMPT

	Critical	Non-Critical	Exempt
Agriculture			●
Boathouses and storehouses for fishing equipment			●
Campgrounds			●
Cemeteries			●
Marinas and yacht clubs			●
Marine uses			●
Off-street parking			●
Parks and open spaces			●
Social service centers	●		
Solar energy system (minor)			●
Solar energy system (major)			●
Utility substations	●		
Wharves, piers, docks, and landing ramps			●
Wind energy system (minor)			●
Wind energy system (major)			●

Other

8.1.5 Projects subject to the standards of the CFROZ

- A.** Any development located within the established boundary of the CFROZ, and which meets the thresholds listed below, shall be subject to the standards of the CFROZ.
1. All new construction containing a critical use or uses.
 2. New construction of greater than 1,000 square feet containing non-critical uses only.
 3. Any addition of greater than 1,000 square feet containing critical or non-critical uses.
- B.** Where a change of use occurs within the CFROZ, all portions of a building containing a critical use and the critical systems supporting such use shall meet the CFROZ standards. Changes of use to non-critical uses shall not require compliance with the CFROZ standards.

- C.** Structures within the CFROZ that are 50,000 square feet or greater in gross floor area and undergoing substantial improvement are required to meet the CFROZ standards when they contain a critical use or uses. For the purposes of this subsection, substantial improvement shall be as defined in Article 12.

8.1.6 Use and dimensional requirements

- A. Sea level rise design flood elevation (SLR-DFE).** The required SLR-DFE shall be determined by use classification. For mixed-use developments that contain uses in different classifications sharing a ground floor, each use shall be addressed independently.

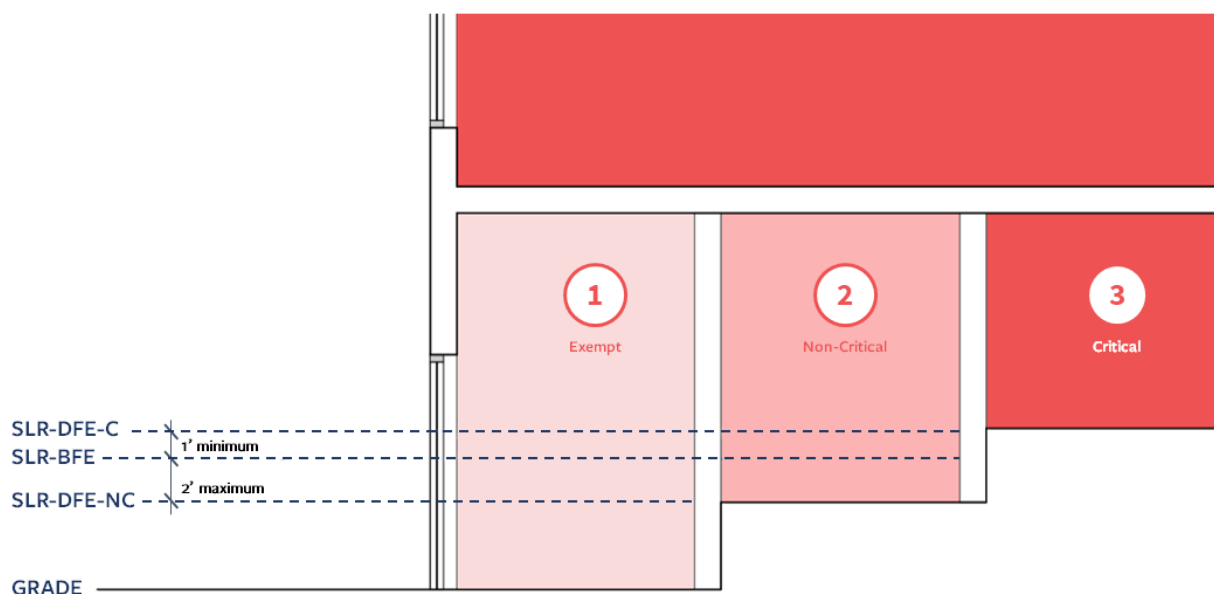


FIGURE 8-A: CFROZ USE CLASSIFICATIONS AND DESIGN FLOOD ELEVATION

1. *Critical uses.* The SLR-DFE for all critical uses (SLR-DFE-C), including the critical systems serving such uses, shall be a minimum of one foot above SLR-BFE, as defined in Article 3. In a proposed project containing critical uses, the following building and site elements are permitted to be located below the SLR-DFE:
 - a. Lobbies, entries, egress stairs, and elements required for vertical circulation from the SLR-DFE to grade, such as elevators, ramps, and stairs.
 - b. Parking.
 - c. Storage.
 - d. Flood protection equipment.
 2. *Non-critical uses.* The SLR-DFE for non-critical uses (SLR-DFE-NC), including the critical systems serving those uses, shall be no lower than two feet below SLR-BFE, as defined in Article 3. The minimum elevation of the underside of the beams supporting the second floor in a multi-story building, or the roof in a one-story building, shall be no less than 13 feet above SLR-BFE. In a proposed project containing non-critical uses, the following building and site elements are permitted to be located below SLR-DFE:
 - a. Lobbies, entries, egress stairs, and elements required for vertical circulation from the SLR-DFE to grade, such as elevators, ramps, and stairs.
 - b. Parking.
 - c. Storage.
 - d. Flood protection equipment.
 3. *Exempt uses.* Exempt uses shall not be subject to dimensional requirements with respect to SLR-BFE.
- B. Building height.** Within the CFROZ, if a proposed project contains principal critical or non-critical uses on the ground floor, height shall be measured from the SLR-DFE or from

average grade, whichever is higher.

C. Exemptions for required ramping and stairs.

Ramping and stairs necessary to meet any required SLR-DFE may be included within the calculation of area required to meet landscaped open space ratio requirements, and shall not be included within the calculation of lot coverage. Ramping and stairs necessary to meet any required SLR-DFE may be located in any required front yard, interior or corner side yard, or rear yard, and in cases where build-to requirements apply, shall be considered to meet the build-to percentage.

D. Hazardous materials. Any hazardous materials shall be fully contained and elevated a minimum of two feet above SLR-DFE.

8.2 FORT SUMNER PARK HEIGHT OVERLAY

8.2.1 Purpose

The purpose of the Fort Sumner Park Height Overlay is to protect the public interest by limiting the impact of development on the quintessential views of natural resources and the changing Portland skyline from Fort Sumner Park.

8.2.2 Applicability

A key apex point is established in Fort Sumner Park at 43° 40' 2.3359" N. 70° 15' 4.3687" W . The Fort Sumner Park Height Overlay includes all land within 200 feet to the west of this key apex point as indicated on the City of Portland Zoning Map.

8.2.3 Standards

Notwithstanding any other section of this Land Use Code, development in the Fort Sumner Park Height Overlay shall be subject to the following additional provisions:

- A.** The top of structures, including rooftop appurtenances, within the overlay shall not exceed the baseline vertical height of the apex point (160.27' City of Portland Datum (Mean Tide)). For each 25' radially away from the apex point, the vertical height permitted in the overlay is reduced by 1 foot. (See Figure 8-B.)
- B.** The minimum building setback from the park property shall be 15 feet.

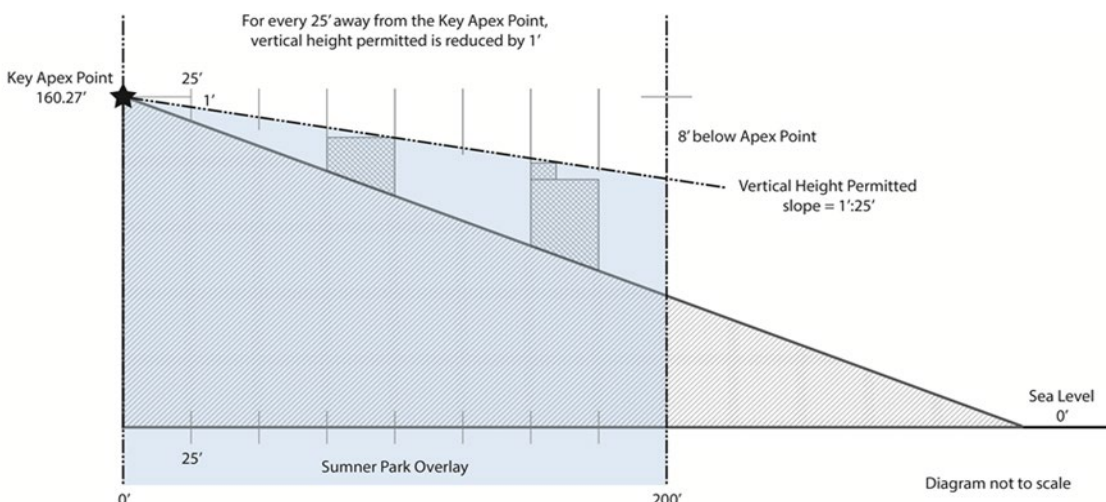


FIGURE 8-B: FORT SUMNER PARK OVERLAY PERMISSIBLE HEIGHT



8.2.4 Review process

Any project within the Fort Sumner Park Overlay shall go before the Parks Commission for a recommendation to the Planning Board regarding potential impacts on Fort Sumner Park.

8.3 INSTITUTIONAL OVERLAY (IOZ)

8.3.1 Purpose

The Institutional Overlay Zone (IOZ) provides a regulatory tool available to the city's major medical and higher education campuses where an alternative regulatory structure is needed to facilitate a consistent, predictable, and clear growth management process. The purposes of the Institutional Overlay Zone are to:

- A. Acknowledge that the city's major academic and medical institutions play a prominent role in the health and well-being of the local and regional community, and to sustain that role, these institutions need flexibility to change and grow.
- B. Encourage proactive planning for institutional change and growth which identifies and addresses likely long-term institutional needs and cumulative impacts while leveraging potential benefits at the neighborhood, city, and regional level.
- C. Ensure that institutional change and growth both complements and, as appropriate, integrates adjacent or surrounding neighborhoods through carefully planned transitions.
- D. Support the formation and continuation of mutually beneficial public-private cooperation.
- E. Support an ongoing public engagement process that benefits both the institutions and nearby neighborhoods.
- F. Reflect Comprehensive Plan and other policy

objectives.

- G. Provide a regulatory tool for Portland's major institutions that includes the flexibility required to balance the particular needs of institutions with the needs of the surrounding neighborhood and wider community.

8.3.2 Location and applicability

The city's major medical and higher education institutions are eligible to apply for designation as Institutional Overlay Zones. Use of an Institutional Overlay Zone is encouraged for these institutions, particularly where proposed future development may be inconsistent with current base zoning.

8.3.3 Establishment

A. Application for an Institutional Overlay Zone.

Where an eligible institution seeks designation as an IOZ, they shall submit a zone change application consisting of two components:

- 1. An Institutional Development Plan (IDP) in accordance with Subsection 8.3.4.
- 2. A regulatory framework in accordance with Subsection 8.3.5. If adopted, this framework shall serve as the text and map amendment to the City's Land Use Code and zoning map.

- B. **Required public involvement.** At least two neighborhood meetings shall be required to establish designation as an IOZ. The first shall be held prior to the formal submission of a zone change application, and the second shall be held during the City's review. Meetings shall identify the concerns, if any, of affected residents and property owners, and should solicit feedback to inform the Institutional Development Plan (IDP) and regulatory framework proposed. Meetings shall be held in

a convenient location proximate to the institution. The applicant shall provide written notification to property owners of record within 500 feet of the proposed IOZ boundary at least ten days prior to the meeting dates, and shall maintain written records of the meetings.

- C. Required scoping meeting.** The eligible institution shall meet with the Planning Authority after the first required neighborhood meeting and prior to submission of the zone change application to confirm the focus of the Institutional Development Plan (IDP) and regulatory framework, including associated study areas that may be outside of the proposed IOZ boundary. The IDP and regulatory framework will vary in detail and focus depending on the eligible institution and its context. The content requirements in Subsections 8.3.4 and 8.3.5 and the recorded comments from neighborhood meeting(s) shall provide direction for the content of the IDP. The Planning Authority or Planning Board may require additional information or modify content requirements as is relevant to the eligible institution.
- D. Reviewing authority.** The Planning Board shall review the zone change application, including the IDP and regulatory framework. At least one public workshop and a public hearing before the Planning Board are required. Upon recommendation of the Planning Board, the City Council shall review and consider adoption of the Institutional Overlay Zone and the accompanying regulatory framework as an amendment to the City's Code of Ordinances.
- E. Future institutional development.** All new development shall be compliant with the established IOZ and accompanying regulatory

framework. It shall also be consistent with the IDP, consistent with the Comprehensive Plan, and shall meet applicable site plan standards, unless such standards are superseded by the regulatory framework. Any development proposed by an eligible institution outside the established IOZ boundary shall be reviewed under the standards of the applicable zone, unless such development is proposed in a residential zone and is functionally related to the operations within the IOZ, in which case it shall be addressed by the IDP and require an amendment to the IDP as applicable.

8.3.4 Institutional Development Plan (IDP)

- A. Purpose.** Any use conducted by an eligible institution and any construction by an eligible institution in an Institutional Overlay Zone shall be consistent with an Institutional Development Plan (IDP) approved by the Planning Board in accordance with this section. The purpose of the IDP is to establish baseline data about institutional land uses, facilities, and services, and to measure, analyze, and address the anticipated or potential impacts of planned institutional growth and change. The IDP shall serve as a background document that supports the proposed regulatory framework and informs subsequent site plan review(s).
- B. Planning horizon.** An IDP shall provide the City and abutting neighborhoods with a clear outline of the anticipated or potential growth and change of the eligible institution for the short- to medium-term (e.g. 1-5 and 5-10 years respectively), as well as a conceptual growth plan for the long-term (e.g. 10 years or more). However, the specific planning horizons for each institution will be determined as part of



the IDP approval process.

- C. Content.** The IDP submission shall address the following elements unless specifically modified by the Planning Authority or Planning Board, with the scope and level of detail to be clarified at the required scoping meeting:

- 1.** Context information, including:
 - a.** The institution's adopted mission, vision, or purpose statement.
 - b.** A summary of relevant baseline data on the institution, including:
 - i.** A neighborhood context plan.
 - ii.** An inventory of current programs and services.
 - iii.** A current census of the number of people using the institution (e.g., employees, enrollment, patients), with an indication of maximums and minimums over time.
 - iv.** An inventory and/or plan of all existing property holdings within the main campus and within the City of Portland, including an indication of functional land use links between off-campus properties and the main campus (e.g. remote parking).
 - v.** An inventory and/or plan of existing facilities, including data on use, floor area, and any existing functional connections between facilities.
 - c.** A summary of the baseline characteristics of the existing campus and context of the institution, based on identified study areas, including:
 - i.** A summary of existing resources, such as historic, open space, and natural resources.
 - ii.** A summary of the existing transportation system, including vehicular, pedestrian, transit, bicycle, and parking supply, demand, and utilization.
 - iii.** A summary of existing public infrastructure supporting the institution, including demand, utilization and any capacity issues.
 - iv.** Relevant municipal plans, projects, and studies that may influence the IDP study area and opportunities for integrating institutional growth.
 - d.** A summary of public involvement in the development of the IDP, including major areas of public concern.
- 2.** Assessment of future institutional growth and change, including:
 - a.** A description of institutional needs and areas of future institutional growth and change, with:
 - i.** A projected census of users (e.g., enrollment /employment/patient/ visitor figures and anticipated variations over time).
 - ii.** Institutional objectives for property both within and outside the IOZ boundary (e.g. acquisition and/or disposition), including an indication of any functional land use connection for sites outside the IOZ boundary to the main campus.

- iii. A development plan addressing anticipated or potential institutional needs and physical improvements, including the proposed boundary of the IOZ and any phasing of the development.
- b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including:
 - i. Transportation and access, with:
 - a) An analysis of the projected changes in parking demand, supply, and impacts to the off-street and on-street parking capacity, including an explanation of the proposed parking plan.
 - b) An analysis of the projected changes in vehicular, pedestrian, transit, and bicycle access routes and facilities, their capacity, and safety.
 - c) A transportation, access, and circulation plan, representing the synthesis of the analysis, and including a program of potential improvements or set of guidelines to address access deficiencies to and within the IOZ. The plan should outline proposed mechanisms and potential strategies to meet transportation objectives, including transportation demand management, phasing, and when a Traffic Movement Permit (TMP) may be required.
 - ii. Environment, with:
 - a) An analysis of potential cumulative impacts on natural resources and open spaces.
 - b) An analysis of projected energy consumption, hazardous materials generation, noise generation, and similar issues as relevant.
 - c) An environmental plan, representing the synthesis of the analysis and including a proposed program or set of guidelines for future preservation, enhancement, conservation, and/or mitigation.
 - iii. Infrastructure, with:
 - a) An analysis of projected public utility demand and the capacity of associated infrastructure.
 - b) An analysis of projected public safety needs and projected impacts to the capacity of these services.
 - c) An infrastructure plan, representing the synthesis



of the analysis and including a proposed program or set of guidelines to support sustainable growth.

iv. Design, with:

- a)** An analysis of projected impacts to neighboring properties and public spaces, including potential shadow, wind, and lighting impacts, impacts of height and massing, and impacts to historic resources.
- b)** An analysis of transition areas between the institution and adjoining neighborhoods, including identification of key character defining components of the surrounding context.
- c)** An analysis of existing Crime Prevention Through Environmental Design issues and identification of how these principles would be addressed as part of the proposed campus development.
- d)** A conceptual built environment/public realm plan, representing the synthesis of the analysis and including a set of guidelines for urban design, landscape, open space, and streetscape treatments, with particular attention to

the treatment of edges (both within and abutting the IOZ boundary) to achieve compatible transitions.

v. Neighborhood engagement, with:

- a)** A plan for ongoing community engagement that represents best practices, promotes collaborative problem solving around community concerns, fosters transparency, and identifies mechanisms for neighborhood feedback and institutional accountability.
- b)** A property management framework that identifies the institution's process for handling operational property issues with neighbors.
- c)** Strategies for assuring communication pertaining to property acquisition and disposition in surrounding neighborhoods.
- d)** A set of construction management principles to apply to all institutional construction, that represent best practice, aim to minimize short- and long-term construction impacts on surrounding residents and businesses, and ensure a clear

communication strategy is in place in advance of construction.

D. Standards of review. The IDP shall:

1. Address all content requirements, unless explicitly modified by the Planning Authority or Planning Board.
2. Reflect the issues/topics identified in the required public process.
3. Demonstrate consistency with the City's Comprehensive Plan and the purpose of this ordinance.
4. Demonstrate how the property ownership, proposed growth, and requested regulatory framework relate to the institution's mission.
5. Demonstrate that traffic and parking impacts have been anticipated and that the proposed parking provision is justified as based on an assessment of options for reducing traffic and parking demands.
6. Outline an approach to open space, natural, and historic resources that supports preservation and enhancement.
7. Demonstrate that potential cumulative environmental impacts have been anticipated and can be minimized or satisfactorily mitigated.
8. Demonstrate that utility impacts have been anticipated and can be minimized or satisfactorily mitigated.
9. Reflect a comprehensive design approach that ensures appropriate transitions with the existing or future scale and character of the neighboring urban fabric.
10. Promote compatibility with existing or future uses in adjacent neighborhoods, maintain housing, and support local

amenities.

11. Anticipate future off-site improvements that would support the integration of the institution into the community and city-wide infrastructure.
12. Conform with the standards of Article 16 for designated landmarks or for properties within designated historic districts or designated historic landscapes, if applicable. ~~When proposed adjacent to or within 100 feet of designated landmarks, historic districts, or historic landscapes, the IDP shall be generally compatible with the major character defining elements of the landmark or portion of the district in the immediate vicinity.~~
13. Incorporate strategies to support clear communication and ongoing public engagement between institutions and nearby neighbors.

E. Approval. Upon finding that an eligible institution's IDP meets the standards of review, the Planning Board shall approve, approve with conditions, or deny an IDP.

F. Monitoring. The IDP shall establish a schedule for reporting on IDP implementation at regular intervals of not more than ten years from the date of approval of the initial or amended IDP, and identify thresholds for IDP amendments.

G. Amendments. An approved IDP shall guide campus development unless and until amended. If at any time the eligible institutions request minor amendments to an approved IDP, the Planning Authority may approve such minor amendments, provided that they do not constitute a substantial alteration of the IDP and do not affect any condition or requirement of the Planning Board. The applicant shall apply



with a written statement of the proposed amendment and proposed amended IDP to the Planning Authority, whose decision as to whether the amendment is minor shall be final. Major amendments shall be reviewed by the Planning Board. When the IDP is amended, the baseline data in the IDP shall be updated as appropriate.

8.3.5 Regulatory framework

- A. Purpose.** The regulatory framework translates the IDP into a set of clear and specific zoning requirements for the IOZ that constitute the text and map amendments to the City's Land Use Code and zoning map. The zoning requirements are anticipated to include parameters that guide the growth and change of the institution as well as broad strategies to address potential impacts, with plans and details to be developed under site plan review.
- B. Applicability.** The regulatory framework shall apply only to properties that are within the IOZ boundary and to which the eligible institution holds right, title, or interest. For these properties, the Institutional Overlay Zone shall supersede the underlying zoning, and all new institutional development shall be conducted in compliance with the regulatory framework and the approved Institutional Development Plan. Properties located within the Institutional Overlay Zone not subject to right, title, or interest of the eligible institution shall continue to be governed by the regulations of the underlying zoning designation.
- C. Uses.** Institutional uses, including hospitals and higher education facilities, shall be permitted, as shall uses that are functionally integrated with, ancillary to, and/or substantively related to

supporting the primary institutional use, consistent with the applicable approved IDP.

- D. Content.** The regulatory framework shall reflect the information and analysis of the IDP. The content shall be tailored to address the issues associated with the institution and its neighborhoods. The regulatory framework should be succinct and use tables and graphics to address the following, if applicable:
 - 1. Zoning boundary of the IOZ.** The area to which the regulations apply, as shown on the zoning map, subject to other provisions of this ordinance (i.e. the map amendment to the City's zoning map).
 - 2. Phasing and schedules.** Requirements that relate to proposed phases; a chart showing the schedule or thresholds for submitting an amended IDP (or elements of an IDP, such as a Transportation Demand Management (TDM) Plan).
 - 3. Uses.** Clarification, as necessary, on permitted uses.
 - 4. Dimensional requirements.** Graphics, sketches, or standards, including details for transition zones within the IOZ boundary.
 - 5. Transportation.** Elements such as Transportation Demand Management Plan (TDM) trip reduction targets or contribution to area-wide TDM measures; broad parameters for ensuring pedestrian, vehicular, bicycle and transit access and safety; parking ratios and management strategies; thresholds for access improvements.
 - 6. Environment.** The approach to the inclusion of open space and preservation of environmentally-sensitive areas.
 - 7. Mitigation measures.** The broad approach to identified mitigation measures, which

would be addressed in greater detail in the site plan review process; thresholds for addressing deficiencies; goals for preservation/protection.

8. *Design.* Graphics and standards to clarify building placement and envelope (height and massing); guidelines for integration of site features; required treatments for transition zones and treatment for all edges (both within and abutting the IOZ boundary); guidelines for establishing campus identity.
9. *Neighborhood integration.* Thresholds and strategies for neighborhood engagement; mitigation of impacts on neighboring properties, including construction impacts; buffering requirements; objectives for pedestrian linkages and safety; other requirements that address community concerns.
10. *Monitoring.* A schedule for regular monitoring reports on IDP implementation in accordance with the IDP.

E. Standards of review. The regulatory framework shall:

1. Be consistent with the Comprehensive Plan and the Institutional Development Plan.
2. Provide a clear zoning framework, using graphics and tables as appropriate, to apply to future site plan reviews.
3. Provide specific regulatory statements as appropriate that respond to concerns raised during the required public involvement.
4. Outline measurable goals and thresholds for improvements or other actions identified in the IDP to be advanced in subsequent site plan applications.

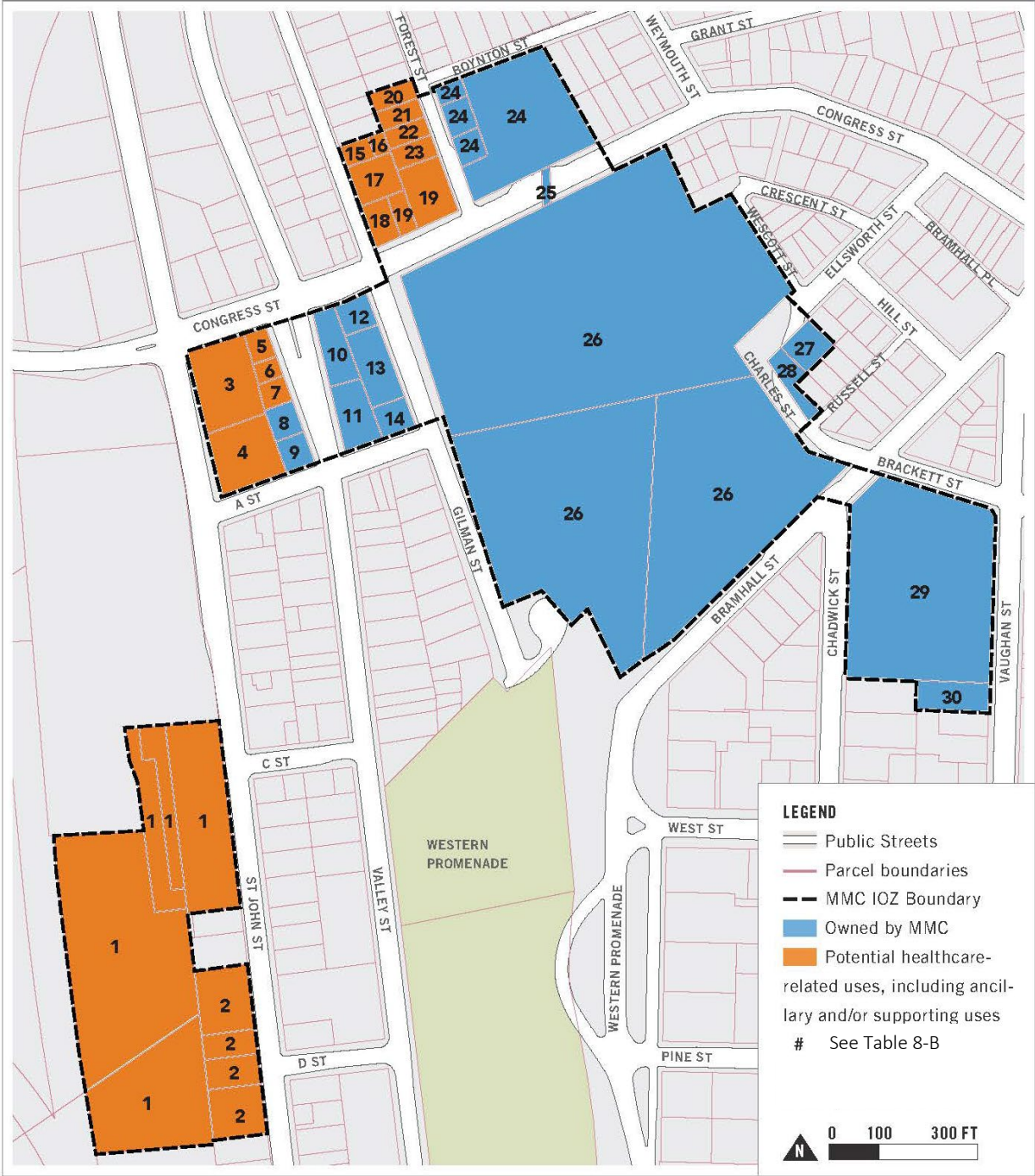
F. Approval/adoption. The Planning Board shall review the proposed regulatory framework against the standards of review and make a recommendation on the institution's IOZ designation and regulatory framework to the City Council for adoption as part of this Land Use Code.

G. Amendments. A regulatory framework and IOZ boundary as adopted by the City Council shall remain in force unless and until amended. Amendments to a regulatory framework and/or IOZ boundary may be brought forth by the City or eligible institution. Proposed amendments to the IOZ boundary or regulatory framework shall be reviewed by the Planning Board and adopted by the City Council subject to the provisions of this ordinance.

8.3.6 Maine Medical Center Institutional Overlay Zone Regulatory Framework

A. Applicability. All development proposed by Maine Medical Center (MMC) within the boundary of the MMC Institutional Overlay Zone (IOZ) shall be consistent with the approved Institutional Development Plan (IDP), consistent with the Comprehensive Plan, and meet applicable standards of the Land Use Code, unless such standards are superseded by the following regulatory framework. This regulatory framework shall govern future development by MMC within the IOZ unless amended by the Portland City Council upon formal application of MMC. The MMC Institutional Overlay Zone shall have the boundaries depicted in Figure 8-C, and shall include the properties listed in Table 8-B.

B. Updates and amendments. It is intended that the IDP will be updated on a regular basis to



Note: Refer to Table 8-C for a list of permitted uses.

FIGURE 8-C: MMC IOZ BOUNDARY

TABLE 8-B: LIST OF PROPERTIES INCLUDED IN THE MMC IOZ

Map#	Legal Description	Address	Acreage	Ownership
1	64-A-2-8-9-11/74-A-7/75-A-6	222 St John St.	4.6516	Owned by others
2	68-D-1-3-13-14-16	180 St John St.	0.9494	Owned by others
3	65-G-1	950 Congress St.	0.4628	Owned by others
4	64-B-1	275 St John St.	0.4163	Owned by others
5	65-G-2	942 Congress St.	0.0659	Owned by others
6	65-G-3	940 Congress St.	0.0482	Owned by others
7	65-G-4	274 Valley St.	0.0667	Owned by others
8	65-G-5	268-270 Valley St.	0.0978	MMC
9	64-B-2	262-266 Valley St.	0.0895	MMC
10	65-H-1	932 Congress St.	0.1864	MMC
11	65-H-9	261 Valley St.	0.2185	MMC
12	65-H-2	930 Congress St.	0.1040	MMC
13	65-H-5	52 Gilman St.	0.2384	MMC
14	65-H-8	44 Gilman St.	0.1128	MMC
15	65-E-22	85 Gilman St.	0.0565	Owned by others
16	65-E-32	85 Gilman St.	0.0282	Owned by others
17	65-E-24	81 Gilman St.	0.1653	Owned by others
18	65-E-28	919 Congress St.	0.1059	Owned by others
19	65-E-29-30	909 Congress St.	0.3233	Owned by others
20	65-E-19	22 Forest St.	0.0826	Owned by others
21	65-E-21	18 Forest St.	0.0831	Owned by others
22	65-E-23	14 Forest St.	0.0826	Owned by others
23	65-E-25	12 Forest St.	0.0883	Owned by others
24	53-I-1-2-3-12	887 Congress St.	1.3400	MMC
25	53-X-1	Congress St. Pedestrian Walkway	---	MMC
26	53-D-7/54-H-1/64-C-1	22 Bramhall St.	12.563	MMC
27	54-C-6	34 Ellsworth St.	0.1341	MMC
28	54-C-10	40 Ellsworth St.	0.1155	MMC
29	54-I-1	308 Brackett St.	2.5200	MMC
30	63-B-8	214 Vaughan St.	0.1983	MMC

Properties owned by MMC are listed under MMC or MMC Realty Corp.

MMC will not extend its functionally-related Bramhall campus hospital operations beyond the boundary of the IOZ within the City of Portland without further amendment to the IDP. This includes any expansion of functionally-related operations that displace residential uses outside of the IOZ boundary. A functional relationship is defined as uses or activities that are traditionally or customarily linked to the day-to-day operations of the MMC Bramhall Campus that would relocate a significant proportion of the total employee population or activities.



OVERLAY ZONES

ensure that the data is current and that the document remains accurate. Accordingly, monitoring reports will be filed every three years and shall include a summary of progress on IDP implementation and of acquisitions and divestment since the date of IDP approval. At the time of the submission of the monitoring report, MMC shall identify any updates to the IDP which may result from updated master planning, changes in baseline information, or changes in the adjacent neighborhoods which affect MMC, to allow the IDP to remain current. Updates and minor amendments not described below shall be reviewed administratively by the Planning Authority.

1. Minor amendments that impact phasing of the long-term development blocks or change the approach to parking, transportation, neighborhood engagement or design shall be reviewed by the Planning Board for consistency with the objectives of the IDP. In addition to consistency with the objectives of the IDP, review of phasing and development program amendments shall focus on integration with the campus and impacts on transportation or infrastructure. This review may occur simultaneously with the site plan review of an anticipated project.
2. Major amendments shall be reviewed by the Planning Board and are required under the following circumstances:
 - a. A change to the regulatory framework is required.
 - b. The IDP is no longer representative of the institutional mission or approach to community as a result of redevelopment in the area or City

TABLE 8-C: PERMITTED USES

Healthcare facilities, including but not limited to the following ancillary and/or supporting uses:

- Hospital
- Medical office/Clinic
- Laboratory center/services
- Research and development (R&D) laboratory or facility
- Educational facility/Conference center
- Administrative/Business office
- Accessory service or trade uses
- Guest house
- Multi-family housing for healthcare staff and students
- Rehab/Skilled nursing facility
- Retail
- Restaurant/cafe
- Employee service amenities
- Day care center
- Fitness center or gymnasium
- Parking lot or garage
- Bicycle storage
- Heliport
- Antenna station
- Outdoor use areas, such as green areas, parks, gardens, art installations, and other active and passive non-commercial recreation spaces

upgrades to neighborhood planning (such as roadway changes, infrastructure upgrades, community

design, lighting).

- c. Development proposed by MMC is inconsistent with the master facility plan, transportation plan intent, design plan intent, or environment and infrastructure plan intent identified in the IDP.
3. Annual monitoring reports will be

submitted for MMC's Transportation Demand Management (TDM) Plan. TDM monitoring reports shall include a summary of progress towards targets established in the TDM Plan.

- C. Uses.** In addition to the uses permitted in the underlying zone, the uses in Table 8-C are permitted as a matter of right. In recognition that MMC is part of a mixed-use area of the city, with important existing services and businesses that serve the local and wider community, healthcare facility development fronting onto Congress Street and St. John Street shall activate the public realm, to the extent able, with uses such as service and retail/restaurant, landscaping, active building entrances, pocket parks, etc., on the ground or other publicly accessible level, consistent with the design intent contained in the approved IDP. In areas identified in the IDP as "Priority zone for commercially oriented/retail uses," usable ground floor retail, restaurant, or comparable community-oriented use that provides services to local residents and employees both during the day and evening hours is required. In areas labeled "Street activation through location of windows, entrances, etc.," usable ground floor retail, restaurant, or community-oriented use is encouraged to the extent practicable. Such uses, where constructed or facilitated as part of a healthcare related development, are expressly permitted whether ancillary or supporting the healthcare facility or not, and shall be open and welcoming to the general public in addition to employees or visitors of MMC.

- D. Dimensional requirements.** The MMC Institutional Overlay Zone shall have the

dimensional requirements listed in Table 8-D and depicted in Figures 8-C and 8-D.

- E. Design.** New buildings within the IOZ shall adhere to the design guidelines set forth in Chapter 5: Design of the IDP and the site plan standards of Article 13.

F. Signs

1. At the time of first site plan review following IDP approval, a unified campus-wide signage plan shall be submitted for review and approval by the Planning Authority. Any update to such plan due to a change in name or logo shall not require amendment to the IDP.
2. Signs shall be designed in accordance with the campus-wide signage plan. All signs shall be designed in proportion and character with building facades and adjacent street typology. All signs shall be coordinated with the building and landscaping design and be constructed of appropriate permanent, high quality materials and finishes.

G. Transportation

1. *Transportation Demand Management (TDM)*
 - a. At the time of the first site plan review following IDP approval, MMC shall submit a campus-wide TDM Plan substantially in accordance with those TDM objectives and strategies identified in the approved Institutional Development Plan. The TDM Plan may be phased into short-, mid-, and long-term actions to allow for progressive implementation over time.
 - b. The TDM Plan shall be designed to provide transportation choice with the goal of reducing parking demand

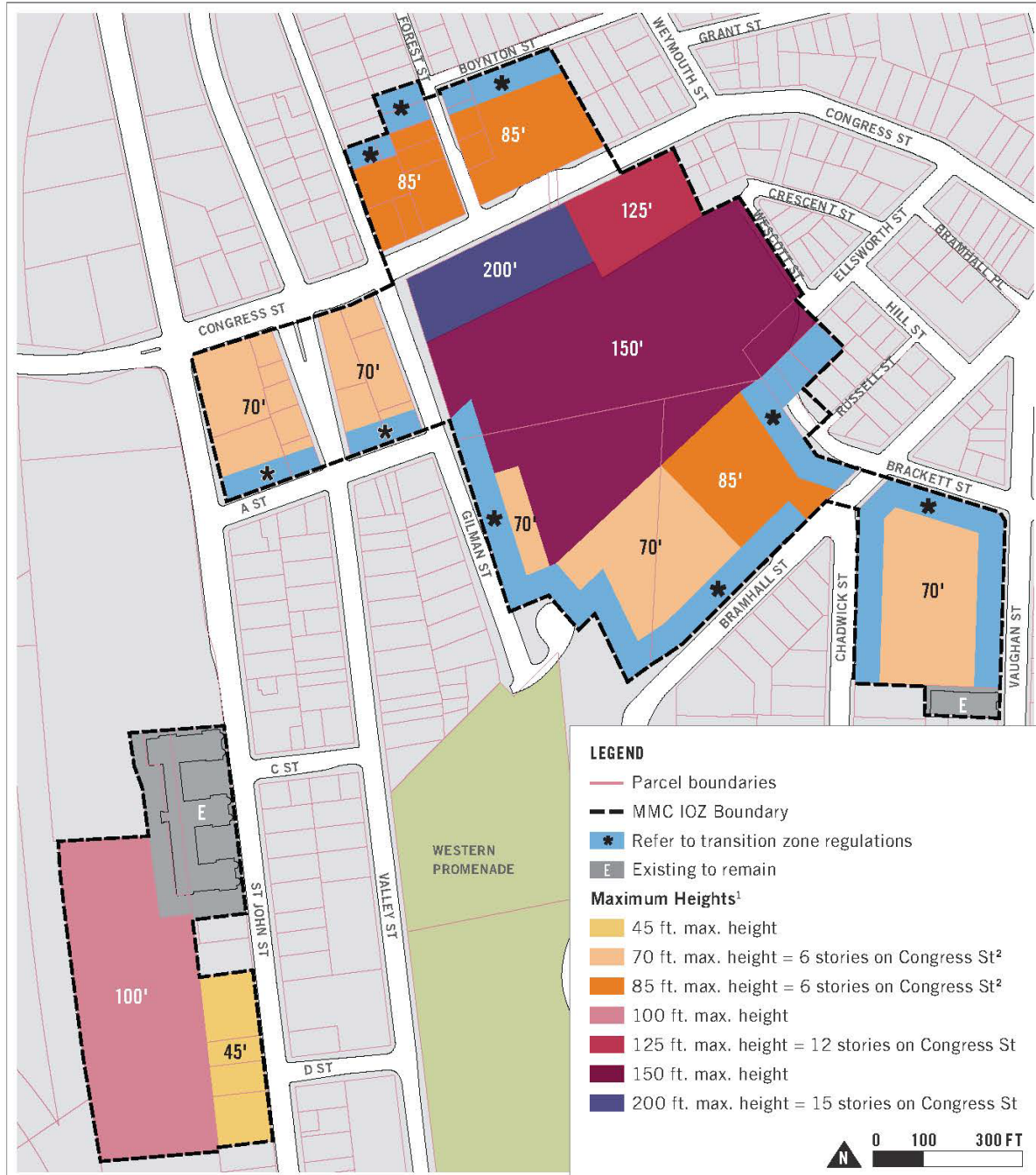


OVERLAY ZONES

TABLE 8-D: MMC IOZ DIMENSIONAL REQUIREMENTS

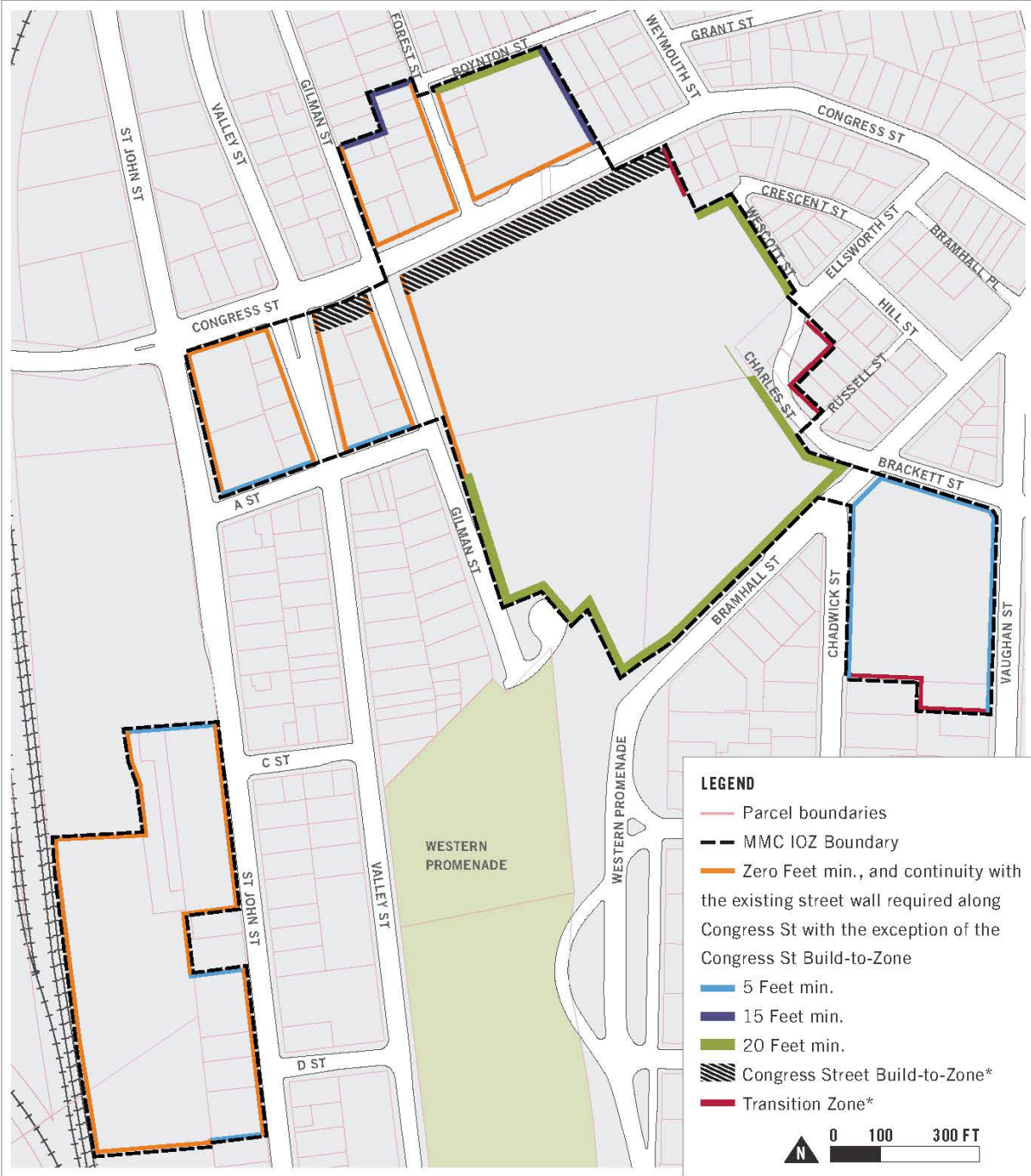
Building heights (max.)	Max. building heights for new buildings within the IOZ shall be governed by the Maximum Building Heights Map in Figure 8-D, or by the transition zones clause of this table for those buildings located in transition zones. Refer to IDP “Chapter 5. Design” for methodology on determining heights.
Building heights (min.)	Three stories, except in transition zones, where the minimum building height shall be two stories. Minimum building heights shall not apply to building awnings, associated kiosks, pavilions or similar building components.
Building length (max.)	Length of proposed parking garage at 222 St John St shall not exceed 500 feet as measured roughly parallel to St John St.
Building setbacks (min.)	Minimum building setbacks shall be governed by the Minimum Setbacks Map in Figure 8-E. Additional requirements are listed in the transition zones and Congress Street build-to zone sections of this table.
Congress Street build-to zone¹	A build-to zone is identified for some properties that abut Congress Street. See Minimum Setbacks Map in Figure 8-E for the location of build-to zone. i. The Congress Street build-to zone extends between 0 to 40 feet from the right-of-way boundary. ii. Buildings located in these parcels must have a minimum of 70% of the façade facing Congress Street located within the build-to zone.
Transition zones	Transition zones are identified inside the IOZ boundary in areas where the IOZ abuts or is located across a public right-of-way from a residential zone or a historic-designated district. See Maximum Building Heights Map in Figure 8-D for location of transition zones. i. Transition zones shall extend 50 feet into the parcel from the parcel boundary. ii. Transition zones that abut a Residential zone with or without an intervening public right-of-way shall have a maximum height limit that matches the maximum height permitted within that Residential zone. iii. In areas where the IOZ abuts a residential zone without an intervening public right-of-way, minimum side and rear yard requirements of the abutting residential zone apply within the IOZ boundary, unless noted otherwise in Minimum Setbacks Map in Figure 8-E.

¹A “build-to zone” is the area on the lot where all or a portion of the street-facing building facade must be located, measured as a minimum and max. yard (setback) range from the public right-of-way boundary.



Notes: 1. Minimum building heights also apply. Refer to Table 8-D.
 2. For buildings with residential use above the ground floor, the following height maximums apply:
 70 ft. maximum height = 7 stories, and 85 ft. maximum height = 8 stories.

FIGURE 8-D: MAXIMUM BUILDING HEIGHTS



* Refer to Table 8-D Dimensional Requirements

FIGURE 8-E: MINIMUM SETBACKS

- ## K. Construction management



accordance with the approved Institutional Development Plan.

2. *Snow ban parking.* When the City of Portland declares a snow parking ban, MMC shall make parking available to neighbors in a designated parking area on or near its campus upon the following condition: Due to the patterns of patient flow in the hospital, the hours of snow ban parking for registered vehicles during an announced City of Portland snow parking bans are 6:00 p.m. until 6:00 a.m. Vehicles that are not moved out of these parking areas by the applicable time each morning are subject to towing at the owner's expense.
3. *Healthy communities.* Recognizing that a stable residential and commercial environment is key to the health of any neighborhood, MMC commits to supporting its existing and future neighbors in the St. John Valley, Parkside, West End, Western Prom, and Libbytown neighborhoods. Accordingly, MMC shall implement and participate in the healthy communities programs as described below.
 - a. *Caring Community Grants.* MMC shall develop an annual grant program with available funds of up to \$30,000. Goals, priorities, eligibility requirements, program guidelines, and allocation approach will be developed by the MMC Neighborhood Advisory Committee, as described in Chapter 6 of the IDP approved on September 26, 2017. Neighborhood associations or other entities located or operating in

the St. John Valley, Parkside, West End, Western Promenade, and Libbytown neighborhoods may apply for grant funding relating to the following initiatives:

- i. *Neighborhood investment and Infrastructure:* Focused on creating strong, safe, accessible and vibrant neighborhoods.
 - ii. *Quality of life:* Focused on improving access to recreation, arts or cultural experiences in the neighborhoods.
 - iii. *Diversity and inclusion:* Focused on fostering the building of relationships and understanding among diverse groups, including capacity building and outreach activities.
 - iv. *Public Safety:* Focused on supporting public safety programs through training programs, equipment or other means in the neighborhoods.
 - v. *Environmental sustainability:* Focused on preventing waste, increasing recycling or supporting other programs that work to improve the environment.
- b. *Healthy Neighborhoods Program.* MMC shall initiate and adopt a memorandum of understanding (MOU) by and between MMC, the City of Portland, and other community partners establishing a Healthy Neighborhoods program. Such a program shall be designed to fund and execute housing and community

improvement and development programs in St. John Valley and the other neighborhoods surrounding MMC's Bramhall Campus.

8.3.7 The Roux Institute at Northeastern University Overlay Zone Regulatory Framework

A. Applicability. All development proposed by the Roux Institute at Northeastern University ("Roux Institute") within the boundary of the Roux Institutional Overlay Zone (IOZ) shall be consistent with the approved Institutional Development Plan (IDP), consistent with the Comprehensive Plan, and meet applicable standards of the Land Use Code, unless such standards are superseded by the following regulatory framework. This regulatory framework shall govern future development by the Roux Institute within the IOZ unless amended by the Portland City Council upon formal application of the Roux Institute. The Roux Institutional Overlay Zone shall have the boundaries depicted below and shall include the approximately thirteen-acre property located at 1 Bean Pot Circle and identified as parcels 447-A001 and A002 in the City's assessing records.

B. Phasing and monitoring

1. The Roux Institute campus will be developed in phases, as set forth in the IDP. The IDP will be updated on a regular basis to ensure that the data is current and that the document remains accurate. Accordingly, monitoring reports will be filed every three years and shall include a summary of progress on IDP implementation and of acquisitions and



FIGURE 8-F: ROUX INSTITUTIONAL OVERLAY ZONE BOUNDARY

- divestment since the date of IDP approval. At the time of the submission of the monitoring report, any updates to the IDP shall be identified which may result from updated master planning, changes in baseline information, or changes in the adjacent neighborhood which affect the campus, to allow the IDP to remain current. Updates and minor amendments not described below shall be reviewed administratively by the Planning Authority.
2. At completion of each phase, the Roux Institute campus shall have the appearance of a complete and comprehensive design. Permanent and meaningful public space shall be established in the first phase to ensure public benefit. Interim conditions shall be designed for a pleasant pedestrian experience through planting, lighting, wayfinding, graphics, artwork, or



ornamental fencing to provide screening, buffers, and enhancement. Interim areas of the site which are not actively used for parking or construction staging will be appropriately landscaped or accommodate gathering on lawns or other aesthetically hardened spaces.

3. Minor amendments that change the approach to parking, transportation, neighborhood engagement or design shall be reviewed by the Planning Board for consistency with the objectives of the IDP. This review may occur simultaneously with the site plan review of a proposed project.
4. Major amendments shall be reviewed by the Planning Board and are required under the following circumstances:
 - a. A change to the regulatory framework is required.
 - b. The IDP is no longer representative of the institutional mission or approach to community as a result of redevelopment in the area or City upgrades to neighborhood planning (such as roadway changes, infrastructure upgrades, community design, lighting).
 - c. A change in approach to parking, transportation, neighborhood engagement or design is inconsistent with the objectives of the IDP, resulting in a modification to the applicable objectives.
5. Review of major amendments may occur simultaneously with the site plan review of the proposed project.

C. Uses

1. The Roux Institute campus will encompass

a variety of uses to support the mission of the Institute. Campus uses will include classrooms and laboratories, housing, faculty offices, dining areas, convening spaces, fitness centers, retail facilities, entrepreneurial spaces, light manufacturing, incubator space, research and design facilities, hotel, and office space. The mixture of uses is intended to support collaboration with private industry, other institutions, and community organizations. A range of rental housing options will provide on-site opportunities for students, faculty, staff, and their families, easing some of the housing pressure and traffic that might otherwise result from new residents attracted to Portland by the institute. Housing units not occupied by residents affiliated with the Roux Institute may be made available to the public to further assist in easing the housing pressure.

2. The Roux Institute campus will be designed to include uses that will welcome neighbors to the campus, including publicly available open space, waterfront access, recreational opportunities, restaurant, dining, small neighborhood grocery, and/or other limited retail options.
3. In addition to the uses permitted in the underlying zone, laboratory and research facilities, low-impact industrial uses, and high-tech manufacturing shall also be permitted as a matter of right in all buildings that are located within the IOZ and on land owned or leased by the Roux Institute. On the pier residential uses are explicitly prohibited and any allowed use

on the pier must be a functionally water-dependent use. Ground floor retail, restaurant, or comparable community-oriented uses that provide services to local residents, students, faculty and staff shall be expressly permitted whether ancillary to or supporting the educational institution, and shall be open and welcoming to the general public.

4. Within the boundary of the IOZ, hotels shall be limited as follows:
 - a. No more than one hotel shall be located in the IOZ.
 - b. The hotel shall contain no more than 130 rooms.
 - c. The hotel shall be no more than eight stories in height, not including structured parking. There shall be no more than two levels of above grade structured parking beneath the first floor of the hotel. Nothing herein is intended to preclude the co-location of hotel use and structured parking on one or more levels of the hotel.

D. Dimensional requirements

1. *Applicability.* All principal buildings and structures located within the IOZ and located on land owned or leased by the Roux Institute shall be subject to the dimensional requirements of the underlying zone, except where modified by the provisions of this section.
2. *Rules of measurement*
 - a. Publicly accessible corridor: A corridor accessible to the general public that is open to the sky or enclosed with a minimum width of 20 feet. Enclosed portions of publicly

accessible corridors shall have a minimum height of 30 feet.

- b. Street wall: Within the Roux IOZ the term “street wall” shall mean a wall or portion of a wall that includes the principal entry to a building facing a street, public right-of-way, major pedestrian access routes, or open spaces. Orientation of the principal entry to a building shall be determined by the applicant.
3. *Maximum building heights.* Maximum building heights for new principal buildings in the IOZ shall be governed by the Roux IOZ Height Map (Figure 8-G).
4. *Minimum and maximum street wall heights.* New principal buildings in the IOZ shall rise to a minimum street wall height of 45 feet and may rise to a maximum street wall height of 105 feet.
5. *Stepback requirements.* At a height not lower than the minimum street wall height or higher than the maximum street wall height, a stepback with a minimum depth of at least 10 feet shall be provided. Required stepbacks shall only apply to a building’s street wall.
6. *Building length requirements*
 - a. For buildings with a length greater than 250 feet, a continuous, publicly accessible corridor that connects two streets, public rights-of-way, major pedestrian or bicycle access routes, or open spaces shall be provided, with the precise location to be identified, defined, and reviewed under site plan review. Building length shall be measured at grade in a straight line



OVERLAY ZONES

between the outer corners of the designated street wall.

- b.** Publicly accessible corridors need not be linear and may have necessary grade changes.
 - c.** Any building wall situated along a publicly accessible corridor shall be designed to provide sufficient architectural and graphic amenities to provide visual interest, transparency between interior activities and pedestrian activity, or active uses and relate the building, and its use to passersby.
 - d.** Publicly accessible corridors shall:
 - i.** Include bicycle and pedestrian amenities such as benches and other seating;
 - ii.** Be illuminated to levels that are adequate but not excessive for the safety, comfort, and conveniences of occupants and users of the site, and
 - iii.** Provide access to the public during regular operating hours of the institute.
 - e.** The Roux Institute may close off public access to a publicly accessible corridor during special events or when determined necessary by the institute for security or public safety purposes.
- 7. Transitions and buffers**
 - a.** The campus is surrounded by existing buffers, with I-295 to the west, state-owned vacant parcels to the north, the rail corridor and marine business to the east, and Casco Bay to the south. In addition to the existing buffers,

development shall further ease the transition to and from the campus.

- b.** Public open space will ease transition from the smaller scale of Sherwood Street. A transition onto the campus will also be accomplished through thoughtful façade design at the pedestrian level. Potential nuisance features like dumpsters, air handlers, and parking will be appropriately screened. Buildings will avoid blank walls to respect the adjacent neighborhood and facilitate a sense of permeability and welcome.
 - c.** The shoreline transition area between the buildings and the water will serve as meaningful public open space. Building facades facing the water will be considered public-facing, with views designed for interest from the water and Eastern Promenade Trail.
 - d.** The transition area between the campus and I-295 contains a height limitation of 75 feet along the edge and between the highway and the B&M Cannery Building, preserving the historic view of the building from the highway and easing the transition to the greater allowable building heights in the center of campus.
 - e.** The transition area along the edge of the campus adjacent to the rail corridor also contains a height limitation of 75 feet along the edge of the property closest to the residential neighborhood, further easing the transition to the greater allowable

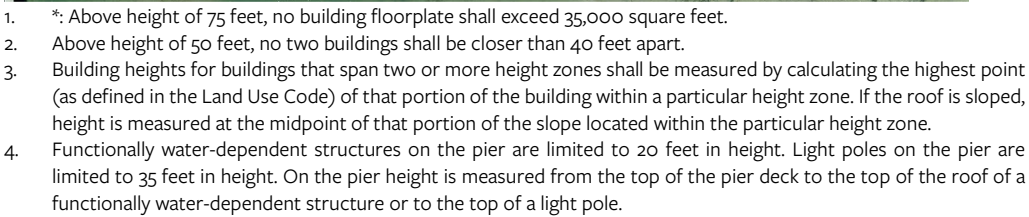


FIGURE 8-G: HEIGHT OVERLAY MAP



OVERLAY ZONES

building heights at the center of campus, mitigating shadow impacts to adjacent properties.

E. Transportation

1. *Transportation demand management (TDM)*
 - a. At the time of the first site plan review following IDP approval, the developer shall submit a campus-wide TDM Plan substantially in accordance with those TDM objectives and strategies identified in the approved IDP. The TDM Plan may be phased into short-, mid-, and long term actions to allow for progressive implementation over time.
 - b. The TDM Plan shall be designed to provide transportation choice with the goal of reducing parking demand and single-occupancy vehicle trips to and from the Roux Institute campus and from the Roux Institute campus by students, faculty, staff, institutional partners, and visitors.
 - c. The TDM Plan shall establish parking, mode share, and trip reduction targets associated with each phase of development, as well as a data collection plan.
 - d. Annual monitoring reports will be submitted for the TDM Plan. TDM monitoring reports shall include a summary of progress towards targets established in the TDM Plan. If deficiencies are identified, they will be resolved in accordance with the site plan approval.
2. *Traffic movement permit (TMP)*
 - a. Any development that will generate over 100 passenger car equivalents will trigger TMP review which will determine applicable mitigation for that development program. There are contributions anticipated to area-wide elements to support trip reduction targets, such as contribution to the development of shared use path infrastructure and support for additional transit service to the campus. The TMP review may consider an individual site plan or may cover more than one site plan. Each of the TMP submissions and review will continue to contemplate capacity for multimodal connections to continue to reduce automobile trips.
 - b. Mode shares and trip reduction targets have been identified in the IDP and will be updated and modified with each TMP submission as necessary.
3. *Bicycle and pedestrian access and safety*
 - a. A Transportation, Access, and Circulation Plan has been provided in the IDP. At the time of the first site plan review, the developer shall submit an updated Plan. Where possible, the bicycle and pedestrian access routes shall connect to established bicycle and/or pedestrian facilities. The developer shall look to establish new bicycle and pedestrian bicycle and/or pedestrian facilities where feasible.

- b. The site and building design shall not prohibit the enhancement of transit service to and from the site.
 - c. Bicycle, pedestrian, transit, and motorized vehicular facilities proposed to and from the site shall provide sufficient capacity and allow for safe connections for modes of transportation.
 - d. Sherwood Street shall be improved to accommodate bicycles and pedestrians within the existing right-of-way. Separate sidewalks and bicycle lanes shall be provided where feasible.
- 4. *Parking.* Parking requirements in the IOZ, including but not limited to parking ratios, shall be established at the time of site plan review for each phase of development based on a parking study that includes a campus-wide analysis of demand and supply. Parking studies shall integrate parking and trip reduction achievements and data contained in the TDM Plan. Parking requirements shall be determined in accordance with the requirements in the Land Use Code in effect at the time of site plan review.
- 5. *Circulation*
 - a. The campus shall contain a bike and pedestrian circulation network which includes a perimeter access loop, an internal system of pathways and a major campus “promenade” which will link campus developments, the upland, and the waterfront.
 - b. The perimeter access path for bicycle and pedestrians will serve to connect the campus to primary site entry points from the community and provide a continuous recreational loop. Where appropriate, the perimeter access path will be enhanced by wayfinding, lighting, landscaping, and safe crossings at vehicular intersections. Where possible, building facades will respond to the perimeter access path for views into the building and periodic activation to building entrances.
 - c. Internal campus circulation pathways will connect major open spaces, buildings entrances, and outdoor plazas to create a network of multiple pathways including the perimeter access path. Pathways will be located along or oriented toward facades that have active programs, architectural articulation, appropriately scaled entrances, and windows. Pathways will avoid traveling along stretches of undifferentiated or blank facades back doors or service areas. Pathways will be generally lower-velocity systems than the access loop. Where appropriate, the internal campus circulation pathways will be enhanced by wayfinding, lighting, landscaping, and safe crossings at vehicular intersections.
 - d. The campus promenade will serve as a major organizing feature connecting the upland and the water and providing access to open spaces, allowing views of the principal campus of buildings, and connecting to the internal campus circulation pathways



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and perimeter access path. The promenade will be enhanced by lighting, wayfinding, landscape buffers, and open spaces. Viewsheds and topography along the promenade will emphasize the Roux Institute and Burnham & Morrill (B&M) Cannery Building, pier, and other principal buildings and spaces.

F. Environment

1. The IOZ shall contain a minimum of three acres of public open space designed to enhance waterfront access and provide bicycle/pedestrian network connectivity. This open space requirement shall be met at the completion of construction of the first site plan approval and shall be maintained at all phases of development. The three acres need not be contiguous and may be provided in new and/or different locations following completion of development phases. The public open space shall be meaningful space, functioning as recreation areas, social gathering spaces, or natural buffers consisting of a diverse mix of native woody and herbaceous vegetation, including a well-distributed mix of trees. The method of assuring public access to the public open space shall be determined at site plan review.
2. A Sustainability and Resilience Charter will be created by the Roux Institute for the campus. The charter shall contain sustainability goals related to development categories such as energy, water, transportation, equity, and resilience and may be revised over time in response to evolving technology and industry standards. The charter will require all development on the campus to utilize critical components of industry standard benchmarking systems such as LEED, SITES, WELL, ILFI, and Passive House. The charter will be submitted to the Planning Authority prior to submission of the first site plan application. Proposed site plans shall be consistent with the goals outlined in the charter.
3. Development shall utilize lighting designs required for safety and comfort and that minimize impact to the night sky in accordance with light pollution reduction standards in ANSI/ASHRAE/IESNA 90.1-2007 or its most current edition.
4. Development shall be carried out in such a way as to minimize the impacts of sea level rise, protecting infrastructure and site features by designing to a minimum of 2-feet above the Base Flood Elevation (BFE) as shown on the most current FEMA Flood Insurance Rate Map.
5. The shoreline edge and immediate adjacent upland shall be protected through shoreline armoring and vegetation to prevent erosion and enhance natural resource protection. Vegetation shall consist of a diverse mix of native woody and herbaceous vegetation. Work in coastal wetlands and significant wildlife habitats (as defined by the Maine Department of Environmental Protection) will be minimized to the maximum extent practicable and shall comply with all applicable local, state and federal

permitting requirements in effect at the time.

6. Design of exterior building envelopes will be developed in compliance with the bird-friendly building and design requirements set forth in Article VII-A of Chapter 6 of the City of Portland Code of Ordinances, except that bird safe materials must be used for the entire façade of all buildings regardless of building height.

G. Mitigation measures

1. Site plan impacts to off-premise infrastructure shall be mitigated in a manner proportionate to those impacts. Mitigation may include financial or in-kind contributions to existing or planned City projects focused on mitigating the impacts of the development. Mitigation contribution shall be determined based on the City's standard procedure in effect at the time of site plan review.
2. Impacts to natural resources shall be mitigated in accordance with local, state and federal permitting standards in effect at the time.

H. Design. All buildings within the IOZ shall adhere to the design guidelines set forth in the IDP.

I. Neighborhood integration

1. *Neighborhood engagement*
 - a. For the purposes of keeping surrounding residential areas apprised of its future development plans, and to address any neighborhood issues related to the operations of the Roux Institute campus, the Roux Institute shall adhere to the ongoing

neighborhood engagement principles identified in the IDP.

- b. Ongoing community engagement shall be conducted, including the continuation of neighborhood forums and maintenance of the Roux Institute campus website.
- c. A Community Advisory Group shall be created for the purpose of sharing information on project development, planning, and seeking input. To the extent practicable, the group shall be comprised of representatives of interested groups such as the East Deering Neighborhood, East Deering Neighborhood Association, East Deering Neighborhood for Responsible Development, Front Street Area Neighborhood, a tenant representative from Portland Housing Authority's Washington Gardens and Front Street developments, recreation, parks and trails, including the Friends of Payson Park, from sustainability, rail, bicycle/pedestrian, public transit, Portland Harbor, Portland Public Schools, including a Presumpscot School parent, higher education, and the business community.
- d. A designated community contact shall be engaged to be the point of contact for providing information to the neighborhood and receiving feedback.
2. *Construction management.* At the time of site plan review, Northeastern University shall submit a Construction Management Plan substantially in accordance with the construction management principles



identified in the Institutional Development Plan for review and approval by the Planning Authority.

J. Historic preservation

1. *Historic preservation review.* The B&M Cannery Building has been designated as a local historic landmark. The area of designation includes the B&M Cannery Building, as well as the area of the former Codfish Building and pier. The Historic Preservation Board's review of activity within the site of the former Codfish Building and pier is limited to review of any activity that would require a Certificate of Appropriateness that is proposed on a newly constructed pier. A Certificate of Appropriateness will not be required for the demolition of the Codfish Building or construction of a new pier and related infrastructure, including future alterations to the pier structure.
2. *Required interpretive elements.* Northeastern University shall include interpretive element(s) on top of or within the surface of the new pier that convey the history and significance of the Codfish Building. Prior to construction of said elements, the University shall submit the proposal to the Historic Preservation Board for its review and approval. The interpretive elements shall be designed in a manner that does not interfere with the use and functionality of the pier as a marine passenger facility and for water access by the Roux Institute and the public.
3. *100-foot review exemption.* The B&M Cannery Building is exempt from Subsection 13.6.4(E)(2) for review of

development within 100 feet of a landmark.



FIGURE 8-H: UNE IOZ BOUNDARY

8.3.8 The University of New England Overlay Zone Regulatory Framework

A. Applicability. The regulatory framework shall apply only to development proposed by the University of New England (UNE) within the boundary of the Institutional Overlay Zone (IOZ) and to which UNE holds right, title, or interest. Properties in the UNE IOZ shall continue to be governed by the regulations applicable to the underlying zone except as specifically modified by the regulatory framework. The UNE IOZ shall have the boundaries depicted in Figure 8-H.

B. Phasing and monitoring

1. UNE shall file monitoring reports every five years with the Planning Authority. Monitoring reports shall ensure that data in the IDP is current and provide a summary of progress on IDP implementation, including details of

acquisitions and divestments since the date of IDP approval.

2. Interim conditions shall be designed for a pleasant pedestrian experience through planting, lighting, wayfinding, graphics, artwork, or ornamental fencing to provide screening, buffers, and enhancement. Interim areas of the site which are not actively used for parking or construction staging will be appropriately left in a natural state, landscaped or accommodate gathering on lawns or other aesthetically hardened spaces.

C. Uses. In addition to the uses permitted in the underlying zone, laboratory and research facilities and off-street parking shall also be permitted as a matter of right within the IOZ.

D. Dimensional requirements

1. For the purposes of this IOZ, “lot” is defined as the contiguous lots under UNE ownership, including land separated by a

public or private right-of-way. The “lot” boundary is shown in Figure 8-H.

2. Side and rear setbacks shall not be required between buildings on contiguous lots owned by UNE on the condition that such contiguous lots shall be considered merged and shall not be separately conveyed unless required setbacks in the underlying zones are provided.
3. Maximum building heights for new principal buildings in the IOZ shall be governed by the maximum building heights map in Figure 8-I.

E. Transportation

1. *Transportation demand management (TDM).* At the time of the first site plan review following IDP approval, UNE shall submit a campus-wide TDM Plan substantially in accordance with those TDM objectives and strategies identified in the approved IDP. The TDM Plan may be

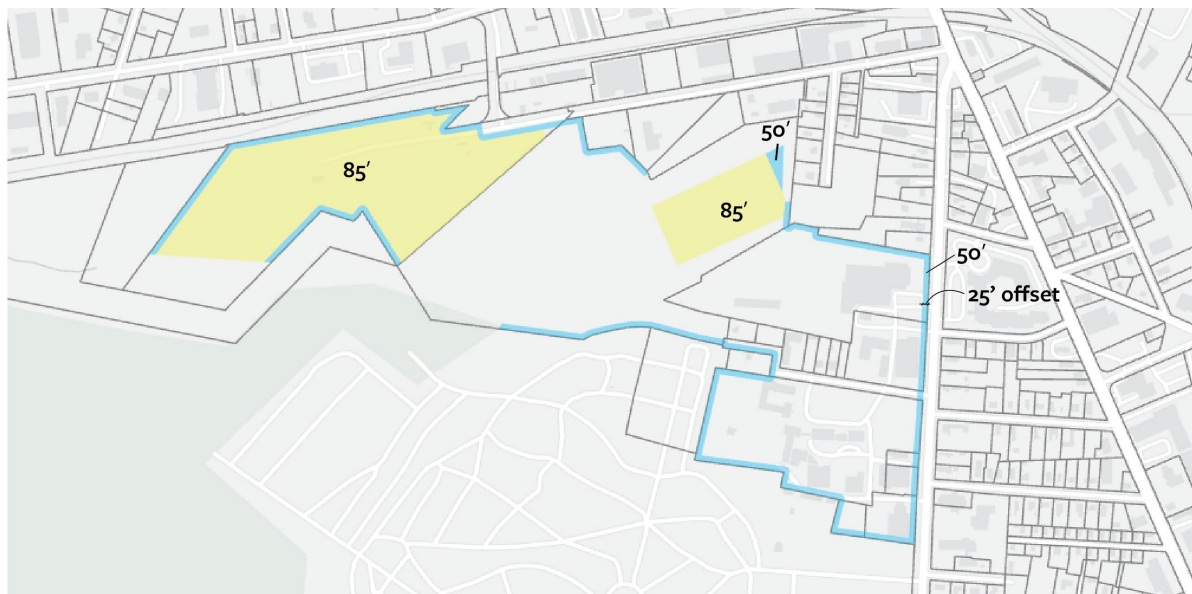


FIGURE 8-I: MAXIMUM BUILDING HEIGHTS



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phased into short-, mid-, and long-term actions to allow for progressive implementation over time.

2. **Parking.** Parking requirements in the IOZ shall be established at the time of site plan review based on a parking study that includes a campus-wise analysis of demand and supply. Parking studies shall integrate parking and trip reduction achievement and data contained in the TDM Plan.

F. Environment. All new buildings and parking facilities proposed by UNE shall integrate with the surrounding context to allow connectivity amongst open space, pedestrian networks, and the Evergreen Cemetery, and to protect the critical natural resources associated with the Capisic Brook watershed. The Planning Board may approve a reduction of the setback requirement for a new building to the least amount necessary to achieve the goals of the development and minimize overall impacts, provided that the setback is not reduced to less than 40 feet.

G. Mitigation measures

1. Site plan impacts to off-premise infrastructure shall be mitigated in a manner proportionate to those impacts. Mitigation may include financial or in-kind contributions to existing or planned City projects focused on mitigating the impacts of the development. Mitigation contribution shall be determined based on the City's standard procedure in effect at the time of site plan review.
2. Impacts to natural resources shall be mitigated in accordance with local, state, and federal permitting standards in effect at the time.

H. Design

1. All new development shall be designed to create a cohesive campus character.
2. New buildings shall be designed with building entrance(s) and principle facades oriented towards existing campus buildings, open space, streets, and pedestrian pathways.
3. New buildings will minimize visual impact of service areas, loading docks, and utility structures.
4. All new development shall provide a variety of open spaces that are integrated into the existing campus.
5. All new development shall provide adequate lighting for clear visibility at streets, pedestrian pathways, building entries, and parking areas. All lighting shall be compliant with UNE's lighting plan, which is included in the IDP.
6. All signage shall be compliant with UNE's signage design standards, which are included in the IDP.

I. Neighborhood integration

1. For the purposed of keeping surrounding residential areas appraised of its future development plans, and to address any neighborhood issues related to the operations of the UNE campus, UNE shall adhere to the ongoing neighborhood engagement principles identified in the IDP.
2. Ongoing community engagement shall be conducted, including the continuation of posting project update's on UNE's Campus Planning web page and the creation of a dedicated email address for neighbor

communications with UNE's Planning Department.

3. UNE shall conduct annual neighborhood outreach through neighborhood meeting(s), to be hosted on campus, and shall provide the Planning Authority with a copy of the neighborhood notice and a record of participants, content, and feedback as described in Section 13.5.5(C).
4. A designated community contact shall be engaged to be the point of contact for providing information to the neighborhood and receiving feedback.

8.4 ISLAND TRANSFER STATION OVERLAY

8.4.1 Purpose

The purpose of the Island Transfer Station Overlay Zone is to establish a location for a transfer station for municipal solid waste and municipal public works activities. This zone shall be established through a conditional rezoning process in order to ensure the imposition of appropriate conditions for the protection of neighboring properties.

8.4.2 Permitted uses

- A. Municipal solid waste facilities, including compactors and storage bins, provided that the compactor shall be located within a fully enclosed structure.
- B. Recycling facilities, provided that all recycling areas shall be buffered and screened from neighboring properties.
- C. Municipal garages, material storage, and parking for vehicles.
- D. Maintenance of municipal vehicles and equipment.
- E. Minor wind energy systems co-located with public industrial or utility facilities, subject to

the applicable standards within Article 6.

8.4.3 Conditions

Requirements for setbacks and any operational limitations shall be established as part of the conditional rezoning process.

8.5 PEDESTRIAN ACTIVITIES DISTRICT (PAD) OVERLAY

8.5.1 Purpose and applicability

The purpose of the Pedestrian Activities District (PAD) Overlay is to ensure that key areas within the City, as identified on the PAD Overlay Zone map (Figure 8-HJ), are maintained as active, walkable, pedestrian-oriented activity centers. As such, the overlay requires that street-level frontages within those areas identified on the PAD Overlay Zone map should be occupied with active uses as identified in this section.

8.5.2 Use restrictions

- A. Within the PAD Overlay Zone, a minimum of 75% of the street level frontage, measured as a percentage of total building length excluding areas of vehicular and pedestrian egress, and any mechanical or electrical equipment rooms servicing the building, shall consist of the uses specified below. Such uses shall occupy a minimum of 40 feet in depth, measured from the street facing façade of the building.
 1. Bars
 2. Cultural facilities
 3. General services
 4. Governmental uses
 5. Hotels
 6. Low-impact industrial, provided that only retail sales of products produced on site, or eating and drinking areas shall be

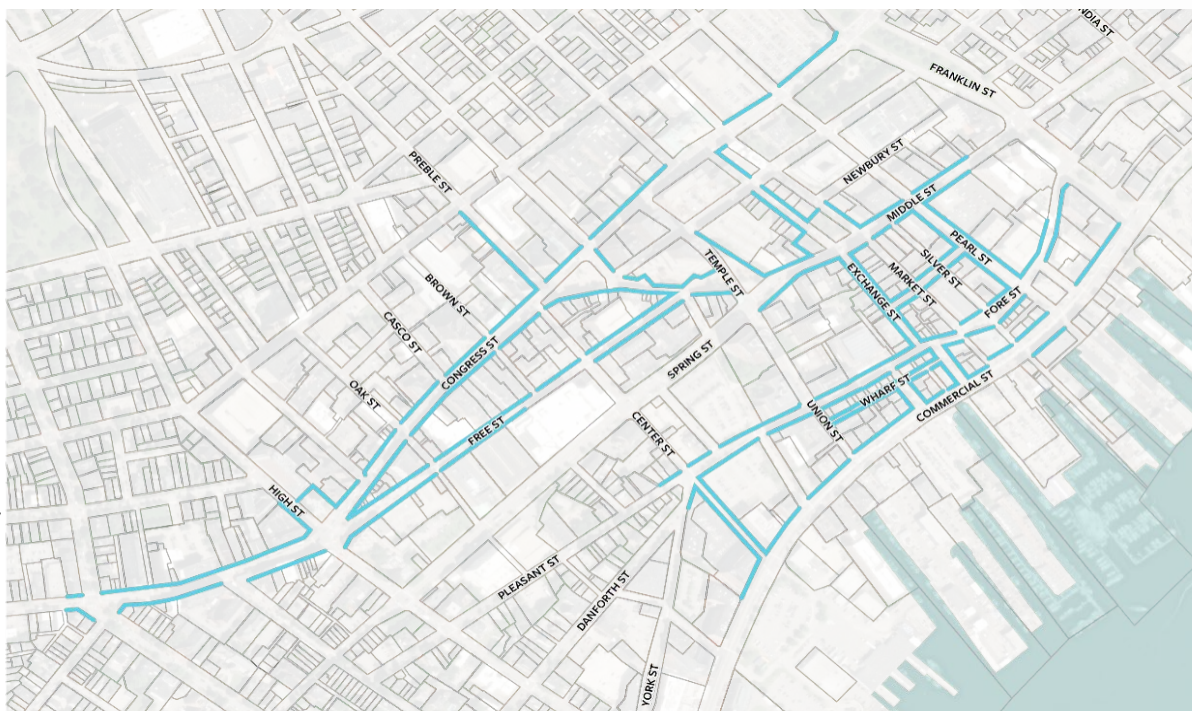


FIGURE 8-JH: PEDESTRIAN ACTIVITIES DISTRICT (PAD) OVERLAY

- located within the required active use area.
- 7.** Restaurants, including food preparation areas visually oriented toward the street.
- 8.** Retail
- 9.** Specialty food services, provided that only retail sales of products produced on site, or eating and drinking areas shall be located within the required active use area.
- 10.** Studios for artists and craftspeople.
- 11.** Theaters and performance halls, provided that only ticket and refreshment sales, lobbies, lounges and entrances shall be located within the required active use area.
- 12.** Other uses may be allowed, provided the applicant can demonstrate to the Building Authority that the proposed use is substantially similar to a use listed above and will generate pedestrian interest and activity.

- B.** First floor windows shall be transparent with uses visible from the public right-of-way.
- C.** For buildings that have frontage on more than one street located within the PAD overlay zone, the above requirements apply to each frontage. In no event shall any required active use area be used for storage or service entrances, including loading docks, dumpsters and compactors, except as provided in Subsection 8.5.4.

8.5.3 Conditional uses

Any use permitted in the B-3 zone may be authorized as a conditional use subject to the floor area and transparency requirements of Subsection 8.5.2, provided that the Planning Authority shall be substituted for the Board of Appeals as the reviewing authority. Such uses shall meet the general conditional use standards of Section 6.5.2, and the following conditions and standards:

- A.** The applicant shall prove by competent evidence (including but not limited to reliable documentation of advertising, real estate brokerage efforts, and other sales mechanisms) that the space has been actively marketed, and, in the case of new construction, available for permitted uses in the PAD Overlay Zone for a period of six months and that it has been unable to market the space for a permitted use in accordance with Subsection 8.5.2.
- B.** The Planning Authority may impose reasonable conditions concerning the design, appearance, use, and extent of use of the space along the street frontage to ensure maximum pedestrian compatibility and interest.
- C.** Notwithstanding the above, the Planning Authority may authorize a reduction in the percentage of required ground floor pedestrian-oriented uses where the physical limitations of an existing building so require. Any such reduction shall be the least necessary to provide relief and shall include mitigating design factors.

8.5.4 Exceptions

For buildings that have 40 feet or less of frontage on a street within the PAD Overlay Zone, the ground floor area requirements for permitted uses under Subsection 8.5.2 shall be reduced to 50% of the frontage where required to accommodate a service entrance. For buildings that have frontage on more than one street located within a PAD Overlay Zone, only one such frontage shall be permitted to reduce the required active use area to 50% of the frontage.

8.6 UNIVERSITY OF SOUTHERN MAINE OVERLAY

8.6.1 Purpose

The intention of the University of Southern Maine Overlay Zone is to establish an overlay zone in which an existing university campus can be continued and reasonably expanded within defined boundaries, in addition to those uses permitted in the underlying zone or zones. The purpose of this section is to recognize the unique qualities of a university campus while at the same time protecting the value and integrity of established neighborhoods.

8.6.2 Location and applicability

The University of Southern Maine Overlay Zone is intended to encompass and define the University of Southern Maine campus west of Forest Avenue. Properties in the University of Southern Maine Overlay Zone shall continue to be governed by the regulations applicable to the underlying zone except as specifically modified by this section.

8.6.3 Permitted uses

- A.** In addition to the permitted uses allowed in the underlying zones and notwithstanding anything to the contrary in the use regulations for the underlying zones, post-secondary schools and university uses are permitted in the University of Southern Maine Overlay Zone, including, but not limited to:
 - 1.** Classrooms.
 - 2.** Laboratory and research facilities.
 - 3.** Student unions.
 - 4.** Dining halls.
 - 5.** Bookstores.
 - 6.** Auditoriums.
 - 7.** Concert and lecture halls.



OVERLAY ZONES

8. Gymnasiums.
 9. Libraries.
 10. Outdoor use areas, such as “quads”, greens, parks, gardens, art installations, and other active and passive noncommercial recreation spaces.
 11. Faculty and student housing.
 12. Parking lots and garages.
 13. Community meeting spaces.
 14. Administrative and faculty offices.
 15. Transportation facilities.
 16. Maintenance facilities.
 17. Utility buildings.
 18. Student health services.
 19. Daycare facilities, nursery schools, and kindergartens.
 20. Other buildings, structures and uses customarily incidental to a university.
- B.** On lots fronting on Chamberlain Avenue and Exeter Street, university uses shall be limited to faculty housing, graduate student housing, faculty offices, and administrative offices.

8.6.4 Conditional uses

The following uses are permitted as provided in Section 6.5:

- A.** Minor wind energy systems, subject to the standards of subsection 6.4.41.

8.6.5 Dimensional requirements

University buildings and structures shall be subject to the dimensional requirements of the underlying zone, except as follows:

- A. Minimum setbacks.** Minimum setbacks shall be the same as in the underlying zone, except as shown on the University Campus Overlay Setback Map, incorporated herein by reference. Side and rear setbacks shall not be required

between buildings on contiguous lots owned by the university on the condition that such contiguous lots shall be considered merged and shall not be separately conveyed unless required setbacks in the underlying zones are provided.

- B. Maximum building height.** Maximum building height shall be the same as in the underlying zone, except as shown on the University Campus Overlay Height Map, incorporated herein by reference.
- C. Minimum building height.** All new freestanding buildings in height zone B and height zone C must be built to a height of at least 35 feet or designed and constructed so that they can be expanded to 35 feet or higher. As used in this paragraph, the term “new freestanding building” means any building which is not an addition to or expansion of a building which existed on the date of enactment of the University of Southern Maine Overlay Zone. Minimum building height provisions shall not apply to maintenance facilities, utility buildings, information kiosks, additions to and/or relocations of designated historic structures, and transportation facilities, including bus shelters, parking attendant booths, and other similar structures.
- D. Maximum impervious surface ratio.** A maximum of 66% of the total land area within the University of Southern Maine Overlay Zone, exclusive of public streets, shall be impervious.
- E. Maximum coverage by buildings.** 40% of the total land area within the University of Southern Maine Overlay Zone, exclusive of public streets, shall be covered by building footprint.

8.6.6 Parking

The amount of parking required for any university building or building addition shall be determined by the Planning Board during site plan review, based on an analysis of campus-wide parking demand and supply, pursuant to a comprehensive university parking management plan, and treating all contiguous land (including land on opposite sides of the street) owned by the university as one lot. In determining the amount of parking required for any university building, the Planning Board may take into account factors such as:

- A. The availability of off-campus parking and shuttle transportation to and from such off-campus facilities.
- B. The ratio of commuter students to resident students.
- C. The use of centrally located on-campus parking facilities so situated that students, faculty, staff and visitors arriving on campus can reasonably be expected to park in the central facilities and walk to their various on-campus destinations during the course of a school day.
- D. Shared use of a single parking facility by two or more buildings when the peak parking demand period for such buildings do not overlap.
- E. Development and implementation of a parking management plan which discourages on-street parking. On-street parking shall not be used to satisfy the university's parking demand.
- F. Development and implementation of programs designed to reduce the number of automobiles parking on campus, such as ride share programs and incentives for use of bicycles and public transportation.

8.6.7 Loading

The amount of loading area required for any university building shall be determined by the Planning Board during site plan review, based on a campus-wide analysis, treating all contiguous lots owned by the university as one lot. In determining the amount of loading space required for any university building, the Planning Board may take into account factors such as:

- A. The use of centrally located on-campus loading facilities so situated that vehicles making deliveries can load and unload in the central facilities, provided no single location is overburdened with loading facilities.
- B. Shared use of a single loading facility by two or more buildings.
- C. Impacts of the loading area on adjacent uses outside the University of Southern Maine Overlay Zone.

8.6.8 Signage

Signs shall comply with the requirements of Article 19, except as those regulations are modified or augmented below:

- A. Signs shall be designed in accordance with signage standards promulgated by the university, providing for a unified and ADA-compliant campus-wide system for identification, orientation, and regulatory signage.
- B. Banners are allowed as follows:
 - 1. Generic banners containing the logo and colors of the university, used for decorative purposes.
 - 2. Banners used for advertising university events, which can be displayed for a maximum of four weeks prior to and one week following the event.



8.6.9 Design principles and standards

All development in the University of Southern Maine Overlay Zone is subject to the requirements contained within the City of Portland *Design Manual*.

8.7 WAYNFLETE SCHOOL OVERLAY

8.7.1 Purpose

The intent of this section is to establish a Waynflete School Overlay Zone which protects the value and integrity of established residential neighborhoods, establishes clearly defined boundaries beyond which residential conversions cannot occur and results in no net loss of dwelling units, while allowing Waynflete School, an existing private day school, to continue and reasonably augment its existing uses and programs, thereby maintaining compatible development at medium densities appropriate to the existing neighborhood patterns. As used in this section, the term “Waynflete School” includes any successor institution that operates as a private day school.

8.7.2 Location and applicability

The Waynflete School Overlay Zone, as shown on the zoning map, is intended to encompass and define Waynflete School’s principal campus on the Portland peninsula. Properties in the Waynflete School Overlay Zone shall continue to be governed by the regulations applicable to the underlying zone except as specifically modified by this section.

8.7.3 Subdistricts

The Waynflete School Overlay Zone consists of two subdistricts. Except where otherwise specified in this Section 8.7, all provisions of this Waynflete School Overlay Zone apply in both subdistricts. The subdistricts, as shown on the Waynflete School

Overlay Zone subdistrict map, incorporated herein by reference, are as follows:

- A. The Campus Core subdistrict defines the interior core of the campus and is intended to allow compact development of school uses, with specific space and bulk regulations designed to accommodate school uses.
- B. The Campus Edge subdistrict is intended to preserve residential character along the streets bordering the campus by limiting the amount of residential space which can be converted to school uses, by maintaining a number of dwelling units within the subdistrict which equals the number of dwelling units existing in the subdistrict at the time of enactment of this Overlay Zone, and by encouraging mixed-use buildings along the street frontages. The space and bulk regulations of the RN-3 zone continue to apply within the Campus Edge subdistrict.

8.7.4 Permitted uses

In addition to the permitted uses allowed in the underlying zones and notwithstanding anything to the contrary in the use regulations for the underlying zones, the following uses are permitted in the Waynflete School Overlay Zone:

- A. **School uses.** Elementary, middle and secondary school uses including, but not limited to, the following:
 - 1. Classrooms.
 - 2. Laboratory facilities.
 - 3. Dining halls.
 - 4. Auditoriums.
 - 5. Concert and lecture halls.
 - 6. Gymnasiums.
 - 7. Libraries.
 - 8. Outdoor use areas, such as “quads”, greens, parks, gardens, art installations, and

other active and passive recreation spaces.

9. Parking lots and structures.
10. Community meeting spaces.
11. Administrative and faculty offices.
12. Transportation facilities.
13. Maintenance facilities.
14. Utility buildings.
15. Student health services.
16. Bookstores.
17. Accessory uses which are customarily incidental and subordinate to the location, function and operation of a private day school.

- B. Residential uses.** Faculty or staff housing, which shall be considered a residential use, and not a school use, for all purposes under this overlay zone.

8.7.5 Prohibited uses

- A. Boarding schools.
- B. Dormitories.

8.7.6 Residential conversions prohibited

- A. Conversions of existing residential buildings within the Waynflete School Overlay zone shall be prohibited.
- B. The existing houses at 11 Fletcher Street, 3 Storer Street, 305 Danforth Street, and 299 Danforth Street shall not be relocated from their locations existing as of January 20, 2010. This provision shall not apply to garages.
- C. At no time shall the number of dwelling units within the Waynflete School Overlay Zone be reduced below four (the number existing at the time of enactment of this Overlay Zone).

8.7.7 Dimensional requirements

Buildings and structures in the Waynflete School Overlay Zone shall be subject to the applicable dimensional requirements of the underlying zones, except as follows:

- A. Minimum setbacks shall be the same as in the underlying zone, except that side and rear setbacks shall not be required between buildings on contiguous lots owned or occupied by Waynflete School on the condition that such contiguous lots shall be considered merged and shall not be separately conveyed unless required yard dimensions in the underlying zones are provided.
- B. Minimum street frontage shall be the same as in the underlying zone, except that all the land within the Waynflete School Overlay Zone owned or occupied by Waynflete School shall be considered a single lot for the purpose of complying with minimum street frontage.
- C. Maximum coverage by buildings shall be the same as in the underlying zone, except that in the Campus Core subdistrict the maximum coverage by buildings shall be 40% and all the land within the Campus Core subdistrict owned or occupied by Waynflete School shall be considered a single lot for the purpose of calculating maximum coverage by buildings.

8.7.8 Parking

The amount of parking required for any change of use, new building, or building addition within the zone shall be determined during site plan review, based on an analysis of school-wide demand and supply, pursuant to a comprehensive school-wide Transportation Demand Management Plan (TDM), and treating all land owned by Waynflete School within the Waynflete School Overlay Zone as one



lot. Any existing parking management or TDM plan approved as part of a previous approval shall remain in effect until revised or updated pursuant to this section. In determining the amount of parking required for any building within the Waynflete School Overlay Zone, the Planning Authority or the Planning Board may take into account factors such as:

- A.** The use of centrally located on-campus parking facilities so situated that students, faculty, staff and visitors arriving on campus can reasonably be expected to park in the central facilities and walk to their various on-campus destinations during the course of a school day.
- B.** Shared use of a single parking facility by two or more buildings when the peak parking demand periods for such buildings do not overlap.
- C.** Development and implementation of a parking management plan which discourages on-street parking.
- D.** Development and implementation of a TDM plan subject to the review and approval of the Planning Authority or the Planning Board. The TDM plan shall employ elements such as public transit initiatives, parking cash-out, car sharing, car and van pooling incentives, provision of bicycle and pedestrian commuting accommodations, guaranteed ride home programs, employee surveys, newsletters, alternative transportation information sharing, and other such strategies that reduce single occupancy vehicle trips to and from Waynflete school. Waynflete School shall follow the standards and guidelines for developing a TDM plan found in the TDM section of the City of Portland *Technical Manual*.

8.7.9 Loading

The amount of loading area required for any building within the Waynflete School Overlay Zone shall be determined by the Planning Board during site plan review, based on a campus-wide analysis, treating all land owned by Waynflete School within the Waynflete School Overlay Zone as one lot. In determining the amount of loading space required for any building within the Waynflete School Overlay zone, the Planning Board may take into account factors such as:

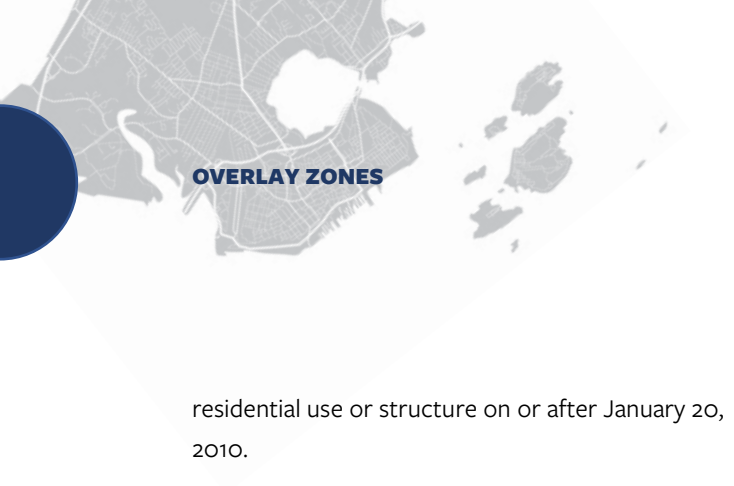
- A.** The use of centrally located on-campus loading facilities so situated that vehicles making deliveries can load and unload in central facilities, provided no single location is overburdened with loading facilities.
- B.** Shared use of a single loading facility by two or more buildings.
- C.** Impacts of the loading area on adjacent uses outside the Waynflete School Overlay Zone.

8.7.10 Signage

Signs shall comply with the requirements of Article 19.

8.7.11 Restrictions

Notwithstanding the conditional use provisions for institutional uses within the RN-3 or RN-5 zones, Waynflete School cannot locate a school use listed in Subsection 8.7.4 on any lot in the RN-3 or RN-5 zones outside the boundaries of the Waynflete School Overlay Zone that was occupied by a residential use or structure on or after January 20, 2010. This restriction does not prevent Waynflete School from seeking a conditional use permit for a school use, where otherwise allowed by the zoning regulations, on lots outside the Waynflete School Overlay Zone that were not occupied by a



residential use or structure on or after January 20, 2010.



Carter Frank <cfrank@portlandmaine.gov>

Public Comment - UNE IOZ-IDP: Jack Soley Wins - Portland and Sustainability Loses

1 message

George Rheault <george.rheault@gmail.com>

Mon, Feb 24, 2025 at 11:05 AM

Reply-To: george.rheault@gmail.com

 To: Planning Board <planningboard@portlandmaine.gov>, Kevin Kraft <kkraft@portlandmaine.gov>, jmy
 <jmy@portlandmaine.gov>, Matthew Grooms <mgrooms@portlandmaine.gov>, nkypfer@portlandmaine.gov

The decades-long battle to keep UNE's Portland campus from being a real community by stopping its organic growth opportunities has reached a high-point with the "horse-is-already-out-of-the-barn" IOZ-IDP process.

See attachment and link below to learn about the completely unnecessary 3-mile UNE commute that Portland's planning staff have helped bring into being with the full collaboration of the Planning Board.

Portland's short-sighted failure to do all it can to encourage on-campus housing here is a big mistake. Instead of a dynamic and healthy 24-7 campus environment, Portland just doubles-down on congestion and commuter hell and campus facilities that lie dormant much of the time. And of course, well-connected developers like Soley reap the benefits while the crowded Portland-Westbrook corridor suffers all the externalities.

With the Trump administration's full-bore attack over the next 4 years on urban areas including trying to strike at the heart of the "meds and eds" economies that such places have tried to cultivate, UNE is unlikely to ever be able to afford housing investments to make its Portland campus a real urban amenity and contribute meaningfully to a healthy Deering Center community.

Please stamp the IOZ-IDP documents with a big "TOO LITTLE - TOO LATE" label on every page...

UNE signs full building lease for Westbrook apartment building | MaineBiz.biz

<https://www.mainebiz.biz/article/une-signs-full-building-lease-for-westbrook-apartment-building>


MaineBiz - November 2024 - UNE off-campus housing - Soley Opportunity Fund Project.pdf

999K

Att. A

August 14, 2024



Kevin Kraft, Director of Planning and Urban Development
City of Portland
389 Congress Street
Portland, ME 04101

Re: University of New England
Application for Text and Map Amendment

Dear Kevin:

Woodard & Curran is pleased to submit this application for a text and map amendment on behalf of the University of New England (UNE). This application includes: 1) a text amendment to adopt the Regulatory Framework for the proposed UNE Institutional Overlay Zone (IOZ); and 2) a map amendment to change the underlying zoning of the UNE properties to B-2 Community Business with an IOZ overlay.

The City of Portland's Land Use Code includes a provision for the city's five major medical and higher education campuses to create an IOZ designation to facilitate a consistent, predictable, and clear growth management process. Consistent with that purpose, UNE is seeking to create a UNE IOZ to accommodate the development and growth of their campus.

UNE began pursuing the IOZ process in 2021 and has had meetings with Planning and other City staff, as well as neighborhood groups and members of the public, to develop its Institutional Development Plan (IDP). The IDP identifies and addresses anticipated long-term institutional needs to support UNE's continued ability to adapt and grow alongside changes in education and technology. The IDP and corresponding Regulatory Framework have been thoughtfully developed to balance the needs of the institution with the needs of the surrounding neighborhood and wider community.

As part of the IOZ process, UNE will simultaneously seek to change the underlying zoning of the campus to B-2 Community Business. The current underlying zoning on campus includes R-3, R-5, I-H, I-M, and B-2. Changing the underlying zoning entirely to B-2 will more accurately reflect the current uses within the campus and complement the surrounding zoning.

Thank you for your consideration. We look forward to working with you.

Sincerely,

Woodard & Curran, Inc.

A handwritten signature in blue ink that reads "Caitlin Suhr".

Caitlin Suhr, PE
Project Manager

CITY OF PORTLAND
Planning & Urban Development Department

Att. B

MAP AND TEXT AMENDMENT SUBMISSION CHECKLIST	
* Please submit each document <u>and</u> drawing as a separate PDF file * Please submit all drawings in a <u>24 x 36 sheet size</u> * Please confirm each item by electronically checking the boxes to the left for each document/drawing	
GENERAL APPLICATION DOCUMENTS	
☒	Project Description Cover Letter with detailed project description
☒	Consistency with Comprehensive Plan (Please see page 21 of IDP document) Analysis of the consistency of the zone change request with the goals, policies and land use plan of Portland's Comprehensive Plan.
☒	Proposed Text Amendment (Please see Regulatory Framework) Provide proposed language for text amendment(s) and cite the relevant sections to be revised in the Land Use code.
☒	Completed Checklist – Map and Text Amendment Application (this document)
☒	Right, Title and Interest Deeds, leases, or purchase and sales agreements
PLANS	
☒	Vicinity Map
☒	Proposed Map Amendment (please use the Portland zoning map as a reference)
☐	Site Plan (if applicable) On a separate sheet, please provide a site plan of the property showing existing and proposed improvements, including such features as buildings, parking, driveways, walkways, landscape and property boundaries.

WARRANTY DEED
(Maine Statutory Short Form)

KNOW ALL BY THESE PRESENTS, that I, ROSEMARY S. KIMBALL, of Yarmouth, County of Cumberland, and State of Maine, for consideration paid, GRANT to the UNIVERSITY OF NEW ENGLAND a non-profit corporation organized and existing under the laws of the State of Maine, the mailing address of which is 11 Hills Beach Road, Biddeford, Maine 04005-9599, with WARRANTY COVENANTS, certain real estate located in Portland, County of Cumberland and State of Maine, which is more particularly described in Exhibit A attached hereto and made a part hereof.

This conveyance is made SUBJECT, HOWEVER, to real estate taxes which are not yet due and payable, which, by acceptance hereof, Grantee assumes and agrees to pay.

WITNESS my hand and seal this 28th day of February, 2006.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Witness

Rosemary S. Kimball
Rosemary S. Kimball

STATE OF MAINE
County of Cumberland, SS.

February 28, 2006

Then personally appeared the above-named ROSEMARY S. KIMBALL and acknowledged the foregoing instrument to be her free act and deed.

Before me,

Brianna Adams
Notary Public/Maine Attorney-at-Law
Printed Name: Brianna Adams

MAINE REAL ESTATE TAX PAID

Exhibit A

A certain lot of parcel of land, with the buildings and improvements thereon, situated on the northerly side of College Street, in the City of Portland, County of Cumberland, State of Maine and bounded and described as follows:

Beginning at a certain point on said College Street where the northerly line of said street is intersected by the extension southerly of a line passing through the middle division wall of a certain double house (the easterly part of which stands upon the premises hereby conveyed); thence northerly by said middle division wall and said wall extended to land now or formerly of the Portland Street Railroad Company; thence easterly by said land of said Railroad Company to land formerly of C. A. Hayden; thence southerly by said Hayden land to said College Street; thence westerly by said College Street to the point of beginning.

Being the same premises acquired by the Grantor and Paul J. Kimball (as joint tenants and not as tenants in common) by Warranty Deed dated January 29, 1987 and recorded in the Cumberland County Registry of Deeds in Book 7620 and Page 201. Paul J. Kimball died March 16, 1993, and his probate is located in the Cumberland County Probate Court, Docket # 93-399.

Received
Recorded Register of Deeds
Mar 01:2006 01:01:20P
Cumberland County
John B O'Brien

QUITCLAIM DEED

THE STATE OF MAINE DEPARTMENT OF DEFENSE, VETERANS AND EMERGENCY MANAGEMENT successor in interest to the STATE OF MAINE, acting by and through the Acting Adjutant General pursuant to 37-B M.R.S.A. § 264, (the "Grantor"), FOR CONSIDERATION PAID, grants to the **UNIVERSITY OF NEW ENGLAND**, a Maine non-profit corporation, whose mailing address is 716 Stevens Avenue Portland, ME 04103 (the "Grantee"), certain real property, together with any improvements thereon, located at 760-780 Stevens Avenue, in the City of Portland, County of Cumberland and State of Maine, more particularly describes as follows:

A certain lot or parcel of land with the buildings thereon situated on the westerly side of Stevens Avenue in the City of Portland in said County of Cumberland and State of Maine, being the same premises conveyed by Elizur B. Forbes to Portland and Forest Avenue Rail Road Company by deed dated March 22, 1864, and recorded in Cumberland County Registry of Deeds in Book 326, Page 212, in which deed said premises were bounded as follows:

"A certain parcel of land fronting on the principal street at Stevens's Plains in Westbrook aforesaid, bounded as follows; beginning on said street at the southeast corner of land formerly of Jeremiah Beedle, now of Woodbury Polleys; thence running North sixty-four and a half degrees West five hundred seven and a half feet; thence North twenty-five and a half degrees East, thirty three feet; thence North sixty-three degrees West one hundred twenty-five feet; thence South seventy-five degrees forty-five minutes West seven hundred twenty feet; thence South sixty-four degrees east nine hundred ten and a half feet; thence North twenty and a quarter degrees east one hundred forty and a half feet; thence South sixty-six and a half degrees east, three hundred twenty four feet to the street or Stevens's Plains road before mentioned; thence North (by the line of the Street) nineteen degrees and three quarters east, two hundred ninety feet to the place of beginning - estimated to contain about nine and one quarter acres."

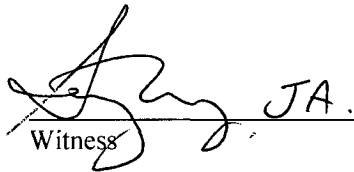
Meaning and intending to convey the same premises delineated on the Plan of Property in Portland, Maine made for the Adjutant General, Augusta, Maine prepared by H.I. & E.C. Jordan dated August 22, 1958.

For Grantor's source of title see: Warranty Deed from Portland Rail Road Company to the State of Maine dated October 14, 1940 and recorded at the York County Registry of Deeds in Book 1619, Page 299.

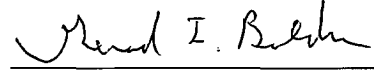
MAINE REAL ESTATE TAX PAID

By his signature hereon, the Acting Adjutant General certifies that the premises being conveyed in compliance with 37-B MRSA § 264, Section 6, Subsection 5 constitutes the Portland Armory, that he has designated an officer to inspect the premises, that he has determined the property to be unfit for military use, and has condemned the premises and furthermore that the premises are not being sold for less than appraised value as determined by a person licensed as a real estate appraiser under Title 32, chapter 123 and that the State of Maine Department of Defense, Veterans and Emergency Management is the successor in interest to the State Military Defense Commission of the State of Maine.

IN WITNESS WHEREOF, the State of Maine has caused this instrument to be executed in its name by Brigadier General Gerard F. Bolduc in his capacity as the Acting Adjutant General of the Maine National Guard, pursuant to 37-B M.R.S.A. § 264, this 11 day of June, 2015.

 JA.
Witness

STATE OF MAINE

By: 

Gerard F. Bolduc
Brigadier General, The Acting Adjutant General

State of Maine
County of Kennebec, ss

June 11, 2015

The personally appeared the above-named Brigadier General Gerard F. Bolduc, The Acting Adjutant General of the Maine National Guard, and acknowledged the foregoing instrument to be his free act and deed and, pursuant to authorization of the Maine Legislature as found in 37-B M.R.S.A. § 264, the free act and deed of the State of Maine.

Before me,



Notary Public/Attorney-at-Law

Commission Expires:

Print Name: STACY M. BRADBURY

under authority of
37-B MRSA 390-C.
ATTORNEY AT LAW

Received
Recorded Register of Deeds
Jun 17, 2015 08:54:11A
Cumberland County
Nancy A. Lane

WARRANTY DEED

Statutory Short Form

DLN: 1002440278302

KNOW ALL BY THESE PRESENTS, That **WJN Property Management, LLC**, a Maine Limited Liability Company, whose mailing address is 381 Falmouth Road, Falmouth, ME 04105, for consideration paid, grant to the **University of New England**, a Maine non-profit corporation with an address of 11 Hills Beach Road, Biddeford, ME 04005, with Warranty Covenants, the real property in the City of Portland, County of Cumberland and State of Maine, more particularly described as follows:

A certain lot or parcel of land, with the buildings thereon, situated on Stevens Avenue, in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

Beginning at a point on the westerly side line of Stevens Avenue at the northeasterly corner of land of the Stevens Avenue Congregational Church; thence North 68° West by said Church property and property formerly of the Portland Street Railway Company, two hundred sixty and four tenths (260.4) feet to a post; thence North 23° 36' East by said Portland Street Railway Company land ninety-two (92) feet to a post; thence South 59° 19' East by the fence one hundred twelve and forty-seven hundredths (112.47) feet to a post; thence South 61° 35' East one hundred forty-six and twenty-four hundredths (146.24) feet to the westerly side of Stevens Avenue; thence South 20° 45' West fifty-eight and fifty-five hundredths (58.55) feet to said westerly side line of Stevens Avenue to the point of beginning.

Including herewith,

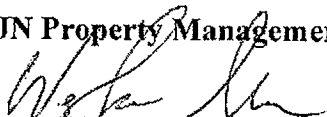
- a. Any and all appurtenant rights, easements, rights of way, permits and approvals; and
- b. Any and all improvements located on, under or above the above -described Real Property.

Meaning and intending to convey and conveying the real property described in a deed to WJN Property Management, LLC dated August 24, 2020 and recorded in the Cumberland County Registry of Deeds in Book 37103, Page 32.

Witness my duly authorized hand and seal this 27th day of June, 2024.

Witness:

WJN Property Management, LLC



Weston Nolan, Manager

STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

June 27, 2024
~~April 26, 2022~~

Personally appeared on the above date, the above-named Weston Nolan, Manager of WJN Property Management, LLC and acknowledged the foregoing instrument to be his free act and deed in his said capacity.

Before me,



~~Notary Public~~ Attorney at Law

Print name: *Cary McCullen*

Exp: ~~_____~~ *Bar No. 665969*

SHORT FORM WARRANTY DEED

Saltz Associates, LLC, a Maine limited liability company of Portland, Maine ("Grantor"), for consideration paid, grants to University of New England, a Maine nonprofit corporation with a mailing address of 716 Stevens Avenue, Portland, ME 04103 ("Grantee") WITH WARRANTY COVENANTS, certain real property, together with any improvements thereon, located in the City of Portland, County of Cumberland, and State of Maine and more particularly described on Exhibit A attached hereto and made a part hereof.

Being the same premises conveyed to the Grantor by Warranty Deed from Barry C. Saltz and Jeffrey I. Saltz dated October 20, 2001 and recorded in the Cumberland County Registry of Deeds in Book 16999, Page 56.

IN WITNESS WHEREOF Saltz Associates, LLC has caused this instrument to be executed by Barry C. Saltz its Manager, thereunto duly authorized, this 25 day of September, 2013.

WITNESS:

John Norton

Print Name:

SALTZ ASSOCIATES, LLC

By: [Signature]

Name: BARRY SALTZ
Its Manager

State of Maine

County of Cumberland, ss.

Date: September 25, 2013

PERSONALLY APPEARED the above-named Barry Saltz, Manager of Saltz Associates, LLC, as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity.

Before me,

Cathy Morrison

Notary Public

Print Name: Cathy Morrison

Commission Expires: 10/18/15

SEAL

MAINE REAL ESTATE TAX PAID

EXHIBIT A

A certain lot or parcel of land with the buildings thereon situated in said Portland, in that part formerly Deering, on the Westerly side of Stevens Avenue, formerly called Stevens Plains Avenue, near Morrill's Corner, and bounded and described as follows:

Beginning at a stake on said Westerly side of Stevens Avenue, at the Northeasterly corner of the lot of land conveyed by The City of Portland to Ralph F. Goodhue by deed dated March 30, 1906, and recorded in the Cumberland County Registry of Deeds in Book 843, Page 431, formerly known as the School House Lot, said stake being distant Southerly along said Westerly side of Stevens Avenue Forty-One and Eight Hundredths (41.08) feet from a stone monument marking an angle in said Westerly line of Stevens Avenue; thence by said land now or formerly of said Goodhue on a course of N 69° 07' W One Hundred Eighty-Three and Forty-Five Hundredths (183.45) feet, more or less, to the lot of land conveyed by George H. Bangs to Elizabeth Hodgdon by deed dated September 20, 1900, and recorded by said Registry of Deeds, in Book 699, Page 24; thence by said land now or formerly of said Hodgdon on a course of N 26° 41' E Ninety-Five and Eighty-Five Hundredths (95.85) feet, more or less, to the lot of land conveyed by Nancy Kimball Roberts to Alice M. Winslow by deed dated December 19, 1913, and recorded in said Registry of Deeds in Book 922, Page 419, formerly belonging to Storer Libby; and thence by said land now or formerly of said Winslow on a course of S 60° 01' E One Hundred Seventy-Seven (177) feet, more or less, to the Westerly side of Stevens Avenue; thence by said Westerly side of Stevens Avenue, on a course of S 21° 10' W Twenty-Six and Twenty-Four Hundredths (26.24) feet to said stone monument marking an angle in said Avenue; and thence by said Westerly side of said Stevens Avenue on a course of S 22° 00' W Forty-One and Eight Hundredths (41.08) feet to the point of beginning. Said above mentioned courses being magnetic and of the date of 1942.

ALSO ANOTHER certain lot or parcel of land situated in said Portland, in that part formerly Deering, and bounded and described as follows:

Beginning at a stake in the rear of Stevens Avenue, on the line of land now or formerly of George C. Roberts, at the Northwesterly corner of the lot of land conveyed by the City of Portland to Ralph F. Goodhue by the deed above mentioned recorded in Book 843, Page 431, which lot of land was formerly known as the Morrills School House Lot; thence running Northerly by the line of said land now or formerly of said Roberts One Hundred Seven (107) feet, more or less, to a stake in the line of said Roberts land; thence running Easterly by the line of said Roberts land Sixty-Five (65) feet to a stake at the Northwesterly corner of the lot of land conveyed by Cora B. Roberts to one Christy E. Chandler by deed dated October 12, 1942, and recorded in said Registry of Deeds in Book 1693, Page 352; thence running Southerly by the Westerly line of said land conveyed by said Cora B. Roberts to said Christy E. Chandler, Ninety-Five and One-half (95 ½) feet, more or less, to the Northerly line of said land conveyed to said Goodhue, formerly said School House Lot, at a point distant Sixty-Five (65) feet Easterly from the point begun there; and thence running Westerly by the line of said Goodhue land, formerly of said School House Lot 65 feet to the point of beginning.

Received
Recorded Register of Deeds
Oct 03, 2013 02:29:19P
Cumberland County
Pamela E. Lovley

QUITCLAIM DEED WITH COVENANT

KNOW ALL BY THESE PRESENTS, that **DELTA REALTY LLC**, a Maine limited liability company ("Grantor"), having a mailing address of 380 Warren Avenue, Portland, Maine 04103, for consideration paid, hereby grants to the **UNIVERSITY OF NEW ENGLAND**, a Maine non-profit corporation ("Grantee"), having a mailing address of 11 Hills Beach Road, Biddeford, Maine 04005, with Quitclaim Covenant, that certain real property located in the City of Portland, Cumberland County, Maine, all more particularly bounded and described as follows:

See Exhibit A attached hereto and made a part hereof.

Meaning and intending to convey the real property described in a Quitclaim Deed to the Grantor herein from Northern Utilities, Inc., dated September 19, 2014 and recorded in the Cumberland County Registry of Deeds in Book 31788, Page 197, subject to the easements and rights granted Northern Utilities, Inc. pursuant to that certain Amended and Restated Gas Easement Deed dated November 9, 2015 and recorded in said Registry of Deeds in Book 32746, Page 142 (amended and restating that certain Gas Easement Deed dated September 19, 2014 and recorded in said Registry of Deeds in Book 31788, Page 200). Subject to current real estate taxes and stormwater fees to the City of Portland, Maine not yet due and payable.

IN WITNESS WHEREOF, DELTA REALTY LLC has caused this instrument to be signed and sealed on June 30, 2016.

DELTA REALTY LLC

J. R. Clark
Witness

By: Andrea Girard
Andrea Girard
Its Manager

MAINE REAL ESTATE TAX PAID

State of Maine

County of Cumberland, ss.

June 30, 2016

Personally appeared the above-named Andrea Girard in his/her said capacity and acknowledged the foregoing instrument to be his/her free act and deed in his/her said capacity and the free act and deed of said limited liability company.

Before me,

L. R. Clough

Notary Public/Maine Attorney at Law

Print Name: Lawrence R. Clough

My Commission Expires:

EXHIBIT A

A certain lot or parcel of land with the buildings thereon situated on the easterly side of Forest Avenue, in the City of Portland, County of Cumberland and State of Maine, being more particularly bounded and described as follows:

Beginning on the easterly sideline of Forest Avenue, said point being one hundred forty and two tenths (140.2) feet southerly from the intersection of Read Street and Forest Avenue;

Thence running in an easterly direction one hundred fifty-one and twenty-five hundredths (151.25) feet to Read Street;

Thence running in a southeasterly direction two hundred seventy-eight and thirty-nine hundredths (278.39) feet to a point, said point being the intersection of Read Street and Bell Street;

Thence running in a southerly direction, along the westerly sideline of Bell Street, twenty-one and five tenths (21.5) feet to a point;

Thence in a southwesterly direction and continuing along the westerly sideline of Bell Street, forty and twenty-five hundredths (40.25) feet to a point;

Thence running in a westerly direction seventy-six (76) feet to a point;

Thence, at an interior angle of ninety degrees (90°) from the last mentioned course, running in a northerly direction fifty (50) feet to a point;

Thence, at an exterior angle of ninety degrees (90°) from the last mentioned course, running in a westerly direction two hundred forty-four (244) feet to the easterly sideline of Forest Avenue;

Thence running in a northerly direction, along the easterly sideline of Forest Avenue, two hundred fourteen and fifteen hundredths (214.15) feet to the point begun at.

The Premises are conveyed subject to the rights and easements set forth in that certain Amended and Restated Gas Easement Deed from the Grantor herein dated November 9, 2015 and recorded in said Registry of Deeds in Book 32746, Page 142 (amended and restating that certain Gas Easement Deed dated September 19, 2014 and recorded in said Registry of Deeds in Book 31788, Page 200), pursuant to which, among other things, Northern Utilities, Inc. retained ownership and other rights with respect to certain underground gas pipe lines and related appurtenances located at the Premises.

Received
Recorded Register of Deeds
Jul 01, 2016 09:56:04A
Cumberland County
Nancy A. Lane

WARRANTY DEED
(Maine Statutory Short Form)

KNOW ALL MEN BY THESE PRESENTS, that **PIKE INDUSTRIES, INC.**, a Delaware corporation with a place of business and mailing address at 58 Main Street, Westbrook, Maine 04092 ("Grantor"), for consideration paid, hereby grants to **UNIVERSITY OF NEW ENGLAND**, a Maine non-profit corporation with a mailing address of 11 Hills Beach Road, Biddeford, Maine 04005 ("Grantee"), with **WARRANTY COVENANTS**, those certain lots or parcels of land, together with any buildings and improvements thereon, situated in Portland, Cumberland County, Maine, being more particularly described on **Exhibit A** attached hereto and incorporated herein by reference (the "Premises").

The following restrictions shall run with the land, shall inure to the benefit of the Grantor, and its successors and assigns, and shall be binding upon the Grantee, and its successors and assigns:

1. The Grantee covenants and agrees that the Premises shall not be used for excavation of earth materials, crushing of rock and other materials, production of hot-mix asphalt or other similar products (e.g., cement, ready mix concrete, etc.), storage of earth materials and/or hot-mix, cement or ready-mix products or the sale (retail or wholesale) and distribution of such materials from the Premises or the use of such material or existing processed material unless such excavation and/or use of such materials is for the benefit of the Grantee on the Premises or on contiguous land in common ownership of the Grantee.
2. In the event of a violation of any or all of this restrictive covenant, the Grantor, in addition to all other remedies available to it, may obtain an injunction against the Grantee issued by a court of competent jurisdiction enjoining such breach and shall be entitled to recover its costs and expenses, including, but not limited to, reasonable attorney's fees in the enforcement or defense of the restrictions or any of them.

Being parcels 2 and 3 in the deed of Oldcastle Materials, Inc. to Pike Industries, Inc. dated March 20, 2002, and recorded in the Cumberland County Registry of Deeds in Book 17835, Page 301.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be signed and sealed this 28th day of February, 2012.

WITNESS:

PIKE INDUSTRIES, INC.

By: Brian J. Donovan
Print/type name: Brian J. Donovan
Its: Authorized Agent

STATE OF MAINE
CUMBERLAND, ss.

February 28, 2012

Then personally appeared the above named Brian J. Donovan, its Authorized Agent, of Pike Industries, Inc. who acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said Pike Industries, Inc.

Before me,

Peter J. Van Hemel
~~Notary Public~~ / Maine Attorney-at-Law
Name Printed: Peter J. Van Hemel
My Commission Expires: _____

H:\DOCS\RATTEY\PIKE\UNE 39662\MSFWDEED3.DOC

EXHIBIT A

TRACT 1

A certain lot or parcel of land in the Morrill's Corner region of Portland, County of Cumberland and State of Maine, bounded and described as follows:

Commencing at a point or stake standing on the old southerly line of the Portland & Rochester Railroad, now the Portland Terminal Company, and at a point where the same intersects with land formerly of Franklin M. Purington,

THENCE South $65\frac{3}{4}^{\circ}$ West 108 Rods 15 Links, more or less, to land now owned by the City of Portland;

THENCE North $24\frac{1}{4}^{\circ}$ West 5 Rods 16 Links, more or less, to a stake;

THENCE South $65\frac{3}{4}^{\circ}$ West 34 Rods 9 Links, more or less, to a stake standing on land owned by said City;

THENCE North 11° West 11 Rods 7 Links, more or less, to a stake, standing on land formerly owned by Hiram Sawyer;

THENCE North $61\frac{1}{2}^{\circ}$ East 107 Rods, more or less, to line of said location of Portland & Rochester Railroad;

THENCE by the line of said Railroad on its southerly side as aforesaid $83\frac{1}{4}^{\circ}$ East 38 $\frac{1}{2}$ Rods, more or less, to the place of beginning.

EXCEPTING from the above described premises, the premises conveyed by Adam W. Wilson to City of Portland by deed dated March 25, 1889, and recorded in the Cumberland County Registry of Deeds in Book 556, Page 132; and the premises conveyed by Adam W. Wilson to Boston & Maine Railroad by deed dated April 4, 1907, and recorded in said Registry in Book 803, Page 232, and by deed dated August 5, 1910, and recorded in said Registry in Book 863, Page 137.

TRACT II

Another certain lot or parcel of land situated near Morrill's Corner in that part of Portland that was formerly Deering, in the County of Cumberland and State of Maine, lying adjacent to and lying northwesterly of the above described premises, being bounded and described as follows:

Beginning at the northwesterly corner of land formerly of one Smith, on the southerly side of land formerly of Portland & Rochester Railroad, now the Portland Terminal Company, and running South 62° West 106 Rods to land of Portland Cemetery;

THENCE northwesterly by said Cemetery lot 30 Rods to the Old Kenney lot;

THENCE North 52 1/2° East by said Kenney's lot 49 Rods 2 Links to the Portland Terminal Company railroad land, formerly of the Portland & Rochester Railroad;

THENCE southeasterly by said Portland Terminal Company location 70 Rods to the first mentioned bounds or place of beginning.

EXCEPTING, however, from the above described premises two certain pieces or parcels of land, that first being 200 feet in length by 28 feet in width and lying parallel with the above-mentioned railroad, said parcel being conveyed by F.O.J. Bodge to Boston & Maine Railroad by warranty deed November 20, 1907, and recorded in the Cumberland County Registry of Deeds in Book 817, Page 29; and the second being a strip along a portion of the southeasterly and southwesterly side thereof, being conveyed by Lewis Lumber Co. to Central Maine Power Company by deed dated November 23, 1951, and recorded in said Registry in Book 2067, Page 107.

Both tracts are conveyed subject to the rights acquired for a sewer by the City of Portland by taking dated May 26, 1944, and recorded in the office of the City Clerk of the City of Portland, Maine, in Vol. 66, Page 263.

Also excepting the land described in the deed from Tilcon Minerals, Inc. to the City of Portland dated November 22, 1996, recorded in the Cumberland County Registry of Deeds in Book 12886, Page 212.

The premises are conveyed subject to the following rights and easements:

1. Rights and easements granted by Warren Bros. Roads Co. to Central Maine Power Company by instrument dated June 19, 1952, and recorded in the Cumberland County Registry of Deeds in Book 2097, Page 221.
2. Rights and easements granted by Warren Brothers Roads Company to Central Maine Power Company and New England Telephone and Telegraph Company by instrument dated January 27, 1967, and recorded in the Cumberland County Registry of Deeds in Book 2996, Page 102.
3. Rights and easements granted by Warren Brothers Co. to Portland Water District by instrument dated December 15, 1977, and recorded in the Cumberland County Registry of Deeds in Book 4150, Page 72.
4. Rights and easements granted by Warren Bros., a Div. of Ashland-Warren Inc. to Central Maine Power Company and New England Telephone and Telegraph Company by instrument dated January 31, 1978, and recorded in the Cumberland County Registry of Deeds in Book 4239, Page 326.
5. Rights and easements granted by Tilcon Minerals, Inc. to the City of Portland by deed dated November 22, 1996, and recorded in the Cumberland County Registry of Deeds in Book 12886, Page 214.

6. Rights and easements granted by Lewis Lumber Company to Central Maine Power Company by instrument dated November 23, 1951, and recorded in the Cumberland County Registry of Deeds in Book 2067, Page 106.
7. Rights, easements, and exceptions set forth in deed from Rosa Lewis to Warren Brothers Roads Company dated May 26, 1962, recorded in said Registry of Deeds in Book 2676, Page 74.

H:\DOCS\RATTEY\Pike\UNE 39662\EXHIBIT A.docx

Received
Recorded Register of Deeds
Mar 02, 2012 11:36:47A
Cumberland County
Pamela E. Lovley

KNOW ALL MEN by these Presents, That

Oliver Buckley of Westbrook in the County of Cumberland & State of Maine, Esquire

in consideration of the sum of *two hundred* dollars paid by *Francis C. Smith Esq* (Treasurer of the Westbrook Seminary) of Westbrook in the County of Cumberland & State of Maine the receipt whereof *I* do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said *Treasurer and his successors in Office*

~~heirs and assigns~~ forever a certain lot of land situate in said Westbrook and bounded as follows: viz beginning at a stake running North twenty six degrees East (on a ridge the same being the dividing line between land owned by *Zachariah B. Stevens*, and on the Western side of the County road twenty one rods eleven links thence South sixty five degrees East nine rods thence North fifteen degrees East four rods and five links thence North sixty nine degrees West thirty three rods thirteen links thence South twenty six degrees West twenty five rods thence South by nine degrees East twenty five rods to the first mentioned bound containing four acres and twenty rods the conditions of this conveyance is such if the contemplated Westbrook Seminary should not go into operation this deed is void, by my refunding the money I shall have received. The Trustees of the Seminary are to build and maintain a good and lawful fence between their lot and any land adjoining to long as the Seminary exists.

TO HAVE AND TO HOLD the aforegranted and bargained premises, with all the privileges and appertinances thereof, to the said *Treasurer and his successors in Office* ~~heirs and assigns~~, to their use and behoof forever. And *I* do covenant with the said *Treasurer and his successors in Office* ~~heirs and assigns~~, that *I* am lawfully seized in fee of the premises; that they are free of all incumbrances; that *I* have good right to sell and convey the same to the said *Treasurer and his successors in Office* to hold as aforesaid; and that *I* and my heirs shall and will warrant and defend the same to the said *Treasurer and his successors in Office* ~~heirs and assigns~~ forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, *I* the said *Oliver Buckley*

have hereunto set my hand and seal this *twelfth* day of *January* in the year of our Lord one thousand eight hundred and thirty *two*

SIGNED, SEALED AND DELIVERED,
IN PRESENCE OF

Geo Bishop
Samuel Brimblecom

Oliver Buckley

CUMBERLAND, SS. *January 12th* 1832 Personally appeared *Oliver Buckley* and acknowledged the above instrument to be his free act and deed.—Before me,

Geo Bishop Justice of the Peace.

RECEIVED, *January 17* 1832, and recorded from the original, by *Samuel Small* Register.

KNOW ALL MEN by these Presents, That

I James Hicks of Westbrook in the County of Cumberland and State of Maine Gentleman

in consideration of the sum of one hundred and twenty dollars paid by *Francis O. A. Smith Esq. Treasurer of the Westbrook Seminary* of Westbrook in the County of Cumberland and State of Maine the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said *Treasurer and his Successors in Office*

~~heirs and assigns forever~~ a certain lot of land situate in said Westbrook and bounded as follows *beginning at the North Easterly corner of land owned by J. B. Stevens and on the Western side of the County road running North fifteen degrees East six rods and two links thence North sixty nine degrees West twenty rods thence South fifteen degrees West six rods and two links thence South sixty nine degrees East twenty rods to the first mentioned bounds containing one hundred and twenty one rods the conditions of this conveyance is such if the contemplated Westbrook Seminary should not go into operation this deed is void by my refunding the money I shall have received. The Trustees of the Seminary are to build and maintain a good and lawful fence between their lot and my land adjoining so long as the Seminary exists*

TO HAVE AND TO HOLD the aforegranted and bargained premises, with all the privileges and appertinances thereof, to the said *Treasurer and his Successors in Office* ~~heirs and assigns~~, to their use and behoof forever. And I do covenant with the said *Treasurer and his Successors in Office* ~~heirs and assigns~~, that I am lawfully seized in fee of the premises; that they are free of all incumbrances; that I have good right to sell and convey the same to the said *Treasurer and his Successors in Office* to hold as aforesaid; and that I and my heirs shall and will warrant and defend the same to the said *Treasurer and his Successors in Office* ~~heirs and assigns~~ forever, against the lawful claims and demands of all persons,

IN WITNESS WHEREOF, I the said *James Hicks with Sophia* my wife who hereby relinquished her right to dower in the said premises have hereunto set our hand and seal this *12th* day of *January* in the year of our Lord one thousand eight hundred and thirty *two*

SIGNED, SEALED AND DELIVERED,
IN PRESENCE OF

Geo Bishop
Samuel Brimblecom

James Hicks *SS.*
Sophia Hicks *SS.*

CUMBERLAND, SS.

January 12th 1832. Personally appeared
James Hicks
and acknowledged the above instrument to be his free act and deed.—Before me,

Geo Bishop Justice of the Peace.

RECEIVED, *January 17* 1832, and recorded from the original, by

Samuel Small Register.

KNOW ALL MEN by these Presents, That

We Zachariah B. Stevens, ~~of Westbrook in the County of Cumberland and State of Maine Esquire~~
 of Westbrook in the County of Cumberland and State of Maine Esquire
 in consideration of the sum of ~~one hundred and thirteen dollars~~
 paid by Francis O. J. Smith Esq. (Treasurer of the Westbrook Sem-
 inary of Westbrook in the County of Cumberland and State of Maine
 the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell
 and convey unto the said Treasurer and his successors in Office

heirs and assigns forever a certain lot of land situate in said
 Westbrook and bounded as follows viz beginning at a post
 near the North Easterly corner of my now dwelling house
 and on the Western side of the County road running North
 fifteen degrees East ten rods and three links thence North
 sixty nine degrees West twenty rods thence North fifteen de-
 grees East one rod and fourteen links thence North sixty five
 degrees West twelve rods and nineteen links thence South
 twenty six degrees West fourteen rods and four links thence
 South seventy two degrees East thirty five rods to the first men-
 tioned bounds containing two acres and seventy three rods
 the conditions of this conveyance is such if the contemplated
 Westbrook Seminary should not go into operation this deed is
 void by my refunding the money I shall have received. The
 Trustees of the Seminary are to build and maintain a
 good fence between their lot and my land adjoining
 so long as the Seminary exists!

TO HAVE AND TO HOLD the aforegranted and bargained premises, with all
 the privileges and appertinances thereof, to the said Treasurer ~~his successors in~~
 Office heirs and assigns, to their use and behoof forever. And I do
 covenant with the said Treasurer ~~his successors in Office~~ heirs and assigns,
 that I am lawfully seized in fee of the premises; that they are free of all incum-
 brances; that I have good right to sell and convey the same to the said
 Treasurer to hold as aforesaid; and that I and my heirs shall and will
 warrant and defend the same to the said Treasurer ~~his successors in Office~~
 heirs and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, I the said Zachariah B. Stevens with
 my wife Miriam who hereby relinquished her right to doer
 in and to said premises
 have hereunto set our hands and seal this twelfth day of January
 in the year of our Lord one thousand eight hundred and thirty two

SIGNED, SEALED AND DELIVERED,

IN PRESENCE OF

Geo Bishop
 Samuel Bumbleton

Z. B. Stevens
 Miriam Stevens

CUMBERLAND, SS.

January 12th
 Zachariah B. Stevens

1832 Personally appeared

and acknowledged the above instrument to be his free act and deed.—Before me,

Geo Bishop Justice of the Peace.

RECEIVED, January 17 1832, and recorded from the original, by

Samuel Small Register.

Know all Men by these Presents, That

Zachariah B. Stevens. Oliver Buckley Levi Hersey and Stillman S. Hersey
 all of Westbrook in the County of Cumberland and State of Maine
 in consideration of ten dollars
 paid by Francis Q. S. Smith Esq. Treasurer of the Westbrook
 Seminary of Westbrook in the County of Cumberland State of Maine
 the receipt whereof I do hereby acknowledge, do hereby remise, release, bargain, sell and
 convey, and forever quitclaim unto the said *Treasurer and his Successors in*
Office

~~heirs and assigns~~ forever, all the right, title and interest in and to a certain lot of land
 situate in said Westbrook, and bounded as follows viz beginning
 at a stake near the Northwest corner of land owned by James
 Hicks and on the Western side of the County road and running
 North fifteen degrees East four rods and thirteen links, thence
 North sixty nine degrees West three rods twelve links thence
 South fifteen degrees West four rods five links thence South
 sixty five degrees East three rods sixteen links to the first
 mentioned bound containing fifteen rods. The conditions of
 this conveyance is such if the contemplated Westbrook Sem-
 inary should not go into operation this deed is void. *The*
Trustees of the Seminary are to build a good lawful fence
 between their lot and our land adjoining and maintain
 the same as long as the Seminary exists. The intention of the
 parties interested is to convey to the Westbrook Seminary all
 the land included in the plan of the site of said Seminary
 made by *Z. B. Stevens* of which the title is vested in either of
 said parties

TO HAVE AND TO HOLD THE SAME, together with all the priv-
 ileges and appurtenances thereunto belonging, to the said *Treasurer and his*
Successors in Office ~~heirs and assigns~~ forever. And

We do covenant with the said *Treasurer and his Successors in Office*
~~heirs and assigns~~, that *we* will warrant and forever defend the premises to
 the said *Treasurer and his Successors in Office*

~~heirs and assigns~~ forever, against the lawful claims and demands
 of all persons claiming by, through, or under ~~us~~

IN WITNESS WHEREOF, *we* the said *Zachariah B. Stevens. Oliver*
Buckley Levi Hersey and Stillman S. Hersey

have hereunto set our hand and seal this *twelfth* day of *January*
 in the year of our Lord one thousand eight hundred and thirty-two

SIGNED, SEALED AND DELIVERED

IN PRESENCE OF

Geo Bishop
Samuel Bumbleton

Z. B. Stevens
Oliver Buckley
Levi Hersey
S. S. Hersey

Cumberland ss. — *January 12th* 1832 Personally appeared
Z. B. Stevens. Oliver Buckley Levi Hersey and S. S.
Hersey
 and acknowledged the above instrument to be their free act and deed—BEFORE ME,

Geo Bishop Justice of the Peace.
 RECEIVED *January 17th* 1832 and recorded from the original by
Samuel Small REGISTER.

advertisement in said public paper.

Attest:

Eben Leach

Register

Received January 9th 1868. at 11h. 55m. A.M. and recorded according to the original. the same being endorsed on mortgage deed recorded in Book 350 Page 344.

Attest:

Eben Leach,

Register

Pierce
to
Trustees of
Westbrook Seminary

Know all men by these presents, that I
U. S. J. R. Cordelia S. Pierce, of Westbrook, in the County of Cumberland, and State of Maine, in consideration of three
Fifty Cents C. S. P. hundred sixty eight dollars, paid by the Trustees of
Oct. 19th 67 Westbrook Seminary, the receipt whereof is hereby acknowledged, do hereby give, grant, bargain, sell, and convey, unto the said Trustees, their successors forever, a lot of land situate in said Westbrook, on the Westerly side of the County road leading over Stevens Plains, and bounded as follows, viz: Beginning on said road, and at the South-easterly corner of the said Westbrook Seminary lot: thence Southerly on the line of said road, twenty feet to a stake: thence Westerly, on a line parallel with said Seminary lot, and holding the width of twenty feet from said Seminary lot, until it reaches the back line of said Cordelia's land, and strikes the said Seminary lot: thence Northerly on the line of said Seminary lot, twenty feet to a corner: thence on the dividing line between said Seminary lot, and these premises, forty rods, more or less, to said County road, and first bound mentioned. Said Trustees are to make and maintain a suitable fence between the premises hereby conveyed and adjoining land. No building is to be placed on said premises, any nearer the dwelling house owned and now occupied by said Cordelia S. Pierce, than the Church now stands, which is partly on said premises, and no building is to be placed on said premises, any nearer the Plains road, than said Church now stands.

To have and to hold the above-granted premises, with all the privileges and appurtenances to the same, belonging, to the said Trustees, their successors and assigns, to their use and behoof forever. And I, the said Cordelia S. Pierce, for myself, and my heirs, executors, and administrators, do covenant with the said Trustees, their successors and assigns, that I am lawfully seized in fee-simple of the afore-granted premises; that they are free from all incumbrances; that I have good right to sell and convey the same, to the said Trustees, their successors and as-

signs forever, as aforesaid; and that I will, and my heirs, executors and administrators shall warrant and defend the same, to the said Trustees, their successors and assigns forever, against the lawful claims and demands of all persons.

In witness whereof, I, the said Cordelia S. Pierce have herunto set my hand and seal, this ninth day of October, in the year of our Lord, eighteen hundred and sixty six.

Signed, sealed, and delivered
in presence of us } Cordelia S. Pierce Seal
Grenville M. Stevens }

Lumberland, ss. October 19th 1867. Then personally appeared the within-named Cordelia S. Pierce, and acknowledged the foregoing instrument to be her free act and deed.

Before me, Walter B. Goodrich, Justice of the Peace.
Received January 9th 1868 at 4h. 35m. PM. and recorded according to the original.

Attest:

Eben Seach.

Register.

This Indenture, made the 28th day of May, in the year of our Lord, one thousand eight hundred and fifty nine, between Jefferson Dray and Sophia Dray his wife, of the City of Oshkosh, County of Winnebago and State of Wisconsin, of the first part, and Jary Green of Naples, County of Cumberland, State of Maine, of the second part.

Witnesseth, That the said parties of the first part, for and in consideration of the sum of fifty dollars, to them in hand paid, by the said party of the second part, the receipt whereof is hereby confessed, and acknowledged, have given, granted, bargained, sold, remised, released and quit-claimed, and by these presents do give, grant, bargain, sell, remise, release and quit-claim, unto the said party of the second part, to his heirs and assigns forever, a certain piece or parcel of land situated in said Naples, and is a part of lot numbered one hundred and thirteen (113), on the Mt. Arthur Gore, so called, and is a strip of land forty rods wide, bounded Southerly by land heretofore conveyed to Harrison O. Knight, and Northerly by a line forty rods distant from said Knight's Northerly line, and running parallel with said Knight's Northerly line, and lies between Trickey Pond and William Perry's lands, containing twenty acres, be the same more or less.

Dray et al
to
Green

Know all Men by these Presents, That

I Cordelia S. Pierce of Deering, in the County of Cumberland and State of Maine, Widow,
in consideration of the sum of Three Hundred Twenty Six & 78/100 Dollars

paid by

The Westbrook Seminary, an Institution, duly incorporated by law and located at said Deering.

the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said

Westbrook Seminary, its Successors

heirs and assigns forever,

A certain lot of land situated in said Deering bounded and described as follows, commencing at the corner made by the intersection of land of Freeman Porter, land of Evergreen Cemetery and the lot hereby conveyed, being the formerly corner of said Porter's homestead lot, thence by said Cemetery land N. 30° E. 4 rods and 3 links to a point, thence by said Seminary land N. 28° 30' E. 5 rods and 20 links to a corner, thence by said Seminary land S. 70° 30' E. 6 rods to a corner, thence S. 29° W. 10 rods, and 14 links to said Porter's homestead lot, thence by said Porter's land, N. 63° W. 6 rods to the point of beginning, being the formerly portion of my homestead lot, and containing 16,339 square feet,

To have and to hold the aforegranted and bargained Premises, with all the privileges and appurtenances thereof, to the said Westbrook Seminary, its Successors

heirs and assigns, to their use and behoof forever. And I do covenant with the said Grantee, its Successors heirs and assigns, that I am lawfully seized in fee of the premises; that they are free of all incumbrances:

that I have good right to sell and convey the same to the said Grantee, its Successors and assigns to hold as aforesaid; and that I and my heirs shall and will warrant and defend the same to the said Grantee, its Successors, heirs and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof, I the said Cordelia S. Pierce and of the said

in testimony of relinquishment of right of dower in the above described premises, have hereunto set my hand and seal this Second day of October in the year of our Lord one thousand eight hundred and eighty-two

Signed, Sealed and Delivered in presence of Cordelia S. Pierce, Seal F. G. Stevens

State of Maine, CUMBERLAND, SS. Oct 2 1882 Personally appeared the above named Cordelia S. Pierce

and acknowledged the above instrument to be her free act and deed.

Before me, Frank G. Stevens, JUSTICE OF THE PEACE.

Received Oct 4 1882, at 10 o'clock A. M., and recorded according to the original.

ATTEST, Frank G. Stevens, REGISTER.

Received September 22, 1904, at 11 h. 10 m. A.M., and recorded according to the original.
Attest *Ray T. Eaton* Register

Pierce
J.
Westbrook
Seminary Cumberland ss.

Abstract of the Will of
Cordelia S. Pierce
State of Maine.

Probate Office

Portland, Sept. 20. A.D. 1904.

Devise

I, Joseph B. Reed, Register of the Probate Court, in and for said County, hereby certify that the last Will and Testament and Codicils of Cordelia S. Pierce late of Portland in said County, deceased, was proved, approved and allowed by the Judge of Probate for said County, at a Court held at Portland, on the tenth day of September A.D. 1904, and that the following is a true copy of so much of said Will and Codicils as devises Real Estate in the County aforesaid:

Fourteenth. I give and devise to Westbrook Seminary, its successors and assigns, the lot of land back of my homestead place in that part of said Portland which was formerly Deering, extending from the Easterly boundary line of land of said Seminary one hundred and twenty-five (125) feet to a line parallel with the aforesaid Easterly boundary of said Seminary's land, said last named line extending Southerly from other land of said Seminary to my Southerly boundary.

Fifteenth. I give and devise my homestead place where I now reside in said Portland extending back to the lot devised to the Westbrook Seminary in the section immediately preceding this, in trust to Cyrus O. Farney and Walter F. Goodrich, both of said Portland for a parsonage for "All Souls Church" so called, on Stevens Plains Avenue in said Portland, reserving however to Ella Louise Fernald, before named, the privilege of occupying the upper tenement of the house, rent free, until she acquires a permanent home elsewhere; and to Mrs. Sarah B. Ballard above mentioned, the privilege of remaining in the lower tenement, rent free, during her life-time, provided she is living in said house at the time of my decease. The expenses of keeping said homestead in repair and providing for insurance and taxes are to be borne equally by Mrs. Sarah B. Ballard and Ella Louise Fernald, aforesaid, the said Trustees to determine what repairs are necessary and see that the same are made.

After the decease of Mrs. Sarah B. Ballard, the said Society of All Souls Church shall assume all the expenses of said homestead.

Twentieth. I give and devise to Harry B. Stevens, son of Clifton Stevens, aforesaid, his heirs and assigns, a lot of land in said Portland adjoining the Unity Club lot, East of the Rufus Dunham estate running East seven-

Cordelia S. Pierce (Seal)

ty-five (75) feet and thence South to the line of land of Alfred Stevens heirs, Twenty-eighth: All the rest, residue and remainder of my estate, real, personal and mixed wherever found and however situated, I give, bequeath and devise in equal shares to Mrs. Sarah B. Ballard, Minnie Ballard York, Samuel R. Stevens, and Fannie R. Stevens hereinbefore mentioned, their heirs and assigns forever.

Lastly: I hereby ordain and appoint Cyrus S. Varney of said Portland Executor of this my last will and testament, and request that he be not required to give any bond for the faithful execution of his said trust, and I also hereby revoke all former wills by me made.

Codicil. Third: For the reason that Mrs. Sarah B. Ballard has deceased and Ella Louise Fernald has attained the age of more than twenty-one years since the making of my said will, I hereby revoke the fifteenth section of my said will, and instead thereof, I hereby give and devise my homestead place described in said fifteenth section to said Ella Louise Fernald during the term of her natural life on condition that she pay to the society of "All Souls" Church named in said fifteenth section, the sum of six hundred dollars, and to the executor of my said will the sum of four hundred dollars to be by him added to the residue of my estate, and distributed according to the residuary clause being the twenty eighth section of my said will as altered by this codicil; and I make the further condition that should the said Ella Louise marry her husband shall have no voice and take no part in the management and control of said homestead place. At the decease of the said Ella Louise Fernald, I give and devise my said homestead place for a parsonage to said society of "All Souls" Church, its successors and assigns forever.

Fifth: The twentieth section of my said will wherein a certain lot of land is devised to Harry L. Stevens, is hereby confirmed except that said lot is hereby given and devised, as running East seventy (70) feet instead of seventy five (75) feet and provided in said will.

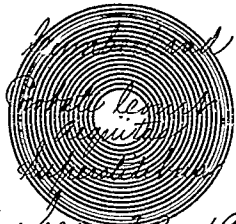
Twenty eighth: All the rest residue and remainder of my estate, real, personal and mixed, wherever found and however situated, I give bequeath and devise to Samuel R. Stevens, Frances R. Stevens and Minnie Ballard York hereinbefore mentioned, their heirs and assigns forever.

Twelfth: In all other respects, except as altered or revoked by this codicil, I hereby ratify and confirm my said last will and testament made and executed on the second day of August A.D. 1899 aforesaid, and all the provisions thereof.

Codicil 3. Whereas I Cordelia S. Pierce of Portland in the County of Cumberland and State of Maine on the third day of June 1904, made and executed a codicil to my last will and testament dated the second day of August, 1899, now I do make this further codicil to my said

will to be taken with, and construed as, a part thereof to wit: I hereby add to the third section of said first codicil the following words, viz. But the said Ella Louise Fernald is hereby authorized, and empowered at any time during her natural life to sell, and convey by her own warranty deed so much of the land adjacent to my said homestead lot as lies westerly from, and in the rear of land of Mrs. Susan Whitman and of the same width of said Whitman lot taking the proceeds of such sale for her own benefit and use.

Witness my hand and the Seal of the Probate Court for said County of Cumberland, the day and year first above written.



Joseph B. Reed

Register.

Received. September 22, 1904, at 11 h. 10 m. A. M., and recorded according to the original

Attest

Ray B. Estlin

Register

Emery
Boyd &

Abstract of the Will of
Charlotte M. Emery
State of Maine.

Devise

Cumberland, ss

Probate Office

Portland, Sept. 20, A.D. 1904.

I, Joseph B. Reed, Register of the Probate Court in and for said County, hereby certify that the last Will and Testament of Charlotte M. Emery late of Portland in said County, deceased, was proved, approved and allowed by the Judge of Probate for said County, at a Court held at Portland, on the tenth day of September, A.D. 1904; and that the following is a true copy of so much of said Will as devises Real Estate in the County aforesaid:

Second. I hereby give, devise and bequeath to my nephew, Nicholas Emery Boyd, his heirs and assigns forever, in addition to any interest which I may possibly have in the bonds and personal estate, the one third interest in Nicholas Emery Homestead and the house and lot on Taylor Street, and the furniture in the said Emery Homestead house given to said Nicholas by will of his late mother, Theresa O. Boyd, and in which a life interest was given to me, the two lots of land lying between Danforth and Taylor Streets in said Portland and numbered three (3) and fifteen (15) on a Plan of Lots recorded in Cumberland Registry of Deeds, Plan Book 3, Page or Plan 27, which Plan is hereby referred to; Also one thousand dollars in money if there be so much money remaining of my own at the time of my decease.

Third. I hereby give, bequeath and devise to my niece, Julia Webster

Know all Men by these Presents, That

I, Will W. Johnson, called as Grantee in my title deed to the premises hereby conveyed William W. Johnson, of the City of Portland, in the County of Cumberland, State of Maine,
in consideration of one dollar and other valuable and sufficient consideration, paid by Ruth S. Johnson, of said Portland, my wife,
the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said Ruth S. Johnson, her heirs and assigns forever, a certain lot or parcel of land with the buildings by us erected thereon situated in said City on the Northwardly side of College Street, and bounded as follows: Commencing at a granite post standing on the Northwardly side line of said College Street and located two hundred feet more or less Westwardly of a lot of land conveyed by James P. Weston to C. A. Hayden by deed dated Oct. 6, 1881, and recorded in Cumberland County Registry of Deeds, in Book 485, Page 77; and from said granite post running by a line N. 26° E. one hundred and sixty-five feet to land now or formerly of the Portland Street Railroad Company; thence by line between this land and said Railroad Company land Southeastwardly fifty-three feet to a point; thence S. 26° W. one hundred sixty-three and 1/10 -163.1- feet to said side line of College Street and thence on said Street line N. 64° W. fifty-three feet to the granite post and point of commencing. Being the same lot of land with said buildings now thereon which was conveyed to me by Warranty deed from Adela S. Adams, the widow and the heir at law of John M. Adams, dated August 22d, 1906, and recorded in said Registry in Book 801, Page 367.

See
Book 3520
Page 128

U.S.I.R.
\$3.00
W.W.J.
28/10/15

To Have and to Hold the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to the said Ruth S. Johnson, her heirs and assigns, to her and their use and behoof forever. And I do covenant with the said grantee, her heirs and assigns, that I am lawfully seized in fee of the premises; that they are free of all incumbrances; save mortgage to Portland Savings Bank;
that I have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that I and my heirs, shall and will warrant and defend the same to the said Grantee, her heirs and assigns forever, against the lawful claims and demands of all persons, save said mortgage.

In Witness Whereof, I the said Will W. Johnson,

my hand and seal this twenty-eighth day of October have hereunto set
one thousand nine hundred and fifteen. in the year of our Lord
Signed, Sealed and Delivered
in presence of

Henry W. Swasey, Will W. Johnson, Seal

State of Maine, CUMBERLAND, ss. October 28", 1915. Then Personally appeared
the above named Will W. Johnson,
and acknowledged the above instrument to be his free act and deed.
Before me, Henry W. Swasey, Justice of the Peace.
Received February 19, 1916, at 10 o'clock 15 m. A. M., and recorded according to the original.

Know all Men by these Presents, That

I, Frank B. Shepherd, of Portland, in the County of Cumberland and State of Maine,

See
Book 2857
Page 332

See
Book 3169
Page 813

in consideration of one dollar and other valuable consideration,
Charles A. Berry and Ethel N. Berry, both of said Portland,
the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said
Charles A. Berry and Ethel N. Berry as joint tenants and the survivor of them their
assigns, and the heirs and assigns of the survivor of them forever, a certain lot
or parcel of land, with the buildings thereon, situated in said Portland, bounded
and described as follows: Commencing at the westerly side of Stevens Avenue, at the
southeasterly corner of land of Whitman; thence southerly by said Stevens Avenue
ninety-two (92) feet, more or less, to a point forty (40) feet northerly from the
northeasterly corner of land of Evergreen Cemetery; thence westerly by the northerly
line of a proposed street and keeping a distance of forty (40) feet from the
Evergreen Cemetery northerly line, one hundred fifty-five (155) feet to a stake;
thence northerly, at right angles to said last described course, to land of said
Whitman; thence easterly by said Whitman land to the point of beginning. Being a
part of the premises conveyed to me by Abbie Frances Leighton, by deed dated July
19th, 1920, and recorded in Cumberland County Registry of Deeds, Book 1061, Page 75,
together with the right to pass and re-pass over said proposed street.

To Have and to Hold the aforegranted and bargained premises, with all the privileges and appurtenance thereof, to
the said Charles A. Berry and Ethel N. Berry as joint tenants and the survivor of them, their assigns and
the heirs and assigns of the survivor of them,
heirs and assigns, to their use and behoof forever. And I do covenant with the
said Grantees, as joint tenants and the survivor of them, their
heirs and assigns, that I am lawfully seized in fee of the premises; that they are free of all
en cumbrances;

that I have good right to sell and convey the same to the said Grantees,
to hold as aforesaid; and that I and my heirs, shall and will warrant and defend the same to the said
Grantees, as joint tenants and the survivor of them, their assigns, and the heirs
and assigns of the survivor of them forever, against the lawful claims and demands
heirs and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof, I the said Frank B. Shepherd, unmarried,

my hand and seal this twentieth day of December have hereunto set
one thousand nine hundred and twenty. in the year of our Lord
Signed, Sealed and Delivered
in presence of

U.S.I.R. Harry L. Cram to F.B.S. Frank B. Shepherd Seal.
\$4.50
F.B.S.
12/20/20

State of Maine, CUMBERLAND, SS. Portland, December 20, 1920. Personally appeared
the above named Frank B. Shepherd
and acknowledged the above instrument to be his free act and deed.
Before me, Harry L. Cram, Justice of the Peace.
Received December 20, 1920, at 10 o'clock 26 m. A.M., and recorded according to the original.

Know all Men by these Presents, That

We, Alice Roberts Goold of Portland in the County of Cumberland and State of Maine, and George C. Roberts of Lisbon Falls in the County of Androscoggin and State of Maine,

in consideration of One dollar and other valuable considerations, paid by Westbrook Seminary, a corporation organized and existing under the laws of Maine and located at Portland in said County of Cumberland and State of Maine, the receipt whereof We do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said Westbrook Seminary, its successors and assigns forever, a certain lot or parcel of land with the buildings thereon, situated on the northwesterly corner of College Street and Stevens Avenue in that part of Portland formerly Deering, in said County of Cumberland and State of Maine, bounded and described as follows: Beginning at said northwesterly corner of College Street, formerly known as Seminary Street, and Stevens Avenue and running westerly on the northerly side of said College Street one hundred (100) feet; thence running northerly in a line parallel to said Stevens Avenue by land now or formerly of Lydia J. Snow ninety (90) feet; thence running easterly in a line parallel to said College Street by land now or formerly of said Lydia J. Snow to the westerly side of said Stevens Avenue one hundred (100) feet; thence running southerly on the westerly side of said Stevens Avenue ninety (90) feet to the point of beginning. Being a part of the same premises conveyed to Lydia J. Snow by Joseph C. Snow by warranty deed dated December 13, 1880, recorded in Cumberland County Registry of Deeds, Book 478, Page 428, and the same premises conveyed by said Lydia J. Snow to Arabella W. Roberts by deed dated September 6, 1901, recorded in said Registry of Deeds, Book 705, Page 312, and said premises are conveyed subject to the right of drainage and right to maintain sewer therein reserved. Our title to said premises was acquired as devisees under the last will and testament of William W. Roberts, late of said Portland, deceased, extract from whose will is recorded in said Registry of Deeds, Book 1058, Page 368. Said premises are conveyed subject to taxes for the year 1923 which the Grantee hereby assumes and agrees to pay as a part of the consideration hereof.

U.S.I.R
\$8.00
A.R.G.
G.C.R.
May 28/23

To Have and in Hold the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to the said Westbrook Seminary, its successors heirs and assigns, to --- and their use and behoof forever. And We do covenant with the said Grantee, its successors heirs and assigns, that We lawfully seized in fee of the premises; that they are free of all in cumbrances; except as aforesaid; that We have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that We and OUR heirs, shall and will warrant and defend the same to the said Grantee, its successors heirs and assigns forever, against the lawful claims and demands of all persons. except as aforesaid.

In Witness Whereof, we the said Alice Roberts Goold and George C. Roberts and we, Allan O. Goold, husband of the said Alice Roberts Goold, and Nancy K. Roberts wife of the said George C. Roberts joining in this deed as Grantors, and relinquishing and conveying our right by descent and all other rights in the above described premises have hereunto set

our hand and seals this twenty-eighth day of May in the year of our Lord one thousand nine hundred and twenty-three.

Signed, Sealed and Delivered in presence of
Roscoe Phillips to A.R.G. A.O.G. Alice Roberts Goold Seal.
Ada S. Gilkey for both Allan O. Goold Seal.
Geo. C. Roberts Seal.
Nancy K. Roberts Seal.

State of Maine, CUMBERLAND, SS. May 28th, 1923 . Personally appeared the above named Alice Roberts Goold and acknowledged the above instrument to be her free act and deed. Before me, Roscoe Phillips, Justice of the Peace. Received May 28, 1923 , at 10 o'clock 45 m. A. M., and recorded according to the original.

Know all Men by these Presents, That

369

I, Charles A. Tracy, of Raymond, in the County of Cumberland and State of Maine,

in consideration of one dollar and other valuable consideration, paid by Westbrook Seminary and Junior College, a corporation organized and existing under the laws of the State of Maine and located at Portland, in said County and State, the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said Westbrook Seminary and Junior College, its successors and assigns forever, a certain lot or parcel of land, together with the buildings thereon, situated in said Portland and bounded and described as follows: Beginning at a point on the westerly side line of Stevens Avenue, so-called, ninety feet (90') northerly of the northerly corner of Stevens Avenue and College Street; thence westerly by an angle to the left of eighty-four degrees and nine minutes (84° 09') one hundred and three and ninety-seven one hundredths feet (103.97') to a point at an iron fence; thence northerly by an angle to the right of eighty-six degrees and sixteen minutes (86° 16') and by said iron fence and continuation thereof, sixty-three and sixty-five one hundredths feet (63.65') to land now or formerly of Justina O'Brion; thence easterly by an angle to the right of eighty-seven degrees and forty-six minutes (87° 46') and by said land now or formerly of Justina O'Brion one hundred and one and twelve one hundredths feet (101.12') to said Stevens Avenue; thence southerly by said westerly side line of Stevens Avenue seventy-four and forty-nine one hundredths feet (74.49') to point of beginning.

Being the same premises conveyed by Thalia L. Clement to Victor Brewster by deed dated October 19, 1908 and recorded in Cumberland County Registry of Deeds in Book 831, Page 38, and devised by said Victor Brewster to Elias Brewster, an abstract of the will of Victor Brewster being recorded in said Registry of Deeds in Book 1306, Page 44. Said Elias Brewster devised said property to the grantor herein, an abstract of the will of Elias Brewster being recorded in said Registry of Deeds in Book 1570, Page 448.

To Have and in Hold the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to the said Westbrook Seminary and Junior College, its successors

heirs and assigns, to its and their use and behoof forever. And I do covenant with the said Grantee, its successors heirs and assigns, that I am lawfully seized in fee of the premises; that they are free of all incumbrances;

that I have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that I and my heirs, shall and will warrant and defend the same to the said Grantee, its successors

heirs and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof, I, the said Charles A. Tracy, and I, Nellie I. Tracy, wife of the said Charles A. Tracy, joining in this deed as Grantor, and relinquishing and conveying all right by descent and all other rights in the above described premises,

our hands and seals this 23rd day of February have hereunto set in the year of our Lord one thousand nine hundred and forty-three.

Signed, Sealed and Delivered in presence of

E. P. Perkins

Charles A. Tracy Seal

to both

Nellie I. Tracy Seal

State of Maine, CUMBERLAND, ss.

February 23, 1943

Personally appeared

the above named Charles A. Tracy

and acknowledged the foregoing instrument to be his free act and deed.

Before me, Elliot P. Perkins, Justice of the Peace

Received February 23 19 43, at 12 o'clock 1 m. P. M., and recorded according to the original.

U.S.I.R.
\$7.15
C.A.T.
2/23/43

Know all Men by these Presents, That

321

I, Addie H. Lowd, of Portland, in the County of Cumberland and State of Maine,

in consideration of one dollar and other valuable consideration, paid by Westbrook Seminary and Junior College, a corporation organized and existing under the laws of the State of Maine and located at Portland, in said County of Cumberland, the receipt whereof I do hereby acknowledge, do hereby, give, grant, bargain, sell and convey unto the said Westbrook Seminary and Junior College, its successors and assigns forever, a certain lot or parcel of land with a dwelling house thereon, situated on the northerly side of College Street, in said Portland, numbered seventeen on said street and bounded as follows:

Beginning on the northerly side of College Street at the southwesterly corner of land formerly of J. C. Snow, now or formerly of George E. Donnelly; thence westerly by College Street eighty (80) feet to land now or formerly of Frances E. Skillin; thence northerly by land of Frances E. Skillin one hundred and thirty-nine (139) feet to land formerly of Captain Sargent, now or formerly of Justina B. O'Brien; thence easterly by land of Justina B. O'Brien eighty (80) feet to the northwesterly corner of said land now or formerly of George E. Donnelly; thence southerly by said land of George E. Donnelly one hundred forty-eight (148) feet to the place of beginning, containing 11,480 square feet, more or less.

Being the same premises conveyed to Fred Lowd and Roger W. Flint by deed dated June 30, 1927, recorded in Cumberland County Registry of Deeds, Book 1269, Page 183. Fred Lowd died August 22, 1940 leaving as his only heirs-at-law and next-of-kin, Addie H. Lowd, widow, Dorothy J. Flint, daughter, and Russell H. Lowd, son. Said Roger W. Flint, Dorothy J. Flint and Russell H. Lowd conveyed their interest in said premises to said Addie H. Lowd by deed dated September 3, 1940, recorded in said Registry, Book 1623, Page 395.

This conveyance is made subject to a certain mortgage given by Addie H. Lowd to Marguerite G. Davis, dated July 1, 1941, recorded in said Registry of Deeds in Book 1641, Page 250, on which there is due the principal sum of thirty-five hundred dollars (\$3,500.00) and which the Grantee, as part of the consideration for this conveyance, assumes and agrees to pay.

Subject also to the 1944 taxes.

On Have and to Hold the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to the said Westbrook Seminary and Junior College, its successors and assigns, to its and

U.S.I.R.
\$1.65
A.H.L.
7/8/44

their use and behoof forever. And I do covenant with the said Grantee, its successors and heirs-and assigns, that I am lawfully seized in fee of the premises; that they are free of all incumbrances; except as aforesaid;

that I have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that I and my heirs, shall and will warrant and defend the same to the said Grantee, its successors

except as aforesaid. heirs-and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof, I, the said Addie H. Lowd, widow,

my hand and seal this 8th day of July have hereunto set in the year of our Lord one thousand nine hundred and forty-four.

Signed, Sealed and Delivered in presence of

Roger W. Flint

Addie H. Lowd Seal

State of Maine, CUMBERLAND, SS.

July 8, 1944

Personally appeared

the above named Addie H. Lowd

and acknowledged the foregoing instrument to be her free act and deed.

Before me, Roger W. Flint, Notary Public Notarial Seal

Received July 11 1944, at 11 o'clock 45 m. A. M., and recorded according to the original.

All
Souls
Church
Parish
to
Messiah-
All
Souls
Univer-
salist
Church
War.

KNOW ALL MEN BY THESE PRESENTS, That All Souls Church Parish, a corporation incorporated under the laws of Maine and located at Portland in the County of Cumberland, in consideration of one dollar and other considerations, paid by Messiah-All Souls Universalist Church, a corporation incorporated under the laws of Maine and located at said Portland, the receipt whereof it does hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said Messiah-All Souls Universalish Church, its successors and assigns forever, a certain lot or parcel of land with the buildings thereon, located at No. 706 Stevens Avenue in said Portland, and bounded northerly by land now or formerly of Westbrook Junior College, formerly called Westbrook Seminary, and by land of the grantee westerly by land now or formerly of Westbrook Seminary now Westbrook Junior College; southerly by land now or formerly of Rev. Harrison S. Whitman, and easterly by said Stevens Avenue, being the parsonage premises conveyed to the grantor by the following deeds:

Casco Realty Improvement Company to All Souls Church Parish, dated October 10, 1924, recorded Cumberland County Registry of Deeds, Book 1168, Page 366;

Theodore Kerr to All Souls Church Parish, deed dated October 17, 1924, recorded Book 1168, Page 367;

Ella Louise Perry to All Souls Church Parish, deed dated October 17, 1924, recorded Book 1168, Page 368;

City of Portland to All Souls Church Parish, deed dated October 10, 1928, recorded Book 1300, Page 58.

The premises hereby conveyed are subject to a lease given by All Souls Parish to Ella Louise Perry, dated October 17, 1924, recorded Book 1204, Page 65, and the property is conveyed subject to the following conditions,- viz: that the property herein conveyed shall be and continue to be occupied and used as a parsonage or for other religious purposes, by a society or religious organization of the Universalist denomination; to-wit,-a religious society in direct fellowship with and acknowledging the ecclesiastical authority of the Maine Universalist Convention and of the Universalist Church of America; and it is an express condition of this deed that in case the use or occupation of the aforesaid property should be diverted from the aforesaid purpose for a period of one year, then in such case the Maine Universalist Convention may enter in and upon the premises, take possession thereof and thereafter shall own, hold, use and dispose of the same for general Universalist purposes in accordance with the powers of that corporation.

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said Messiah-All Souls Universalist Church, its successors and assigns, to its and their use and behoof forever, subject, however, to the conditions hereinbefore set forth.

AND it does covenant with the said Grantee, its successors and assigns, that it is lawfully seized in fee of the premises, that they are free of all incumbrances; except as aforesaid; that it has good right to sell and convey the same to the said Grantee to hold as aforesaid; and that it and its successors shall and will warrant

and defend the same to the said Grantee, its successors and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the said Grantor herein has caused these premises to be signed and its seal hereto affixed by the Trustees of the All Souls Church Parish, thereunto duly authorized, this 22d day of August, in the year of our Lord one thousand and nine hundred and forty-four.

Signed, Sealed and Delivered in Presence of

ALL SOULS CHURCH PARISH, By the Seal
Trustees of All Souls Parish

Inez D. Blaisdell to
Albert N. Whitney
Clyde R. Chase
Andrew G. Spinney
Dora S. Wish
Laura E. Sampson
Emily C. McLaughlin
Florence M. French
Florence Vest
to Inez D. Blaisdell

Albert N. Whitney	Seal
Clyde R. Chase	Seal
Andrew G. Spinney	Seal
Dora S. Wish	Seal
Laura E. Sampson	Seal
Emily C. McLaughlin	Seal
Inez D. Blaisdell	Seal
Florence M. French	Seal
Trustees	

State of Maine. Cumberland,ss. October 3, 1944.

Personally appeared the above named Inez D. Blaisdell and acknowledged the foregoing instrument to be her free act and deed as trustee of All Souls Church Parish and the free act and deed of All Souls Church Parish.

Before me, Florence Vest Notary Public Notarial Seal
Received October 4, 1944, at 11h 30m A. M., and recorded according to the original

Reynolds
to
Welch
War.

KNOW ALL MEN BY THESE PRESENTS, That I, Bessie V. Reynolds, of Gray in the County of Cumberland and State of Maine, in consideration of One Dollar and other valuable consideration, paid by Laurette P. Welch, of Westbrook in said County and State, the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said Laurette P. Welch, her heirs and assigns forever, the following described property:

a certain lot or parcel of land situated in said Gray, lying on the Westerly shore of the most Northerly part of Little Sebago Lake, and bounded and described as follows:

Beginning at an iron post on the shore of said Lake at a point five (5) feet Northerly of the most Northeasterly corner of land of said Bessie V. Reynolds, formerly of Harry A. Weeman; thence Westerly one hundred (100) feet more or less to an iron post at the Northwesterly corner of said land of Bessie V. Reynolds; thence Northerly on the line of the road seventy-five (75) feet to an iron post; thence Easterly one hundred (100) feet more or less to an iron post on the shore of the Lake; thence Southerly on the shore of the Lake seventy (70) feet to the point of beginning.

Said premises being a portion of the first parcel of land conveyed by Ralph J. Trumbull to Adelbert R. Reynolds by deed dated June 25, 1937, recorded in Cumberland Registry of Deeds in Book 1526, Page 151. Together with the right to cross and re-cross land now or formerly of Matthew C. Morrill in the road formerly used to reach said lot as conveyed to said Adelbert R. Reynolds by said deed of Ralph J. Trumbull.

All
Souls
Church
Parish
to
Messiah-
All
Souls
Univer-
salist
Church
War.

KNOW ALL MEN BY THESE PRESENTS, That All Souls Church Parish, a corporation incorporated under the laws of Maine and located at Portland in the County of Cumberland, in consideration of one dollar and other considerations, paid by Messiah-All Souls Universalist Church, a corporation incorporated under the laws of Maine and located at said Portland, the receipt whereof it does hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said Messiah-All Souls Universalish Church, its successors and assigns forever, a certain lot or parcel of land with the buildings thereon, located at No. 706 Stevens Avenue in said Portland, and bounded northerly by land now or formerly of Westbrook Junior College, formerly called Westbrook Seminary, and by land of the grantee westerly by land now or formerly of Westbrook Seminary now Westbrook Junior College; southerly by land now or formerly of Rev. Harrison S. Whitman, and easterly by said Stevens Avenue, being the parsonage premises conveyed to the grantor by the following deeds:

Casco Realty Improvement Company to All Souls Church Parish, dated October 10, 1924, recorded Cumberland County Registry of Deeds, Book 1168, Page 366;

Theodore Kerr to All Souls Church Parish, deed dated October 17, 1924, recorded Book 1168, Page 367;

Ella Louise Perry to All Souls Church Parish, deed dated October 17, 1924, recorded Book 1168, Page 368;

City of Portland to All Souls Church Parish, deed dated October 10, 1928, recorded Book 1300, Page 58.

The premises hereby conveyed are subject to a lease given by All Souls Parish to Ella Louise Perry, dated October 17, 1924, recorded Book 1204, Page 65, and the property is conveyed subject to the following conditions,- viz: that the property herein conveyed shall be and continue to be occupied and used as a parsonage or for other religious purposes, by a society or religious organization of the Universalist denomination; to-wit,-a religious society in direct fellowship with and acknowledging the ecclesiastical authority of the Maine Universalist Convention and of the Universalist Church of America; and it is an express condition of this deed that in case the use or occupation of the aforesaid property should be diverted from the aforesaid purpose for a period of one year, then in such case the Maine Universalist Convention may enter in and upon the premises, take possession thereof and thereafter shall own, hold, use and dispose of the same for general Universalist purposes in accordance with the powers of that corporation.

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said Messiah-All Souls Universalist Church, its successors and assigns, to its and their use and behoof forever, subject, however, to the conditions hereinbefore set forth.

AND it does covenant with the said Grantee, its successors and assigns, that it is lawfully seized in fee of the premises, that they are free of all incumbrances; except as aforesaid; that it has good right to sell and convey the same to the said Grantee to hold as aforesaid; and that it and its successors shall and will warrant

and defend the same to the said Grantee, its successors and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the said Grantor herein has caused these premises to be signed and its seal hereto affixed by the Trustees of the All Souls Church Parish, thereunto duly authorized, this 22d day of August, in the year of our Lord one thousand and nine hundred and forty-four.

Signed, Sealed and Delivered in Presence of

ALL SOULS CHURCH PARISH, By the Seal
Trustees of All Souls Parish

Inez D. Blaisdell to
Albert N. Whitney
Clyde R. Chase
Andrew G. Spinney
Dora S. Wish
Laura E. Sampson
Emily C. McLaughlin
Florence M. French
Florence Vest
to Inez D. Blaisdell

Albert N. Whitney	Seal
Clyde R. Chase	Seal
Andrew G. Spinney	Seal
Dora S. Wish	Seal
Laura E. Sampson	Seal
Emily C. McLaughlin	Seal
Inez D. Blaisdell	Seal
Florence M. French	Seal
Trustees	

State of Maine. Cumberland,ss. October 3, 1944.

Personally appeared the above named Inez D. Blaisdell and acknowledged the foregoing instrument to be her free act and deed as trustee of All Souls Church Parish and the free act and deed of All Souls Church Parish.

Before me, Florence Vest Notary Public Notarial Seal
Received October 4, 1944, at 11h 30m A. M., and recorded according to the original

Reynolds
to
Welch
War.

KNOW ALL MEN BY THESE PRESENTS, That I, Bessie V. Reynolds, of Gray in the County of Cumberland and State of Maine, in consideration of One Dollar and other valuable consideration, paid by Laurette P. Welch, of Westbrook in said County and State, the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said Laurette P. Welch, her heirs and assigns forever, the following described property:

a certain lot or parcel of land situated in said Gray, lying on the Westerly shore of the most Northerly part of Little Sebago Lake, and bounded and described as follows:

Beginning at an iron post on the shore of said Lake at a point five (5) feet Northerly of the most Northeasterly corner of land of said Bessie V. Reynolds, formerly of Harry A. Weeman; thence Westerly one hundred (100) feet more or less to an iron post at the Northwesterly corner of said land of Bessie V. Reynolds; thence Northerly on the line of the road seventy-five (75) feet to an iron post; thence Easterly one hundred (100) feet more or less to an iron post on the shore of the Lake; thence Southerly on the shore of the Lake seventy (70) feet to the point of beginning.

Said premises being a portion of the first parcel of land conveyed by Ralph J. Trumbull to Adelbert R. Reynolds by deed dated June 25, 1937, recorded in Cumberland Registry of Deeds in Book 1526, Page 151. Together with the right to cross and re-cross land now or formerly of Matthew C. Morrill in the road formerly used to reach said lot as conveyed to said Adelbert R. Reynolds by said deed of Ralph J. Trumbull.

Know all Men by these Presents, That

I, Martha Babcock Webber, of Portland in the County of Cumberland and State of Maine, in consideration of One Dollar (\$1.00) and other valuable considerations, paid by Westbrook Seminary and Junior College, a corporation organized and existing under the laws of the State of Maine and located at Portland in the County of Cumberland and State of Maine, the receipt whereof I do hereby acknowledge, do hereby, give, grant, bargain, sell and convey unto the said Westbrook Seminary and Junior College, its Successors and Assigns forever, the following described property:

A certain lot or parcel of land, with the buildings thereon, situated on Stevens Avenue in the City of Portland, formerly called the "Stevens Plains Road" in the City of Deering, bounded and described as follows:- Beginning on the westerly side of said road at the southerly corner of land formerly of Albert Jones; thence northwesterly on said Jones line twenty (20) rods, more or less, to land formerly of William Kenney; thence southerly by said Kenney's land four (4) rods, more or less, to land formerly of N. K. Sawyer; thence easterly by said Sawyer's land twenty (20) rods, more or less, to said road; thence northerly by said road four (4) rods, more or less, to the place of beginning; being the same premises conveyed to me by Justina B. O'Brien by deed dated July 13, 1932, recorded in Cumberland County Registry of Deeds in Book 1403, Page 305.

This conveyance is made subject to taxes for 1947 which the Grantee assumes and agrees to pay.

U.S.I.R.
\$13.20
M.B.W.
8/12/47

On Here and in Hold the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to the said Westbrook Seminary and Junior College, its Successors and Assigns, to it and their use and behoof forever. And I do covenant with the said Grantee, its Successors heirs and assigns, that I am lawfully seized in fee of the premises; that they are free of all incumbrances; except as aforesaid; that I have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that I and my heirs, shall and will warrant and defend the same to the said Grantee, its Successors heirs and assigns forever, against the lawful claims and demands of all persons; except as aforesaid. In Witness Whereof, I, the said Martha Babcock Webber, and I, M. Carroll Webber, husband of the said Martha Babcock Webber, joining in this deed as Grantor, and relinquishing and conveying my rights by descent and all other rights in the above described premises,

our hands and seal S this 12th day of August have hereunto set one thousand nine hundred and forty-seven. in the year of our Lord

Signed, Sealed and Delivered in presence of		
Edward F. Dana	Martha Babcock Webber	Seal
Jayne E. Harrington	M. Carroll Webber M.D.	Seal

State of Maine, CUMBERLAND, SS. August 12, 1947 Personally appeared the above named Martha Babcock Webber and acknowledged the above instrument to be her free act and deed. Before me, Edward F. Dana Justice of the Peace Received August 12, 1947, at 2 o'clock 40m. P.M., and recorded according to the original.

Know all Men by these Presents, That

We, Clifford J. Knight and Alice M. Knight, both of Portland in the County of Cumberland and State of Maine

in consideration of One Dollar and other Considerations paid by George O.Chase and Ruth B. Chase, both of Newington in the County of Hartford and State of Connecticut

the receipt whereof we do hereby acknowledge, do hereby, give, grant, bargain, sell and convey unto the said George O. Chase and Ruth B. Chase, as joint tenants and not as tenants in common and their heirs and assigns and the survivor of them and the heirs and assigns of the survivor of them forever, a certain lot or parcel of land with the buildings thereon, situated in Deering in said Portland in the County of Cumberland and State of Maine, bounded and described as follows:

Beginning on the Northerly side of College Street at a stone monument at the intersection of land now or formerly owned by said Clifford J. Knight and land now owned by Westbrook Junior College; thence in a Westerly direction One Hundred Twenty-six and twenty-two hundredths (126.22) feet along said College Street to a stake; thence at a ninety degree (90°) angle Eighty-five and eight tenths (85.8) feet in a Northerly direction to a stake and land now or formerly of the State of Maine; thence One Hundred Twenty-Six and forty-five hundredths (126.45) feet in an easterly direction along land of the State of Maine to a stake; thence Seventy-eight and fifty-two hundredths (78.52) feet in a Southerly direction to the point of beginning.

Being the same premises conveyed to us by Elizabeth Milliken by deed dated December 19, 1956, recorded in Cumberland County Registry of Deeds, Book 2331, Page 248 to which deed and deeds referred to therein reference is made.

Real estate tax for 1957 to be pro-rated as of date of transfer.

On Have and to Hold the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to the said George O.Chase and Ruth B.Chase as joint tenants and not as tenants in common and their heirs and assigns and the survivor of them and the heirs and assigns of the survivor of them forever, to them and their use and behoof forever. And we do covenant with the said Grantees, their

U.S.I.R.
\$15.95
C.J.K.
6/12/57

heirs and assigns, that we are lawfully seized in fee of the premises; that they are free of all incumbrances; except as aforesaid

that we have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that we and our heirs, shall and will warrant and defend the same to the said

Grantees, their heirs and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof, We, the said Clifford J. Knight and Alice M. Knight, husband and wife, each joining in this deed as Grantor, and relinquishing and conveying all right by descent and all other rights in the above described premises,

--- hand s and seals this twelfth day of June have hereunto set in the year of our Lord one thousand nine hundred and fifty-seven.

Signed, Sealed and Delivered in presence of

Ralph M. Snyder, to both Clifford J. Knight Seal
Alice M. Knight Seal

State of Maine, CUMBERLAND, SS. June 12, 1957. Personally appeared the above named Clifford J. Knight

and acknowledged the foregoing instrument to be his free act and deed. Before me, Ralph M. Snyder Justice of the Peace

Received June 12, 1957, at 3 o'clock 40 m. P. M., and recorded according to the original.

Know All Men by these Presents,

That I, GORDON L. SKILLIN of Waterville in the County of Kennebec and State of Maine

Skillin
to
Westbrook
Seminary
& Junior
College
--
War

in consideration of One Dollar (\$1.00) and other valuable considerations

paid by WESTBROOK SEMINARY AND JUNIOR COLLEGE, a corporation organized and existing under the laws of Maine and located at Portland in the County of Cumberland and State of Maine



the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said Westbrook Seminary and Junior College, its successors

and Assigns forever,

the following described property:



A certain lot or parcel of land with the buildings thereon situated in said Portland, in that part formerly Deering, on the northerly side of College Street, and bounded and described as follows:

Beginning at a stone monument in the northerly side line of said College Street at the southwest corner of land of L. Laberton Moore; thence running westerly on said College Street one hundred one (101) feet, more or less, to the "Kenney" line; thence northerly on a line parallel with westerly line of said Moore's land one hundred thirty-one (131) feet, more or less, to the fence between the lot hereby conveyed and land, now or formerly, of the heirs of Capt. Sargent; thence easterly by said Sargent land and the fence one hundred (100) feet, more or less, to said Moore's land; thence southerly by said Moore's land one hundred thirty-nine (139) feet, more or less, to the point of beginning.

Also a certain other lot of land adjoining above described lot on the westerly side thereof, and bounded and described as follows:

Beginning on the northerly side line of said College Street, at the southwest corner of above described lot; thence running westerly on said College Street ten (10) feet, more or less, to a stone monument; thence northerly on a line parallel with the westerly side line of above described lot one hundred fifty-eight (158) feet, more or less, to the fence and land, now or formerly, of the Portland Railroad Company; thence easterly by the fence and said Portland Railroad Company's land seven (7) feet, more or less, to the corner of the fence and land, now or formerly, of the heirs of Capt. Sargent; thence southerly by the fence and said Sargent land twenty-eight (28) feet, more or less, to a post at the southwest corner of said Sargent land; thence easterly by said Sargent land and the fence three (3) feet, more or less, to the northwest corner of above described lot; thence southerly by above described lot one hundred thirty-one (131) feet, more or less, to the point of beginning.

304

Said premises were conveyed to William H. and Frances E. Skillin by William T. Jordan et als by deed dated October 21, 1904, recorded in Cumberland County Registry of Deeds in Book 758, Page 242. William H. Skillin conveyed his interest to Frances E. Skillin by deed dated April 8, 1908, recorded in said Registry of Deeds in Book 820, Page 377. Frances E. Skillin died intestate on April 29, 1929, leaving no widower and as her sole heirs-at-law, Harlon L. Skillin and Maude E. Clement. Harlon L. Skillin conveyed his interest to Maude E. Clement by deed dated August 22, 1929, recorded in said Registry of Deeds in Book 1328, Page 44. Maude E. Clement devised said premises to the Grantor by Will, abstract of which is recorded in said Registry of Deeds.

To have and to hold the aforegranted and bargained premises, with all privileges and appurtenances thereof to the said Westbrook Seminary and Junior College, its successors

~~Heirs~~ and Assigns, to its and their use and behoof forever.

And I do **covenant** with the said Grantee, ^{its successors} ~~Heirs~~ and Assigns, that I am lawfully seized in fee of the premises; that they are free of all incumbrances;

that I have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that I and my Heirs, shall and will ~~Warrant and Bind~~ the same to the said Grantee, its successors

~~Heirs~~ and Assigns forever, against the lawful claims and demands

of all persons.

In Witness Whereof, I the said Gordon L. Skillin

and I, Norma Skillin wife of the said Gordon L. Skillin

joining in this deed as Grantor, and relinquishing and conveying my rights by descent and all other rights in the above described premises, have hereunto set our hands and seals this 25th day of September in the year of our Lord one thousand nine hundred and fifty-nine.

Signed, Sealed and Delivered in presence of

W. Paul Lonsdale
Marta M. Rozak

Gordon L. Skillin
Norma Skillin

State of Maine,
Kennebec. }

25 September 19 59

Personally appeared the above named

Gordon L. Skillin

and acknowledged the above instrument to be his free act and deed.

Before me,

W. Paul Lonsdale
Justice of the Peace

OCT 22 1959

REGISTRY OF DEEDS, CUMBERLAND COUNTY, MAINE

Received at 3 H 21 M P.M. and recorded in
BOOK 2507 PAGE 303 Edward P. Lonsdale Register

Know All Men by These Presents.

425

That I, NELLIE A. DONNELLY, of Portland in the County of Cumberland and State of Maine,
in consideration of One Dollar (\$1.00) and other valuable consideration,
paid by WESTBROOK SEMINARY AND JUNIOR COLLEGE, a corporation existing under the laws of Maine and located at said Portland,
the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said WESTBROOK SEMINARY AND JUNIOR COLLEGE, its successors

~~XXXXXX~~ and assigns forever, a certain lot or parcel of land, situated on the northerly side of College Street, so-called, in said Portland, and bounded and described as follows:

Beginning at a point on the northerly side of said College Street at the southeasterly corner of land conveyed to the Grantee herein by Addie H. Lowd by deed dated July 8, 1944, and recorded in the Cumberland County Registry of Deeds, Book 1752, Page 321; thence northerly by other land of the Grantee herein one hundred fifty (150) feet, more or less, to land formerly of Capt. Sargent, now of the Grantee herein; thence easterly by said Sargent land forty (40) feet, more or less, to land formerly of Brewster, now of the Grantee herein; thence southerly by said Brewster land and land formerly of Arabella W. Roberts, now of the Grantee herein, one hundred fifty-three (153) feet, more or less, to said College Street; thence westerly by said College Street fifty-eight (58) feet, more or less, to the point of beginning.

Being a portion of the premises conveyed to the Grantor herein by Thalia L. Clement by Warranty Deed dated April 5, 1919, and recorded in said Registry of Deeds, Book 1021, Page 45.



Us, Here and in Hold the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said WESTBROOK SEMINARY AND JUNIOR COLLEGE, its successors

~~And~~ and assigns, to its ~~exclusive~~ use and behoof forever.

And I do covenant with the said Grantee ^{and its successors} ~~and~~ and assigns, that

I am lawfully seized in fee of the premises, that they are free of all incumbrances:

that I have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that I and my heirs shall and will ~~Warrant and defend~~ the same to the said Grantee, ~~its successors~~ ^{and assigns} forever, against the lawful claims and demands of all persons.

In Witness Whereof, I, the said NELLIE A. DONNELLY, being a widow,

XXXXXXXX

WICKS

00000000000000000000

set my hand and seal this *nineteenth* day of May in the year of our Lord one thousand nine hundred and sixty.

Signed, Sealed and Delivered
in presence of

Richard C. Blanchard

Nellie A Donnelly

WATER-PROOFING

CUMBERLAND

11.

May 19, 1960.

Personally appeared the above named NELLIE A. DONNELLY

and acknowledged the foregoing instrument to be her free act and deed.
Before me,

Notary Public

~~Deutschschweizerische Presse~~

STATE OF MAINE

CUMBERLAND, ss.

REGISTRY OF DEEDS

Received at 11 H. 35 M. on MAY 23 1960

and recorded in

Book 2539 Page 425 ATTEST

Page 125 ATTEST
Margaret L Weber, Deputy Register

Donnelly

to

Westbrook
Seminary
& Junior
College

War

Know All Men by These Presents,

337

That we, GEORGE O. CHASE and RUTH B. CHASE of Portland, in the County of Cumberland and State of Maine,

in consideration of One Dollar (\$1.00) and other valuable consideration

paid by WESTBROOK SEMINARY AND JUNIOR COLLEGE, a corporation incorporated and existing under the laws of the State of Maine, and located at said Portland,

the receipt whereof we **do hereby acknowledge, do hereby give, grant,**

bargain, sell and convey unto the said WESTBROOK SEMINARY AND JUNIOR COLLEGE, its successors

and assigns forever, a certain lot or parcel of land, with the buildings thereon, situated in Deering in said Portland, in the County of Cumberland and State of Maine, bounded and described as follows:

Beginning on the northerly side of College Street at a stone monument at the intersection of land now or formerly owned by Clifford J. Knight and land now owned by Westbrook Seminary and Junior College; thence in a westerly direction one hundred twenty-six and twenty-two hundredths (126.22) feet along said College Street to a stake; thence at a ninety (90) degree angle eighty-five and eight-tenths (85.8) feet in a northerly direction to a stake and land now or formerly of the State of Maine; thence one hundred twenty-six and forty-five hundredths (126.45) feet in an easterly direction along land of the State of Maine to a stake; thence seventy-eight and fifty-two hundredths (78.52) feet in a southerly direction along said land of said Westbrook Seminary and Junior College to the point of beginning.

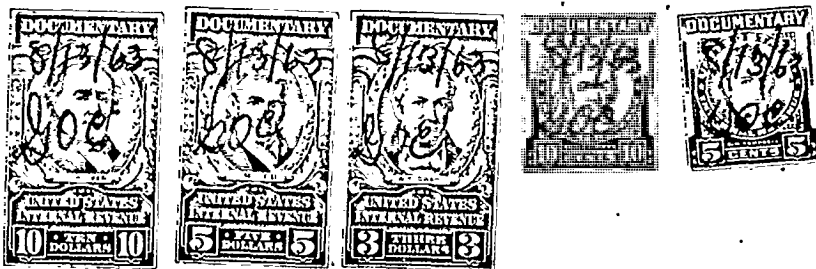
Being the same premises conveyed to the grantors by Clifford J. Knight and Alice M. Knight by their Deed of Warranty dated June 12, 1957, and recorded in Cumberland County Registry of Deeds in Book 2320, Page 415.

Chase
&

to

Westbrook
Seminary &
Junior
College

War



398

To have and to hold the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said WESTBROOK SEMINARY AND JUNIOR COLLEGE, its successors

heirs and assigns, to its and their use and behoof forever.

And we do covenant with the said Grantee, its ^{successors} heirs and assigns, that we are lawfully seized in fee of the premises, that they are free of all incumbrances;

that we have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that we and our heirs shall and will warrant and defend the same to the said Grantee, its ^{successors} heirs and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof. I the said GEORGE O. CHASE

and RUTH B. CHASE

wife of the said GEORGE O. CHASE

joining in this deed as Grantors, and relinquishing and conveying our right by descent and all other rights in the above described premises, have hereunto set our hands and seals this fifth day of August in the year of our Lord one thousand nine hundred and sixty-three

Signed, Sealed and Delivered
in presence of

Notary A. Lamb
to both

George O. Chase MD
Ruth B. Chase



State of Maine.

Cumberland

ss.

August 5, 1963.

Personally appeared the above named GEORGE O. CHASE and RUTH B. CHASE

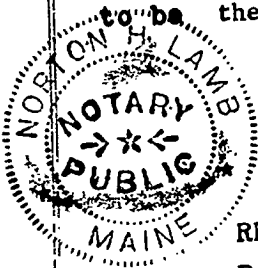
and acknowledged the foregoing instrument

to be their free act and deed.

Before me,

Notary A. Lamb

~~Justice of the Peace~~
Notary Public



AUG 13 1963

REGISTRY OF DEEDS, CUMBERLAND COUNTY, MAINE

Received at 10 H 45 M A.M., and recorded in

BOOK 2767 PAGE 397 Edward P. T. Jones Register

That I, WILLIS W. JOHNSON, of Portland, in the County of Cumberland and State of Maine,

in consideration of One Dollar and other valuable considerations,

paid by WESTBROOK COLLEGE, a Maine corporation, located at said Portland.

the receipt whereof I **do hereby acknowledge, do hereby give, grant, bargain, sell and convey** unto the said WESTBROOK COLLEGE, its successors

make and assigns forever, a certain lot or parcel of land with the buildings thereon situated in said City of Portland on the Northerly side of College Street, and bounded as follows:- Commencing at a granite post standing on the Northerly side of College Street and located two hundred feet more or less Westerly of a lot of land conveyed by James P. Weston to C. A. Hayden by deed dated October 6, 1881, and recorded in Cumberland County Registry of Deeds, in Book 485, Page 77; and from said granite post running by a line N. 26 degrees E. one hundred and sixty-five feet to land formerly of the Portland Street Railroad Company; thence by line between this land and said Railroad Company land Southeasterly fifty-three feet to a point; thence S. 26 degrees W. one hundred sixty-three and 1/10 (163.1) feet to said side line of College Street and thence on said street line N. 64 degrees W. fifty-three feet to the granite post and point of commencing.

Meaning and intending to convey and hereby conveying all and the same premises conveyed by Will W. Johnson to Ruth S. Johnson by deed dated October 28, 1915 and recorded in the Cumberland County Registry of Deeds in Book 963, Page 174.

My title to the above described premises is derived under the Last Will and Testament of Ruth S. Johnson who died February 19, 1973 an abstract of whose will is recorded in said Registry of Deeds in Book 3382, Page 198.

On have and in hold the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said WESTBROOK COLLEGE, its successors

heirs and assigns, to its and their use and behoof forever.

And I do covenant with the said Grantee, its ^{successors} heirs and assigns, that I am lawfully seized in fee of the premises, that they are free of all incumbrances; except taxes assessed April 1, 1973 by the City of Portland, which said taxes are prorated as of the date of this conveyance;

that I have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that I and my heirs shall and will warrant and defend the same to the said Grantee, its successors heirs and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof, I the said Willis W. Johnson

and Phyllis B. Johnson

wife of the said Willis W. Johnson

joining in this deed as Grantor, and relinquishing and conveying all right by descent and all other rights in the above described premises, have hereunto set our hands and seals this 24th day of August in the year of our Lord one thousand nine hundred and seventy-three.

Signed, Sealed and Delivered
in presence of

[Signature]
[Signature]

Willis W. Johnson
Phyllis B. Johnson

State of Maine. Cumberland ss. August 24th 19 73.

Personally appeared the above named

Willis W. Johnson

and acknowledged the foregoing instrument to be his free act and deed.

Before me,

[Signature]
Justice of the Peace
Notary Public

AUG 28 1973

REGISTRY OF DEEDS, CUMBERLAND COUNTY, MAINE

Received at 2 P M, and recorded in

BOOK 3450 PAGE 69 *W. E. H. Houghton* Registrar

28398

KNOW ALL MEN BY THESE PRESENTS, That the CITY OF PORTLAND, a body politic and corporate located in the County of Cumberland and State of Maine, in consideration of One Dollar (\$1.00) and other good and valuable considerations, paid by Westbrook College, a corporation organized and existing under the laws of the State of Maine and located at 716 Stevens Avenue in said Portland in said County and State, the receipt whereof it does hereby acknowledge, does hereby give, grant, bargain, sell and convey, unto the said Westbrook College, its successors and assigns forever, certain real estate located in said Portland, lying Westerly of College Street and Southerly of Bishop Street, bounded and described as follows:

Beginning at a point on the Northerly line of the land of Portland Railroad Company where the same intersects with land hereby conveyed and land formerly of George H. Smardon, commonly known as the Smardon Gravel Pit, formerly Read's Gravel Pit; thence from said point North $19^{\circ} 30'$ East 28.68 rods; thence North 60° West Seven and thirty-two hundredths (7.32) rods to a point; thence South $74^{\circ} 45'$ West Thirty-six and sixty-four hundredths (36.64) rods to a point; thence North 5° West Two and fifty-six hundredths (2.56) rods; thence North 30° West Twenty-four and four tenths (24.4) rods; thence South 65° West Forty-seven and twelve hundredths (47.12) rods to center of ditch; thence up the center of said ditch towards what is known as pasture Two Hundred Ninety-eight (298) feet; thence in a straight line to a point in line of Evergreen Cemetery indicated by a spruce stump, said stump being on the intersection between land of said Cemetery and land conveyed by Luther B. Roberts to the said City of Portland; thence from said stump North $80^{\circ} 21'$ East Three Hundred Seventy-one and two tenths (372.2) feet to an angle; thence from said angle North $76^{\circ} 8'$ East, Five Hundred Ninety-six and twenty-two hundredths (596.22) feet to an angle; thence from said last named angle at a right angle South $12^{\circ} 52'$ East Seventy-five (75) feet to land of said Portland Railroad Company; thence about North $76^{\circ} 8'$ East by said Portland Railroad Company's land to the point of beginning.

Also a certain other parcel of land, abutting the above described premises and bounded and described as follows: Beginning at the center of the ditch between the hereinabove described premises and the land hereby conveyed and in line of land now or formerly owned by Adam Wilson and running Southerly by land of said Wilson to the Westerly corner of land of Evergreen Cemetery; thence South Twenty-four (24°) degrees East by land of said Cemetery One hundred and seventy-five (175) feet to a point; thence by land formerly of Dennis F. Gulliver, and being the premises hereinabove described, in a straight line to a point in the center of said ditch; said point being Two Hundred Ninety-eight (298) feet from the point of beginning; thence down the center of said ditch to the point of beginning.

Excepting and reserving from the above described premises that portion thereof conveyed by the Grantor to Central Maine Power Company by deed dated February 26, 1967, recorded in said Registry of Deeds in Book 2989, Page 13.

This conveyance is made subject to the right-of-way or easement granted by the Grantor to Central Maine Power Company by deed dated December 13, 1951, recorded in said Registry of Deeds in Book 2055, Page 463.

Reserving to the Grantor, its successors and assigns, the right perpetually to enter at any and all times upon a strip of land fifty (50) feet in width lying equally on either side of the storm drain and upon a strip of land fifty (50) feet in width lying equally on either side of the brook presently located on the premises herein conveyed and the right perpetually to maintain, repair, rebuild, relocate, or remove said storm drain and brook with all necessary fixtures and appurtenances within said strips of land, granting to the Grantee, its successors and assigns, the use and enjoyment of said strips of land for such purposes only as will in no way interfere with the perpetual use thereof by the Grantor, its successors and assigns, for the purposes above mentioned, except that no buildings or structures may be erected within said strips of land. Also reserving to the Grantor, its successors and assigns, the right perpetually to enter at any and all times upon the premises herein conveyed for the purpose of access and egress by itself, its servants and/or agents to and from said strips of land.

Being the same premises conveyed to the Grantor by deed of James Gulliver, Administrator, d.b.n.c.t.a., of the Estate of Stephen Gulliver by deed dated August 23, 1935, recorded in said Registry of Deeds in Book 1476, Page 441.

Also a certain lot of land lying in the rear of College Street, in the City of Portland, bounded and described as follows, to wit:

Beginning at a point on the Northerly side line of College Street and at the Westerly corner of land belonging to Francis L. Stone; thence North 25° 22' east by land of said Stone eighty-seven and nineteen one hundredths (87.19) feet to land of the Portland Railroad Company; thence North 62° 26' west by land of said Portland Railroad Company four hundred and thirty-one and ninety three one hundredths (431.93) feet to a point; thence North 76° 08' east by land of said Portland Railroad Company five hundred (500) feet to a point; thence north 13° 52' west seventy-five (75) feet to a point; thence south 76° 08' west five hundred and ninety-six and twenty-two one hundredths (596.22) feet to a point; thence south 80° 21' west three hundred and seventy-one and two tenths (371.2) feet to the stump of a large spruce tree in the boundary of Evergreen Cemetery; thence easterly by land of Evergreen Cemetery and land of Pine Grove Cemetery about seven hundred and sixty (760) feet to a point on the end of College Street; thence north 24° 55' east by the end of College Street thirty and thirty-five one hundredths (30.35) feet to a stone

- 3 -

monument at the end of the northerly side line of College Street; thence south 65° 05' east one hundred and twelve and ninety-four one hundredths (112.94) feet by the northerly side line of College Street to the point of beginning. Said premises being a part of the several promises conveyed to Luther B. Roberts by deed of S. K. Hamilton, Admr., dated June 22, 1910, and by deed of Daniel H. Reed to Luther B. Roberts, dated July 26th, 1909, recorded in Cumberland, ss. Registry of Deeds, Book 843, Page 402, to which several deeds, and the references contained, reference is hereby made for further particulars of description.

Excepting and reserving from the above described premises that portion thereof conveyed by the Grantor to Alice M. Knight by deed dated January 17, 1947, recorded in said Registry of Deeds, in Book 1852, Page 109.

Being the same premises conveyed to the Grantor by Luther B. Roberts by deed dated June 24, 1910, recorded in said Registry of Deeds in Book 861, Page 282, and subject to the reservations contained therein.

By acceptance of this deed, Grantee covenants and agrees that it will:

1. Provide a landscape buffer zone at least twenty-five (25) feet in width along the northerly and easterly lines of the premises herein conveyed in a manner satisfactory to the Planning Board of the City of Portland.
2. Secure from said Planning Board prior site plan approval for development of all or any part of the premises herein conveyed as such development shall occur.

TO HAVE AND TO HOLD the same, together with all the privileges and appurtenances thereunto belonging, to the said Westbrook College, its successors and assigns forever.

AND the said Grantor Corporation does covenant with the said Westbrook College, its successors and assigns, that it will warrant and forever defend the premises to it the said Grantee, its successors and assigns forever, against the lawful claims and demands of all persons claiming by, through, or under it.

IN WITNESS WHEREOF, the said City of Portland has caused this instrument to be sealed with its corporate seal and signed in its corporate name by JOHN G. DE PALMA, its Director of Finance, thereunto duly authorized, this 8th day of November in the year one thousand nine hundred and seventy-three.

SIGNED, SEALED AND DELIVERED
IN PRESENCE OF

CITY OF PORTLAND

Patricia E. Meally

By

John G. DePalma
Director of Finance

STATE OF MAINE
CUMBERLAND, ss.

Nov. 8, 1973.

Personally appeared the above named John G. DePalma, Director of Finance of said Grantor Corporation as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of said corporation.

Before me,

Patricia E. Meally
Justice of the Peace
Notary Public

NOV 8 1973

REGISTRY OF DEEDS, CUMBERLAND COUNTY, MAINE

Received at 2 27 PM, and recorded in

BOOK 3481 PAGE 255 *W. Ruth Houghton* Register

Institutional Development Plan

February 2025



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1. CONTEXT

Since its inception as Westbrook Seminary in 1831, the University of New England (UNE) Portland campus has been an integral part of the Portland community, providing innovative and diverse education opportunities for its students. The campus has undergone strategic growth and curriculum enhancements to effectively meet the evolving educational and workforce requirements of Portland, Maine, and beyond.

UNE is recognized as a leading educator of healthcare professionals and is one of a handful of private universities with a comprehensive health education mission including medicine, pharmacy, dental medicine, nursing, and an array of allied health professionals. UNE's interprofessional education initiatives prepare future healthcare professionals to practice comprehensive and collaborative team-based care.



Mission, Vision, and Core Values

UNE is guided by its Mission, Vision, and Core Values, as well as its strategic plan entitled, *Our World, Our Future*, which was developed in 2018 and continues to guide the University forward today.

Mission

UNE prepares students to thrive in a rapidly changing world and, in so doing, to improve the health of people, communities, and our planet.

Vision

UNE realizes this mission through their commitment to a distinctive approach to education that puts UNE among the most experientially driven institutions of higher education in the nation. UNE provides teaching and learning that conjoins problem-based and hands-on learning, liberal education, and professional training to immerse students in an educational experience that prepares them with:

- Habits of mind, such as cultural, quantitative, and information literacy, critical thinking, tolerance for ambiguity, and problem-solving skills;
- Discipline-based knowledge in their chosen programs of study; and
- Professional competencies, including emotional intelligence, the ability to collaborate in diverse teams, the skills to communicate persuasively, and the attributes to be thoughtful leaders.



UNE is an institution that challenges students to learn broadly, master their professional skills, ask probing questions, and engage in respectful discourse in the context of a robust marketplace of ideas. In this way, students prepare themselves for further study and successful careers, deeply rewarding lives, and meaningful contributions to their communities and the world.

Core Values

UNE is guided by the following values, essential to the culture of the UNE community.

Student Centeredness - We put the aspirations, needs, and success of our students at the center of all we do.

Diversity, Inclusion, Connection - We believe the benefits of a richly varied campus community arise not only from the diversity of its people but also from a sense of belonging and the context this creates to explore and celebrate differences in backgrounds, experiences, and perspectives, underpinned by a sense of cultural humility and a commitment to ethical ideals.

Relentless Inquiry - We take nothing for granted and view thoughtful — even uncomfortable — questioning and civil discourse as essential to the pursuit of knowledge, contribution to society, and a life worth living. Our commitment to university-wide academic freedom is fundamental to this value.

Boundary Crossing - Solutions to the complex and varied challenges we face in our personal and professional lives, our communities, and society will not be found in any single discipline, college, physical location, or individual. Thus, our ability to move easily across such boundaries in order to collaborate with colleagues makes us better problem solvers and more likely to succeed in whatever ventures we undertake.

Learning Everywhere - We believe that teaching and learning should occur beyond traditional classrooms and laboratories — in any place ripe for inquiry and experimentation, including clinics, environmental and field-study sites, online forums, libraries, museums, theaters, and places of civic engagement, among many others.

Progressive Change - We are not afraid to take thoughtful risks in the pursuit of our shared goals. Our mindset is to strategically forecast and plan for possibilities in an unknown future.

Stewardship of Our Planet - We are committed to promoting environmental, social, and economic well-being to improve the health of individuals, communities, and ecosystems.

UNE's strategic plan, *Our World, Our Vision*, further outlines six strategic priorities that the University will focus on over the next five years.

- Provide Exceptional, Innovative Teaching and Experiential, Collaborative Learning Experiences
- Optimize Enrollment, Progress to Graduation, and Lifelong Learning
- Produce Focused Research and Scholarship
- Ensure a Welcoming, Inclusive, and Vibrant Community
- Expand Engagement with Local, Regional, and Global Partners
- Foster a Strong and Sustainable Resource Base

Current Campus Programming

The UNE Portland campus is primarily a graduate campus, focused on educating health professionals, and is currently home to three of the University's premier Colleges: the Westbrook College of Health Professions, the College of Dental Medicine, and the College of Graduate and Professional Studies. The **Westbrook College of Health Professions (WCHP)** includes more than 1,000 students, faculty, and staff working in graduate programs in Social Work, Physician Assistant, Occupational Therapy, Physical Therapy, and Nurse Anesthesia, and undergraduate programs in Nursing and Dental Hygiene. The WCHP is also home to the Interprofessional Simulation and Innovation Center, which provides training opportunities for both students and healthcare professionals from the region through the use of high-tech patient simulators. In the fall of 2013, the **UNE College of Dental Medicine** unveiled a state-of-the-art Oral Health Center, built on Stevens Avenue, as it welcomed its inaugural class of dental students on campus. The **College of Graduate and Professional Studies** is the University's online college (e.g., UNE Online), whose faculty and staff are also located on campus. UNE Online serves adult learners seeking promising careers in healthcare, education, and management, offering a range of professional graduate degrees and certificates. UNE Online oversees the University's Continuing Education efforts. These are professional certificate programs designed to meet the needs of the regional and national workforce. The **School of Pharmacy** welcomed its inaugural class of 100 students in fall 2009 within a newly erected building on Stevens Avenue; distinguished for its emphasis on research and development, the UNE School of Pharmacy offers a Pharm.D. Degree.

Campus Programming

Currently, the following programs are offered in person on the University's Portland campus:

- Dental Medicine
- Dental Hygiene
- Nursing
- Nurse Anesthesia
- Occupational Therapy
- Pharmacy
- Physical Therapy
- Physician Assistant
- Health, Wellness, and Occupational Studies
- Osteopathic Medicine (anticipated July 2025)

In addition to the academic offerings on campus, the University operates two clinics on campus which are open to the public: the Oral Health Center and the Dental Hygiene Center. The Oral Health Center serves as the clinical education hub for UNE's College of Dental Medicine, offering a wide range of oral health services to the community supervised by licensed faculty dentists. Services include cleanings, checkups, fillings, root canals, crowns, veneers, extractions, x-rays, partial dentures, dentures, bridges, and implants. In 2023, it provided low-cost care for 16,701 patient visits (over 139,000 visits in the last 10 years). The Dental Hygiene Clinic, serving as the clinical education center for the University's Dental Hygiene program, provides services such as oral inspections, nutritional counseling, scaling and plaque removal, sealant placement, oral hygiene instruction, blood pressure screenings, x-rays, fluoride treatments, and mouth guard fabrication. In 2023, it provided low-cost care for 2,540 patient visits (over 11,400 in the last 4 years).

UNE North

In addition to the University's academic programs and clinics, the campus includes UNE North, the Institute for North Atlantic Studies of the University of New England, located at 1075 Forest Avenue. UNE North is a signature interdisciplinary center that convenes faculty, professional staff, and students to partner with stakeholders from across the global North to address critical social, environmental, healthcare, and economic challenges in the North Atlantic and Arctic regions.

UNE North connects UNE's expertise with a robust network of academic, business, government, and non-governmental organizations to foster productive partnerships and solve common problems. UNE North supports students from across the University's colleges and disciplines to engage with this work, through their studies, and in their future careers.

Grounded in the United Nations Sustainable Development Goals, UNE North is a leader in promoting sustainable development in Maine, New England, and throughout the North Atlantic and Arctic region. UNE North is also focused on exploring innovative and scalable approaches to expand access to quality healthcare, particularly in underserved rural communities, through tools such as telehealth and digital medicine and by using pedagogical models such as collaborative interprofessional education. UNE North collaborates with the University's colleges to envision new academic programs, cultivate new research partnerships, and advance new study abroad opportunities for students.



Center for Global Humanities

The campus is also home to UNE's Center for Global Humanities (CGH), where prominent thinkers convene to interact with UNE students and the local community. The CGH hosts free, open to the public lectures and films dedicated to exploring the human condition in the 21st century.

Cultural Institutions

The campus also hosts two important Portland cultural institutions – the Maine Women Writers Collection, and the UNE Art Gallery.

1. Context



Maine Women Writers Collection

The UNE Art Gallery on campus was established in 1977 as the Joan Whitney Payson Gallery of Art. The gallery has a rich history of exhibitions, houses the University's permanent collection, and continues to bring imaginative and thought-provoking shows to UNE and to the public.

The Maine Women Writers Collection was founded in 1959 by Grace Dow and Dorothy Healy to preserve and make available the writings of Maine women who had achieved literary recognition. Designated as a national Literary Landmark, the Maine Women Writers Collection hosts local women's studies programs and national conferences.



UNE Art Gallery

Campus History

The UNE Portland campus has a long history, dating back to 1830, with the founding of a co-educational boarding school called Westbrook Seminary. Established by the Kennebec Association of Universalists, the charter for Westbrook Seminary was signed by then Governor Daniel Smith on March 4, 1831. The campus's original eight acres were a gift to the Association from Zachariah Stevens, after whom Stevens Avenue is named. The first class was held on June 9, 1834, in the newly constructed Seminary Building, which is now called Alumni Hall.

By the 1890's, the Seminary offered four courses of study: a three-year English course and four-year programs titled scientific, ladies' classical, and preparatory. In the last part of the 19th century, the Seminary added chemistry and physics labs to Alumni Hall and promoted a serious interest in athletics that led to the construction of McArthur Gymnasium in 1900. Other notable buildings constructed during this time to support the expanding curriculum include Goddard Hall (1857), Ludcke Auditorium (1867), and Hersey Hall (1869).

Westbrook Junior College

Westbrook Seminary existed for 91 years until 1925 when the name was changed to Westbrook Junior College. As Westbrook Junior College, the school became a career-oriented women's two-year college, which prepared students to transfer as juniors to four-year colleges or universities. Under the guidance of president Dr. Milton D. Proctor, enrollment increased steadily through the 1930's, 40's, and 50's. During this period, new buildings were added on College Street and Stevens Avenue. In 1952 a new large multi-purpose building was erected and dedicated to Milton D. Proctor, Proctor Hall.

In 1958, Dr. Edward Y. Blewett became president of Westbrook Junior College. During his tenure, with generous assistance of the W.K. Kellogg Foundation, a Department of Dental Hygiene was established. Westbrook Junior College became the first residential junior college in the United States to offer a dental hygiene degree. In the 1960's, with the sustained growth and financial support from major grants and federal money, construction of six new buildings occurred: Coleman Hall (1961), Alexander Hall (1962), Linnell Hall (1962), McDougall Hall (1962), Ginn Hall (1962), and Blewett Hall (1967).



Westbrook Seminary Building, circa 1834

Westbrook College

On July 1st, 1970, Westbrook Seminary and Junior College entered a new stage of educational service with a new name, Westbrook College. Looking toward the future and prompted by federal legislation that prohibited the granting of federal funds to colleges that practiced gender discrimination, the College returned to co-educational.

The first Westbrook College male students enrolled in the 1973 fall semester. In 1975, the Art Gallery was constructed and opened. In the 1980's and early 1990's, the College continued to build upon the 1970's decisions and made a firm commitment to four-year programs that combined liberal arts with professional education. The new Abplanalp Library was constructed at the rear of the existing McArthur Gymnasium and opened in 1986, contributing to the College's academic strength, while the new Finley Recreation Center was completed in 1989, providing sports and leisure opportunities.

University of New England – Portland Campus

Through his tenure from 1987-1996, President William D. Andrews guided the College's transition from associate degree programs to baccalaureate degree programs. During this period, the College found itself caught in national trends of enrollment that especially hit small colleges hard. Seeking to bring Westbrook College into the 21st century, the Trustees voted to merge with the University of New England in Biddeford. On July 31st, 1996, the merger took place under the original 1831 Westbrook College charter.

Under the leadership of President Sandra Featherman, the Westbrook College campus of the University of New England has become a center of national excellence in health professions education. The current focus on interprofessional and experiential education, and recent and ongoing campus renovations, ensure a proud future for an institution that has enriched the lives of students, alumni, neighbors, and friends for the last 189 years.

Site & Neighborhood Context

The UNE campus occupies a 72-acre site in the Deering Center area of Portland and is bounded by Warren Avenue, Bishop Street Extension, and Bishop Street to the north; Stevens Avenue to the east; and the Evergreen Cemetery and Central Maine Power Utility Corridor to the south (see **Figure 1.1**). Within the campus there are several residential properties not owned by UNE along College Street. Also within the campus is the Westbrook College Historic District. UNE owns parcels located outside of campus proper at 812 Stevens Avenue, 798 Stevens Avenue, 32 Bell Street, and 1075 Forest Avenue (also known as UNE North).

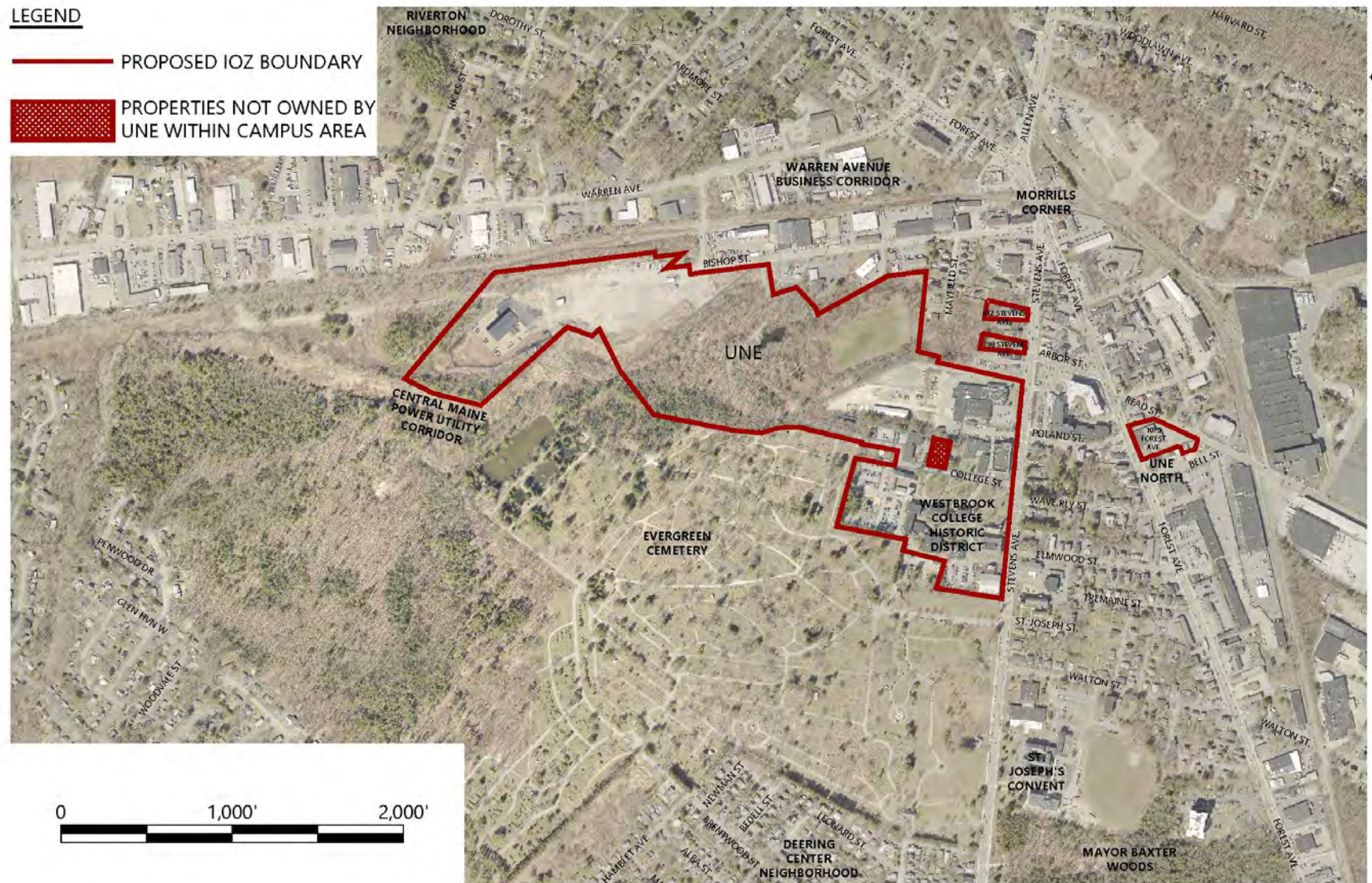


Figure 1.1 UNE Campus Site & Neighborhood Context Map

1. Context

To the north of the campus, the area includes the Riverton Neighborhood, the Warren Avenue Business Corridor, and Morrill's Corner. To the south of the campus, the area includes St. Joseph's Convent, Mayor Baxter Woods, and the Deering Center Neighborhood. As stated above, the campus is adjacent to the Evergreen Cemetery, which is a 239-acre cemetery and National Historic Landmark established by the City in 1854. The Evergreen Cemetery is also utilized by the community for recreation and offers important community greenspace and recreational amenities including a network of forested trails for walking, cross-country skiing, and bird watching. Ponds located on the cemetery property also offer valuable habitat for wildlife.

Land Use

Land uses on campus and in the surrounding neighborhood include post-secondary facilities, institutional, business, residential, open space, transportation and utility uses (see **Figure 1.2**). Beyond the campus boundaries, the area includes the Stevens Avenue Congregational Church, Stevens Square Community Center, St. Joseph's Catholic Church, a catholic elementary school, St. Brigid, the Samuel Wilde Memorial Chapel, and the Portland Recovery Community Center. Business uses

generally run along Warren Avenue, Bishop Street, Stevens Avenue and Forest Avenue and range from industrial to neighborhood food establishments and retail. Residential uses, the majority being detached single family homes, can be found in the area north of Warren and Woodlawn Avenues, between Stevens and Forest Avenue as well as south of Evergreen Cemetery. There are also a few multi-unit residential uses including The Park Danforth, a retirement community across from campus, and the Deering Pavilion, which provides senior living apartments. The open space uses in the area include Evergreen Cemetery, which has trails that connect to campus greenspace, and Mayor Baxter Woods.

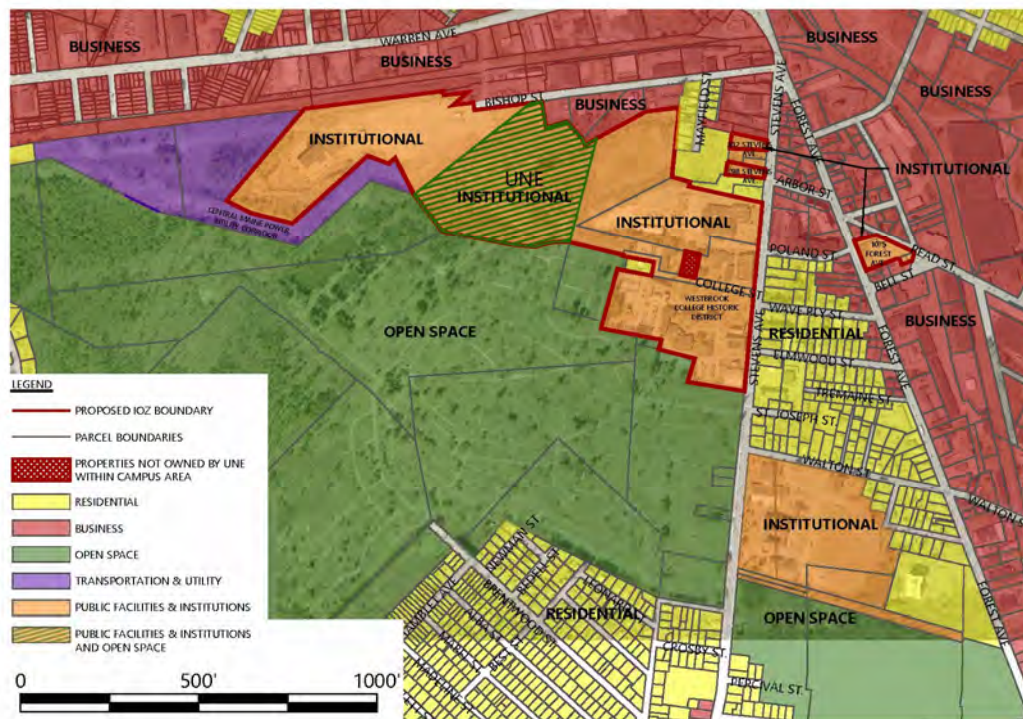


Figure 1.2 UNE Campus Site & Neighborhood Context: Existing Land Use

Zoning

The UNE campus is currently located within several zoning districts, including RN1 and RN3 Residential, IH Industrial – High Impact, IM Industrial – Moderate Impact, and B2 Business Community. Although the campus has remained in its original physical location since its establishment, the

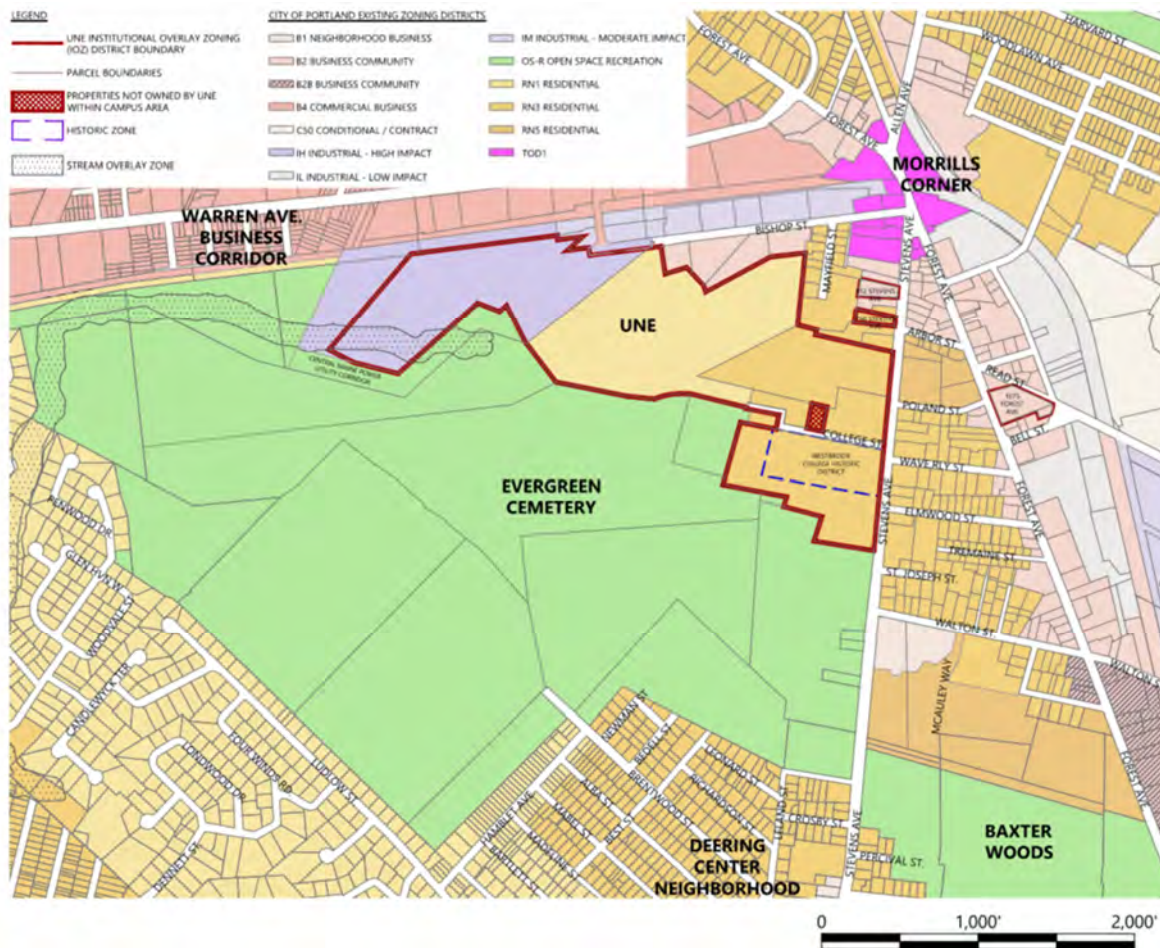


Figure 1.3 UNE Campus Site & Neighborhood Context: Existing Zoning

existing underlying zoning regulations do not effectively facilitate institutional development, as they primarily cater to residential and industrial uses. The campus core is located within the R5 Residential district, in which institutional uses are only conditionally allowed. Due to the inadequacy of the base regulatory framework of these zoning districts, development on the campus has historically been governed by these zones through conditional use. UNE has developed this Institutional Development Plan (IDP) and new Institutional Overlay Zone (IOZ) to better support the institutional needs of the campus. See **Figure 1.3** for a map of UNE's IOZ in its zoning context. As part of the IOZ process, UNE will simultaneously seek to change the underlying zones within the campus to B2 Business Community and OS-P Open Space Preservation. See **Figure 1.4** for the proposed zoning map. This change will allow for simplification of the IOZ Regulatory Framework, will more accurately reflect the current uses within the campus, and will complement the surrounding zoning.

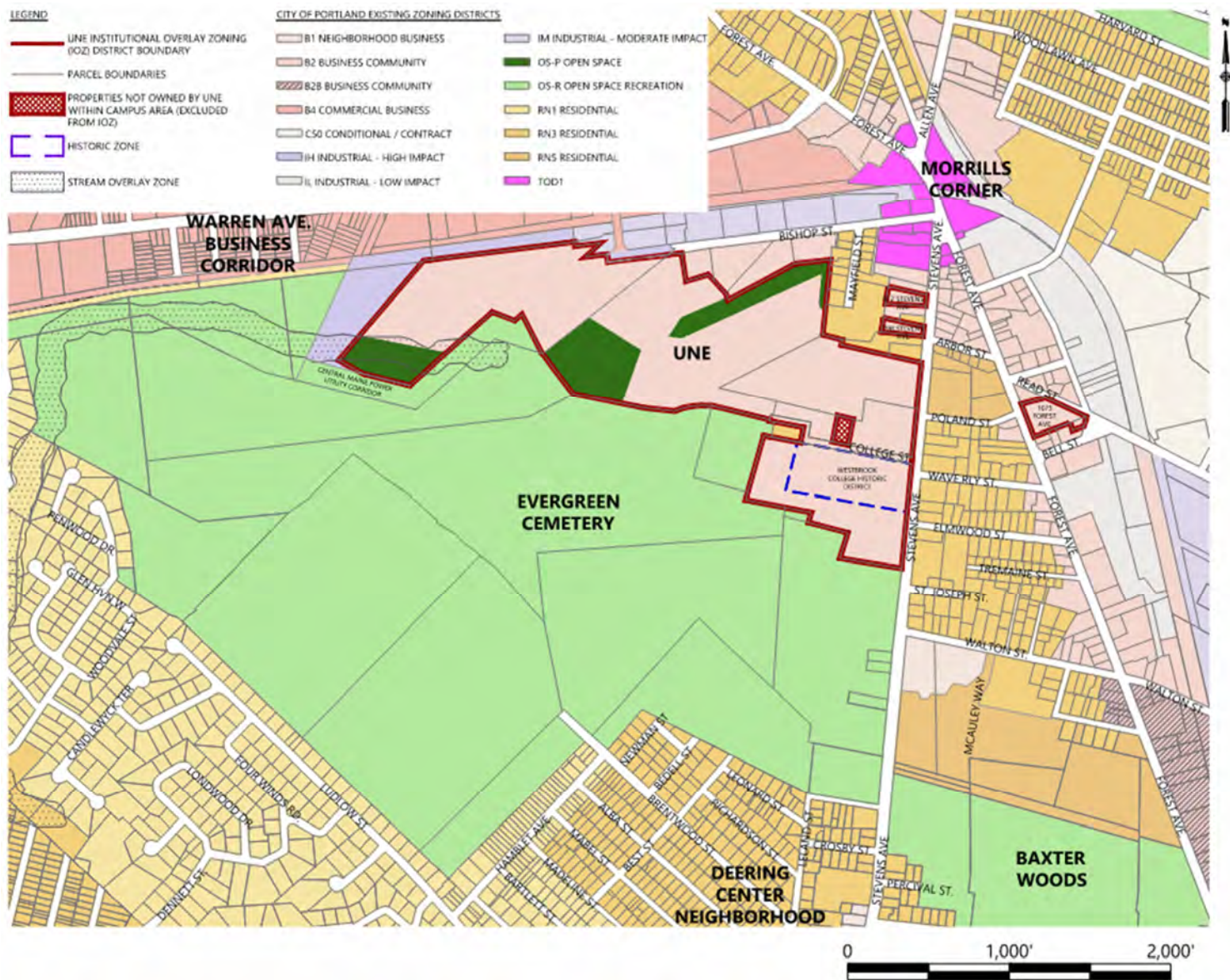


Figure 1.4 UNE Campus Site & Neighborhood Context: Proposed Zoning

Current Campus Buildings

The UNE campus includes 25 separate facilities and 11 parking areas, with a historic campus core located in the southeastern quadrant of the campus, centered around a Campus Quad (see **Figure 1.5**).

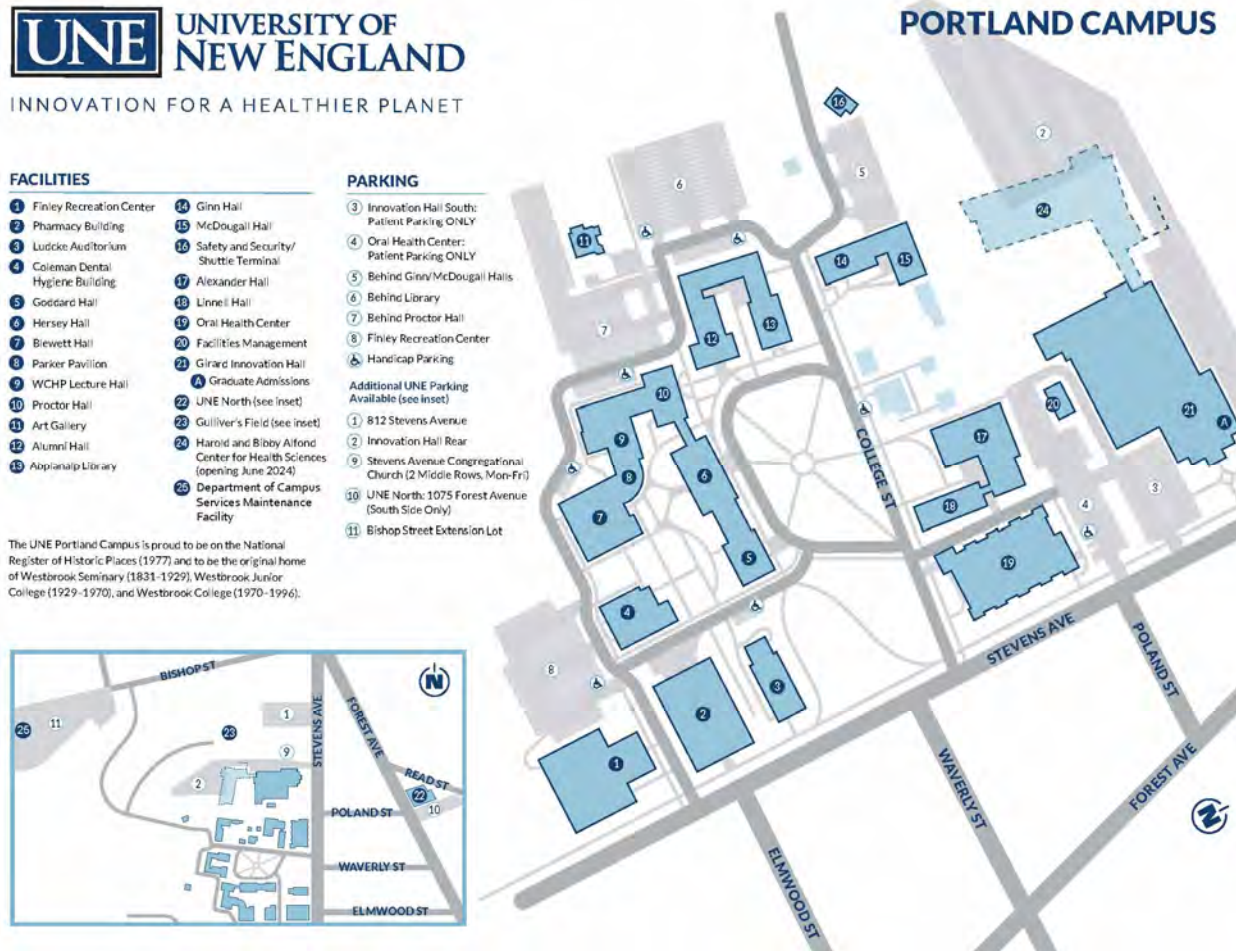


Figure 1.5 Campus Map

Table 1.1
Campus Facilities

<i>Facility Number on Campus Map</i>	<i>Facility Name</i>	<i>Total Floor Area (SF)</i>	<i>Building Height (FT)</i>	<i>Use</i>
1	Finley Recreation Center	20,000	36	Recreation
2	School of Pharmacy Building	46,380	55	Academic and research facility
3	Ludcke Auditorium	9,676	42	Auditorium
4	Coleman Hall	10,718	22	Dental Hygiene Program and Clinic
5	Goddard Hall	12,696	48	Academic support with classrooms and faculty offices
6	Hersey Hall	22,170	55	Academic offices
7	Blewett Hall	31,650	32	Classrooms and laboratories
8	Parker Pavilion	6,600	22	Academic support
9	WCHP Lecture Hall	(Parker Pavilion)	22	Lecture hall
10	Proctor Hall	31,074	56	Classrooms and lecture halls
11	Art Gallery	2,890	30	Artwork exhibitions
12	Alumni Hall	9,809	40	Administrative offices, meeting rooms, student study lounge
13	Abplanalp Library	26,636	38	Library
14 + 15	Ginn and McDougall Halls	34,091	40	Support offices
16	Safety and Security / Bus Terminal Building	720	20	Office space

Table 1.1 (continued)

Campus Facilities

<i>Facility Number on Campus Map</i>	<i>Facility Name</i>	<i>Total Floor Area (SF)</i>	<i>Building Height (FT)</i>	<i>Use</i>
17	Alexander Hall	13,912	22	Student Union complex; dining hall; campus bookstore
18	Linnell Hall	12,762	26	Support offices; Student Health Clinic
19	Oral Health Center	40,300	42	Dental clinic and simulation lab for College of Dental Medicine
20	Facilities Management Building	2,300	30	Offices and maintenance shop
21	Innovation Hall	66,794	34	Academic support offices, classrooms, student study spaces, multi-function meeting space
22	UNE North (1075 Forest Avenue)	18,000	20	UNE North program; storage
23	Gulliver's Field	2.5-acres	N/A	Soccer and athletic field
24	Harold and Bibby Alford Center for Health Sciences	112,000	54	College of Osteopathic Medicine (COM)
25	Department of Campus Services Maintenance Facility	14,500	28	Maintenance Facility

Table 1.1 (continued)

Campus Facilities

<i>Parking Facility Number on Campus Map</i>	<i>Lot Description</i>	<i>Total Parking Area (SF)</i>	<i>Total Number of Parking Spaces</i>	<i>Number of ADA Spaces</i>	<i>Number of EV Charging Spaces</i>
1	812 Stevens Avenue	8,300	30	0	0
2	COM	72,000	182	6	36
3	Innovation South	14,600	33	0	0
4	Oral Health Center	14,600	24	2	1
5	Ginn/McDougall Halls	12,400	28	0	2
6	Behind Library	37,800	103	4	0
7	Behind Proctor Hall	48,700	121	5	0
8	Finley Recreation Center	30,800	89	2	0
9	Stevens Avenue Congregational Church	14,000	31	2	0
10	UNE North: 1075 Forest Ave	31,200	72	0	0
11	Bishop Street Extension Lot	130,000	334	10	70
N/A	Ludcke	1,500	3	2	0
N/A	Hersey Circle	4,500	4	0	0

Property Ownership

UNE owns a number of properties that make up the Portland campus, listed in **Table 1.2** below.

Table 1.2

UNE Owned Properties in the City of Portland

<i>Parcel Address</i>	<i>Current Land Use</i>	<i>Parcel Address</i>	<i>Current Land Use</i>
Contiguous Campus Core			
684 Stevens Avenue	Post Secondary School	63 College Street	Post Secondary School
706 Stevens Avenue	Post Secondary School	79 College Street	Post Secondary School
710 Stevens Avenue	Post Secondary School	83 College Street	Post Secondary School
714 Stevens Avenue	Post Secondary School	0 Bishop Street	Post Secondary School / Parking
772 Stevens Avenue	Post Secondary School	Outparcels	
1 College Avenue	Post Secondary School	812 Stevens Avenue	Post Secondary School
31 College Street	Post Secondary School	1075 Forest Avenue	Post Secondary School
41 College Street	Post Secondary School	32 Bell Street	Post Secondary School
51 College Street	Post Secondary School	798 Stevens Avenue	Post Secondary School

Functional Land Use Links

There are four outparcels associated with UNE's Portland campus, as shown in **Table 1.2**. While not immediately connected to UNE's contiguous campus, the outparcels have distinct uses and contribute to UNE's operations. 1075 Forest Avenue houses the UNE North program within an existing 18,000 SF, 20-foot-tall building. Parking for this facility is provided on the site, and on the adjacent 32 Bell Avenue. 812 Stevens Avenue contains a 3,500 SF, 24-foot-tall facility that was formerly a dental office, but was damaged in a fire and subsequently donated to UNE. The building is currently vacant, but the associated parking lot is utilized by UNE for parking. 798 Stevens Avenue was recently acquired by UNE and contains a residential building; UNE does not currently have specific plans for that building and anticipates it may be used as housing for UNE faculty in the future. Connectivity between the outparcels and the contiguous campus is provided by a well-established network of public sidewalks, roadways, and bike routes, which are further described in Chapter 3, Transportation, of this IDP.

The Bishop Street Intermodal Transportation Facility, while one UNE's contiguous campus, is located at the end of Bishop Street away from the core campus. There is a shuttle bus provided between the more remote Bishop Street lot and the campus core to increase the lot's usage. There is a heated shelter with Wi-Fi at each end of the shuttle route to encourage ridership. The Bishop Street lot does not require a parking permit, providing free parking to further encourage its use. The shuttle runs continuously from 7 AM to 7 PM. With these incentives, parking in this remote lot has increased significantly.

Current Campus Populations

The UNE campus focuses mainly on graduate health professions programs and operates as a commuter (non-residential) campus. Clinical experience is integral to all academic programs, with varying criteria for timing and duration. As students rotate into clinical settings, the campus population fluctuates throughout the academic year. UNE boasts around 100 clinical affiliations, spanning 65 sites in Portland and over 450 statewide.

In recent years, the total number of students and staff present on campus has been declining, in part due to the COVID-19 pandemic, and the shift towards offering a hybrid model of study where students can attend classes online. Flexible work arrangements are also available for faculty, with UNE encouraging non-student facing personnel to work remotely when feasible. **Table 1.4** summarizes the full-time equivalent (FTE) student, faculty, and professional staff present on campus since 2016.

Table 1.3

FTE Student, Faculty, Professional Staff, and Patient Visits Data

Year (Fall Matriculation)	FTE Student Population	Full-time Faculty and Professional Staff	Total Full-time Campus Population	Patient Visits (Dental Hygiene & Medicine)
2016	1,362	470	1,832	20,745
2017	1,304	472	1,776	21,465
2018	1,282	467	1,749	21,295
2019	1,247	456	1,703	25,035
2020	1,162	442	1,604	20,580
2021	1,198	578	1,776	20,403
2022	1,098	541	1,639	20,009
2023	979	568	1,547	19,241

Typically, students complete their degree programs on either the Portland or Biddeford campus, with faculty and staff primarily assigned to one campus. While some commuting between campuses does occur, the trend towards remote work and the use of virtual meeting platforms like Zoom has led to fewer faculty and staff traveling between campuses for meetings, resulting in reduced traffic in the surrounding areas.

In addition to accommodating students, faculty, and professional staff, the campus regularly hosts special events and functions utilizing its larger venues, including the function halls in Innovation Hall, Ludke Hall, and Parker Pavilion, as well as occasionally outdoors on the main campus green. These events typically occur outside of regular university operational hours, often on Saturdays, Sundays, and after 5 pm on weekdays, to minimize disruption to core educational activities.

Baseline Characteristics of the Institution

Existing Resources

Historic

UNE's campus includes one of the twelve locally designated historic districts in the City of Portland, the Westbrook College Historic District, which is also nationally registered. The Westbrook College Historic District is composed of a cohesive, homogeneous group of nineteenth and twentieth century buildings that initially formed the rural campus of Westbrook Seminary. The district includes six buildings on the campus that were built between 1834 and 1952:

Westbrook Seminary Building (now Alumni Hall) built in 1833, this building was the first erected in the district, and was originally built with a tower relocated from the Market House in Portland.

Goddard Hall and Hersey Hall were the next buildings erected, in 1857 and 1869, respectively. They were sited at a right angle to Alumni Hall, beginning the idea of a campus quadrangle.

The Universalist Church (now Ludcke Hall) was designed by Francis H. Fassett in 1867 to front on Stevens Avenue, with its axis paralleling that of Goddard and Hersey halls and is Gothic Revival in style.

McArthur Gymnasium (now part of Abplanalp Library) was built in 1900 and designed by Francis H. and Edward F. Fassett. Its location beside Alumni Hall reinforced the campus plan of an L-shaped grouping of buildings facing a quadrangle.

Proctor Hall was erected in 1952 between Hersey Hall and Alumni Hall, effectively closing the L-shaped campus group that compliments the massing and style of Goddard and Hersey Halls.

To date, Goddard, Hersey, and Alumni Halls have undergone historical interior renovations and have maintained and/or restored the exteriors to their original grandeur and color. Similarly, modifications to Ludcke and Proctor Hall, and the Abplanalp Library have been completed in conformance with all applicable historic preservation regulations and considerations. The renovation of Alumni Hall was awarded the 2016 Honor Award by Maine Preservation. As UNE expands its campus, it remains mindful of its historical character, aiming to design new facilities that harmonize with the existing historic district.

Existing Open Space and Natural Resources

UNE's campus boasts significant open space with its large campus green located at the main entrance on College Street, and through its preservation of existing freshwater wetland areas. The campus consists of natural area, open space, and ample opportunity for both passive and active recreation for students and the surrounding community offering amenities such as biking and walking trails, a central campus quad in the Westbrook College Historic District, tree-lined streets and pedestrian pathways, and forested area that offers wildlife and bird watching. The Portland Trails Forest City Trail crosses campus along College Street and provides a connection between on- and off-site recreational opportunities. UNE is committed to partnering with Portland Trails to extend their nearly 70-mile network of trails onto the Campus, with the goal of safely linking the Evergreen Cemetery section of walking paths to those in North Deering and providing more opportunities for the community to access Portland's open space and natural areas. The forested areas of campus are host to hardwood and coniferous tree species and emergent wetland species. These vegetative species comprise the riparian forest and scrub-shrub wetland complex surrounding the Capisic Brook headwaters. The City of Portland has identified Capisic Brook as its highest priority watershed and has outlined implementation measures to address water quality in the watershed, as summarized in the Capisic Brook Watershed Management Plan. UNE recognizes the ecological role the campus natural resources provide and is committed to implementing measures that promote groundwater recharge, increase flood capacity, reduce downstream erosion and pollution, and benefit wildlife habitat. A review of existing natural resources including open space and recreation, ecological communities, aquatic resources, and the Capisic Brook Watershed; an assessment of potential impact and impact avoidance of proposed future development; natural resource protection measures; and a review of the campus's operational sustainability is provided in Chapter 4, Environmental Plan, of this IDP.

Existing Transportation System

The campus is serviced by a variety of transportation infrastructure, including several arterial highways in close proximity with convenient access to Maine Turnpike (via Riverside Street, Warren Avenue and Bishop Street) and access to I-295 via Forest Avenue; metro transit bus service; pedestrian infrastructure; EV charging stations; and a bicycle network. The new connector drive allows direct access for UNE community members between the core campus and Bishop Street, allowing users to bypass Morrill's Corner. Based upon the last traffic impact study, performed for the recent permitting process for the relocation of the College of Osteopathic Medicine (COM) to the Portland campus, all campus drives operate at good levels of service ("A" or "B") with no capacity constraints. Stevens Avenue has dedicated marked bike lanes from Pleasant Avenue to south of Bishop Street, providing direct access to the campus. Similarly, there are dedicated bike lanes on Forest Avenue within the campus vicinity, excluding Morrill's Corner where there are shared motor vehicle – bike lanes. UNE provides bicycle racks at a ratio of 1 bicycle rack space per every 20 UNE community members. There is access to showers and lockers facilitating bicycle commuting. Transit service is provided via Greater Portland Metro Route 9, which connects downtown Portland to North Deering via Stevens Avenue and also by Metro Route 2, which connects downtown Portland to Riverton via Forest Avenue. There are two Route 9 Metro stops located on campus.

UNE has had a Transportation Demand Management (TDM) plan since 2010, which is routinely updated. The primary goal of the plan is to reduce vehicle trips to campus and, thus, reduce demand for on-site parking. Reducing trips, both on-campus and off-site, improves traffic flow in the surrounding area, and reduces UNE's carbon emissions. UNE routinely performs student and staff surveys to determine arrival and departure times, transportation modality and parking usage. The results have guided UNE in adjusting its TDM plan, including infrastructure upgrades and bus

schedule changes. Hot mapping of faculty, staff, and student home addresses was utilized to identify additional measures for enhanced promotional activities towards fostering alternative transportation modes.

UNE has a number of parking facilities on its campus and performs annual parking counts to evaluate occupancy rates. Based upon the most recent counts, parking demand peaks between 10:00 AM and 2:00 PM and varies by day. There are currently eleven parking lots located on campus plus on-street parking along two campus roadways. These facilities currently provide a total of 1,064 parking spaces. In 2022, there were 1,241 spaces. The university has been decreasing spaces over time as new projects are completed and parking needs are re-evaluated. A campus parking analysis, based upon the historical count data, projects a maximum occupancy rate per university population to be at 0.39 from 2025 to 2033. This rate is similar to the Institute of Transportation Engineers (ITE) 85th percentile parking rate. UNE has purposefully maintained a surplus of spaces on campus to assure adequate on-site parking, to be sensitive to the neighborhood concerns about on-street parking on Stevens Avenue and in the neighborhood.

Existing Utility Infrastructure

Existing stormwater management systems utilize on-site infiltration systems, with secondary use of conveyance to the Stevens Avenue and Bishop Street combined sewer system. Existing wastewater infrastructure for the campus is discharged to a combined sewer system in College Street and Stevens Avenue. Additionally, UNE participates in the City of Portland's Fats, Oils, and Grease (FOG) Program to responsibly dispose of these biproducts. Maintenance of these systems is performed regularly to ensure that they are operating effectively. For water supply the campus is serviced by the Portland Water District. For electricity, the campus is serviced by Central Maine Power. Unil currently provides natural gas service to the campus.

Compliance with the City of Portland Plans and Studies

City of Portland Plan 2030

UNE views itself as a partner to the City of Portland and this partnership is integral to their shared sustainable future. The campus was used to host two of the four Community Forums in 2016 that included presentations and engagement activities to shape Portland's Plan 2030. UNE is an important stakeholder and, as a major employer and educator of healthcare professionals, helped provide information and input for developing Portland's Plan 2030. Portland's Plan 2030 focuses primarily on eight aspects of Portland's identity and performance: environment, waterfront, transportation, housing, recreation and open spaces, facilities, historic resources, and economy. Excerpts from the plan that UNE works to promote and advance are provided here:

Environment

- "Develop climate resilience through specific carbon reduction goals, comprehensive climate adaptation strategies, and protections for the city's most vulnerable infrastructure."
- "Adopt sustainable land use and transportation policies that support connectivity, walkable neighborhoods, and multi-modal transportation."

Economy

- "Support job creation and business growth through public initiatives and private, institutional, and regional partnerships."

1. Context

- "Develop programs that support industries with high-growth/high value potential such as life sciences, food production, information technology, and marine-related industries."
- "Modify ordinances and make strategic investments to better promote business development and job creation in priority areas."
- "Ensure that the growth of Portland's educational, medical, and cultural institutions is integrated into Portland's urban fabric through the use of high-quality design, management of impacts, community partnerships, and innovative planning."

Historic Resources

- "Stabilize and enhance historic areas of the city by ensuring quality investment in existing structures and compatible infill development."
- "Ensure an appropriate balance of continuity and change as Portland grows and evolves."

Housing

- "Encourage additional contextually appropriate housing density in and proximate to neighborhood centers, concentrations of services, and transit nodes and corridors as a means of supporting complete neighborhoods."
- "Identify priority growth areas."
- "Allow for a range of housing models in City codes, whether small units, co-housing, or others that may suit changing needs and demographics."

Recreation & Open Space

- "Sustain and build our system of parks, trails, and open spaces to enhance our quality of life, protect our environment, and promote the economic well-being of our remarkable city by the sea."
- "Provide high-quality, well-designed, well-maintained, safe, and integrated parks, trails, public open spaces, and recreational opportunities accessible to all residents."
- "Strengthen connections between open spaces."

Facilities & Services

- "Continue to work in partnership with regional and State agencies, neighboring communities, nonprofit organizations, and private property owners in support of efficient, sustainable City services."

Transportation

- "Promote multi-modal accessibility, enabling residents and visitors of all ages and abilities to participate fully in the social and economic life of the community."
- "Enhance regional trail connections."

One Climate Future

UNE is committed to considering the One Climate Future Plan in its future campus development. The One Climate Future Plan is a joint plan developed by the cities of Portland and South Portland with the goal of working together to be inclusive, vibrant communities that provide opportunities for residents and businesses to thrive in a changing climate. The plan has four elements, which UNE considers and incorporates into their campus planning:

1. Context

Buildings & Energy Use

- Use of water-efficient/low flow fixtures to reduce water consumption
- Strive for LEED silver building design as standard for energy efficiency goals

Transportation & Land Use

- Providing bike routes, parking, and storage to encourage bike accessibility and use
- Implementation of electrical vehicle charging infrastructure
- Providing safe and accessible pedestrian routes
- Connectivity to public transit stops

Waste Reduction

- Encourage and provide recycling of materials throughout campus
- Use of recycled building materials during construction where feasible

Climate Resilience

- Preserve and protect natural resources through thoughtful land planning
- Incorporate resilient infrastructure systems for stormwater management

Smart Corridor Plan

UNE is committed to considering the recommendations of the Smart Corridor Plan (SCP) in its future campus development. The plan emphasizes the importance of completing the Smart Corridor, a seven-mile route from Morrill's Corner and UNE in Portland to Bug Light Park and Southern Maine Community College (SMCC) in South Portland. This corridor, which includes Forest Ave, High Street/State Street, the Casco Bay Bridge, and Broadway, is used by vehicles, buses, pedestrians, and bicyclists. The goals of the plan include balancing the needs and priorities of all roadway users and corridor stakeholders by encouraging high-quality development, improving safety in all travel models, managing traffic access and congestion, and improving travel options and multimodal access in the corridor. Consistent with this plan, UNE has constructed an internal access roadway that has reduced traffic through Morrill's Corner, encourages use of multi-modal transportation such as bicycling and public transport, and includes in its campus planning the goals to improve accessibility and safety for all street users, supporting a more connected and efficient transportation network.

The SCP highlights the existing Starbucks store at 1080 Forest Avenue as an example of how incorporating Complete Streets green stormwater infrastructure can serve as a template for future development in the corridor. The UNE office at 1075 Forest Avenue is noted as a street frontage that addresses the street well and would be enhanced by the recommended planting palette and materials design guidelines found in the SCP. The SCP also identifies the need for the City to install improved lighting on Poland Street, which is frequently used by UNE students to access campus. UNE supports these recommendations and will consider them in its future campus development.

Forest Avenue Redesign Project

The City of Portland is in the process of evaluating design alternatives for the Forest Avenue Redesign Project, the goal of which is to increase safety and accessibility for all street users, including pedestrians, motorists, bicyclists, and transit users. While the project is not immediately adjacent to UNE's campus, when implemented, it will improve and modernize Forest Avenue between Woodfords Corner to USM/Exit 6, which is a corridor providing access between UNE's campus and downtown Portland and I-295. The project's goals are consistent with UNE's goals for their campus, which include providing a positive pedestrian experience, encouraging the use of bicycling and established bike lanes, and connections to public transit. Improvements in traffic flow and safety on Forest Ave can benefit the broader community, including UNE students and staff who travel through this corridor. By enhancing accessibility and safety, the project supports a more connected and efficient transportation network. UNE will consider the Forest Ave Redesign Project in future development to ensure that the potential benefits to its students, staff, and the surrounding community are fully realized.

Public Involvement in the IDP

Prior to submission of UNE's Institutional Overlay Zone (IOZ) application to the City, UNE held a neighborhood meeting on June 13, 2024, at 6pm at the UNE campus at 716 Stevens Avenue, Hannaford Lecture Hall, Room 109, in the Pharmacy Building. This meeting was appropriately noticed in accordance with the Land Use Code. In an effort to be more inclusive, UNE noticed abutters within 1,000 feet of the campus, rather than the required 500 feet. Thirteen members of the community were in attendance. The purpose of this meeting was to provide a general overview of the IOZ process to the community and solicit community input on what should be considered in this Institutional Development Plan (IDP).

After the submission of UNE's IOZ Application to the City, UNE held a second neighborhood meeting on October 30, 2024, at 6pm at the UNE campus, in the same location as the first meeting. In addition to the notice to abutters within 1,000 feet of the campus, community members that provided their email addresses at previous meetings were notified electronically. Twelve members of the community were in attendance. The purpose of the meeting was to provide an update of the IOZ process, including sharing information from the first draft of the IDP and Regulatory Framework documents, and to provide an opportunity for public engagement and feedback. Certifications for both meetings were submitted to the City for record, which included a copy of the notices sent, sign-in sheets, presentation materials, and record of public feedback.

In addition to the two required neighborhood meetings, UNE has hosted two other meetings with the Deering Center Neighborhood Association (DCNA) to foster public engagement and feedback on the IOZ application and process. The first meeting was held on July 2, 2024, at 6pm in the same location as the neighborhood meetings, and seven members of the public were in attendance. Similarly, the purpose of the meeting was to provide a general overview of the IOZ process and solicit feedback for the IDP. The second meeting with DCNA was held on September 16, 2024, from 6-6:35pm at the Deering Center Community Church. Nine members of the DCNA were in attendance. The purpose of the meeting was to share an update on the IOZ process, and to share IOZ materials including the Campus Master Plan, Regulatory Framework, and Height Map. The meeting provided an opportunity for DCNA engagement in the IOZ process and provided a forum to obtain feedback from the public and these important neighbors to UNE. Technically, these meetings did not qualify as neighborhood meetings, as abutter notices were not provided, though UNE did reach out to and invite this neighborhood group prior to the meeting. These community meetings, along with the two neighborhood meetings,

sought community input and helped inform the development of this IDP. All meeting attendees who provided email contact information were emailed a copy of the Campus Master Plan as well as the notification of the Planning Board Workshop.

In addition to the neighborhood and community meetings, there are several opportunities for public engagement as part of the City review process. This includes opportunities for written or spoken comment at the Planning Board Workshops and Hearing, and at the City Council Hearing.

2. CAMPUS MASTER PLAN

Campus Master Planning Process

UNE has undergone a campus master planning process to evaluate its existing and future facilities' capacity to deliver state-of-the-art educational programs to its students. Through this evaluation, the University has identified development opportunities to support the future growth requirements of UNE and its educational programs on campus.

Over the past decade, UNE has expanded its educational programs and delivery methods, particularly in healthcare. This growth necessitated infrastructure changes to support its mission of providing high-level healthcare education in Maine, especially in the local Portland area. The Campus Master Plan has been developed to accommodate a dynamic campus that continues to evolve alongside changes in education and technology. This IDP identifies potential development and expansion projects aligned with this goal that may be developed at the campus to accommodate growth long-term.

Current Facility Assessment

The first step in the master planning process included evaluation of the current campus and its facilities to establish a baseline for UNE's Campus Master Plan. This evaluation included review of the age and condition of existing buildings, the current interior building layouts, departmental allocation of various educational programs, as well as the overall campus infrastructure including utilities, roadways, parking lots, open space areas, and pedestrian facilities. Establishing this baseline allowed UNE to identify areas to be evaluated and considered as part of future campus development.

Current and Future Program Requirements

As a leading educator of healthcare professionals, UNE is committed to providing a transformational learning experience to its students. To achieve this goal, and the priorities outlined in its Strategic Plan, UNE has identified current and future program requirements that will enable the campus to adapt and thrive in a rapidly changing world.¹ Anticipating these changes and establishing a framework that will provide maximum flexibility to support future adaptation were a key component of identifying future program requirements and developing the Campus Master Plan. Consideration of the projected trends of campus users and anticipated daily populations were also an integral part of identifying future needs and are discussed in Section 2.2.

Planning factors that were considered in establishing the Campus Master Plan and this IDP are outlined in **Table 2.1**.

¹ University of New England (2018). *Charting Our Future: Strategic Plan 2018-2023*. https://www.une.edu/sites/default/files/3_charting_our_future-strategic_plan_2018-2023_draft.pdf

Table 2.1
Campus Planning Factors

Factor	Consideration
INNOVATION & TECHNOLOGY	Ability to support future programs such as telemedicine, virtual technologies, artificial intelligence, and related technologies to enhance innovative and dynamic classroom and experiential learning opportunities
INTER-PROFESSIONAL EDUCATION	Strengthen the inter-professional educational model which brings all of the healthcare related programs together, on one campus, in an environment where there are co-educational opportunities to allow for real life interactions
HOUSING	Provision of on-campus housing to help offset a high-cost and high-demand housing atmosphere in the City of Portland; to foster community; afford more time to study and learn; and reduce traffic in and around the campus
OPEN SPACE & NATURAL RESOURCES	Emphasis on preserving natural resource areas and siting new development to have minimal impacts to existing wetlands and streams, and prioritizing open space for recreational use by students, faculty, staff, and the public
NEIGHBORHOOD CONTEXT	Siting and design of development projects such that they complement the surrounding neighborhood, including considerations for traffic and pedestrian access

Adjacencies

UNE has identified program adjacencies as a significant challenge, particularly as it relates to its interprofessional educational model. Maximizing key programmatic adjacencies was a large driver of the Campus Master Plan.

Currently, the College of Osteopathic Medicine (COM) is located on UNE's Biddeford campus, and the majority of the Westbrook College of Health Professions (WCHP) programs and College of Dental Medicine (CDM) are based on the Portland campus. All three colleges currently utilize space on both campuses, which causes large inefficiencies in the educational model and requires students and faculty to travel long distances. One of the major aspects of this Campus Master Plan addresses these inefficiencies by bringing all of these colleges together onto the Portland campus and providing more appropriate building spaces to support educational programming for the COM, CDM and WCHP colleges. The new COM building,

the Harold and Bibby Alfond Center for Health Sciences, is currently under construction, and expected to be completed in 2025. The COM building is represented as facility number 24 on **Figure 1.4**, UNE Portland Campus Map.

Projected Campus Populations

UNE is projecting an increase in full-time equivalent student, faculty, and professional staff populations over the next 10+ years, as noted in **Table 2.2**. The relocation of the COM from UNE's Biddeford to Portland campus will result in an increase of approximately 400 students and 160 faculty and professional staff on the Portland campus.

Looking forward to the next 10+ years, UNE anticipates a moderate increase in student enrollment year over year. These estimates have been calculated based on historical growth data, considering predictable swings in programmatic capacities and enrollments, limits to programs, and additional offerings. The Fall 2025 student population was determined using the current student population and the projected student population for the Harold and Bibby Alfond Center for Health Science, once complete.

Table 2.2

Projected Growth of FTE Student, Faculty, Professional Staff, and Patient Visits

Year (Fall Matriculation)	FTE Student Population	Full-time Faculty and Professional Staff	Total Full-time Campus Population	Patient Visits (Dental Hygiene & Medicine)
2025	1,400	750	2,150	20,000±
2028	1,600	760	2,360	20,000±
2033	1,750	760	2,510	20,000±

UNE anticipates projected patient visits to remain consistent with historical values, as reflected in **Table 1.4** and **Table 2.2**. UNE does not track other types of visitors, such as visiting faculty, prospective students, or guests.

At the beginning of the 2023-2024 Academic year, 108, or 26% of the Faculty and Staff on the Portland campus, were participating in Flex Work scheduling, which affords them the ability to work remotely at least one day per week. This program is expected to continue. This has reduced parking and traffic demands. The vast majority of the academic programs on campus have face to face programming, with little or no online options. Most majors have clinical requirements to be on campus, which place students in local, statewide, or regional clinical settings. UNE does have a strong online academic program; however, none of those students come to the campus, and thus are not considered in the parking or other areas of impact analysis.

2. Campus Master Plan

The UNE Portland campus does not currently provide on-campus housing as most of its students are enrolled in graduate degree programs. Currently, most of UNE's Portland students commute from areas in and around Portland. The student population enrolled at UNE's Portland campus generally consists of students aged 22 years and above, who may already have established off-campus housing accommodation. Roughly 72% of UNE students, faculty, and staff live within a 20-mile commuting distance of campus.

UNE is aware of the current housing challenges in the City of Portland, including a limited supply of affordable housing options, and intends to develop on-campus housing to help alleviate some of the housing challenges for its students. Incorporating on-campus housing will help to reduce the number of vehicle trips to and from campus, as well as foster a sense of community amongst students. As described in **Table 2.3**, UNE is considering construction of a new residence hall that would provide 350 beds for students and their families.

Key Institutional Needs

UNE's current and future facility needs can be summarized into 5 main categories:

1. Campus Reorganization
2. New Building and Renovation Need
3. Educational/Pedagogy Improvements Need
4. Campus Infrastructure Needs
5. Housing

Campus Reorganization

For decades, UNE's Portland campus has been the home of many of the University's health profession programs. In 2025, when the COM moves from the Biddeford campus to Portland, the campus will solidify its place as the center of health care education in Northern New England. To recognize that transformation, UNE renamed the campus as the Portland Campus for Health Sciences. The establishment of a unique, nationally recognized Institute for Professional Education and Practice in Portland can only be achieved with the relocation of COM. This reorganization is UNE's highest priority and will allow it to establish a world-class academic healthcare campus in Portland, oriented around inter-professional education with the goal of empowering the next generation of world class health care providers at a single location. The relocation of COM to the Portland campus will allow UNE to strengthen its collaboration with clinical partners throughout the state. Relocation of COM to the Portland campus will also afford the opportunity to repurpose spaces on the Biddeford campus and expand existing undergraduate programs to address critical workforce needs for the State.

New Building and Renovation Need

To achieve the goals of UNE's Strategic Plan, which include providing exceptional, innovative teaching and experiential, collaborative learning experiences, UNE will need to both renovate its existing facilities, and build new academic and support spaces. The age of existing campus buildings and their suitability as structures to meet the needs of a dynamic and evolving educational model are important considerations for identifying anticipated future renovations. Through its evaluation of existing facilities, UNE has identified several buildings that will need renovations and expansions to house relocated educational programs and to improve its support departments, such as Information Technology Services, Campus Services, and Facilities Management. Additionally, lack of housing in and around Portland has deterred students from pursuing a degree at UNE.

2. Campus Master Plan

Anticipated renovation, expansion, and new building projects are summarized in **Table 2.3**, and reflected on the Campus Master Plan included as **Figure 2.1**.

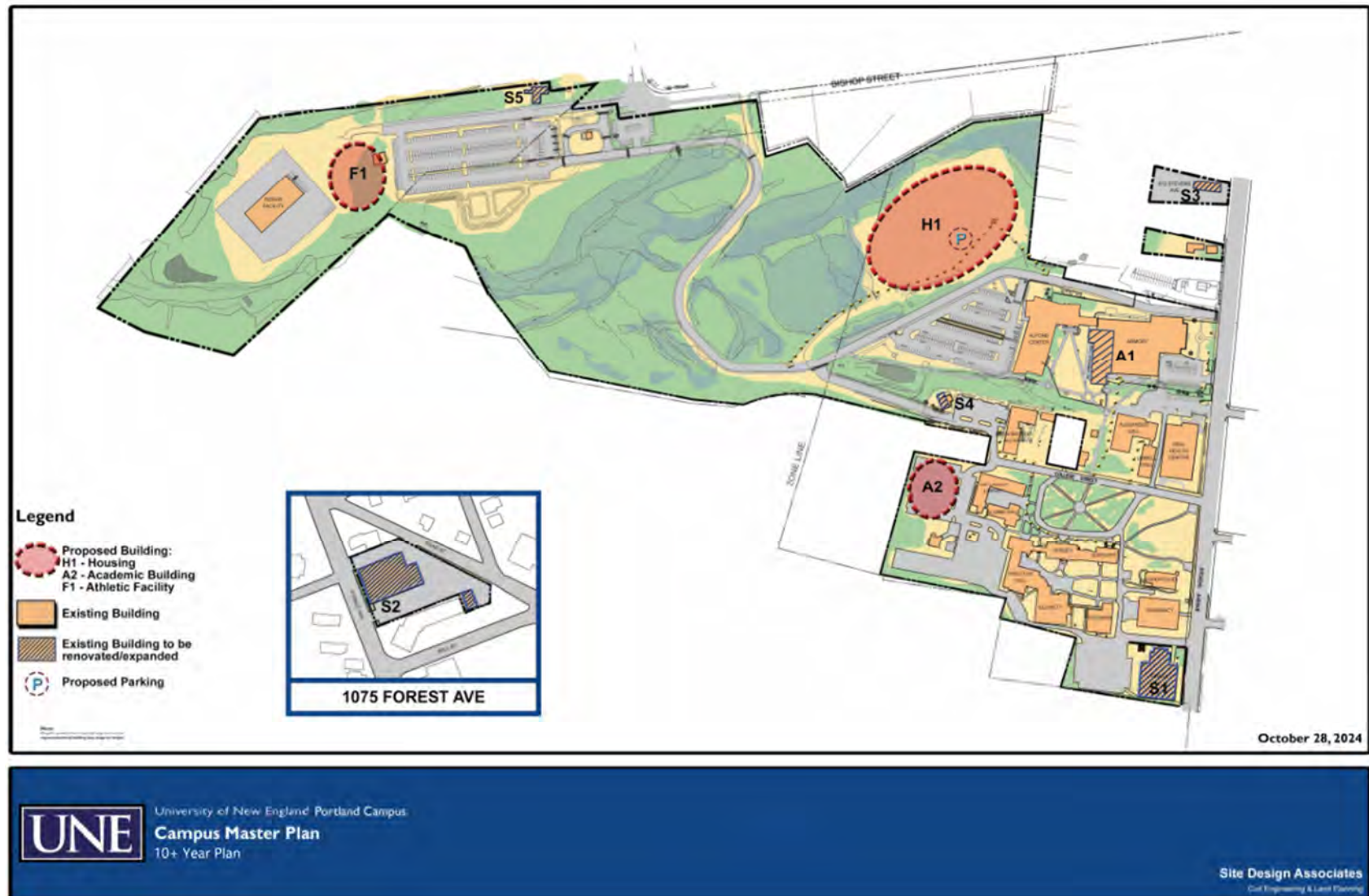


Figure 2.1 Campus Master Plan

Educational/Pedagogy Improvements Need

UNE continually endeavors to improve the way its faculty provides educational programs to its students. Ever-changing technology has also presented challenges for the University as it attempts to stay on the cutting edge in its efforts to provide world-class curriculums. Through its assessment of the current facilities on the Portland campus, it has become evident that UNE will need to undertake future facility projects to upgrade its existing classroom, lecture, laboratory, and study spaces. Mainly, larger academic spaces that facilitate hands on learning as opposed to lecture halls. Additionally, new spaces will be needed to incorporate an emphasis on higher technology, such as virtual reality, high-definition simulation and media that supports telemedicine and digital health. Projects identified within this IDP reflect and support this need.

Campus Infrastructure Needs

Through its extensive evaluation of the existing campus and facilities, UNE has identified infrastructure needs to support the campus reorganization and pedagogy improvements. Existing infrastructure evaluated as part of the master planning process included utilities such as electrical, water, and gas; stormwater systems; access roadways and sidewalks; and parking lots. Parking will be enhanced and expanded to support the additional faculty, staff, and students anticipated. During the construction of the Harold and Bibby Alfond Center for Health Sciences and the Maintenance Facility, UNE, with approval of the utility companies, installed the supporting water, sewer, electrical, communications and natural gas infrastructure to support the future adjacent projects.

Housing

UNE understands there is an increased need for student housing options as programs continue to grow and expand at the UNE Portland campus. Currently, UNE's Portland campus is comprised of commuter students. Existing housing resources are provided to students for off-campus housing options within the area. New housing on campus to support student growth is a vital component that UNE has incorporated within the UNE Campus Master Plan to limit housing pressures on adjacent neighborhoods.

10+ Year Development Plan

UNE's Campus Master Plan identifies anticipated projects which may be developed in the coming years, and identifies short- (0-5 year), medium- (5-10 year), and long-term (10+ year) priorities. These projects and priorities are summarized in **Table 2.3** below, and are represented graphically on the Campus Master Plan, included as **Figure 2.1**. The projects represent the possible future development on the campus, but the realization of these projects and priorities will only occur if the financial and philanthropic plans can support them.

Table 2.3

10±Year Development Program

Priority 1: Short-Term Development Plan (0-5 years)					
Campus Master Plan Identifier	Project	Use Category	Total Square Footage	Approx. Height	Estimated Occupancy
H1	Residence Hall	Housing	175,000	85 feet	350 beds
A1	Innovation Hall Renovation/Expansion	Academic	24,000	50 feet	2 offices
S3	812 Stevens Ave. Renovation/Expansion	Support	10,000	35 feet	6 offices
Priority 2: Medium-Term Development Plan (5-10 years)					
Campus Master Plan Identifier	Project	Use Category	Total Square Footage	Approx. Height	Estimated Occupancy
S2	UNE North/1075 Forest Ave. Renovation/Expansion	Support	60,000	65 feet	10 offices
S4	79 College Street Renovation/Expansion	Support	2,500	35 feet	2 offices
S5	Bishop Street Renovation/Expansion	Support	2,000	35 feet	N/A
Priority 3: Long-Term Development Plan (10+ years)					
Campus Master Plan Identifier	Project	Use Category	Total Square Footage	Approx. Height	Estimated Occupancy
A2	Academic Building	Academic	60,000	65 feet	20 offices
F1	Athletic Facility	Athletic	65,000	50 feet	12 offices

IOZ Boundary and Anticipated Property Acquisition

IOZ Boundary

The proposed IOZ boundary includes the extent of properties currently owned by UNE, as identified in **Table 1.2**, and as shown on **Figure 1.3**, UNE Zoning Context Map. The IOZ boundary includes the contiguous campus core area, as well as the four outparcels located at 812 Stevens Avenue, 798 Stevens Avenue, 32 Bell Street, and 1075 Forest Avenue.

Anticipated Property Acquisition

There is no additional property acquisition anticipated with this Institutional Development Plan.

3. TRANSPORTATION PLAN

Overview

UNE's Portland campus is in a great location, served by several arterial highways in close proximity. It provides connectivity to both pedestrian infrastructure and bicycle networks. Metro transit service is also provided by two (2) bus routes. UNE has had a Transportation Demand Management (TDM) plan in place since 2010, encouraging and promoting alternative modes of transportation to reduce trips and decrease on-site parking needs. It is regularly updated to respond to changing conditions and campus modifications. This reduces traffic impact both on campus and off-site, improving traffic flow in the surrounding area. Lowering the number of vehicular trips through TDM actions also reduces environmental impacts and impacts on the area's neighborhoods.

Campus Location and Access

The Portland campus is located off of Stevens Avenue, as shown below in **Figure 3.1**. Stevens Avenue is classified as a minor arterial. Nearby Forest Avenue is a major arterial while Warren Avenue, to the north, is a minor arterial. Allen Avenue towards the northeast is also a minor arterial. This location, within close proximity of four arterials, provides convenient access to the Maine Turnpike (via Riverside Street), Warren Avenue and Bishop Street. Access to I-295 is provided by Forest Avenue.

Vehicular Access

Vehicular access is provided by multiple unsignalized drives to Stevens Avenue as well as by a drive to Bishop Street. The new connector drive, currently under construction, will allow



Figure 3.1 Arterial Highways



direct access for UNE community members between the core campus and Bishop Street, allowing users to bypass Morrill's Corner. Based upon the last traffic impact study, performed for the recent permitting process for the relocation of the COM to the Portland campus, all campus drives operate at good levels of service ("A" or "B") with no capacity constraints. Because the Portland campus currently has no on-campus housing, it is a commuter campus. Students and staff arrive from Portland and surrounding communities, as well as from the Biddeford campus. Short-term plans include the addition of student housing, identified on the Campus Master Plan as H1, which will reduce off-site trips. Based upon the most recent student and staff survey, 57 % utilize private vehicles to drive alone to campus while the remaining 43 % utilize alternative modes or a combination of modes.

Pedestrian Access

Pedestrian access is provided by numerous sidewalks both on campus and off campus. Sidewalks are provided on both sides of Stevens Avenue and on both sides of Forest Avenue, which are shown in **Figure 3.2**. This figure also shows a one-mile radius of the campus, which is considered the low end of a reasonable walk commute. There are crosswalks across Stevens Avenue and Forest Avenue in the vicinity of the campus at both signalized and unsignalized locations. These area pedestrian facilities also provide pedestrian access to other educational facilities, namely Longfellow Elementary School, Lincoln Middle School, and Deering High School as well as the local businesses frequented by UNE community members.

A sidewalk will be provided along the length of the new connector road. The Portland Trails network of trails abuts the campus and could be utilized by some local community members to access the campus. UNE is actively working with Portland Trails to extend this network across the UNE campus along, which could provide additional alternative pedestrian access to the campus, as well as rerouting the Portland Trails route away from Morrill's Corner. The extensive area sidewalk system is shown in **Figure 3.2**.

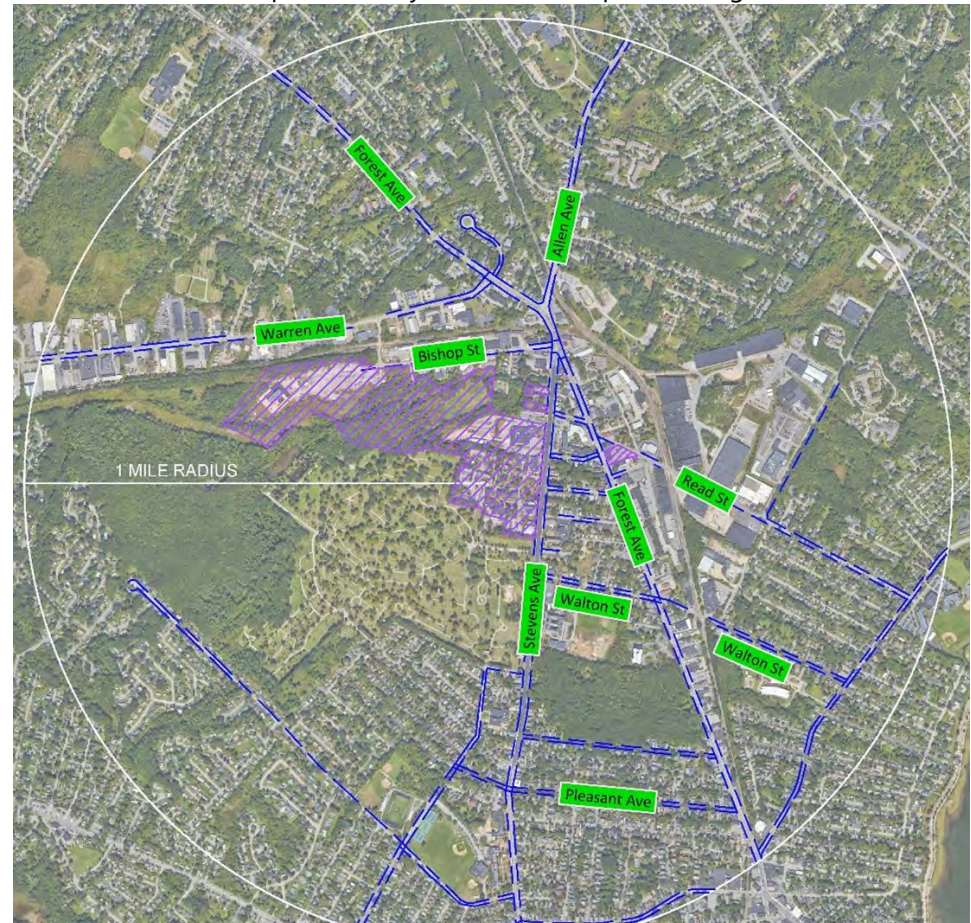


Figure 3.2 Area Sidewalk Network

Main Pedestrian Travelways - 
 UNE Campus - 

Note: This figure does not show sidewalks for all residential side streets

Bicycle Access

Stevens Avenue has dedicated marked bike lanes from Pleasant Avenue to south of Bishop Street, providing direct access to the campus (see **Figure 3.3**). Similarly, there are dedicated bike lanes on Forest Avenue within the campus vicinity, excluding Morrill's Corner where there are shared motor vehicle – bike lanes. UNE will be providing shared bike lanes on their new connector road, which will allow bikers destined to and from the west to bypass Morrill's corner.

UNE provides bicycle racks at a ratio of 1 bicycle rack space per every 20 UNE community members. There is access to showers and lockers in the Finley Recreation Center facilitating bicycle commuting. Additional shower and locker facilities are being added at the Harold and Bibby Alford Center for Health Sciences building.

Transit Service

Transit service is provided via Greater Portland Metro Route 9, which connects downtown Portland to North Deering via Stevens Avenue and also by Metro Route 2 which connects downtown Portland to Riverton via Forest Avenue. The transit routes are stops shown in **Figure 3.4**. There are two Route 9 Metro stops located on the Portland campus, both of which are equipped with shelters. Several Route 2 stops on Forest Avenue are within 1,000 feet of the core campus, with one stop at UNE North, located at 1075 Forest Avenue, and Route 2 connects directly to the Metro Pulse (the downtown hub).



Figure 3.3 Current Bicycle Facilities

- Marked Bike Lanes - —
- Marked Shared Lanes - —
- Paved Shoulders - —
- UNE Campus - ▨

3. Transportation Plan

UNE provides free bus passes to all students and staff to encourage Metro use. Ridership averaged approximately 1,000 rides per month prior to the COVID-19 pandemic and then declined steeply. Ridership has increased slowly since 2022 to approximately 300 rides per month in 2023. Based upon the most recent 2024 data, monthly Metro ridership currently exceeds 350. The UNE bus pass program also allows free use of the Biddeford Saco Old Orchard Beach Transit, including the Express to Biddeford, as well as the South Portland Bus Service.

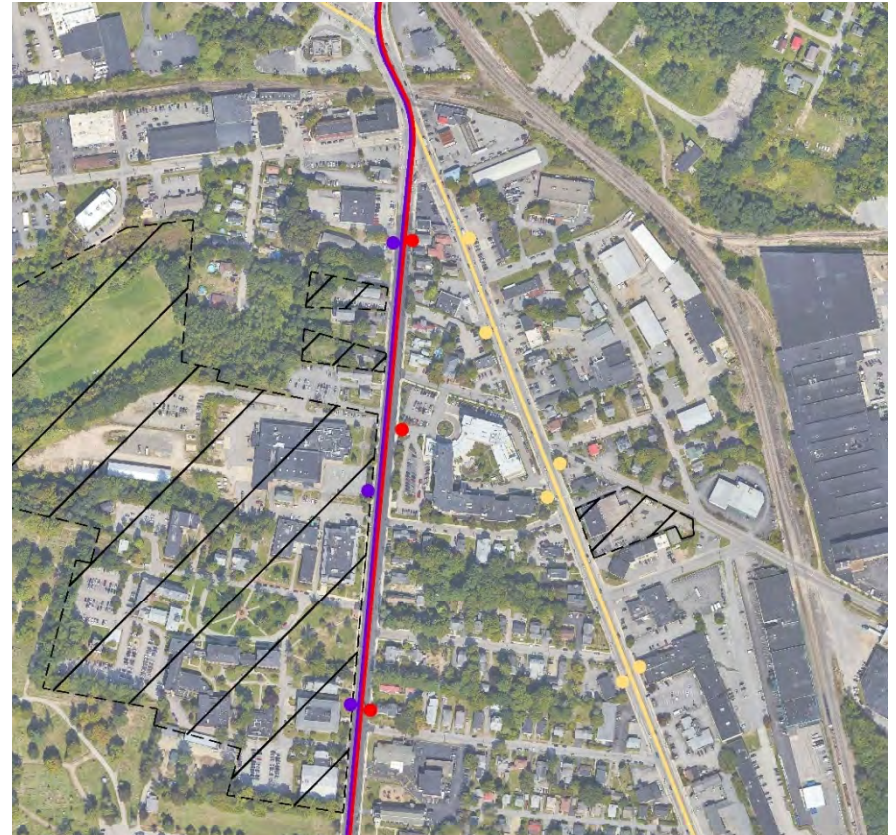


Figure 3.4 Transit Route Stops

UNE Campus - 		
<u>Bus</u>	<u>Stop</u>	<u>Route</u>
Metro Route 9A		
Metro Route 9B		
Metro Route 2		

Existing Conditions

Traffic Volumes

Existing average annual daily traffic (AADT) data for the vicinity of the campus was obtained from "Traffic Volume Counts, 2014 and 2012 Annual Reports", published by MaineDOT and their Interactive Traffic Map. This data is summarized below:

Table 3.1
Average Annual Daily Traffic

Location	2008	2010	2013	2016	2019	2022
Bishop Street, west of Forest Avenue	--	--	1650	--	--	--
Walton Street, west of Forest Avenue	--	2800	3120	2580	--	--
Forest Avenue, NW of Warren Avenue	20020	19010	19820	18140	--	17370
Forest Avenue, no. of Arbor Street	--	--	24500	22140	22570	18730
Forest Avenue, no. Walton Steet	--	--	21830	--	--	16610
Forest Avenue, so. of Walton Avenue	--	--	21710	--	--	17030
Stevens Avenue, so. of Walton Avenue	--	12510	11680	11620	--	--
Stevens Avenue, no. of Walton Avenue	--	11170	10980	11180	--	--
Stevens Avenue, so. of Forest Avenue	--	10360	10050	11230	--	8320
Warrens Avenue, SW of Forest Avenue	13370	11560	13130	11390	12380	13300
Allen Avenue, no. of Goodridge Ave	--	18210	--	16040	16220	17340

Traffic volumes in the vicinity of the campus have generally declined over the long term 2008 to 2022 period. This includes both Forest Avenue and Stevens Avenue volumes. Warren Avenue volumes are currently similar to previous 2008 levels, but they have grown in the more recent 2016 to 2022 period. Allen Avenue similarly declined long-term but has shown recent growth from 2016 to 2022.

Based upon this data, a 0.50 % growth rate was used to project previous turning movement counts, conducted during the COM study, and at Morrill's Corner in 2022, to existing 2024 conditions. This 0.5 % growth is currently being applied in most Maine locations. These existing 2024 peak hour volumes for the campus vicinity and access drives are shown in **Figure 3.5**.

Trip Generation Analysis

The Portland UNE campus currently has a student population of 979. The campus was recently permitted in 2022 for a student population of 1,598 during Site Plan Review for the relocation of the COM from Biddeford to the Portland campus (1,198 students at that time with the addition of 400 COM students). Projected short-, mid- and long-term student populations are as follows:

Table 3.2

Trip Generation Analysis

Year	Student Population
Fall 2025	1,400
Fall 2028	1,600
Fall 2033	1,750

Given the current student population, the campus is expected to serve 1,400 students in Fall of 2025 when the COM program is relocated. The expected mid-term growth in student population is expected to reach the previously permitted student population of 1,600 in Fall of 2028. Longer term growth projections show the campus reaching a total student population of 1,750 in 2033. This is an increase of approximately 150 students over the 2022 permitted enrollment of 1,598 students.

Trip generation analysis was performed for this projected student growth utilizing the Institute of Transportation Engineer (ITE) Trip Generation manual, the most recent 11th Edition. Land use code 550 – University/College was utilized for the analysis. The calculations were performed on the basis of students, which is the best fitting independent variable for the prediction of university trips. The calculations were performed for the

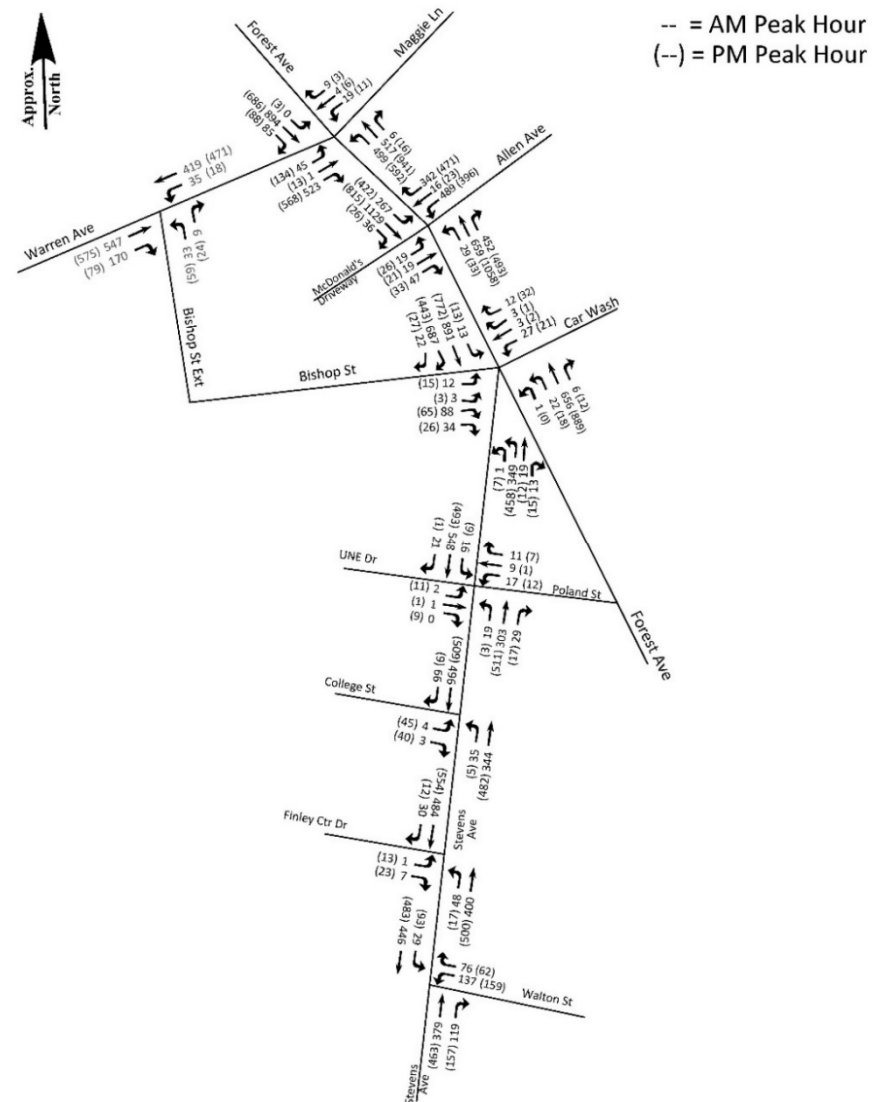


Figure 3.5 Estimated 2024 Traffic Volumes

approximate 150-student increase over previously permitted student population, to a future student population of 1,750. The results are summarized in the following table:

Table 3.3**ITE Trip Generation**

Time Period	New One-way Trips	Time Period	New One-way Trips
Daily	234	PM Peak Hour	23
Entering	117	Entering	7
Exiting	117	Exiting	16
AM Peak Hour	23		
Entering	18		
Exiting	5		

The projected long-term growth in student population through 2033 is expected to result in a small increase in vehicular trips accessing the campus, 23 one-way trips in both the AM and PM Peak hours. This level of new traffic wouldn't be expected to have any significant impact off-site on either existing or future traffic operations. Typically, a development won't have any significant impact unless it generates in excess of 25 new lane hour trips in a left-turn lane or 50 new lane hour trips in a through or right turn lane. The maximum of 18 new trips, entering the campus during the AM peak hour, would be split between several arrival directions (north, south and west) and between multiple drives. As a result, the lane hour increases will be fewer than 10, due to the expected growth in student population. The 234 new daily trips represent less than a 2 % increase on Stevens Avenue volumes. Hence, the expected increase in trips due to projected student population growth should have no measurable impact either on campus or off-site.

Currently, based upon the most recent TDM survey, approximately 1 % of the trips to the campus are transit trips, 1 % are bicycle trips and 3 % are walking trips. ITE data also projects peak hour Walk and Walk+Bike+Transit trips. For the projected 150-student increase, there would be 5 additional AM Walk trips and 18 combined Walk+Bike+Transit trips. During the PM peak hour, 6 additional Walk trips are projected with 17 combined Walk+Bike+Transit trips.

In terms of traffic permitting requirements, the state Traffic Movement Permit (TMP) rules were modified in 2022. The rules only apply to a ten-year permitting window. Projects properly permitted over 10 years ago do not need to be considered. The history of recent UNE projects and TMPs is as follows:

- A TMP was obtained in 2008 for the College of Pharmacy for 300 new pharmacy students.
- In 2012, the College of Dentistry was approved by the City for 138 students. The 138-student increase did not require a TMP.
- The College of Osteopathic Medicine (COM) was approved by the City in 2022 with 400 students. The additional trips generated by the COM relocation project, when combined with the College of Dentistry, did not require a TMP.
- Given the above timeline, going forward only the COM project will count towards future TMP requirements since the other projects are beyond the 10-year permitting window. The COM project generated 61 AM and PM peak hour trips. Given the 23 AM and PM peak hour trips projected for the 150-student increase it is unlikely a TMP will be required since peak hour trips will not reach the 100-trip threshold by 2033.

Capacity Constraints

Numerous traffic impact studies have been performed for UNE building projects. The most recent study was “Traffic Impact Study, COM, UNE, Portland, Maine,” which was performed by Sewall in 2022. The only capacity constraint identified in the study area for the planned and approved 400-student increase was Morrill’s Corner, which includes the signalized intersections of Stevens Avenue, Forest Avenue and Bishop Street, and Forest Avenue/Allen Avenue. The level of service (LOS) at these Forest Avenue intersections was found to be an unacceptable LOS “E” or “F” for several movements and/or approaches. The projected increases in volumes due to the COM relocation were not found to have any significant impact on Morrill’s Corner levels of service or delays. Similarly, the minor increase in peak hour trips, 23 one-way trips during the AM and PM peak hour, for the projected long-term growth of the university would have no significant impact on Morrill’s Corner operations since these trips are split between several drives, northbound, southbound and westbound directions and between entering/exiting trips. The resulting new lane hour trips would be fewer than ten (10) having no measurable impact off-site on Morrill’s Corner operations. Additionally, as previously noted, the new connector drive will reduce existing trips at Morrill’s Corner.

Opportunities for Improvement

As previously noted, the only capacity constraint identified in previous studies is Morrill’s Corner, including the intersection of Stevens Avenue/Forest Avenue/Bishop Street and the intersection of Forest Avenue/Allen Avenue. It is important to note that area traffic volumes have not changed significantly since these studies were performed and that UNE’s student population is currently well below the permitted/previous study level. Morrill’s Corner intersections have had known capacity constraints and associated queuing issues for over a decade. The “Portland – South Portland Smart Corridor Plan,” completed in 2019, outlined improvements for Morrill’s Corner. These improvements include removing Bishop Street from the signal system and limiting exits there to right turns out, and access management improvements/restrictions to other Forest Avenue parcels. Under the preferred plan, the level of service for Morrill’s Corner are improved as follows:

Table 3.4

Portland-South Portland Smart Corridor Plan - Potential Morrill's Corner Improvements

Peak Hour/ Intersection	Existing/ No Build	Preferred Alternative
AM Forest Avenue/ Allen Avenue	F	D
AM Forest Avenue/ Stevens Avenue/ Bishop Street	E	C
PM Forest Avenue/ Allen Avenue	E	C
PM Forest Avenue/ Stevens Avenue/ Bishop Street	D	C

While this study was completed in 2019, the improvements have not yet been funded for implementation as the City of Portland has been focusing attention on other transportation priorities.

UNE has previously paid impact fees to the City of Portland for Morrill's Corner improvements. UNE contributed a \$29,000 impact fee to the city as part of the 2008 approval for the School of Pharmacy.

The Morrill's Corner improvements would also be expected to address and reduce crash potential at these high crash intersections and along the adjacent links. As previously noted, the new connector drive, currently under construction, will reduce existing trips through Morrill's Corner by allowing UNE community members to directly travel to/from the campus core to/from Warren Avenue, bypassing Morrill's Corner. This reduction in volumes should also improve operations and reduce crash potential.

UNE will continue to update their Transportation Demand Management Plan and strive to reduce off-site trips as described in the following section. The planned addition of on-campus housing is also expected to reduce daily commuting trips to the campus.

Transportation Demand Management Plan

UNE has had a Transportation Demand Management (TDM) plan since 2010, which is routinely updated. The most recent update was completed in April of 2022. The primary goal of the plan is to reduce vehicle trips to campus and, thus, reduce demand for on-site parking. The plan further aims to reduce traffic impacts, both on-campus and off-site, improve traffic flow in the surrounding area, and reduce UNE's Scope 3 carbon emissions.

UNE hopes to achieve these goals by implementing TDM strategies that promote and encourage alternative modes of transportation. In 2019, a "Transportation Think Tank" (TTT) committee formed, with representation from Campus Planning, Student Affairs, Safety and Security, Undergraduate and COM Student Governments, Sustainability Office, and the Environmental Council. With oversight from the TTT committee, the TDM strategies

are regularly reviewed and updated to respond to changing conditions and needs. The TTT committee actively engages in implementing and promoting the TDM strategies outlined below.

TDM Strategies

Education and Promotion

UNE provides both educational and promotional material regarding the advantages of alternative transportation modes. The TDM Coordinator regularly publishes the “*Movements*” newsletter, which is hung in all bathroom stalls throughout the campus, ensuring visibility and contemplation. The newsletter informs the UNE community about ongoing, new, or revised transportation programs, events and resources, like bus maps and schedules, GoMaine carpool/rideshare information, parking updates, bike infrastructure updates, incentive program information and safety practices for pedestrians, among other topics. Additionally, the university regularly provides specific TDM-related information to the campus community through various methods and media formats, including bulletin boards, strategically placed bus schedule brochure holders, weekly community-wide emails, digital screens, and website.

Carpooling & Ridesharing

UNE utilizes the GoMaine service to encourage “greener commuting” to each campus as well as between campuses when required. UNE has its own landing page on the GoMaine website, which helps users find carpool partners, map out alternative transportation methods with transit, walking and biking routes, incentivizes users with rewards, and offers emergency “ride home guarantee” for regular users. Additionally, UNE takes advantage of the expertise of GoMaine staff for educational and promotional events.

The university provides free parking to carpoolers and dedicates some of the most convenient parking spaces as incentives. The university offers GoMaine tutorials every year. The TTT committee has identified the need to streamline carpool permitting procedures, which would make the incentive more desirable while making administration of the program less cumbersome. This is a continued goal for the committee for the upcoming year.

Transit Service

As previously noted, UNE provides free GP Metro, South Portland City Bus Services, and Biddeford, Saco Old Orchard Beach Bus Transit (BSOOB) passes for all students, faculty, and staff to encourage transit usage. Each of these services provides GPS trackers with mobile apps for cell phones, which aid riders in knowing exactly where the bus is located and how close it is to their stop. The TTT committee actively engages with administration from these transit providers to update materials and promote ridership.

Incentives

Since 2008, UNE has continually promoted the use of alternative modes of transportation through incentives and promotions, including:

- Raffle of new bicycles and iPads for transportation competitions
- Providing free coffee and doughnuts to users of the Bishop Street parking lot

3. Transportation Plan

- Free use of electric vehicle charging stations
- Free public transit passes.

The university is currently considering dedicating additional prime campus parking spaces as carpool spaces to encourage greater carpooling.

UNE has considered disincentives but given the distance that many students and staff commute, whom have no alternative since they are located too far to walk, bike or utilize transit, disincentives would unfairly punish students and staff whom have no other reasonable alternative, especially in light of the current affordable housing crisis in Southern Maine. Additionally, the UNE Portland Campus is a graduate campus with nontraditional students. Many of which have families, jobs and most must participate in clinical experiences. All of which limit opportunities for alternative transportation usage.

EV Charging Infrastructure

UNE provides free charging for electric vehicles. UNE has eight (8) Level 2 chargers at the Bishop Street parking lot, two of which are reserved for handicapped parking. There are also (62) 100v charging outlets in that lot. There will be additional charging capacity at the Harold and Bibby Alford Center for Health Sciences parking lot with (10) Level 2 chargers and (26) spaces with 100v outlets. At this time, there are only 17 electric vehicles registered with the University on the campus. The TTT Committee will continue to monitor the growth of EV adoption in the campus community and will advise administration regarding further expansion of charging infrastructure as needed.

Bicycle Infrastructure

UNE promotes bicycling as a convenient means to access campus for those students and employees that reside within the appropriate range, and for exercise and wellness benefits. The university has several bikes on campus that the UNE community members can borrow to utilize during the day. Bike racks are conveniently located across campus for community members to store their personal bikes as well. UNE has previously discussed, and would consider, being a site for a city-wide bike share program.

There is access to showers and lockers in the Finley Recreation Center further facilitating bicycle. The Harold and Bibby Alford Center for Health Sciences building will include men's, women's and gender-neutral locker room facilities, with showers. These additional facilities will encourage and support greater commuting by active transportation means. The new shared connector drive will provide better access for bicyclists destined to and from the west.

Pedestrian & Bicycle Access

As previously presented, there is an extensive sidewalk system surrounding the campus as well as bike facilities. The shared bike lanes that will be provided on the new connector drive will provide additional opportunities for UNE community members to bike to campus, without having to bike through Morrill's Corner, with its intimidating shared vehicle bicycle lanes.

UNE is committed to partnering with Portland to extend their trail system through UNE property in an effort to safely link the Evergreen Cemetery section of walking paths to those in North Deering. Currently, several large sections of the Portland Trail system are adjacent to UNE's Portland campus in Baxter Woods Park and Evergreen Cemetery. Hikers and walkers wishing to move from the Evergreen Cemetery area to the North Deering

section of Portland must traverse busy streets like Stevens and Allen Avenues, through Morrill's Corner, in order to reach the next trailhead. As part of UNE's initiative to construct the Institute for Interprofessional Education and Practice on its Portland Campus, the access road that links College Street to UNE's Bishop Street parking lot will be improved, with additional lighting and features to improve safety.

UNE Community Member Surveys

UNE routinely performs student and staff surveys to determine arrival and departure times, transportation modality and parking usage, as well as to gauge interest in various alternative transportation and incentive programs. The results have guided UNE in making adjustments to its TDM plan, including infrastructure upgrades, and bus schedule changes. Hot mapping of faculty, staff, and student home addresses was utilized to identify additional measures for enhanced promotional activities towards fostering alternative transportation modes and associated programs.

Based upon the most recent 2023 survey, students and staff on campus are currently utilizing the following mode choices:

• Combination of Modes	34 %
• Carpool/Van	3 %
• Transit	1 %
• Bicycle	1 %
• Walk	3 %
• Remote	1 %
• Drive Alone	57 %

While the majority drive alone to campus, a large percentage of the community uses a combination of modes to reach campus.

The Director of Safety and Security monitors the effectiveness of the TDM plan through biannual parking utilization studies. The TDM Coordinator and TTT Committee use the data collected from these parking studies to continually review and anticipate parking demand on campus and guide ongoing revisions to the TDM plan.

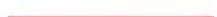
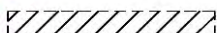
Data analysis conducted during development of the 2022 plan found that 13% of the campus community live within a walkable 1.5 miles radius and a bikeable 1.5 - 5-mile radius of the campus. It was also found in the survey that 11.5% of the survey respondents walk to campus 1-9% of the time.

Figure 3.6 shows the primary campus sidewalks, bike facilities and off-site connections. Opportunities to expand this network and increase these alternative commuting modes will continue to be explored.

Comments indicate that 31% of the survey respondents desire to use an alternative mode of transportation, but are unable due to external commitments, such as work, daycare pickups and clinical requirements. Opportunities to increase the alternative modes of transportation percentage exist, and efforts will continue to be made to identify incentives that would increase these modes of commuting, including the extension of the Portland Trails network through the campus, which would allow Deering Center and Riverton residents to more easily walk to campus.



Figure 3.6 Core Campus Bicycle and Pedestrian Connectivity

- Primary Sidewalks - 
- Bike Route - 
- UNE Trail Connections - 
- Portland Trail Connections - 
- Stevens Ave Sidewalk Connections - 
- Bishop Street Sidewalk Connections - 
- UNE Campus - 

Parking

While there are several alternative transportation modes available to access the campus and many use a combination of modes, the majority of students and staff arrive by private vehicle. Based upon the most recent parking counts, conducted in fall of 2023, parking demand peaks between 10:00 AM and 2:00 PM and varies by day. There are currently eleven parking lots located on campus plus on-street parking along two campus roadways. The lot locations are shown on the campus map in **Figure 1.4**. The number of spaces located in these lots is detailed below:

Table 3.5

UNE Portland Campus – Parking Spaces

Lot Description	Number of Spaces
Lot 1 – 812 Stevens Avenue	30
Lot 2 – COM	182 (permitted)
Lot 3 – Innovation South	33
Lot 4 – Oral Health Center	24
Lot 5 – Ginn/ MCD	28
Lot 6 – Library	103
Lot 7 – Proctor	121
Lot 8 – Finley	89
Hersey Circle	4
Ludke	3
Bishop	344
UNE North	72
Church	31
Total Spaces	882 plus 182 (permitted)

There will be 1,064 parking spaces on campus after the COM project is completed. In 2022, there were 1,241 spaces available, so the university has been decreasing spaces over time as new projects are completed and parking needs are re-evaluated.

Most campus lots require the purchase of parking permits. The largest number of vehicles recorded during the fall 2023 counts in the university lots was 796. This represents 75 % of the overall on campus capacity with the COM completion. This highest weekly demand occurred on Wednesday at 1:00 PM.

There is a shuttle bus provided between the more remote Bishop Street lot and the campus core to increase that lot's usage. There is a heated shelter with Wi-Fi at each end of the shuttle route to encourage ridership. The Bishop Street lot does not require a parking permit, providing free parking to further encourage its use. The shuttle runs continuously from 7 AM to 7 PM with minimal wait times. With these incentives, parking in this more remote lot has increased significantly from 37 vehicles in 2012 to an average of 233 during the peak period in 2019. The average peak daily use in this lot in 2023 was 245 vehicles, which occurred while half of the lot (300 spaces) was closed for construction.

There is significant historical parking data available for the campus given UNE's annual weeklong parking counts. This measured data is summarized by year, along with projections for future years, as follows:

Table 3.6

UNE Portland Campus – Parking Occupancy

Year	Students	Staff	Population	Spaces	Max. Occupancy	Spaces/ Student	Max. Occupancy/ Student	Max. Occupancy/ Population
2015	1,397	317	1,714	783	577	0.560	0.413	0.337
2018	1,257	588	1,845	1,256	765	1.000	0.609	0.415
2021	1,198	578	1,776	1,261	651	1.053	0.543	0.367
2023	979	568	1,547	863	512	0.882	0.523	0.331
2025	1,400	750	2,150	1,056	848	0.754	0.606	0.394
2028	1,600	760	2,360	1,162	931	0.726	0.582	0.394
2033	1,750	760	2,510	1,069	990	0.611	0.566	0.394

3. Transportation Plan

As seen in Table 3.6, the number of parking spaces on campus declined from 2021 to 2023. The space/student ratio has been declining since 2021 and is projected to continue to decline while the number of spaces will remain fairly steady long-term, from 2025 through 2033. The projected maximum occupancy rate per university population is projected to be at 0.39 from 2025 to 2033. This rate is very similar to the Institute of Transportation Engineers (ITE) 85th percentile parking for a university of 0.38 vehicles per school population. Additional review of parking rates and opportunities to decrease parking will be evaluated as future building projects go through the site plan review process. UNE has purposefully maintained a surplus of spaces on campus to assure adequate on-site parking, to be sensitive to the neighborhood concerns about on-street parking on Stevens Avenue and in the neighborhood.

In addition to on-campus parking, there is also on-street parking located on surrounding streets, which is available to UNE community members. This on-street parking includes College Avenue on campus and parking along both sides of Stevens Avenue off campus.

The City of Portland has implemented residential parking permits and one-hour parking restrictions on many side streets in the vicinity of campus, reducing the amount of on-street parking available to UNE community members. As long as there continues to be free on-street parking along Stevens Avenue without any time restrictions, in close proximity to the campus core, continued use of these spaces by staff and students is expected to occur given their convenience.

The goals for UNE in terms of parking are:

- Continue to provide an adequate parking supply on-campus
- Reduce parking needs over time through continued TDM actions
- Reduce neighborhood impact by reducing on-street parking usage by UNE students

4. ENVIRONMENTAL PLAN

Existing Natural Resources

Open Space and Recreation

The UNE Portland campus consists of natural area and open space, with opportunity for both passive and active recreation. Approximately 53 percent of the 72-acre campus is open space and offers amenities such as biking and walking trails, a central campus quad, tree-lined streets and pedestrian pathways, and forested area (see **Figure 4.1**) that offers wildlife and bird watching opportunities. There are two gardens on the campus; the Medicinal Herbal Garden, which is a demonstration of the types of medicinal herbs used in phytotherapy, and the Community Garden, which is managed by volunteer faculty and staff and produces vegetables for personal consumption and donation to local charities.

The campus is located adjacent to industrial, commercial, residential, as well as other open space uses. The adjacent 239-acre Evergreen Cemetery offers important community greenspace and recreational amenities including a network of forested trails for walking, cross-country skiing, and bird watching. The Portland Trails Forest City Trail crosses campus along College Street and provides a connection between on- and off-site recreational opportunities. UNE is committed to partnering with Portland Trails to extend their nearly 70-mile network of trails onto the campus, with the goal of safely linking the Evergreen Cemetery section of walking paths to those in North Deering and overall providing more opportunities for the community to access Portland's open space and natural areas.

4. Environmental Plan



Figure 4.1 Existing Open Space on Campus

Ecological Communities

The campus contains varied natural resource features and is characterized by two levels of generally flat topography with both landscaped and natural greenspace punctuated by campus facilities.

Forested areas are host to hardwood and coniferous tree species such as speckled alder (*Alnus rugosa*), red maple (*Acer rubrum*), willow (*Salix* spp.), winterberry (*Ilex verticillata*), green ash (*Fraxinus pennsylvanica*), and balsam fir (*Abies balsamea*). Emergent wetland species on the campus include cattails (*Typha latifolia*), sensitive fern (*Onoclea sensibilis*), jewel weed (*Impatiens capensis*), and blue flag (*Iris versicolor*). These vegetative species comprise the riparian forest and scrub-shrub wetland complex surrounding the Capisic Brook headwaters. **Figure 4.2** illustrates delineated resources within the campus footprint as well as wetlands and streams identified in the United States Fish and Wildlife Service (USFWS) National Wetland Inventory and United States Geological Survey (USGS) National Hydrography Dataset. There are vernal pools, open waters, perennial and intermittent streams, and forested, scrub-shrub, and emergent wetlands delineated on campus.

Consultation with DEP in 2017 determined no records of Significant Wildlife Habitat exist onsite and there are no records of Imperiled (S2) or Critically Imperiled Natural Communities (S1) listed for the site. Additionally, no USFWS Critical Habitat is listed as occurring on campus and according to the Maine Beginning with Habitat map viewer, no Essential or Significant Habitats are recorded on campus. Lastly, no Important Bird Areas are listed by Maine Audubon as occurring on campus.

4. Environmental Plan



Figure 4.2 Ecological Communities and Aquatic Resources

Aquatic Resources

Aquatic natural resources can be found on campus and include the headwaters of Capisic Brook. Capisic Brook is listed on the 2022 Maine DEP Integrated Water Quality Monitoring and Assessment Report as '*impaired*' and is included in the City of Portland's Capisic Brook Watershed Management Plan. Capisic Brook, a small tributary to the Fore River, consists of several branches, with headwaters on campus located near north of Gulliver's Field.

Streams on campus are surrounded by riparian hardwood forest and wetlands as described above, as well as vernal pools. The extents and boundaries of streams, wetlands and vernal pools were delineated in 2022 and a vernal pool assessment completed in 2021. The vernal pools identified in 2021 were assessed using the Maine State Vernal Pool Assessment Forms and confirmed by Maine DEP to be Non-Significant Vernal Pools as they lacked the physical and biological characteristics necessary to meet significance criteria.

Under the Maine DEP Natural Resources Protection Act: Chapter 310, Wetlands and Waterbodies Protection Rules, wetlands located within 25-feet of a river, stream, or brook are considered Wetlands of Special Significance. As identified in a 2022 wetland delineation of the campus, many of the wetlands located on-site may be considered Wetlands of Special Significance as they are located within 25-feet of Capisic Brook. UNE recognizes the ecological role the campus natural resources provide such as groundwater recharge, increased flood capacity, downstream erosion and pollution control, and beneficial wildlife habitat.

Capisic Brook Watershed

The Capisic Brook watershed covers approximately 1,418 acres within the cities of Portland and Westbrook. The East Branch of Capisic Brook which flows through part of the UNE campus is within the East Tributary subarea of the Capisic Brook Watershed. Approximately 31% of the watershed is covered by impervious surface. Maine DEP has designated Capisic Brook as an urban impaired stream under Chapter 502 of the Maine Stormwater Management Rules. Capisic Brook is listed as Category 4a, with an approved Total Maximum Daily Load (TMDL) in place. The stream is designated a Class C water, meaning it is intended to meet the state's minimum environmental goals for water quality. The City of Portland identified Capisic Brook as its highest priority watershed and has outlined a number of provisions to address water quality in the watershed as outlined in the Capisic Brook Watershed Management Plan, developed and adopted by the City of Portland in December of 2012. The Plan outlines the status and restoration needs of the watershed and establishes provisions and goals for improving water quality in Capisic Brook.

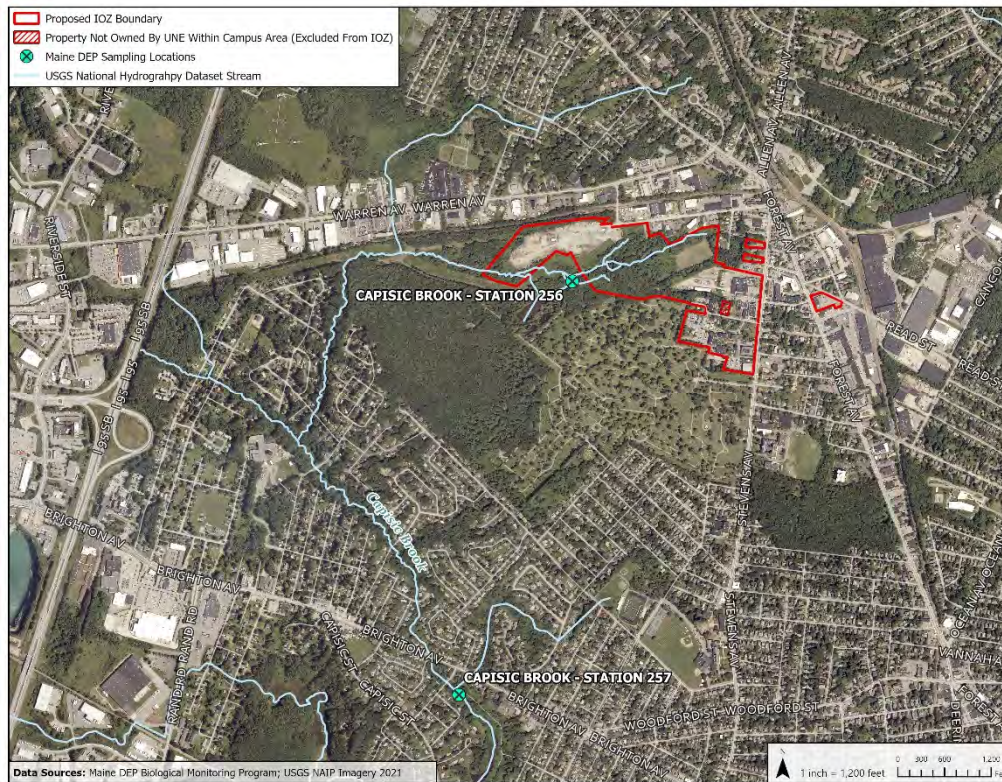


Figure 4.3 Maine DEP Water Quality Sampling Locations

All proposed campus development projects will review potential aquatic resource and watershed impacts and avoid to the extent practicable and feasible, significant impacts to resources in project design and implementation. Proposed projects will submit project plans and designs to the City of Portland for municipal review, per the City's Land Use Code. As the campus is located within the Capisic Brook Watershed, UNE development projects are subject to comply with the Urban Impaired Stream (UIS) Standard of Chapter 500 of the Maine DEP Stormwater Management Rule. All natural resources on campus are protected by the Maine Natural Resource Protection Act (NRPA) which requires permitting/notification of all projects located in, on, or over natural resources or that are located adjacent to natural resources. All proposed projects will avoid and/or minimize impacts to natural resources to the maximum extent practicable and when impacts to areas adjacent to natural resources may not feasibly be avoided, projects will comply with NRPA permitting and mitigation requirements.

Capisic Brook has two existing DEP Sample Locations including one near the recently constructed Connector Road (see **Figure 4.3**). Sample results from 2003 were used to develop the Watershed Management Plan and showed that the upstream station on the UNE campus had a healthy macroinvertebrate community, good water quality, low concentration of bacteria, and good instream habitat quality. The downstream station results showed a degraded macroinvertebrate community, impaired water quality, elevated concentrations of bacteria, and impaired instream habitat quality. Variation in water quality at these two stations is attributed to differences in land use and prevalence of impervious surface downstream (south) of campus. The Capisic Brook Watershed Management Plan acknowledges the need for implementation measures to improve water quality within the watershed. Maine DEP has five goals for Capisic Brook including: improvement of instream habitat quality; restoration of natural hydrology; reduction of toxics, nutrients, bacteria, and elevated water temperature in runoff; and improvement of dissolved oxygen levels. UNE remains committed to the protection of the watershed and the stream on campus.

Floodplains

The FEMA National Flood Hazard Layer for Portland is currently under review and an updated flood map is approved as of June 20, 2024. One area of Minimal Flood Hazard (500-year floodplain) and one area of High Risk (100-year Floodplain) are identified within the proposed IOZ. The area of High Risk is mapped on the western-most portion of the proposed IOZ and continues off-site to the southwest, following the Capisic Brook (see **Figure 4.4**).

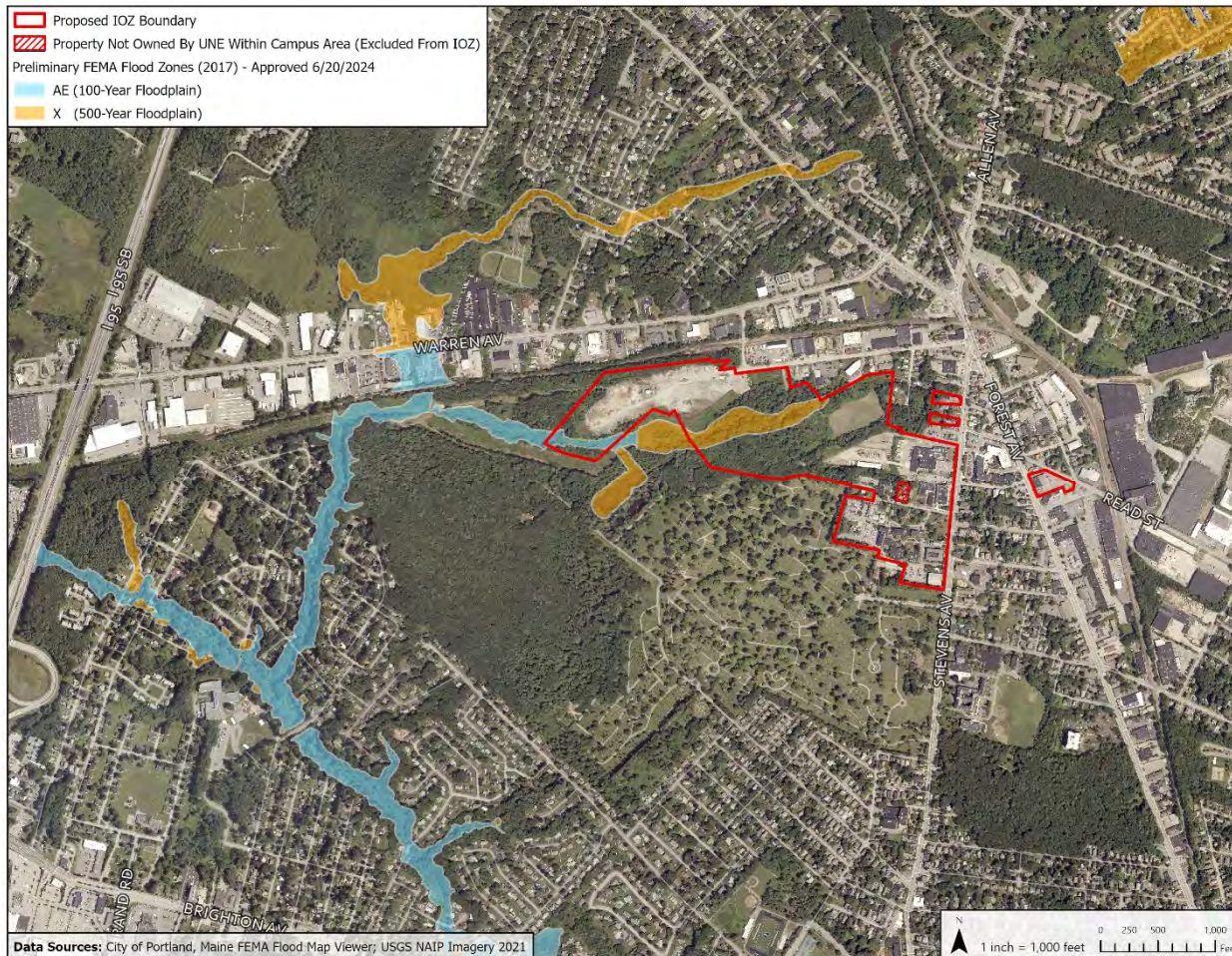


Figure 4.4 FEMA Flood Hazard Map

Proposed Future Development and the Environment

Future development will not impact existing streams on campus and minimum setbacks will be maintained for all future projects. In cases where development cannot reasonably avoid these setbacks, consultation with the City of Portland and Maine DEP will be conducted to determine potential permitting or mitigation requirements. Additionally, none of the proposed projects includes direct or indirect impacts to freshwater wetlands or potential open waters and no impacts to wetlands within the FEMA designated 100-year flood plain are included in the campus master plan. No areas of significant wildlife habitat on or directly adjacent to campus are identified in the Maine Environmental Review Tool. With each project, Best Management Practices (BMPs) will be utilized to prevent offsite impacts to natural resources: additionally, nature-based solutions such as rain gardens, bioswales, landscaping with native plants and nest boxes for birds and bats will be considered to improve post-development conditions. Resources and guidance developed by Maine Audubon, Maine DEP, and Maine Department of Inland Fisheries and Wildlife will be referenced for effective design that will benefit wildlife and support the ecosystem services of the campus open spaces.

UNE has committed to preserving a significant acreage of dedicated open space, as shown on **Figure 6.4**. These areas will be rezoned as Open Space Preservation (OS-P). The total acreage of UNE's campus is approximately 72 acres, with approximately 10 acres being dedicated as open space. The 10± Year Development Plan includes development of approximately 2± acres of impervious area in Phase 1 (0-5 years), 0 acres in Phase 2 (5-10 years), and 0.6± acres in Phase 3 (10+ years). In total, the proposed development projects are anticipated to result in an increase of approximately 3.5% impervious area across the campus over the next 10+ years. The minimization of impact to natural resources and creation of impervious areas is achieved through careful site selection, including siting the new A2 academic facility on an existing developed surface parking lot and siting the new F1 athletic facility in a previously developed portion of campus. Additionally, through the increase in allowable height, the building footprint for the new H1 housing facility is able to be minimized, preserving the adjacent natural resources. UNE has committed to preserving approximately 14% of its campus as Open Space Preservation (OS-P) area, as shown on **Figure 6.4**, with areas summarized in **Table 4.1** below.

Table 4.1

Open Space Area Calculations

Description	Area (acres)	% of Campus Area
Total campus area	72	N/A
OS-P area in westernmost part of campus	2.7	4%
OS-P area adjacent to Evergreen Cemetery	4.6	6%
OS-P area near Mayfield St neighborhood and Capisic Brook	3.0	4%
Total Open Space Preservation (OS-P) area	10.3	14%

Athletic Facility (Campus Master Plan Identifier: F1)

The development of the athletic facility will not have impacts to nearby natural resources (see **Figure 4.5**). The facility is proposed in an existing impervious surface lot near the UNE Intermodal Transportation Facility (ITF).



Figure 4.5 Proposed Athletic Facility (F1) Development and Adjacent Natural Resources

Residence Hall (Campus Master Plan Identifier: H1)

The Residence Hall and associated parking (see **Figure 4.6**) are proposed for development on the existing Gulliver's Field and have been planned to minimize natural resource impacts, however some impacts may be unavoidable. In cases where development cannot reasonably avoid these setbacks, consultation with the City of Portland and Maine DEP will be conducted to determine potential permitting or mitigation requirements.

Gulliver's Field is a mowed, turf grass soccer and athletic field currently used for informal recreation with low vegetative species diversity and low wildlife value but is adjacent to mixed hardwood forest and forested and shrub wetlands as described in the Ecological Communities section of this chapter. These adjacent forested habitats may provide habitat a variety of eastern warblers, ruffed grouse, the American woodcock, red and gray foxes, microtones, and mustelids and serve as stopover locations for spring and fall migratory passerine bird species.

No impacts or tree-clearing activities are proposed in the Campus Master Plan within the open space areas on campus; forested areas will remain unchanged and provide valuable wildlife habitat and open space.

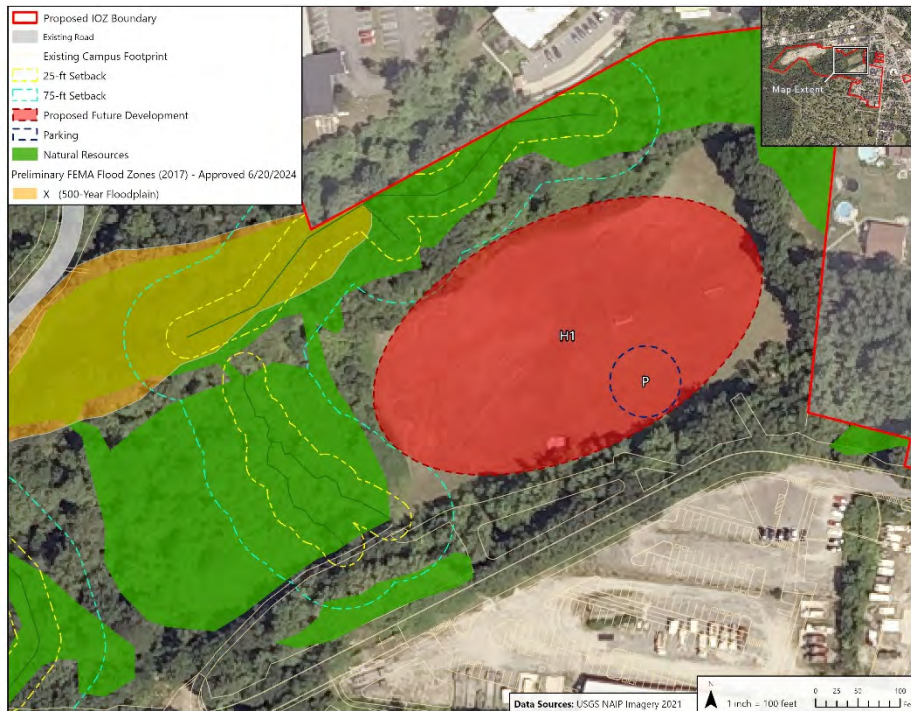


Figure 4.6 Proposed Residence Hall Development and Adjacent Natural Resources

Academic Building (Campus Master Plan Identifier: A2)

The proposed Academic Building will be built on an existing parking lot on the southwest side of campus (see **Figure 4.7**). No significant tree-clearing and no direct or indirect impacts to natural resources is proposed for this project.



Figure 4.7 Proposed Academic Building Development and Adjacent Natural Resources

Natural Resources Protection

UNE, in development of this IDP, has sited the proposed campus improvements in locations that avoid conflict with natural resources being contained to existing disturbed areas and maintaining open space (see **Figure 4.8**). Through thoughtful siting, impacts to the undeveloped and natural areas of the campus are avoided or minimized to the greatest extent practicable and overall contribute to the health of Capisic Brook by maintaining the stream's riparian zone, which provides canopy cover, flood protection, stabilizes soils, filters pollutants, and provides habitat for native wildlife. As previously stated, UNE is partnering with Portland Trails with the goal of providing more opportunities for the community to access Portland's open space and natural areas. UNE students and staff participate annually in coastal and river cleanup efforts and are part of a research team leading the effort to restore the American Chestnut tree, a keystone species of eastern U.S. forests, including Maine. In addition, UNE received funding approval to undertake a cleanup of the Campus Pond of accumulated debris, demonstrating the university's commitment to environmental stewardship.

With all campus improvements, consideration of the site's natural characteristics including soils, hydrology, slope, and vegetation as well as its proximity to wetlands, aquatic resources, and habitats will be evaluated, and impacts avoided or minimized to the greatest extent practicable and adhering to all related state and federal permitting requirements.

Specific to the Capisic Brook watershed, UNE understands its importance and will meet City and State stormwater management requirements for quality and quantity and consistent with earlier work on campus. The specific measures utilized to meet the regulatory requirements related to stormwater runoff will be determined during the site plan review process for each proposed facility. Items in the BMP toolbox include revegetation of currently impervious and de-vegetated areas, infiltration of stormwater where soil conditions permit, and under-drained soil filters. UNE will manage stormwater on-site before considering connections to the City's enclosed stormwater system. Further detail on stormwater management is provided in Chapter 5, "Infrastructure Plan."

As stated above, UNE is committed to including design elements that foster environmental stewardship and promote the health of ecosystems and the Capisic Brook Watershed. Incorporating wildlife habitat design into the project planning process will ensure that with each new project, additional greenspace and/or habitat is created. All proposed campus development projects will review potential aquatic resource and watershed impacts and avoid to the extent practicable and feasible, significant impacts to resources in project design and implementation. Proposed projects will submit project plans and designs to the City of Portland for municipal review and plans are subject to comply with the Urban Impaired Stream (UIS) Standard of Chapter 500 of the Maine DEP Stormwater Management Rule and NRPA permit requirements.

4. Environmental Plan

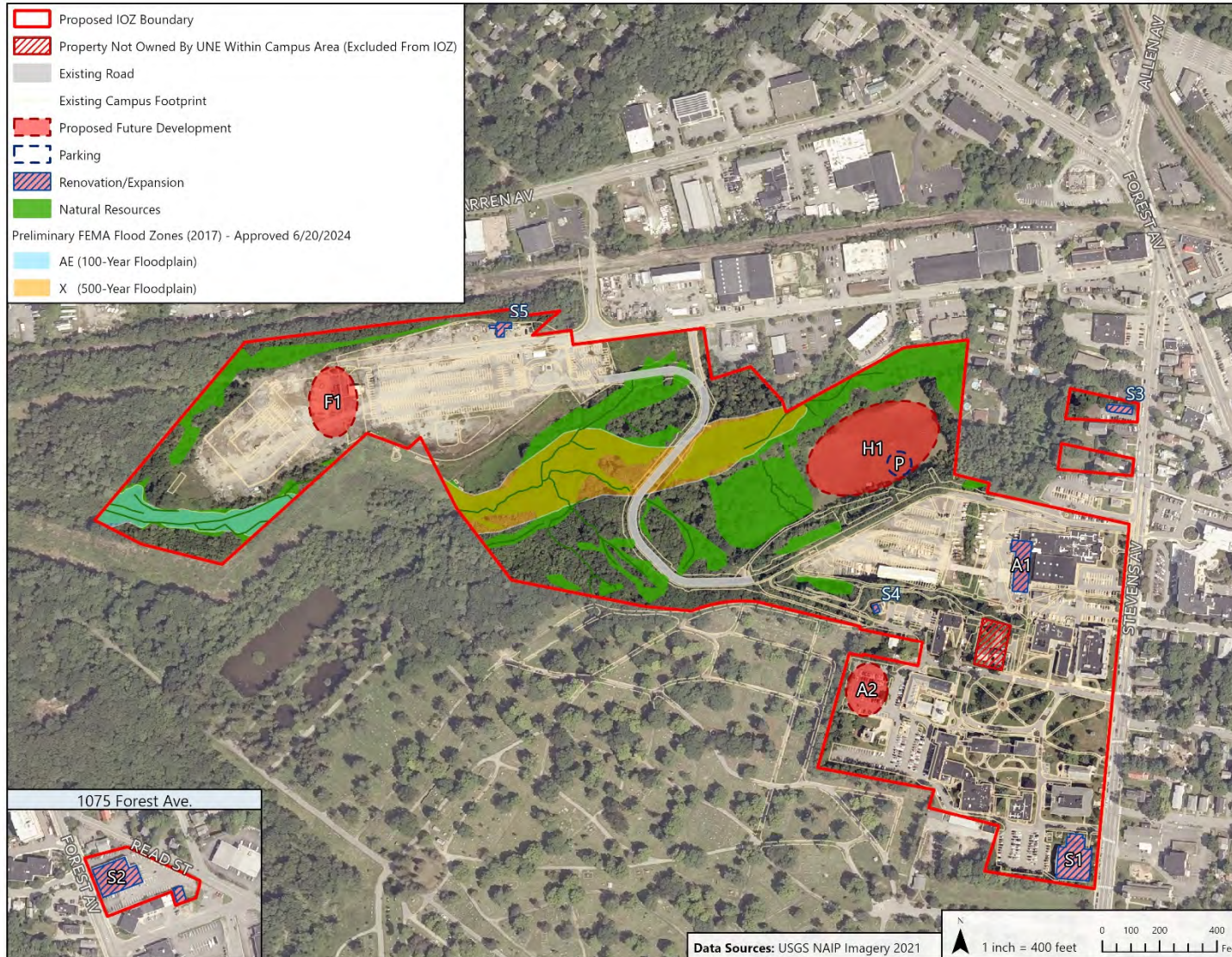


Figure 4.8 Natural Resources and Campus Master Plan

Operational Sustainability

Environmental stewardship is a core value of the University. UNE has been named one of the nation's most environmentally responsible colleges for seven consecutive years, according to the Princeton Review. In 2024, UNE was named in the Princeton Review's top 50 of the nation's most eco-friendly colleges. All new construction is conducted to the highest standards of sustainability, and all renovations are conducted with an eye toward improving environmental impacts. Each year, UNE invests in additional sustainable energy products (e.g., solar panels). As part of long-term plans for the campus, UNE expects to maintain, and where possible, broaden initiatives on its sustainable operation strategies.

Energy Conservation

UNE's Sustainability Office has been conducting greenhouse gas (GHG) emission inventories since 2008. The university's Carbon Monitoring Task Force has been charged with "making recommendations on energy demand, procurement, production, renewable technology implementation, emissions reductions and conservation." UNE voluntarily became a signatory to the Carbon Commitment in 2008 and as part of this commitment, created the university's Climate Action Plan (CAP) in 2010, which was subsequently updated in 2017. The UNE CAP has set an aggressive carbon neutral goal for 2040. The 2017 CAP update includes goals for GHG reductions and activities to help achieve those goals, including energy efficiency and renewable energy projects, building design and development standards (see Chapter 6), waste reduction strategies, alternative transportation initiatives (see Chapter 3), sustainability criteria integration into contracts, offset purchases, community-based marketing strategies aimed at sustainable behavior adoption for individuals, and integration of climate change and sustainability education across the curriculum.

The University's Energy Subcommittee regularly reviews operational efficiencies and monitors energy consumption internally through its direct digital controls and utility statements. Fiscal year 2023 usage for the campus was as follows: 4,668,514.67 kWh of electricity, 1,964.9 gallons of #2 heating oil, 2,146.6 gallons of propane, and 278,523.13 cubic feet (CCF) of natural gas burned in the campus' central steam plant and natural gas condensing boilers.

If the university realizes the full potential of development identified in the Campus Master Plan, the potential future usage of electricity and natural gas may initially be higher assuming similar operational conditions. However, with UNE's commitment to carbon neutrality, and advances in building technology, the actual consumption may be significantly less. UNE is unaware of capacity issues in these existing distribution systems and anticipates use of these systems to supply the future development. UNE will request capacity to serve letters from Central Maine Power (CMP) and Unitil for new projects during each site plan review process.

As detailed in the UNE Climate Action Plan, UNE has previously partnered with ConEdison Solutions to investigate a comprehensive energy efficiency program, and is now working with B2Q Associates to update it. The potential sustainable energy use opportunities being considered include further LED retrofits, solar thermal, solar electric, and boiler plant upgrades with potential fuel switching. Building automation controls and window replacements for the campus are currently in progress. UNE has also developed a purchasing policy for energy consuming appliances and equipment to guide future campus purchases that do more to consider life-cycle costs. UNE will also undertake a lighting audit and retrofit, considering life-cycle costs when deciding what fixtures to install or replace.

Waste Management

Appropriate disposal of waste is a priority of the Sustainability and Environmental Health and Safety (EHS) Department at UNE. The EHS Department believes that “all faculty, professional staff, administration, students, and patrons are entitled to a safe and healthy campus.” To this end, UNE commits resources to remove recognized hazards, provide education and training, provide appropriate personal protective equipment, and holds everyone accountable and responsible for good health and safety practices. For all university activities, UNE implements and maintains the University’s Environmental Health and Safety Manual (revised August 2019), which houses the campuses environmental health and safety policies and procedures in accordance with federal and state regulations and also maintains the campuses Chemical Hygiene Plan (revised May 2022). These policies and procedures are continuously reviewed to ensure that UNE is meeting the goal of providing a safe and healthy campus community.

Annual Waste Audit

UNE partners with its contracted waste hauler to conduct annual waste audits of all municipal solid waste (MSW) dumpsters and single-sort recycling containers on campus. The annual waste audit spans three weeks in October, is weight-based, and is reported through the annual GHG emissions inventory on a fiscal year basis. For the fiscal year 2023, the campus disposed of an estimated 60 tons of MSW, and an additional estimated 7 tons of mixed single-sort recycling and cardboard were separated for recycling.

Recycling

UNE encourages students, faculty, and staff to engage in recycling and waste reduction throughout campus operations. Single-sort recycling stations are available in all academic and business buildings and include a three-bin, color coded system: blue for returnable bottles and cans, green for single-sort recycling, and gray for trash. The green, single-sort recycling bins allow for the co-mingling of paper, plastics labeled #1-7, metal, and glass. Returnable bottles and cans are separated from the single-sort stream for the purpose of supporting the recycling program, as the funds collected help to purchase bins, labels, signs, and educational materials aimed at waste minimization. In fiscal year 2022, UNE categorized its recycled waste and found 3% cardboard, 4% returnables (or redeemables), 12% metal, and 16% single-sort materials.

Additionally, campus recycling includes batteries, fluorescent light bulbs, computers, and electronics through the universal waste program. Books and journals are either recycled through the single sort program or donated to Better World Books for literacy programs. Waste cooking oil is collected by Maine Standard Biofuels and incorporated into their Bioheat product. Ink and toner cartridges are recycled through our office supply contractor. Facilities staff recycle used motor oil, scrap metal, tires, pallets, and captured refrigerants as well. Unneeded, lightly used furniture is offered to other non-profits or municipalities.

Composting

Food waste, such as kitchen preparation food scraps, compostable utensils and dinnerware, and post-meal food scraps are collected from UNE’s Nor’easter Café dining facility. Compost is collected by Garbage to Garden and brought to Benson Farm in Gorham for composting. In fiscal year 2023 over 3,222 gallons of food waste was composted from campus. The Green Office certification program also encourages individual offices to participate in the program, and the Communications Department, Library, and College of Graduate and Professional Studies have collection locations

for food waste in their kitchenette areas that are routinely collected by office staff and consolidated with the dining service waste for composting by Garbage to Garden.

Hazardous Waste

UNE is registered as a Small Quantity Generator (SQG) as defined by Chapter 851 of Maine DEP's hazardous waste regulations. The campus generates less than 220 pounds of hazardous waste a month and generates less than 1 pound of acute hazardous waste per month and does not accumulate more than 1 pound of acute hazardous waste at any one time. The hazardous waste generated on campus is gradually generated in small amounts in the research and academic laboratories. UNE does not anticipate increased hazardous waste generation and the future relocation of the Maine Army National Guard Vehicle Maintenance Facility will reduce the need to store hazardous materials on campus. All hazardous waste is appropriately labelled, stored, shipped, and managed in accordance with the Maine DEP hazardous waste regulations per Chapters 850-852, 857, and 875. The EHS Department oversees the management of hazardous waste and ensures the appropriate process documentation of all hazardous waste generated at the facility from generation to disposal.

Biomedical Waste

UNE is registered with DEP as a large quantity biomedical waste generator (a facility that generates 50 pounds or more of biomedical waste per month). Two types of biomedical waste are generated at UNE. The first is generated from academic and research labs and consists mostly of solid cultures of media, disposable culture containers and sharps. The second is generated by medical services and consists of blood-soaked material, personal protective equipment and other potentially infectious material. All biomedical waste is generated, managed, and disposed of in accordance with the regulations set forth by the DEP in Chapter 900, the Biomedical Waste Management Rules. Laboratory managers are responsible for the generation and packaging of biomedical waste while EHS oversees the program from generation, storage, transportation, and ultimate disposal. EHS maintains all paperwork associated with the transportation and disposal of biomedical waste. UNE has a biomedical waste management plan for the campus; the plan includes a description of the biomedical waste generated, packaging and handling procedures, training requirements, spill containment and clean up procedures, and contact information for persons responsible for biomedical waste management at the university.

Sustainable Landscaping

As stated above, there are two gardens on the campus of significance regarding sustainability - the Medicinal Herbal Garden and the Community Garden. UNE is committed to including design elements that foster environmental stewardship and promote the health of ecosystems and the Capisic Brook Watershed such as bird-safe window design, stabilizing construction disturbance areas with native seed mixes and revegetation utilizing native plants, in particular as buffers between development and natural areas; utilizing best management practices for stormwater retention and infiltration; limiting tree clearing; and removing existing trash and debris from aquatic resources. Incorporating wildlife habitat design into the project planning process will ensure that with each new project, additional greenspace and habitat is created.

Noise Generation

UNE's campus generates noise at low levels that are consistent with and generally not disruptive to the neighborhood. Measured sound levels are below the Noise Standards within the City's' Land Use Ordinance. Some periods of increased noise generation are anticipated during project construction and are addressed in Chapter 7 – Neighborhood Engagement.

5. INFRASTRUCTURE PLAN

Infrastructure Planning

Sustainable and resilient infrastructure is essential for the continued operation of UNE's existing campus as well as planned development. With the projected future demand realized through the Campus Master Plan, sufficient capacity to serve would be ensured. **Figure 5-1** illustrates existing City sanitary sewer and stormwater infrastructure within and surrounding the campus.

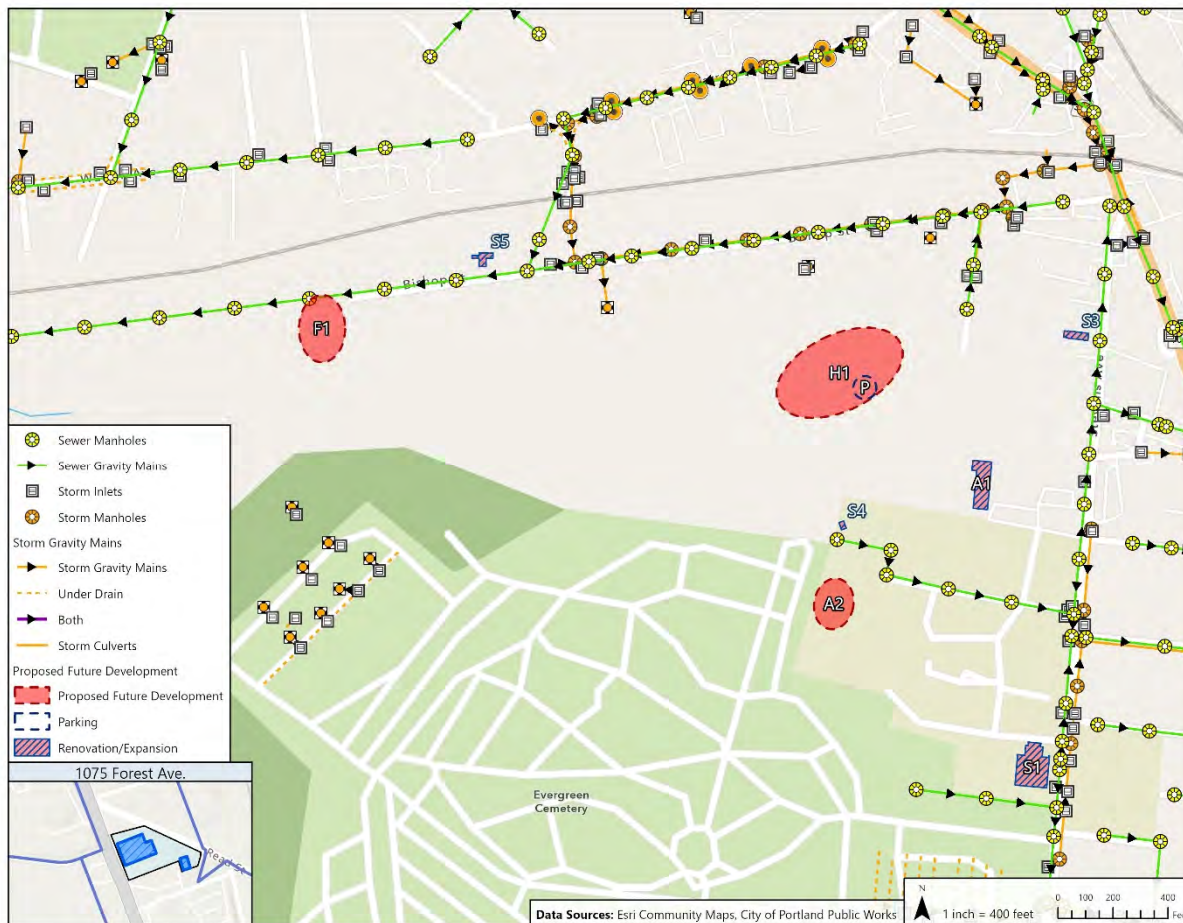


Figure 5.1 Existing Stormwater Infrastructure and Campus Master Plan

Stormwater Management

Existing Stormwater Infrastructure

Existing stormwater management systems on campus mainly utilize on-site stormwater quality and quantity BMPs including infiltration systems, with the secondary means being conveyance to the Stevens Avenue and Bishop Street combined sewer system. The value and importance of reducing stormwater runoff is reflected in UNE's recent development projects as evident in the design of the UNE Intermodal Transportation Facility, which reduced impervious surfaces by approximately 2.3 acres and utilized infiltration systems to minimize flow to the combined sewer. With the northwestern portion of the campus within the Capisic Brook Watershed, an urban impaired stream classified by Maine DEP, UNE seeks to actively contribute to the health of the watershed through the implementation of low impact development strategies.

The Bishop Street combined sewer has a Combined Sewer Overflow (CSO) located to the west of the UNE campus, which serves as a relief point during high-flow conditions. In low-flow conditions, combined sewer flows to a pump station located off of Congress Street, which sends flow to the East End Wastewater Treatment Plant. UNE understands the importance of reducing and minimizing flows to this combined system to help reduce the potential for overflows. The Stevens Avenue combined sewer is routed to Back Cove, where it is ultimately conveyed to the East End Wastewater Treatment Plant.

Future Stormwater Flows

UNE will continue to make efforts to minimize the impact of its future development stormwater runoff through the continued and expanded use of infiltration systems. All projects at UNE will be designed in compliance with the State and City standards. Wherever possible, UNE intends to manage stormwater on site to reduce flows to the City's combined system and consistent with its past, UNE will meet or exceed local and state regulatory requirements.

The University also has an active Spill Prevention Control and Countermeasure Plan and Stormwater Pollution Prevention Plans, further assisting them with regulatory compliance.

Utility Demand and Capacity

Water

Water services are supplied by Portland Water District (PWD). The two water mains that serve the campus include a 12" water main in Stevens Avenue and a 12" water main in Bishop Street. Fire protection services include hydrants that are located along Warren Avenue, Forest Avenue, Bishop Street and Stevens Avenue. UNE strives to limit water consumption through various means including low flow fixtures. Water usage in fiscal year 2023 was 13,741.4 gallons per day (GPD).

Ability to serve letters have been provided by PWD for two current projects (as of the preparation of this Plan) including the Department of Campus Services Maintenance Facility building and the COM building. Based on correspondence with PWD, UNE does not anticipate any issues with capacity

of the existing water distribution systems to support the university's Master Plan and will provide ability to serve letters from PWD as part of future Site Plan Reviews.

Wastewater

Wastewater from UNE is discharged to a combined sewer system in College Street and Stevens Avenue. With a conservative assumption that no water is exported (used for drinking water as an example) and assuming wastewater discharge is equivalent to water usage, in the fiscal year 2023 wastewater discharge was 13,741 GPD. Future planned development is expected to increase wastewater discharge. All future projects will provide an ability to serve letter from the Department of Public Works as part of Site Plan Review. UNE also participates in the City's Fats, Oils, and Grease (FOG) Program, to responsibly dispose of these biproducts; maintenance of these systems is performed regularly to ensure they are operating effectively and not discharging to the City's sewer system.

Electricity

Central Maine Power currently provides electric power to the campus. As discussed in Section 4 Environmental Plan, fiscal year 2023 usage for the campus was: 4,668,514.67 kWh of electricity. UNE will request capacity to serve letters from Central Maine Power (CMP) during each site plan review process but does not anticipate any electrical capacity issues in the future.

Telephone & Data

UNE is currently serviced for their communications services by Consolidated Communications and plans to continue to work with this provider in the future. Additionally, UNE internet is serviced by Consolidated Communications and Spectrum and plans to work with these providers in the future. UNE does not anticipate any capacity issues or disruptions in the future.

Natural Gas and Heating Fuels

Unitil currently provides natural gas service to the campus. Natural gas services are located within Bishop Street and Stevens Avenue. Natural gas services required for future buildings will be coordinated with Unitil during the site plan approval process. Fiscal year 2023 usage for the campus was 278,523.13 cubic feet (CCF) of natural gas burned in the campus' central steam plant and natural gas condensing boilers. Two new 4" service lines have been installed to supply natural gas to future projects including F1 (Athletic Facility) from Bishop Street, and H1 (Residence Hall) from Stevens Avenue. The remaining planned projects will not require upgrades to existing natural gas services. If determined to be needed, gas service for future projects will be evaluated during site plan review. With UNE's commitment to carbon neutrality, and advances in building technology, future natural gas consumption will be limited to the greatest extent possible during the development of the Campus Master Plan.

Further, as discussed in Section 4 Environmental Plan, fiscal year 2023 usage for the campus included 1,964.9 gallons of #2 heating oil, and 2,146.6 gallons of propane. UNE does not anticipate any capacity issues securing heating fuels in the future.

Public Safety

The well-being of UNE's students and faculty is the top priority of UNE. This goes hand in hand with safety and security on campus. UNE has security officers that provide 24/7 patrol and dispatch coverage of the campus. These services are essential for crime prevention and emergency response. In addition to on campus security, UNE uses Rave Mobile Safety, an emergency notification service, which provides faculty, professional staff, and students with timely information and instructions during emergencies.

Sustainable Guidelines

UNE is committed to developing and maintaining sustainable and resilient infrastructure to support its current and future campus operations. UNE's proactive approach includes effective stormwater management through on-site infiltration systems and compliance with state and City standards to minimize runoff. UNE's water and wastewater systems are supported by Portland Water District and the City's infrastructure. UNE will continue to ensure sustainable capacity and growth of water and wastewater systems. UNE prioritizes efficiency and sustainability in its use of electricity, natural gas, and heating fuels. Additionally, UNE's robust public safety measures and reliable communication services ensure a secure and well-connected environment.

UNE has, and will continue to, support infrastructure sustainable growth through several key guidelines. For water conservation, UNE will implement and maintain water-efficient or low-flow fixtures to significantly reduce water consumption. For stormwater management, UNE will continue to incorporate and uphold green infrastructure practices and promote on-site infiltration. Enhancing energy efficiency is also a priority; UNE will upgrade and sustain energy-efficient systems such as LED lighting and energy-efficient HVAC systems. Achieving LEED Silver certification will continue to be the standard for energy efficiency. UNE is also dedicated to preserving existing natural habitats, integrating them into the campus landscape, and preserving open spaces and wetland areas where practicable. Through these practices, UNE will continue its commitment to a sustainable and environmentally responsible future.



6. DESIGN

UNE recognizes that the success of future development relies on structured design guidelines, review, and accountability. UNE is committed to maintaining its existing building stock, including those within the Westbrook College Historic District. Where feasible, UNE will renovate its existing buildings to create internal efficiencies and provide for continued and cutting-edge learning excellence, while respecting the campus' historic character. Where necessary, UNE will develop new buildings in accordance with the Campus Master Plan. UNE has committed to assessing the applicability and feasibility of the construction of new buildings to State of Maine Energy Stretch Code (IECC 2021), which meets and, in some places, exceeds Leadership in Energy and Environmental Design (LEED) Silver standards. The University also aims to design and build structures that are at significantly more energy efficient than comparable building stock, verified with third-party energy modeling. Building systems will be evaluated for life-cycle costs and take into account life-cycle fuel consumption and initial capital investment. This assessment informs the decision-making process for future development. New construction will also adhere to considering sustainability and energy efficiency in the Request for Qualifications (RFQ) process and will continue to integrate best practice design into all new projects. Each individual project will work within the planning framework and goals that set out to minimize its adverse impact on the campus, the environment, and the community.

Development Design Impact Considerations

UNE's campus includes one of the twelve locally designated historic districts in the City of Portland, and a nationally registered district, which is the Westbrook College District and its contributing buildings of Alumni Hall, Hersey Hall, Goddard Hall, the Abplanalp Library and the internal common or College Green. The proposed campus development looks to balance the campus' history and neighborhood context with UNE's programmatic needs. Predominant design characteristics of the historic property and resources (i.e., materiality, scale, orientation, etc..) are considered to establish a baseline for informing design principles. The design focuses on minimizing environmental impact while creating a cohesive campus with sensible and historically sensitive buildings and inviting open spaces. Within this framework, UNE aims to preserve the historic character of the existing campus and find opportunities for modernization and set the tone for the future of UNE and its commitment to the modern delivery of healthcare. The campus development will be planned to complement and enhance the community by respecting architectural character, minimizing visual and physical burdens, and creating enhanced open space accessible to all. Building siting will focus on campus optimization and minimizing impacts on neighbors through the use of buffers, landscaping, and architectural design. As much as possible the development will seek to create more compact circulation, limit new shadows and wind, and minimize the visual impacts from the surrounding neighborhood. Existing buffers will be maintained, as much as possible, to maintain the current visual character of the campus. Similarly, no new campus entrances are planned, which might adversely increase or change the existing public ways. The campus frontage is anticipated to remain the same with the Campus Master Plan.



Figure 6.1 Proposed Development in 3D - Overview

Neighborhood Integration

The neighborhood design standards establish a framework for a visually and architecturally integrated campus development and ensure that the campus is safe, environmentally sensitive, and minimizes adverse impacts on and off the campus. With respect to how the potential campus interfaces with the neighborhood, these design standards address the scale and massing of buildings, appropriate materials and colors, rooflines, locations of building entrances, building linkages, architectural detailing, adjacent open spaces, campus circulation and similar features.



Figure 6.2 Proposed Development in 3D - View from Stevens Avenue

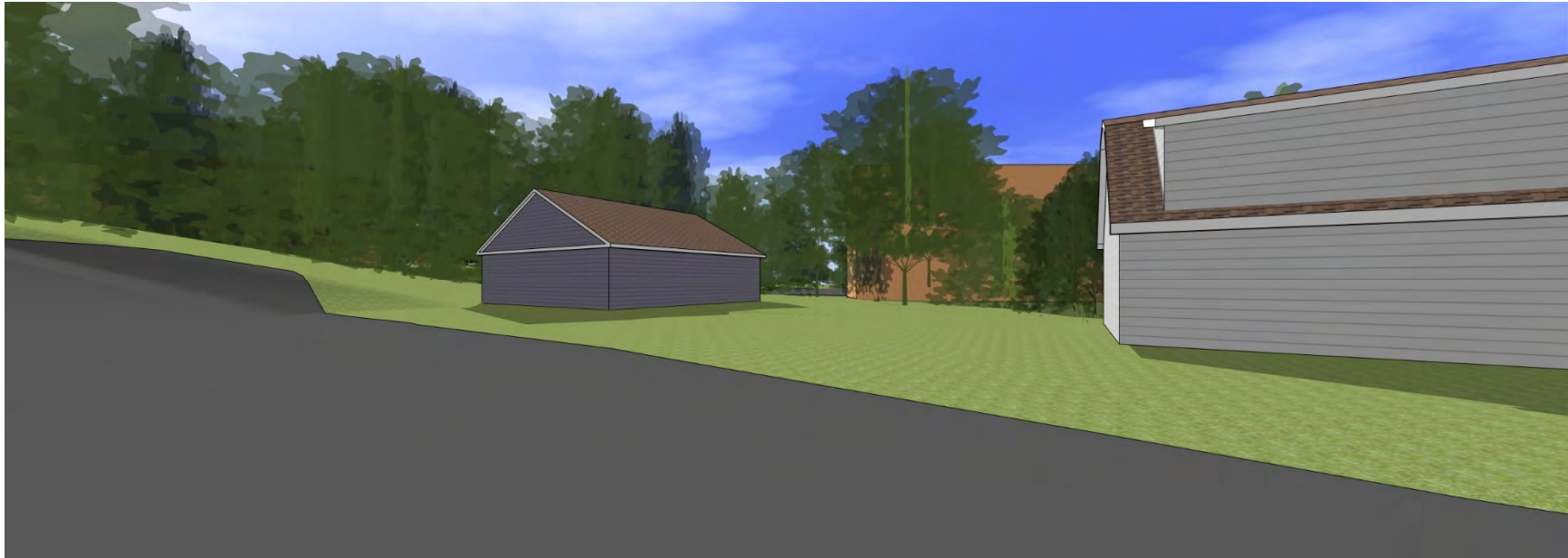


Figure 6.3 Proposed Development in 3D - View from Mayfield Street

Historic Preservation and Impact on Future Designs

The Westbrook College Historic District encompasses the historic core of the campus and is bounded on the east by Stevens Avenue, and on the north by College Avenue. The surrounding context and history set the tone for the campus character and future development integration. UNE is committed to respecting and celebrating historic preservation and maintaining the overall legacy of the neighborhood. UNE has successfully designed, permitted, and renovated several historic facilities on campus. To date, Goddard Hall, Hersey Hall, and Alumni Hall have been revitalized through full historical renovations permitting through the Historic Preservation Commission. The exterior of these facilities has been maintained and restored to their original grandeur and color. All work done to Ludcke Hall, Proctor Hall and the Abplanalp Library has been done with an effort to preserve the historical nature of these facilities and has also been permitted through the Historic Preservation Commission. UNE's renovation of Alumni Hall was recognized with Maine Preservation's 2016 Honor Award as an outstanding example of historic preservation.

The Westbrook College Historic District building characteristics include a range of late 1800s and early 1900s architectural styles including Gothic Revival, Italianate style, and Colonial Revival. Creating an intimate scale and romanticism focus with earthy materials and sophisticated aesthetics. These styles have provided guidance on the design characteristics of recently completed buildings such as the School of Pharmacy and College of

Dental Medicine building located directly on Stevens Avenue. Brick blends, sizing of windows and doors, building proportions and roof edge details allow newer buildings to seamlessly blend with those within the historic district and surrounding community.

Sustainability and Resiliency

UNE has a commitment to its community and natural surroundings. Campus development will further improve UNE's status as a resilient campus that provides a responsiveness to the planet and inspire the next generation of environment stewards. Buildings will be situated and oriented to take advantage of passive solar energy, natural light, air, and views. New buildings will take a low impact development approach to manage stormwater runoff and emphasize conservation and use of on-site natural features to protect water quality. The use of high efficiency building envelopes and mechanical systems will reduce the energy necessary to operate the building, further increasing resilience and protecting against unanticipated events. Universities are a vital partner to the communities they serve, and UNE will ensure the campus is part of an overall community solution to sustainability and resiliency.

Maximum Heights

UNE uses a multi-pronged methodology to determine the appropriate height profile for potential future development within the IOZ boundary to ensure an appropriate scale, while maximizing the utilization of space and minimizing impacts to the environment and surrounding neighborhood. As shown in **Table 2.3**, heights and square footages have been identified that reflects UNE's campus modernization needs. The development proposed in the Campus Master Plan would be allowed in the proposed Institutional Overlay Zone, including allowances of up to 85 feet in the areas of the proposed Residence Hall (H1), Athletic Facility (F1), and Bishop Street (S5) renovation/expansion and up to 75 feet elsewhere on the campus, consistent with the maximum allowable height in the proposed underlying zone of B2. Along the campus edges, where the campus is located adjacent to residential and open space zones, a 25-foot-wide transition zone will allow for building heights of up to 50 feet (see **Figure 6.4**).

For the proposed student housing building, the additional height is necessary to efficiently accommodate approximately 350 beds, a threshold determined through financial analysis to ensure project viability. By building upward rather than outward, UNE can significantly reduce the structure's footprint, preserving adjacent natural resources and maintaining more open space on campus. The 85 feet will accommodate a 7-story building, with a 25,000 square foot footprint. This was calculated assuming 500 square feet per bed, with a lower level floor to floor height of 15' (programming may include fitness center, laundry, mechanical, community rooms, etc.), with the upper level floor height of 11' per story, for a total height of 81', plus roof parapet or pitch dimensions.

For the second location, at the rear of campus, the 85-foot height allowance will provide essential flexibility for the development of a new athletic facility. This height will allow room for parking beneath the structure, if necessary, and/or potentially a larger mixed-use building. Given the constraints of the campus footprint and UNE's commitment to responsible land use, vertical expansion is a key strategy for balancing growth with conservation. Allowing increased height in these specific areas ensures that future campus development can proceed efficiently, minimizing land disturbance while supporting UNE's evolving academic, athletic, and student life needs.



Figure 6.4 Proposed Open Space and Maximum Height Map

These heights were determined using context-sensitive best practices, similar to those used to develop height zones for UNE's Biddeford campus. The approach includes enabling larger buildings within the campus core while providing height transitions and expanded setbacks to better align with the scale of the residential and historic neighborhoods along the campus' edge. Consideration was also given to the campus' natural topography when determining maximum heights, to minimize perceived height from adjacent streets and neighborhoods. Dedicated open space areas reflected on Figure 6.4, such as along Capisic Brook, are identified as no-build areas, to preserve existing natural resource areas. Consistent with the City of Portland's recently adopted ReCode, UNE is seeking an increase in allowable maximum height from 75-feet (per the proposed underlying zone of B-2) to 85-feet in specific locations on campus to allow for densification and to minimize impacts to natural resources. The resulting height profiles are the basis of the maximum heights in the Regulatory Framework.

Transition Zones

UNE has identified transition zones along the edges of the IOZ boundary to allow for an appropriate relationship to the surrounding context and create a consistent scale of development. **Figure 6.4** depicts a 25-foot-wide transition zone around the interior perimeter of the contiguous campus with a maximum height in that transition zone of 50-feet, as well as a triangular area adjacent to the proposed housing site with a maximum height of 50-feet. In the area of campus adjacent to the Mayfield Street neighborhood, an open space area 35 feet in width provides buffering and transition from the residential neighborhood to the interior 85-foot maximum height at Gulliver's Field. The open space areas, which will be rezoned to Open Space Preservation (OS-P) will be no build areas. Activities within the OS-P will comply with the requirements of the City's Land Use Code.

Safety & Environment

UNE is committed to maintaining a safe environment for all users in and around its campus. The Campus Safety and Security Department monitors the campuses through in-person patrols and CCTV cameras and provides response to any situation that may arise, around the clock, every day of the year. UNE recognizes that environmental design can play a large role in creating a safe place. To this end, UNE has focused on providing a clean and aesthetically pleasing campus environment that is designed with vandal-resistant materials and is providing clear and properly sized signs in safe locations to ensure safe wayfinding. Paths from transit stops, bike storage areas, and parking areas to main pedestrian entrances are well-lit with clear sight lines. Street-level elevations and landscaping areas are designed to minimize potential hideouts and blind spots. Call boxes with blue lights are distributed across campus and are easily identifiable as well as the installation CCTV monitors in more remote areas provide additional safety measures. An Important element is the adequate lighting levels on walkways, parking lots and roadways as well as encouraging activating spaces to encourage many eyes and people. UNE's Campus Safety and Security Department provides a Clery Report every year that summarizes the past year's offenses and crime statistics on each of its campuses. Over the last 3 years there have been no events reported related to issues stemming from Crime Prevention Through Environmental Design (CPTED) deficiencies on the campus. The University feels that active CPTED during the planning of projects has contributed to low crime statistics.

Design Guidelines

School integrity, academic achievement, and productive student lifestyle is reflected in the institution's physical building and campuses. To ensure that this character is intentional and consistent across UNE's Portland campus, the following Architectural Design Guidelines have been established. These guidelines will preserve and enhance the image of the University's quality, beauty, durability, and history.

UNE has developed a Master Plan (see **Figure 2.1**) and guidelines to enhance its campuses and help it fulfill its greatest potential. The Master Plan identifies the future programmatic needs and generally locates future building based on connectivity, height strategies, and sustainability approaches. Where possible buildings are clustered close together to encourage dense development while reinforcing active outdoor spaces, creating functional linkages with surrounding facilities. The Architectural Design Guidelines are to be used in conjunction with the Master Plan for consistency on the Portland campus and provide an overarching framework while still allowing flexibility in individual building design. The Architectural Design Guidelines provide direction for future development in the IOZ around the visual identity, building location, mass, and consistent use of materials.

Architectural Design Guidelines

The Architectural Design Guidelines were developed to address the following requirements and needs of UNE. These guidelines are intended to provide general guidance and direction and are not intended to supersede any local, state, or federal codes. It is the architect's responsibility to comply with all applicable codes.

1. Cohesive Campus

The overall composition and experience of the campus will be considered for cohesive identity.

2. Building Design

Building façade materials will be of high quality, durable to the weather, and contribute to an attractive campus experience.

3. Building Entrances

Building entrances will include prominent facades and be oriented toward pedestrian-oriented activity areas, including parking areas, to facilitate safe and barrier free access.

4. Lighting

New or renovated buildings should have adequate exterior lighting to ensure that entrances and surrounding areas are safe. All new exterior lighting will be selected to provide lighting levels that meet the safety criteria of the Illuminating Engineers Society of North America, IESNA. Consideration will be given to limit light trespass and glare into neighboring properties through the use of cutoff fixtures at the edge of campus, resulting in less light spillover into the surrounding community. Refer to **Attachment B** for UNE's Lighting Standards.

5. Outdoor Spaces

Building designs should strive to include a variety of open spaces and activities ranging from small intimate courtyards for contemplative study to open lawn areas for informal recreation and outdoor classes. Where applicable, provision should be made during the programming and conceptual design of new facilities to provide opportunities for outdoor use of open space as part of the site and for integration within the larger open space/conservation network.

6. Mitigation of Impacts

Buildings and site development will endeavor to minimize potential negative impacts related to shadows, wind, noise, heat, glare, lighting, contaminants, and the environment.

Visual Identity

The historic nature of the buildings located within the Westbrook College Historic District provides the underlying baseline for the visual identity of new proposed buildings. In addition to creating a consistent historic language, universal design elements will be considered. Universal Design is the design and composition of an environment so that it can be accessed, understood, and utilized to the greatest extent possible by all people regardless of their age, gender, or ability. All new buildings will be in accordance with ADA requirements. The University is committed to making its spaces accessible to the public. The University employs a comprehensive and consistent interior and exterior signage system on campus to establish a unified visual identity. This aids in the cohesiveness of the campus and creates a familiar visual style for information. All signs comply with ADA guidelines.

Building Location

The Master Plan identifies potential building sites and open spaces. This framework provides guidance to ensure a cohesive campus and that the University's goals are being met. The Architectural Design Guidelines will reinforce the University's Master Plan while providing further direction on site elements. Access for emergency and maintenance vehicles, ADA issues, the relationship of new facilities with respect to existing campus elements, and the surrounding natural environment must be considered and maintained with each new building or renovation/expansion. In addition to new connections, new buildings and renovations/expansions must consider existing building relationships to ensure campus functionality and space activation are enhanced and not negatively impacted. Each new project will need to include pedestrian pathways and thoughtful, placemaking design to reinforce the Master Plan's vision.

Massing

The shape and size of each potential building is a balance of programmatic needs, site constraints, and appropriateness based on the historic context and University's goals. Human scale, pedestrian orientation and circulation, entrances and relationship to open space are key elements to consider. The perceived proportions of both individual and the collective buildings need to consider visual connections and sight lines. Deliberate efforts need

to be made to avoid adverse impacts on surrounding neighborhood context. The Architectural Design Guidelines provide human scale strategies to deploy to any new building or addition.

Building Materials and Systems

Material selection is critical for maintaining the overall aesthetic vision while ensuring performance standards are met. The American Society for Testing and Materials (ASTM) is recognized as the industry standard for establishing the performance requirements for various building materials. Adhering to ASTM standards for design criteria, material performance, and construction will provide quality control levels while eliminating untested or unproven materials, products, and systems from consideration on future projects. Materials selection will consider long-term maintenance and life cycle costs. Life Cycle Costing (LCC) is a process used to select the most appropriate and durable material based upon the owner's ability to initially purchase it, evaluate the materials' longevity, and its expected maintenance costs. LCC systems principally address mechanical, electrical, and plumbing; however, can also include materials associated with the aesthetic character of a project as well. Analysis of architectural, civil, and structural materials tends to be a balance of vendor reputation, past performance, environmental factors, and maintenance resources. The University's life cycle expectations are based on a 40-year building life. In addition, materials shall be considered on their physical make up and performance to ensure no materials that contain harmful substances or release volatile organic compounds are being used. The University considers WELL Building Design and U.S. Green Building Council (USGBC) design features in its projects. WELL, is a performance-based system for measuring, certifying, and monitoring features of the built environment. No asbestos containing materials, lead, PCBs, or mercury will be allowed in construction. UNE will strive to eliminate the release of volatile organic compounds to the extent practicable. Energy-efficient design will be incorporated into the design of each new project. The University has adopted the Maine Energy Code and whenever feasible, new, and renovated buildings will be designed with approaches targeting energy conservation and energy efficiency. UNE uses the IECC or USGBC LEED Silver rating for its energy efficiency and sustainability baseline. UNE is also a signatory of the Carbon Commitment and is striving for carbon neutrality.

Signage

UNE has established a standard for signage for their Portland campus, which is included as **Attachment A** to this IDP. The signage standards will be used for each future project to ensure consistency throughout the campus. These standards include directional signage for pedestrians and vehicles, as well as campus maps, building identification, and campus identification signs.

Exterior Lighting

Additionally, UNE has established exterior lighting standards for its Portland campus, outlined in **Attachment B** of this IDP. These standards will be applied to all future projects to ensure consistency across campus. They include lighting fixture distribution classifications, performance standards for different areas—such as roadways, parking lots, and walkways—requirements for lighting controls and equipment, and specific standards for athletic field lighting. Establishing clear lighting standards helps enhance campus safety, improve energy efficiency, and support UNE's commitment to sustainability.

7. NEIGHBORHOOD ENGAGEMENT

Being a good neighbor and having meaningful engagement with the community is critical to UNE's success. UNE makes every effort to being a respectful and understanding partner to its adjacent communities. An open exchange of information, ideas and feedback allows for vetted decision making and ensures everyone benefits from future plans and growth while minimizing adverse impacts. This engagement foundation allows the community to flourish and address concerns together. UNE ensures their partnership and communication goes above and beyond standard outreach. Informing abutters within a 1,000-foot radius, going beyond the 500-foot radius requirement, UNE is committed to including as many community members as possible in the IOZ process and Campus Planning.

Ongoing Community Engagement

UNE understands that its vision and growth is dependent on the overall success of the entire community, and this begins with open communication and collaborative engagement. UNE is committed to building and maintaining trust by clearly and consistently engaging its neighbors on both the institution's core mission and neighborhood concerns. The surrounding community is a diverse section of the city with many perspectives and goals. The campus is an important component that acts as a transition between commercial and industrial businesses in the Forest Avenue, Morrill's Corner and Warren Avenue corridors and the residential neighborhoods of Deering Center, Stevens Avenue and Mayfield Street. UNE values its role with both the local residential communities and the area businesses and strives to be fully supportive of the health and vitality of its neighbors. Over the years, UNE has established an honest and reliable communications, such as with the Deering Center Neighborhood Association, and UNE is committed to maintaining an open dialog with all of its neighbors, to resolve disputes quickly and fairly, and to ensure that its growth not only provides a robust, highly educated future workforce, but that also enhances the neighborhood's unique diversity, economy and livability. To do this, UNE proposes the following ongoing community engagement initiatives to ensure the surrounding neighbors are kept informed of UNE's future development plans and to gather any feedback from the public related to projects or operations on the UNE campus.

1. Develop a comprehensive Construction Management Plan utilizing the City of Portland's template to provide information on maintaining normal campus operations, providing continual public safety, and minimizing impacts to areas surrounding the campus during project construction. More information on the Construction Management Plan is below in this chapter.
2. Provide high level monthly project updates for all current/active projects on the Campus Planning page of UNE's web page (www.une.edu/campus/campus-planning). This web page will be accessible to the public.
3. Create a dedicated email address (uneprojects@une.edu) to allow neighbors to forward questions, concerns, or feedback directly to UNE's Planning Department and project team members. These emails will be answered in a timely fashion by the people directly involved in the construction activities. This email will also be utilized to send out specific project updates and potential impacts to its neighbors on current projects. Email updates will be sent out to neighbors who request to be included on the updates.
4. Continue to attend regularly scheduled local community neighborhood association meetings, like the Deering Center Neighborhood Association (DCNA), to present and review future development plans and receive ideas and feedback.

UNE's community reach is broad and deep in Portland, Cumberland County, across the State, and the region, with particular benefits to health care services, student and faculty volunteer initiatives for the marginalized and underserved, and educational benefits for residents. UNE is Maine's largest

7. Neighborhood Engagement

private university and the state's largest health care professional educator. UNE is also one of the region's major employers and ranks in the top quartile of Maine workplaces for the size of its workforce. Given this broad impact and influence it is important for UNE to have ongoing community engagement and align with all stakeholders.

UNE partners with external community focused associations that can help coordinate outreach and amplify messaging. These groups include the Deering Center Neighborhood Association, Friends of Evergreen, Portland Trails, etc. A neighborhood meeting was held on June 13, 2024, to provide the neighborhood with background information on the IOZ process and to garner feedback on UNE's Campus Master Plan. A second neighborhood meeting was held on October 30, 2024, at 6pm in the same location as the first meeting, to provide an update on the IOZ process and share materials from this IDP and from the Regulatory Framework. In addition to the required neighborhood meetings, UNE has hosted meetings on July 2, 2024, and September 16, 2024, with the Deering Center Neighborhood Association (DCNA), to share updates on the IOZ process and solicit feedback from this important neighbor to UNE.

A Community Advisory Group will be created for the purpose of sharing information on project development, planning, and seeking input. To the extent practicable, the group will be comprised of representatives of interested groups such as the Deering Center Neighborhood, parks and trails, bicycle/pedestrian, public transit, and the business community.

Property Management Framework

UNE directly oversees the maintenance and care of its facilities. This includes Safety and Security, grounds and building maintenance. Should operational issues arise, neighbors are encouraged to reach out to inform UNE of their concerns. The UNE phone line is answered 24/7 and persons can report concerns directly at any time. UNE has an on-call roster of technicians available to respond to emergencies in the evenings, overnight or on weekends or holidays.

UNE does not inspect or approve any off-campus housing and only provides an off-campus housing list as a convenience to students and landlords/rental agencies. UNE operates under the assumption that landlords/rental agencies conduct business within the guidelines of the law and all contractual agreements are between students and the landlords or agents. Any property issues of non-university properties would be dealt with through the appropriate resources. UNE provides an Off-Campus Housing Disclaimer that outlines its general approach.

Property Acquisition and Disposition Communications

UNE has established strategies for assuring communication pertaining to property acquisition and disposition in surrounding neighborhoods. This includes alerting abutting properties of the transition of ownership and providing the appropriate contact information should it be required.

Student Service Learning and Volunteerism

Student learning and volunteerism aligns and integrates academics with the needs of the community. This learning strategy integrates meaningful community service with instruction and reflection to enrich the learning experience, teach civil responsibility, and strengthen communities. Community engagement is a core component of all UNE health professions programs and Student Service Learning and Volunteerism is a key

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commitment of the university. Through structured service learning and volunteer opportunities, UNE students play an active role in promoting health, with an emphasis on serving Portland's vulnerable citizens. More than 700 health professions students annually provide hundreds of hours to non-profits across the city, often in interdisciplinary team-based groups that maximize the impact to community members. Benefits of UNE's Student Service Learning and Volunteerism includes culture competency, professional skill development, real-world application, and an opportunity to give back to the local community.

Service to the City and Region

UNE students and staff volunteer and donate generously to the local communities. They provide thousands of hours of service annually. Some examples include:

Health Care

UNE educates approximately 2,500 health professions students annually, nearly all of whom advance their clinical knowledge and skills by completing student practicums with health care affiliates in Portland, across Maine, and throughout New England. UNE has well established, long term academic and clinical partnerships with over 65 organizations in Portland alone, including major health systems, retail pharmacies, elder care facilities, agencies supporting disadvantaged residents, physical therapy businesses, and the Portland School System, among many others.

- Hundreds of UNE health care students provide thousands of hours to nonprofits in southern Maine, including the City of Portland, annually.
- In 2023 there were nearly 20,000 visits to one of UNE's Portland-based community outpatient health clinics, offering reduced cost care:
 - o Dental Hygiene Clinic 2,540 (Over 11,400 visits in last 4 years)
 - o OT/PT Lab and Rehab Clinic 1,135 (Over 4,700 visits in last 4 years)
 - o Oral Health Center 16,701 (Over 139,000 visits in the last 10 years)
- Allied Health Professions Students provide many hours of service at a number of Portland clinical sites.
- Dental students have annual rotations at Greater Portland Health
- Physical Therapy students provide services in 21 clinical locations in Portland.
- Applied Exercise students provide services in 6 clinical locations in Portland, including Portland High School
- Dental Hygiene students provide service in 3 clinical locations in Portland including St. Brigid's School
- Dental Hygiene students provide service at Portland Women, Infants & Children (WIC) sites, with 130 outpatient visits in 2023.
- Public Health, Social Work, and Nutrition students provide services at 13 clinical locations in Portland.
- Athletic Training students provide services for Deering and Portland High Schools
- Nurse Anesthesiologist students provide services for patients at Maine Medical Center and Mercy Hospital
- Occupational Therapy students provide services at 8 clinical sites in Portland including STRIVE, Long Creek Youth Development Center, and the Boys and Girls Club
- Physical Therapy students provide services at 11 clinical sites in Portland.
- Hundreds of UNE Nursing students provide a range of services at Portland health care providers and public health centers.
- The Cedars Portland senior living community has engaged the CDM to serve as a dental home for its residents.

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- UNE COM supports many trainings for Portland-based surgeons, physicians, and EMTs.
- In 2024, 9 COM students were chosen for Maine Medical's Residency Program.
- In 2024, 60 COM students completed clinical rotations at Portland health care centers (majority Maine Medical Center and Northern Light Mercy)

Public Health

UNE's Center for Excellence in Public Health (CEPH) provides education and service to the community and administers the Maine Area Health Education Center (AHEC). Portland and the surrounding communities are partners and recipients of these services.

- CEPH implements the State of Maine's SNAP-Ed program. Since 2012, the City of Portland's Public Health Division Nutrition Educators have provided Maine SNAP-Ed programming including direct education and policy and systems and environmental change interventions for eligible participants in the Portland community.
- Between 2016 and 2022, CEPH oversaw statewide substance use prevention efforts on behalf of the Maine Center for Disease Control and Prevention (CDC). The City of Portland was one of CEPH's subcontractors and implemented substance use prevention interventions in Portland.
- Between 2018 and 2020, in collaboration with UNE COM, CEPH oversaw a federally funded Primary Care Training and Enhancement Champions grant, through which a physician from GPH participated in a 2-year fellowship to improve services for people with opioid use disorder.
- Between 2020 and 2022, in collaboration with GPH and the Portland-based Maine Access Immigrant Network, CEPH evaluated a federally funded project on behalf of the Maine CDC to address health disparities in diabetes and HIV among Black and African immigrants, refugees, and asylum-seeking individuals in Cumberland County.
- Maine AHEC Network engages University of New England health profession students in community-based learning experiences with underserved communities in Portland. Maine AHEC Network coordinates these events in collaboration with community partners and provides training for students in advance of their participation. Examples since 2018 include:
 - o School-based Oral Health Care: Partner with local schools to have students participate in delivering oral health education, and in some cases apply dental varnish for school students (2018–Present)
 - o Portland Needle Exchange: Partnership with Portland Public Health's Free Clinic where students provided support at the Portland Needle Exchange (2018–Present)
 - o School-based Vision and Hearing Screenings: Partner with local schools for students to assist with vision and hearing screenings (2018–Present)
 - o Cumberland County Jail Corrections Officer Wellness Program: Partner with Cumberland County Jail for students to provide wellness education to corrections officers (2019–2020)
 - o Greater Portland Health Support Group for Refugees and Immigrants: Partner with Greater Portland Health for students to assist with a Support Group for Refugee and Immigrants (2019)
 - o Preble Street Volunteering: Students volunteered to assist at the Preble Street shelter (2018–2019)

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- Partnered with Portland Public Health’s Screening Priority Urgent Referral (SPUR) Clinic screenings for newly arrived refugees and asylees at Portland Public Health (PPH). The program rolled out this spring, with:
 - o 14 Scholar and Non-Scholar student participants, with a combined 21 student visits (some chose to visit multiple times)
 - o Students worked with precepting health professionals at the SPUR clinic, participating in health history taking and physical exams, point of care testing, intake and resource referral, health promotion and education.
- Maine AHEC Network Youth Healthcare Workforce Diversity Program
 - o Since 2017 Maine AHEC Network has partnered with Portland high schools and the local Ethnic Community-Based Organization Maine Access Immigrant Network to provide health career exploration learning opportunities for New Mainer students. A total of 167 Portland high school New Mainer students has participated in the program since it began in 2017.

Service Learning and Community Outreach

Community engagement is a core component of all UNE health profession programs. Through structured service learning and volunteer opportunities, UNE students play an active role in promoting health, with an emphasis on serving Portland’s vulnerable citizens. More than 700 health professions students annually provide hundreds of hours to non-profits across the city.

- Meals for Maine 2023 Contributions (September 2023)
 - o 23,290 nonperishable, shelf stable meals distributed to:
 - Preble Street Resource Center: 13,260 meals donated.
 - Sacred Heart Food Pantry: 2,690 meals donated.
 - Milestone Recovery: 2,040 meals donated.
 - Maine Access Immigrant Network: 1,630 meals donated.
 - City of Portland: 1,630 meals donated.
 - South Portland Library: 2,040 meals donated.
 - More than 28,000 additional meals were distributed to other areas in Cumberland County and beyond.
 - o Meals for Maine 2024 will double its impact with 100,000 meals delivered across the state, with a focus on Portland and Biddeford
- Cumberland County Jail (CCJ)
 - o Hundreds of harm reduction kits have been assembled by students and given to residents in need upon release from incarceration.
 - o Wellness kits and programming have been delivered to correction officers (COs) at CCJ to promote healthy living for individuals in these high stress positions.
 - o In fall 2024, weekly wellness programming will return to residents after a 4-year hiatus due to COVID. Jail administration and Armour Health have requested that UNE re-implement this long-standing program that earned UNE a Cumberland County Sheriff’s Office Certificate of Appreciation in 2018.
- Barron Center
 - o Nearly 100 UNE students have participated in the “Dinner with Friends” program which pairs students with residents to share a meal and special events together.

7. Neighborhood Engagement

- Boys and Girls Clubs of Greater Portland:
 - o More than 25 UNE students volunteer as mentors at the clubs each semester.
 - o Even more students have delivered special event programming for club members such as health fairs and pizza parties.
 - o Hundreds of pounds of granola bars, pasta and tomato sauce have been donated by the UNE community to help address food insecurity among club members.
- Milestone Recovery:
 - o Hundreds of students have shadowed the HOME team, learning about the collaborative effort to address the needs of Portland's unhoused community.
 - o Hundreds of sandwiches have been made by UNE students and delivered around Portland in collaboration with the HOME team.
 - o Student clubs and organizations have gathered hundreds of dollars' worth of supplies to meet the needs of Milestone's "wish list," as well as collected donations to fill backpacks for delivery around Portland by the HOME team.
- Deering High School & Casco Bay High School:
 - o UNE students have regularly delivered programming, mentorship, and special events for students, including a Career Exploration Day and STEM Expo exhibits.
- Maine Department of Corrections:
 - o Students have assembled more than 8,000 harm reduction kits for distribution to individuals state-wide, including community correction offices in Portland. As part of the kits, UNE students write notes of encouragement and hope which have been found to be incredibly meaningful to recipients.
- UNE College of Dental Medicine (CDM) Community Service:
 - o Second-year dental students visit Goodwill LifeWorks Deaf Services and Goodwill Neuro Rehab Clinic to provide oral health education and activities to their patients.
 - o Third-year dental students visit the Glickman Lauder Center of Excellence in Autism and Developmental Disorders once a month to provide oral health education and desensitization activities for the children at the Center.
 - o Health Fair at the Greater Portland Immigration Welcome Center.
 - o CDM participates in the Juneteenth Community Health Fair.
 - o CDM is one of several locations across the state participating in a program to provide care to veterans through the Maine Veterans' Dental Network (MVDN). Any veteran who is not 100% service-connected to the Veterans Administration, does not have dental insurance, and cannot afford to pay for dental care out of pocket can register for the program.
- Hundreds of UNE students have volunteered countless hours for Portland based Partners for World Health.
- Students in UNE's Reproductive Health Leadership program collected donations to assemble menstruation care kits for Sacred Heart Pantry when funding for these critically needed products ran out.
- COM provides medical services for the Maine Marathon.
- UNE is recipient of a grant to support training of Sexual Assault Nurse Examiners (SANE):
- Training Forensic Nurses, law enforcement, and EMS in Portland.
- ME Council of Elder Abuse Prevention Summit training.

7. Neighborhood Engagement

- UNE's Center for Excellence in Aging and Health offers continuing education opportunities to 730 Legacy Scholars annually – 143 of those scholars live in Portland.

Economy

UNE serves over 970 students on the Portland Campus alone. UNE brings students from Maine, New England, and increasingly from across the country and the world to Portland to live, study, and work. Many students elect to stay in Maine following graduation, including in Portland. The University is a top local employer, and it spends significantly to support local businesses. UNE faculty, professional staff, and students volunteer thousands of hours annually, providing *pro bono* services in the City. UNE researchers are tackling some of the most pressing issues facing the City and region, developing solutions with tangible impacts.

Many UNE students live in Portland and surrounding communities. They spend money to support local businesses and institutions. UNE also attracts thousands of visitors every year to Portland. These visitors spend money on lodging, food, and other services in the community.

- In 2023, 979 students attended classes on the Portland campus, and 372 reported a Portland home address.
- An additional 400 students will join the Portland campus when the new UNE COM facility opens Summer 2025.
- Approximately 30% of students are from Maine (including Portland and the surrounding area), and 70% of students come from outside of Maine (bringing "new" dollars to the community and region).
- A 2024 economic impact study found that student and visitor spending accounts for \$51.9 million in revenue for Maine businesses annually.

UNE is a major employer in Portland, Cumberland County, and the state of Maine, with many employees living in Portland and the surrounding areas. These residents pay property taxes and rent or mortgages. They support local businesses and services. Their children attend local schools. The following data exclude student employee numbers.

- UNE is the 15th largest employer in Cumberland County.
- UNE employs 1,890 people in Maine - over 560 employees work on the Portland campus.
- An estimated 150 additional employees will join the Portland campus when the new UNE COM facility opens Summer 2025.
- 177 UNE employees live in the City of Portland.
- UNE provides excellent employment opportunities with competitive salaries and benefit packages.
- UNE pays over \$17.6 million per year in salaries and benefits to employees living in Portland.
- UNE spends over \$143 million annually in operational expenses, \$55.4 million of which buys goods and services from Maine businesses, the vast majority of which are located in southern Maine.

Construction Management Principles

UNE has identified the construction management principles that will be implemented to minimize impacts to its surrounding neighborhoods from noise, vibrations, ground movement, truck traffic, dust control and other construction related factors. UNE will strive to schedule and undertake

7. Neighborhood Engagement

construction operations in a way that will minimize, to the extent feasible, the disturbance to the public and occupants of buildings in the adjacent area.

Communication Initiatives

UNE has established a communication method to connect with its adjacent neighbors, the City of Portland, and construction teams. To facilitate direct interaction, UNE employs a dedicated email address where neighbors can submit questions or express concerns. UNE staff responsible for future projects promptly address these emails. Additionally, UNE proactively sends monthly updates to interested neighbors, covering project status and important alerts related to activities that might impact nearby roadways, create dust, vibration, or noise, and affect traffic around the campus. These updates are also accessible on the UNE website's Campus Planning page at une.edu. Furthermore, UNE actively engages with adjacent neighborhood associations, such as the Deering Center Neighborhood Association (DCNA), by participating in regularly scheduled meetings to discuss ongoing or upcoming projects.

Construction Schedule

UNE commits to delivering estimated master project schedules at the outset of any significant construction project it undertakes in the future. Throughout the construction period, regular updates to these schedules will occur, reflecting any adjustments to dates. These updates will be tailored based on the project's assessed impact on the surrounding neighborhoods and areas. UNE will relay these updates through the communication initiatives mentioned earlier.

Construction Management Plan

As part of the planning process and before beginning any major construction project, UNE will create a comprehensive Logistics and Safety Plan. This plan will be shared with neighboring communities and the City with objectives to ensure the continuity of normal campus operations, enhance public safety, and minimize disruptions in the areas surrounding the campus. UNE will adopt the City's Construction Management Plan template to develop its own Construction Management Plan, which will accompany each future project's Site Plan application.

Project Work Hours

Construction Management Plans submitted for each future project will outline the project's work hours, carefully established to minimize the impact on surrounding areas and neighbors, while ensuring efficient completion of the project work. UNE will adhere to the City's code of ordinances, which regulates work hours.

Public Safety and Access

Safety is of utmost concern for UNE, and it will be thoroughly reviewed and integrated into its Construction Management Plans. During construction, pedestrian walkways and vehicular access routes will be clearly marked with appropriate signage and diligently maintained. Safety fencing and lockable gates will be deployed to separate construction zones from public spaces. Access to these fenced-off areas will be restricted to authorized

construction personnel, delivery staff, and members of the construction project team. UNE's campus houses a Safety and Security Department, which will oversee safety and access to these construction zones outside of work hours.

Construction Noise

UNE is dedicated to minimizing construction noise impacts on the surrounding areas. Construction projects inherently generate noise due to necessary tasks throughout their duration. UNE, along with its construction project team members, will proactively notify neighbors of any abnormal noise-creating activities, such as blasting or pile driving, through the updates process the university has established.

Construction Traffic and Parking

Construction Truck Routes and Volume – UNE and its construction project team will establish construction vehicle access routes to and from construction zones, prioritizing distance from residential and other sensitive areas. Construction vehicles will directly enter the fenced construction areas, avoiding queues on public roadways. This will be achieved by managing the frequency and volume of deliveries throughout the construction timeline. Clear markings and signage will guide construction traffic strategically to minimize noise, reduce conflicts with on and off campus users, and limit the spread of dust and dirt. Specific details for each future project will be outlined in the Construction Management Plans submitted for each project.

Construction Staging Areas – Construction staging areas for material and equipment delivered to the project sites will be located within the fenced construction zones for each project, ensuring they are positioned as far away as possible from residential and other sensitive areas.

Construction Personnel Parking – Jobsite personnel will be instructed to park either within the fenced construction zones for each project or remotely in UNE's Bishop Street parking lot. The construction project team and its subcontractors will actively promote the use of public transportation by workers to minimize the impact on the surrounding area.

Construction Air Quality

To mitigate dust issues and minimize impacts on the local environment from its project sites, UNE and its project team will implement several strictly enforced measures. These measures include using wetting agents to control airborne dust from construction access drives and construction zones, covering soil stockpiles as needed, ensuring that transport trucks use covers while moving materials that generate dust, and periodically sweeping and cleaning the construction zones.

City of Portland Construction Management Plan General Template

Attachment C to this IDP is the standardized City of Portland template that will be used for each future project to establish a clear and concise plan and open lines of communications with the City and its neighbors.

Attachment A: UNE Signage Standards



UNIVERSITY OF
NEW ENGLAND

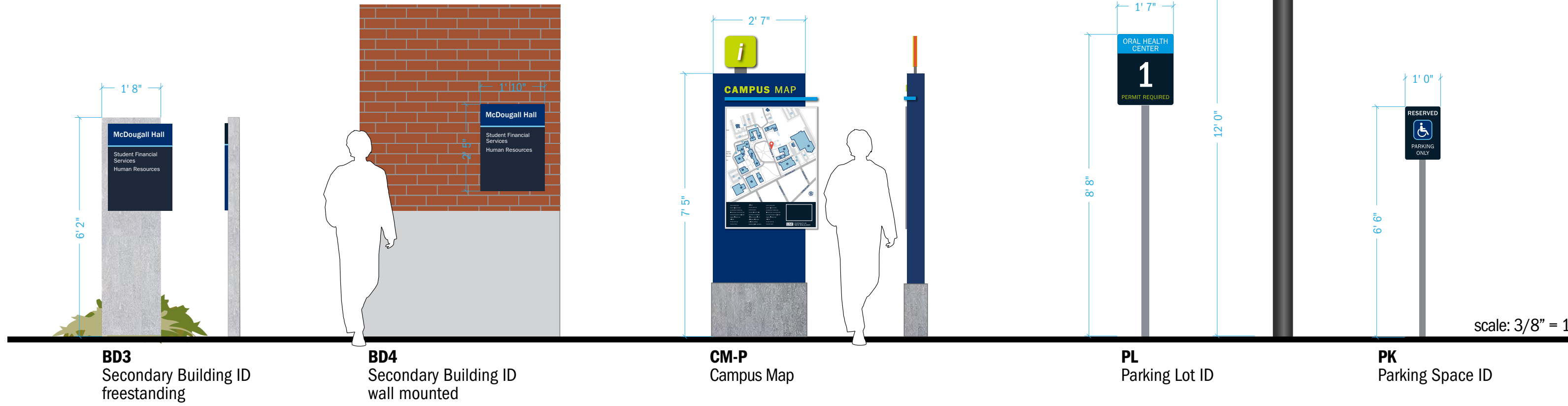
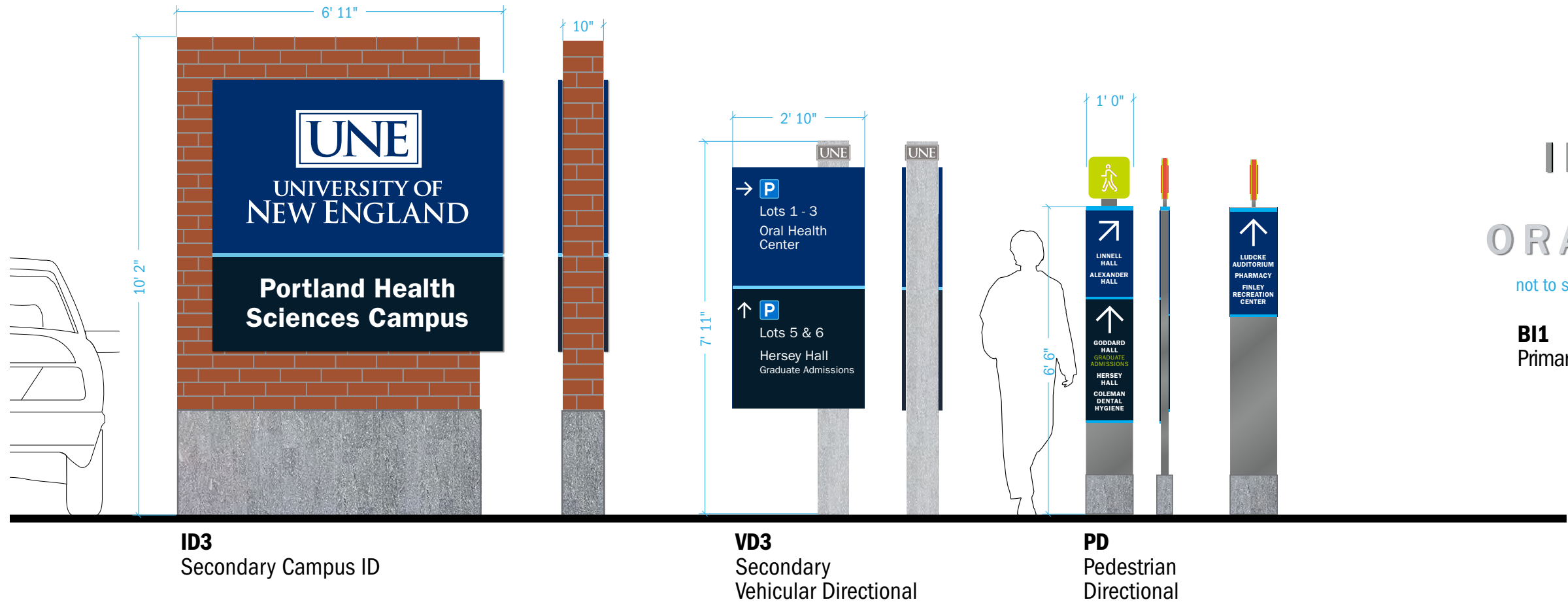
INNOVATION FOR A HEALTHIER PLANET

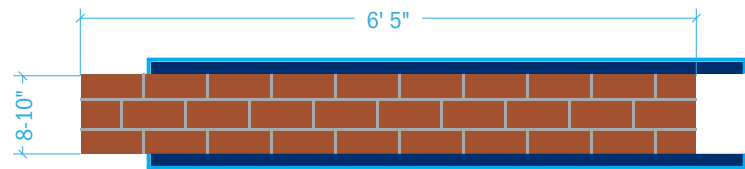
Portland Health
Sciences Campus

Design Development

February 22, 2023

SIGN LINE-UP - PORTLAND

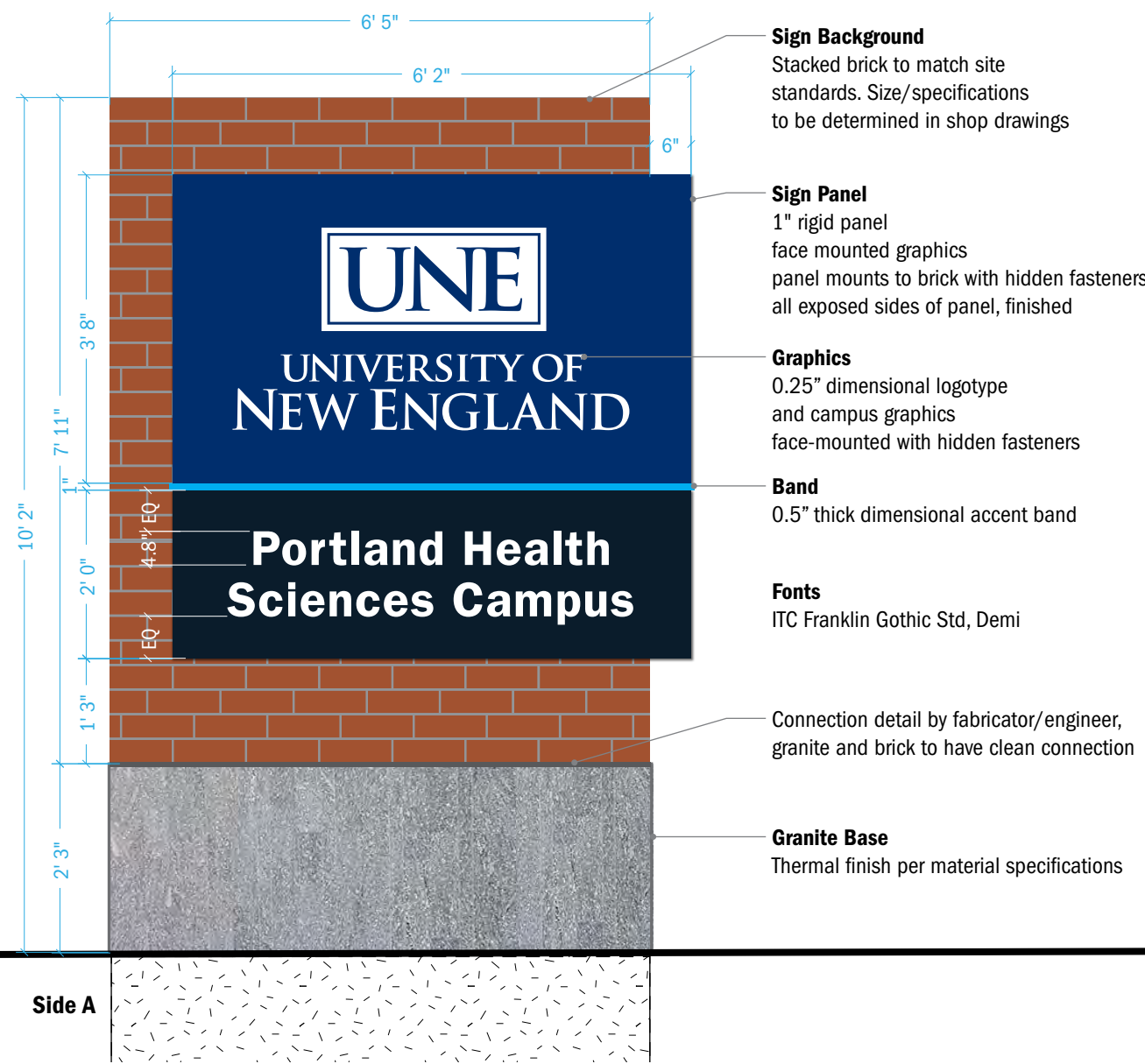




Top View



Context Image

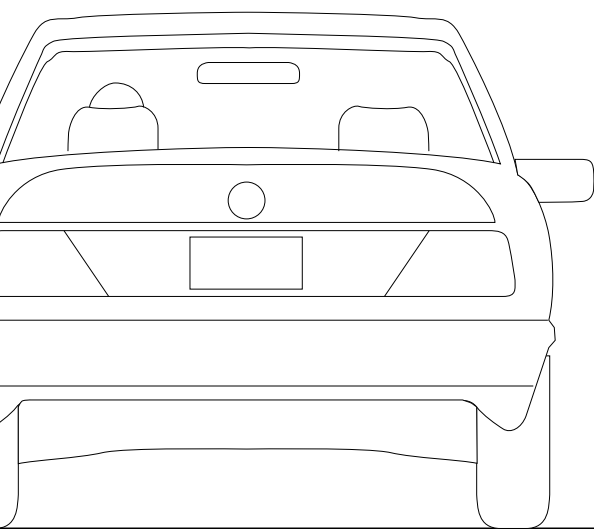


Side A

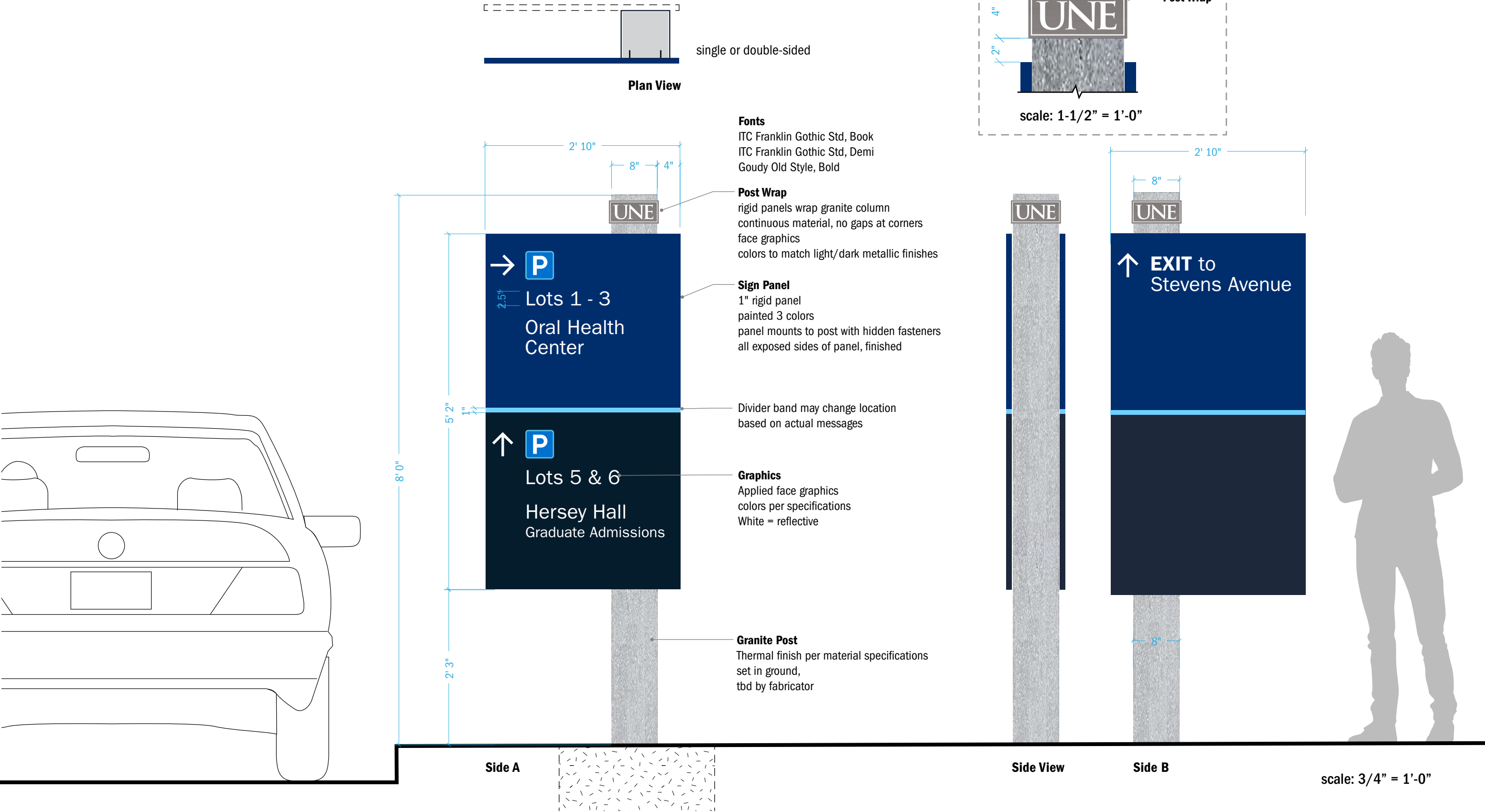
Side View

Side B

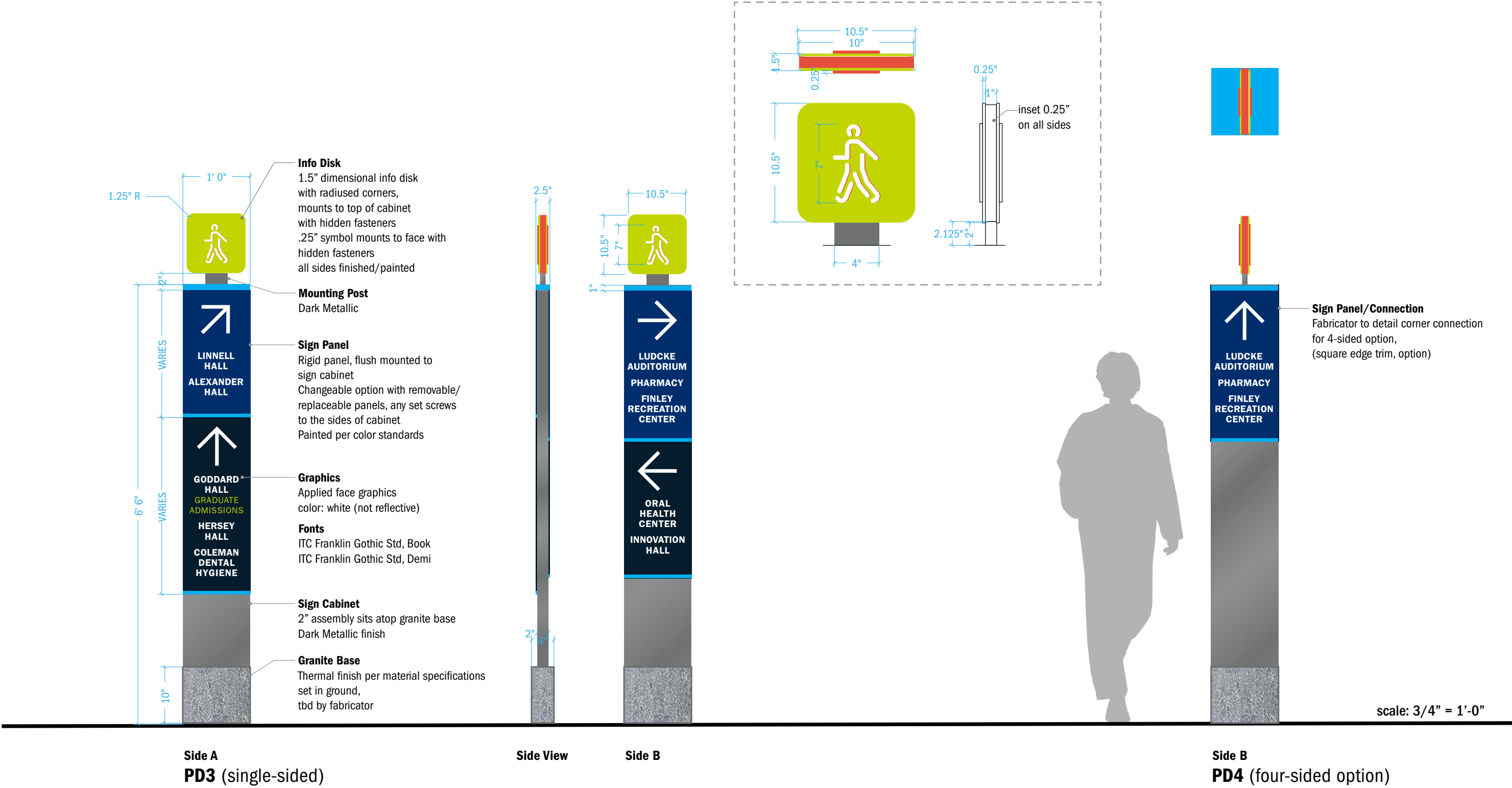
scale: 1/2" = 1'-0"



SECONDARY VEHICULAR DIRECTIONAL



PEDESTRIAN DIRECTIONAL



PRIMARY BUILDING IDENTIFICATION

VARIES

INNOVATION HALL

VARIES

ORAL HEALTH CENTER

1" dimensional letters, 5"-10" height letters are custom sized to entrance/placement on building.
Pin mounted to existing building or overlay panel where required.

Dark Metallic
(dark on light background)

Light Metallic
(light on dark background)

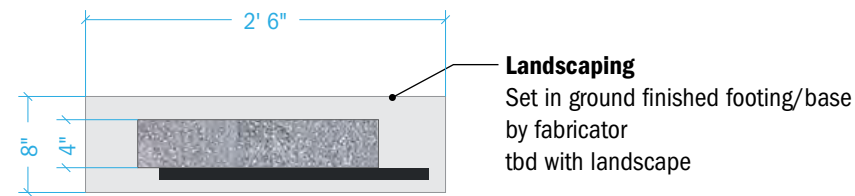
ITC Franklin Gothic Std Medium, tracking 150pt

scale: 1/2" = 1'-0"

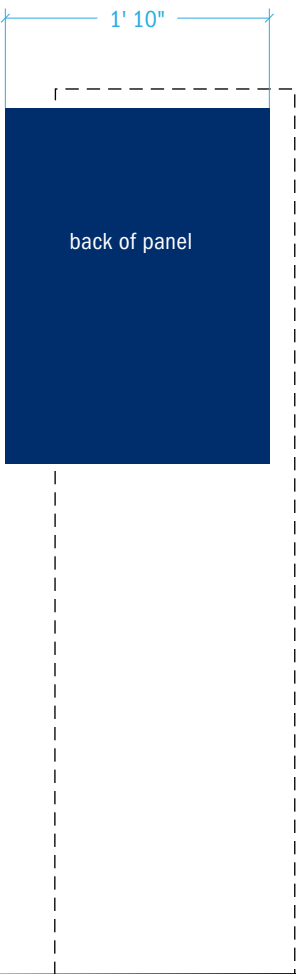
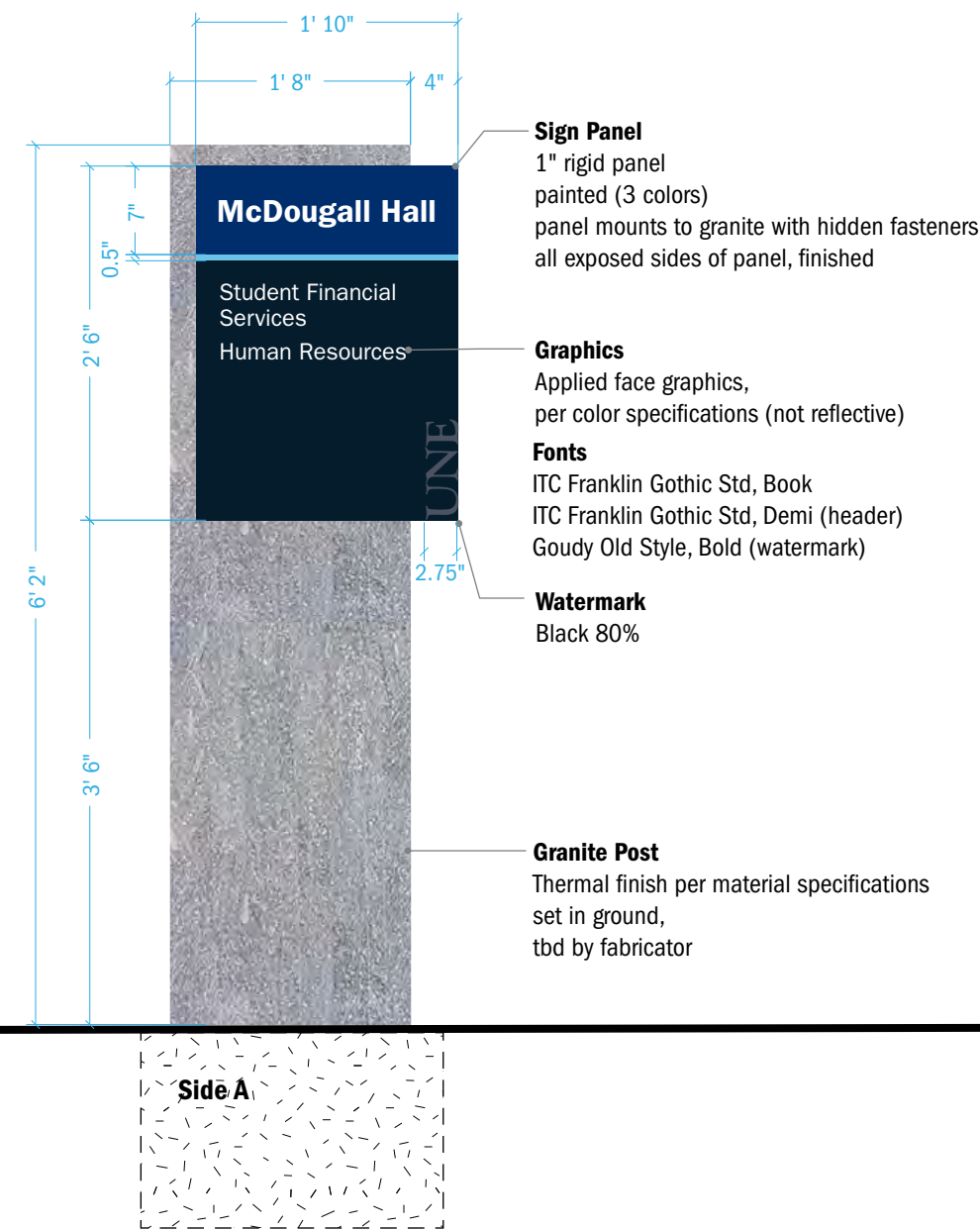


*NOTE: Images shown are for reference only; actual placement/use TBD

SECONDARY BUILDING ID - FREESTANDING



Plan View



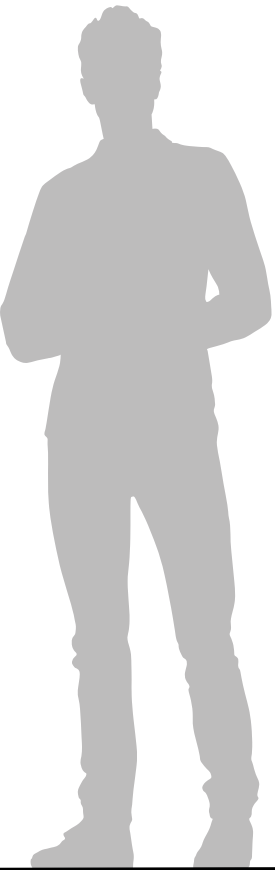
Back of Panel



Side View

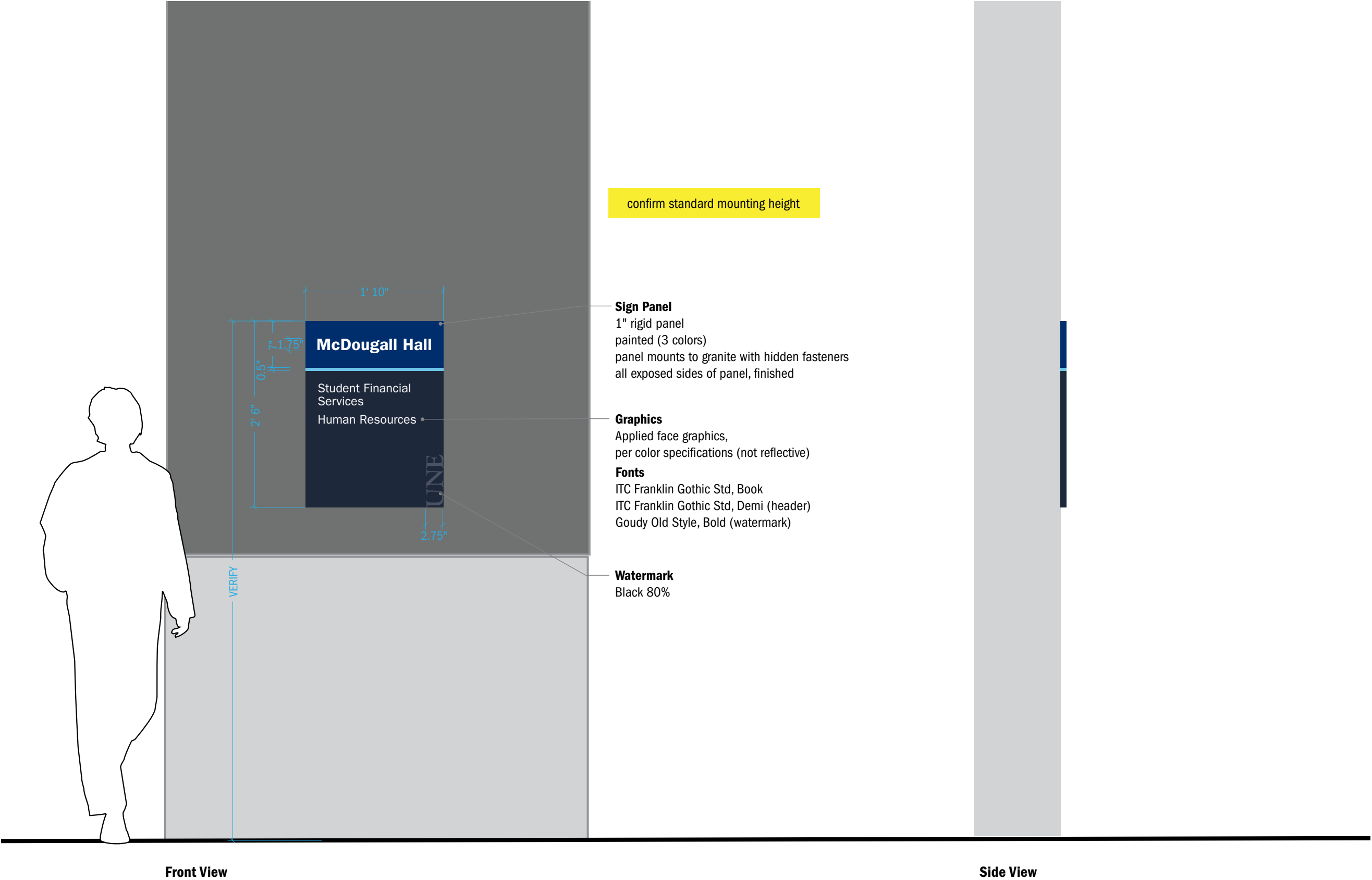


Back View

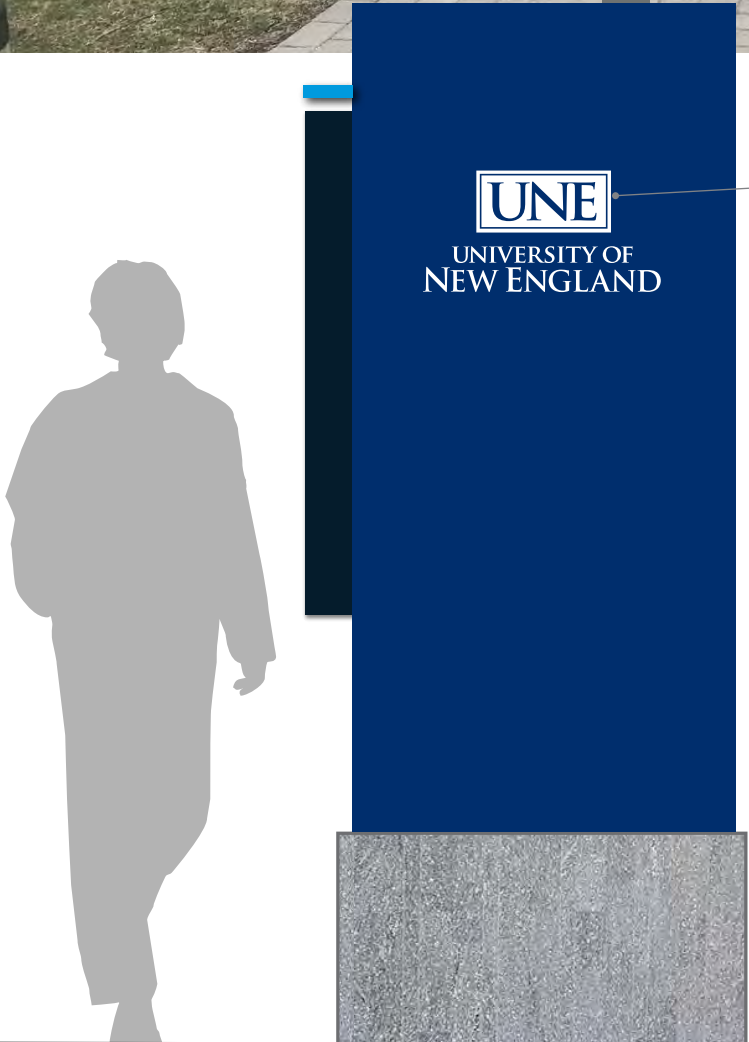
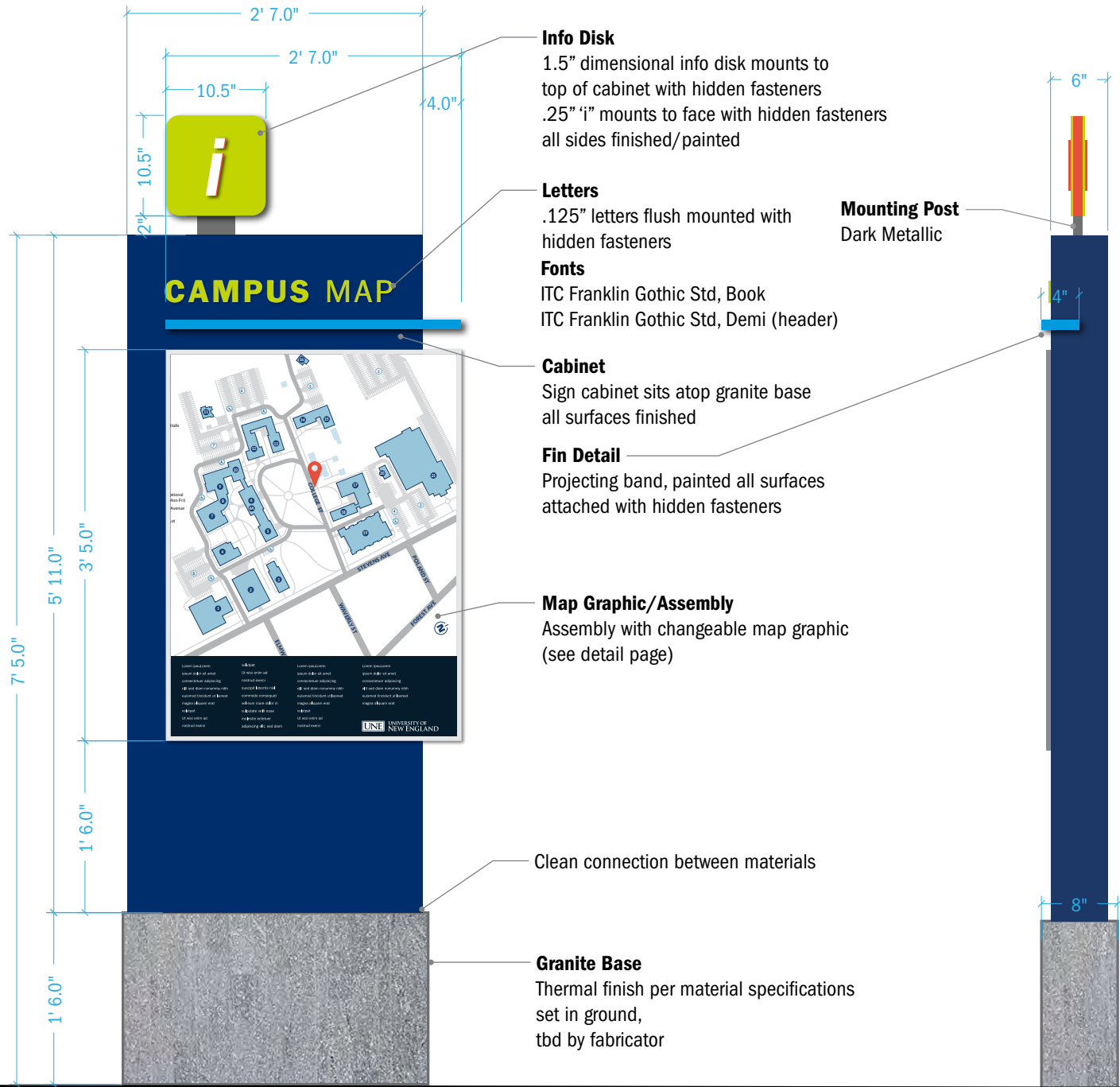
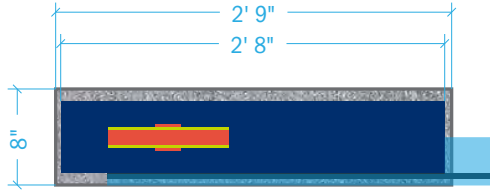


scale: 3/4" = 1'-0"

SECONDARY BUILDING ID - WALL MOUNTED



CAMPUS MAP



Logo
Applied to back of sign cabinet

Front View

Side View

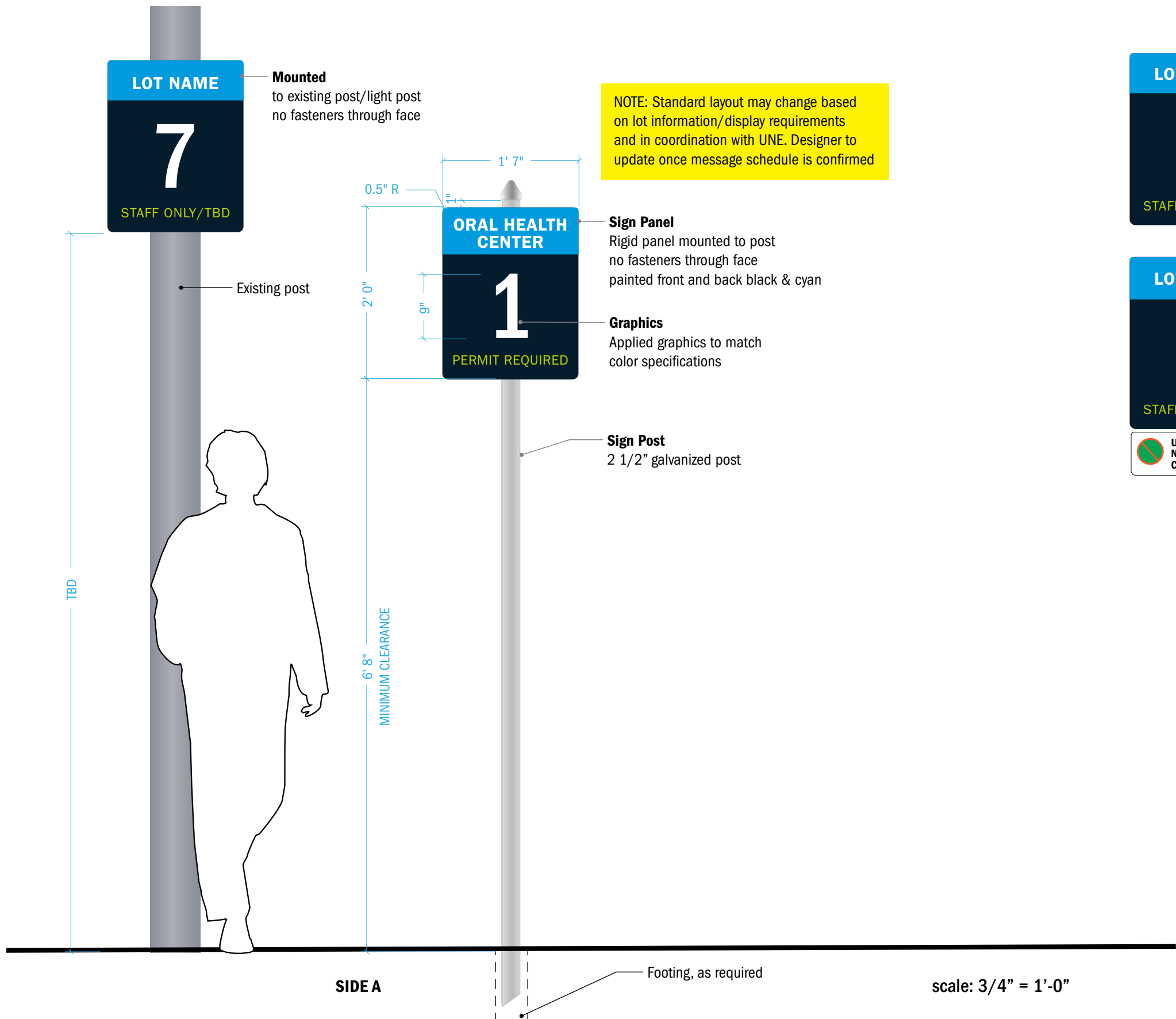
Back View

scale: 3/4" = 1'-0"

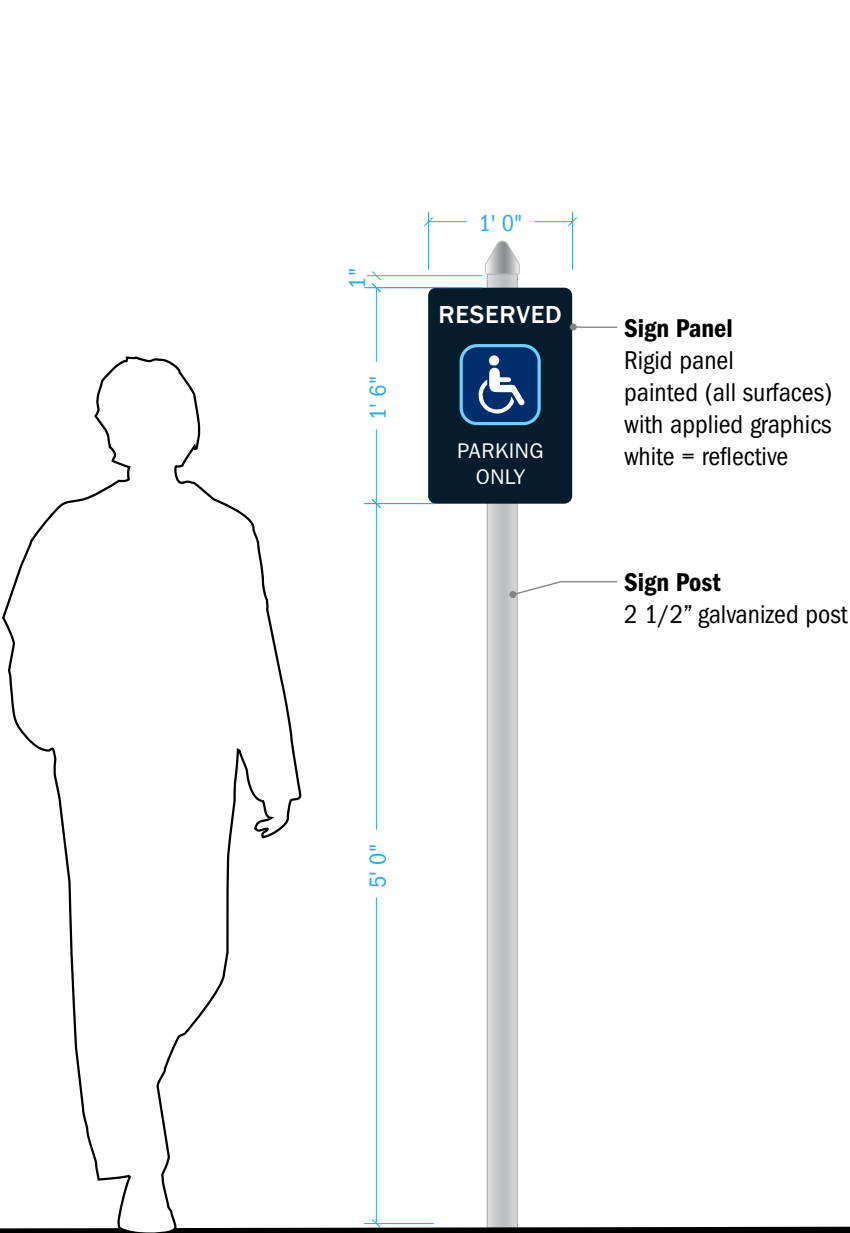
CAMPUS MAP - DETAIL



PARKING LOT ID



Secondary Info Panel (Option)
Rigid panel mounted to post
no fasteners through face
Information TBD



scale: 3/4" = 1'-0"

THANK YOU

Contact info:

Kerry S. Peiser, PLA

Landscape Architect | Project Manager

kpeiser@oakpoint.com

Oak Point Associates

O: 207.283.0193 | C: 207.205.1032

Elisa Winter Holben

Principal | Design Director

elisa@winterholben.com

WINTER HOLBEN Architecture + Design

O: 207.994.3104 | C: 207.703.3293

COLOR/MATERIAL SPECIFICATIONS

PRIMARY COLORS

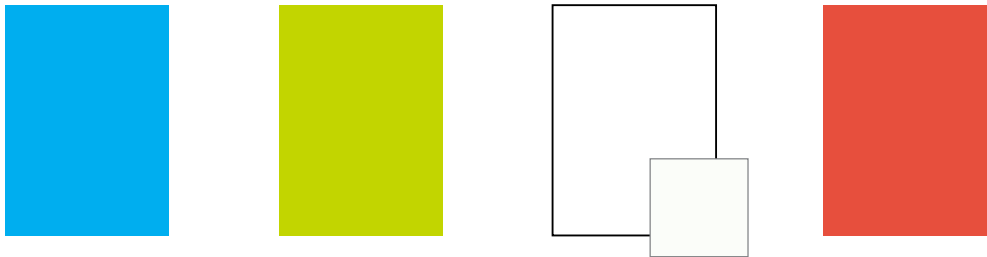


Blue
Blue - PMS 294c
match color

Black
PMS 296c
(needs approval)
Black with blue
undertone for signs

Gray
Gray - PMS 423c
match color

ACCENT COLORS



Cyan
Cyan
C=100%

Green
Green - PMS 382c

White
White
Matthews Paint
White Wonder
MP32071

Red
Red PMS 7625c

WATERMARK



Blue 80%
Blue - PMS 294c
@ 80% of color
match color

Black 80%
PMS 296c
@ 80% of color
(needs approval)

MATERIALS



Granite Smooth
Woodbury
Granite
Thermal Finish

Granite Textured
Woodbury
Granite
Rock Face Finish

Westbrook Brick
College Blend
Waterstruck™
Morin Brick
(Lewiston ME)
CONFIRM



Dark Metallic
Medium gray
metal finish

Light Metallic
Satin Silver
metal finish

Color-match
Pantone colors are noted where applicable,
the color is to be matched with exterior paint
and/or film.
Samples and shop drawings required for
approval



White
3M 7725-10
Reflective
3M 680-10

Vivid Blue
3M 7725-47

Olympic Blue
3M 7725-57

3M Peacock Blue
3M 7725-77

3M Perfect Match Red
7725-263
Reflective
3M 680-72



Parking Space
Icons



Directional
Icon

SUBMITTALS

Samples are for both Biddeford and Portland Campuses

- Drawings
- 1

Shop drawings showing all relevent materials, connections, details and foundation.

- Materials/Paint
- 2

Material Samples - 6x6 samples
- 3

Paint Samples - 6x6 samples
- 4

Watermark - 80% black & PMS 294c 6x6 samples
- Samples - QTY 3 each deliver to:
Chanel Douglas, UNE
Kerrie Peiser, Oak Point Associates
Elisa Winter Holben, Winter Holben

- Prototype
- 5

Full Size Assembly - VD1 (Biddeford) - size/scale study can be printed on rigid material with way to show mounting height
- 6

Full Size Panel - PD (Portland & Biddeford) size/scale study printed on rigid material
- 7

Full Size Panel - PL (Portland & Biddeford) size/scale study printed on rigid material

Attachment B: UNE Lighting Standards

University of New England

Exterior Lighting Standards

Exterior Lighting – General Site

The purpose of this document is to provide recommendations for exterior lighting master plan standards. Included are lighting standards for parking lots, roadways, walkways, and landscape accent areas.

References are made in this document to lighting standards published by the *Illuminating Engineering Society of North America (IESNA)*.

- The Lighting Handbook, 9th Edition
- RP-33-99 Lighting for Exterior Environments
- RP-6-01 Sports and Recreational Area Lighting
- RP-8-00 Roadway Lighting
- DG-5-94 Recommended Lighting for Walkways and Class 1 Bikeways
- RP-33-99 Lighting for Exterior Environments
- RP-6-01 Sports and Recreational Area Lighting

Lighting Fixture Distribution Classifications

The primary components of a light fixture that determine its performance are the lamp, reflector/refractor system, and ballast. The *IESNA* classifies exterior lighting fixtures by their performance characteristics relating to optical control: full cutoff, cutoff, semicutoff and noncutoff:

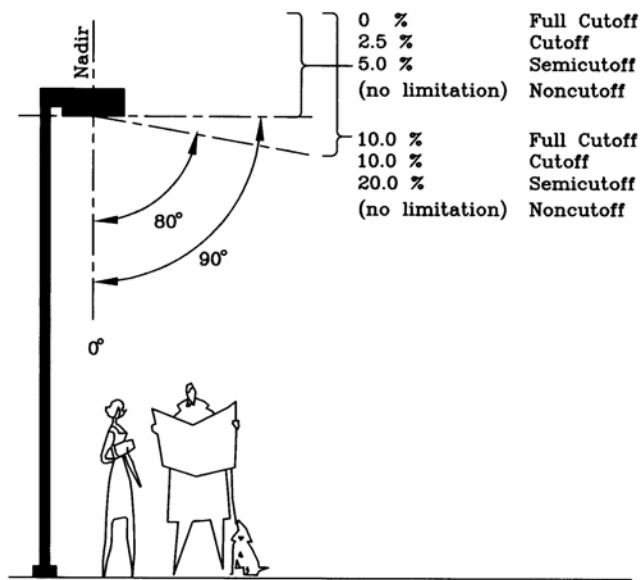


Fig. 1 IESNA Luminaire Cutoff Classifications

Full Cutoff

A luminaire light distribution where zero candela intensity occurs at an angle of 90° above nadir, and at all greater angles from nadir. Additionally, the candela per 1000 lamp lumens does not numerically exceed 100 (10 percent) at a vertical angle of 80° above nadir. This applies to all lateral angles around the luminaire.

Cutoff

A luminaire light distribution where the candela per 1000 lamp lumens does not numerically exceed 25 (2 1/2 percent) at a vertical angle of 90° above nadir and 100 (10 percent) at a vertical angle of 80° above nadir. This applies to all lateral angles around the luminaire.

Semicutoff

A luminaire light distribution where the candela per 1000 lamp lumens does not numerically exceed 50 (5 percent) at a vertical angle of 90° above nadir and 200 (20 percent) at a vertical angle of 80° above nadir. This applies to all lateral angles around the luminaire.

Noncutoff

A luminaire light distribution where there is no candela limitation in the zone above maximum candela.

IESNA RP-33-99 Lighting for Exterior Environments

Exterior Lighting Performance Standards

Roadways

Exterior illuminance levels for roadways should conform to the following criteria listed in **Table 1**. There are two roadway use classifications that apply: *Collector* and *Local*. In each case, the classification for pedestrian/vehicle conflict would be a *High* rating.

Collector Roadway: Roadways servicing traffic between major and local streets. These are streets used mainly for traffic movements within residential, commercial and industrial areas. They do not handle long, through trips. Collector streets may be used for truck or bus movements and give direct service to abutting properties.

Local Roadway: Local streets are used primarily for direct access to residential, commercial, industrial, or other abutting property. They make up a large percentage of the total street system, but carry a small proportion of vehicular traffic.

High Pedestrian Conflict Areas: Areas with significant numbers of pedestrians expected to be on the sidewalks or crossing the streets during darkness. Examples are downtown retail areas, near theaters, concert halls, stadiums, and transit terminals.

IESNA RP-8-00 Roadway Lighting

**MAINTAINED ILLUMINANCE
VALUES FOR ROADWAYS IN FOOTCANDLES
TABLE 1**

	<i><u>Pedestrian Conflict Area</u></i>	<i><u>Ave. Illuminance (Footcandles)</u></i>	<i><u>Illuminance Uniformity Ratio (Average-to-Minimum)</u></i>
Collector	High	1.2	4.0 to 1
Local	High	0.8	6.0 to 1

Parking Areas

Exterior illuminance levels for outdoor parking lots should conform to the following criteria listed in **Table 2**.

**MAINTAINED ILLUMINANCE
VALUES FOR OPEN PARKING LOTS
TABLE 2**

	<u>Basic</u>	<u>Enhanced Security¹</u>
Minimum Horizontal Illuminance	0.2 footcandles ²	0.5 footcandles ²
Maximum Horizontal Illuminance	7.5 footcandles ²	10.0 footcandles ²
Average Horizontal Illuminance	1.5 – 2.0 footcandles	2.0 – 2.5 footcandles
Uniformity Ratio, Maximum to Minimum	20:1	15:1

¹ If personal security or vandalism is a likely and/or severe problem, an increase of the basic level may be appropriate. This standard would be utilized in most areas of campus.

² Measured on the parking surface, without any shadowing effect from parked vehicles or trees at points of measurement.

Walkways and Bikeways

Exterior illuminance levels for outdoor walkways and bikeways that are remote from streets should conform to the following criteria listed in **Table 3**. The recommendations are based on classification of walkway locations. The walkway use classifications that best applies, is that of *Intermediate*.

Intermediate Walkway: Those areas of a municipality often characterized by moderately heavy nighttime pedestrian activity such as in blocks having libraries, community recreation centers, large apartment buildings, industrial buildings, or neighborhood retail stores.

**MAINTAINED ILLUMINANCE
VALUES FOR WALKWAYS
TABLE 3**

	<u>Average Horizontal (footcandles)¹</u>	<u>Average Hor. Uniformity (Ave.-to-Min.)</u>	<u>Average Vertical (footcandles)²</u>	<u>Average Vert. Uniformity (Ave.-to-Min.)</u>
Intermediate (Average Conditions)	0.5	4:1		
Intermediate (Special Conditions)			1.0	5:1

¹ Values measured or calculated at ground level.

² Values measured or calculated at 5 feet above pavement, in both directions, parallel to the direction of travel on the walkway.

Exterior Lighting Control Standards

Light Trespass

Exterior lighting should be selected and arranged such that not more than 0.1 footcandles are allowed to extend beyond property lines.

Glare Control

Exterior lighting fixtures shall include proper shielding and aiming such that excessive brightness is not seen from neighboring properties or along adjacent roadways.

Light Pollution

Exterior lighting fixtures used for the lighting of parking lots, walkways, and roadways shall not direct light at angles higher than 90 degrees above the horizontal. Directional accent lighting fixtures for accent of landscaping, signage and buildings shall include shielding as required to prevent light from being directed beyond the surfaces intended to be lighted.

Exterior Lighting Equipment Selection Standards

For the purposes of establishing a sense of visual consistency, and to assure that glare and fixture brightness are properly controlled, the following lighting equipment standards in **Table 4** should be followed.

EXTERIOR LIGHTING EQUIPMENT REQUIREMENTS TABLE 4

Roadways

<u>Luminaires:</u>	<i>IESNA</i> full cutoff distribution classification with flush, flat lenses.
<u>Lamps:</u>	LED, 250 to 400 watt, or the equivalent in lumens. The recommended color temperature is 4000K.
<u>Controls:</u>	Integral photocell.
<u>Lighting Poles:</u>	Pole heights between 12 and 20 feet.

Parking Areas

<u>Luminaires:</u>	<i>IESNA</i> full cutoff distribution classification with flush, flat lenses.
<u>Lamps:</u>	LED, 250 to 400 watt, or the equivalent in lumens. The recommended color temperature is 4000K.
<u>Controls:</u>	Integral photocell.

<u>Lighting Poles:</u>	Pole heights between 16 and 24 feet.
Walkways	
<u>Luminaires:</u>	<i>IESNA</i> full cutoff distribution classification with flush, flat lenses.
<u>Lamps:</u>	LED, 100 to 250 watt, or the equivalent in lumens. The recommended color temperature is 4000K.
<u>Controls:</u>	Integral photocell.
<u>Lighting Poles:</u>	Pole heights between 10 and 12 feet.
Building Entryways	
<u>Luminaires:</u>	<i>IESNA</i> full cutoff, cutoff, or semi-cutoff distribution classification.
<u>Lamps:</u>	LED, 35 to 150 watt, or the equivalent in lumens. The recommended color temperature is 4000K.
<u>Controls:</u>	Integral photocell and/or local switching.
<u>Mounting Heights:</u>	Between 10 and 16 feet
Building Entry Plazas	
<u>Luminaires:</u>	36 inch high bollard lights with louver shields.
<u>Lamps:</u>	LED, 35 to 150 watt, or the equivalent in lumens. The recommended color temperature is 4000K.
<u>Controls:</u>	Local switching.
Building and Landscape Accent Lighting	
<u>Luminaires:</u>	Ground mounted floodlights with front face louvers or top/side shields.
<u>Lamps:</u>	LED, 35 to 150 watt, or the equivalent in lumens. The recommended color temperature is 4000K.
<u>Controls:</u>	Integral photocell.

Exterior Lighting – Athletic Field Lighting

Class of Play

The *Illuminating Engineering Society of North America (IESNA)* publishes recommendations for sports lighting applications. Included in the *IESNA* publication *RP-6* is information pertaining to general outdoor sports lighting practices as well as specific suggestions for equipment layout and illuminance levels. Illuminance recommendations are organized in terms of need given the sport being lighted and the anticipated class of play. The *IESNA* has identified four general classes for consideration:

- Class I For competition play before a large group of spectators (over 5000). Included in this classification are facilities for professional, college, semi-professional and sports club levels of play.
- Class II For competition play with less than 5000 spectators. Included in this classification are facilities for college, semi-professional, sports club, amateur league, and high school levels of play.

- Class III For competition play with some provisions for spectators. Included in this classification are facilities for sports club, high school, and training facilities levels of play.
- Class IV Facilities with no provisions for spectators. Included in this classification are facilities for amateur leagues, high schools, training facilities, elementary schools, recreational events, and social events level of play.

Each of these classes requires different levels of illumination given the corresponding purpose of play, skill levels of players, and spectator/broadcasting needs.

Soccer Field Lighting

Soccer is considered a multi-directional aerial sport since it involves the playing of a ball in the air as well as on the ground. Accordingly, it is important that soccer field lighting provide both adequate levels of horizontal illuminance to light the playing field, as well as vertical illuminance to light the ball in flight. The degree to which a lighting solution can provide both high levels of horizontal and vertical illuminance is largely dependant upon the location of luminaires with respect to the playing field. Luminaires that are mounted on tall poles aimed in a sharp downward direction can easily provide high levels of horizontal illuminance at the field below. Lighting the sides of a ball in flight, however, is made difficult when a vast majority of the light is delivered from overhead at great mounting heights. Vertical illuminance is more easily achieved from luminaires that are located at lower mounting heights, allowing for light to be directed from the sides. A successful athletic field lighting solution is one that achieves a balance between horizontal and vertical illuminance needs. Lighting pole heights and setback locations play a critical role in achieving this balance. As a design guide, the relationship of the pole height to the pole setback dimension from the soccer field should be as follows: pole height = (setback dimension plus 1/3 the width of the playing field) times the tangent of 30 degrees.

$$PH = (SB + 1/3W)(\tan 30^\circ)$$

As the setback dimension increases, so too does the pole height. At sites where there is a limitation of space available for pole setback, the pole heights become shorter. Ideally, the setback distance should not be less than about fifteen feet. This would result in a pole height of about fifty feet for the average size soccer field. Poles that are less than 50 feet in height significantly increase the chance for unacceptable glare seen from areas that are adjacent to the field due to the resulting high aiming angles of the sports lights.

Softball Field Lighting

Softball is also considered a multi-directional aerial sport since it involves the playing of a ball in the air as well as on the ground. Like soccer, it is important that softball field lighting provide both adequate levels of horizontal illuminance to light the playing field, as well as vertical illuminance to light the ball in flight. Lighting poles are generally located parallel to the base lines to light the infield, and along the outfield fence to light the outfield. Pole heights must be selected to not only provide proper coverage of the playing field, but also to assure that the top of the lighting beam from floodlights forms an angle with the horizontal of at least 10 degrees.

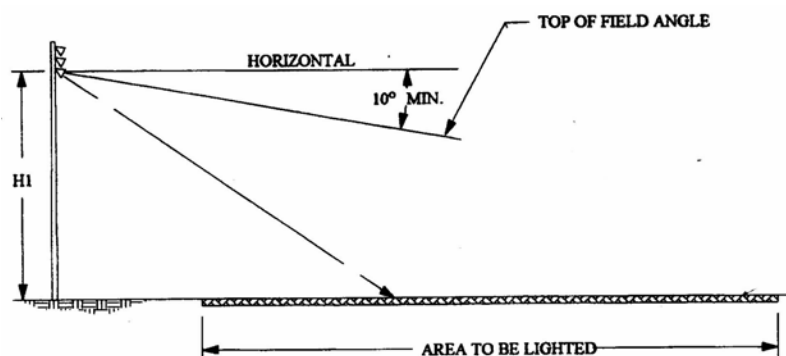


Fig. 1 Softball Floodlight
Aiming Angle

Athletic Field Lighting Performance Standards

Illuminance Standards

Maintained illuminance levels for athletic fields should be as listed in **Table 1** and **Table 2**, below. Illuminance criteria is listed in footcandles, measured at the playing surface.

MAINTAINED ILLUMINANCE VALUES FOR SOCCER FIELDS

TABLE 1

	<u>Illuminance</u>	<u>Max. to Min. Uniformity</u>
Class I	75 FC	1.7 : 1
Class II	50 FC	2.5 : 1
Class III	30 FC	3 : 1
Class IV	20 FC	4 : 1

MAINTAINED ILLUMINANCE VALUES FOR SOFTBALL FIELDS

TABLE 2

	Infield		Outfield	
	<u>Infield Illuminance</u>	<u>Max. to Min. Uniformity</u>	<u>Outfield Illuminance</u>	<u>Max. to Min. Uniformity</u>
Class I	150 FC	1.3 : 1	100 FC	1.7 : 1
Class II	100 FC	1.5 : 1	70 FC	2 : 1
Class III	50 FC	2 : 1	30 FC	2.5 : 1
Class IV	30 FC	2.5 : 1	20 FC	3 : 1

Athletic Field Lighting Control Standards

Light Trespass

Exterior lighting from athletic fields should be selected and arranged such that not more than 0.1 footcandles is allowed to extend beyond property lines.

Glare Control

Exterior lighting fixtures shall include proper shielding and aiming such that excessive brightness is not seen from neighboring properties or along adjacent roadways.

Light Pollution

Exterior lighting fixtures used for the lighting of athletic fields shall be positioned such that the top of the field angle of the selected luminaires is 10 degrees, or greater.

Revised 01/2010

Attachment C: City of Portland Construction Management Plan General Template

**Construction Management Plan
General Template**
[Applicant and Project Name]

Construction Management Plans shall depict the overall planning, coordination, and control of a construction site, including phases as applicable, from beginning to completion. The City's goal for a construction management plan is to support a safe construction site and protect the public safety, accessibility (including preserving accessible pedestrian, bicycle, and vehicular modes of transport throughout the city), and welfare during construction. In addition, the construction management plan shall minimize construction impacts in their duration and magnitude to the surrounding area and develop an effective communication process for resolving concerns and conflicts.

The Construction Management Plan will be submitted as part of the Site Plan Review and it shall address the construction logistics for a project. The Construction Management Plan shall include the following submissions:

- 1) a construction management site plan;
- 2) a construction schedule (time frame); and
- 3) a written narrative addressing the categories below.

A. Construction Management Principles

The following narrative provides an overview of the construction management principles that the [Applicant and Contractor] has identified to minimize impacts from the construction, such as noise, vibrations, ground movement, truck traffic, and other construction related factors to the surrounding building and communities.

B. Development Review of Construction Management Plan

[Applicant and Contractor] shall submit a construction management plan that provides a comprehensive logistics and safety program for the construction project, which will be reviewed and approved as part of the site plan review process. Minimizing impacts to areas surrounding the building/construction site will be primary considerations in the process.

The Planning Authority and the Department of Public Works have the right to seek revisions to an approved Construction Management Plan or require a condition of approval that states an applicant shall coordinate a project's construction schedule with the timing of nearby construction activity, in order to avoid cumulative impacts on a neighborhood. Such a condition may involve a delay in commencement of construction, if necessary.

The following details define the intended approach to the successful management of the project construction and the construction management plan will address the general conditions contained below.

C. Performance Guarantees, Inspection Fees, Preconstruction Meeting, and Permits

Prior to scheduling a preconstruction meeting and the issuance of any city required permits, [Applicant and Contractor] shall meet all of the requirements contained in Section 14-530. Development review fees and post approval requirements and 14-532. General requirements and enforcement of Portland's Land Use Code.

Other permits, as applicable, include

1. **Street Opening and Street Occupancy Permits:** Construction activity in the public right-of-way are controlled by Chapter 25 and sewer and stormwater system connections are controlled by Chapters 24 and 32 of the Land Use Code. All required permits shall be obtained through the Department of Public Works and the requests shall conform with the approved construction management plan.
2. **Blasting:** Blasting, if required, shall conform with all measures of Article VIII. Regulation of Explosives in the Land Use Code and Section 3.7 Standards for Blasting and Regulation of Explosives in Portland's Technical Manual.
3. **Building Code:** Employ the best practices, as applicable, of Chapter 33 Safeguards During Construction, from the 2009 International Building Code.

D. Construction Administration and Communication

[Applicant and Contractor] will work diligently to implement a communication strategy as outlined below. The communication strategy is intended to ensure that all construction operations are performed in accordance with all agreements, ordinances and special permits applicable to this project. The Construction Manager will work closely with adjacent abutters, businesses, nearby construction sites, and all parties informed, as far in advance as possible, of scheduled work, particularly work anticipated to cause significant noise, vibrations, or dust. The final construction management plan shall provide for the following:

1. Contact Person and contact information for the [applicant and contractor] and who is available 24 hours
2. Construction Signage posted on the site with Contact Information for Contractor
3. Describe any additional communication strategies
4. All construction site signage is temporary and shall be removed at project completion.

E. Construction Schedule

1. The contractor shall submit a schedule or time line for the construction project, including any Phasing.
2. Hours of Construction. Construction may occur during the daytime hours as defined in Section 17-18. Construction Activities for Building permit (Attachment 1) and Section 25-129. Noise, dust and debris (Attachment 2).
3. Extended Hours or Night Work: Pursuant to Section 17-18, this section not apply to emergency utility work or "Situations where the public works authority or the office of building inspections determines that the construction activity is of a unique character which cannot reasonably be completed or performed during the permitted hours and which is not of a recurring nature, provided that prior to engaging in such activity the contractor or his representatives gives notice of the time and scope of such proposed activity, the notice to be given in a manner approved by the public works authority."
4. Material Deliveries: Schedule and designated location for delivery of materials and boxed goods.

F. Security & Public Safety

1. The Construction Management Plan will depict all proposed fencing or other barriers and access gates (with Knox locking devices) with the intent of separating pedestrian and vehicle circulation from the construction site.

2. Structures undergoing construction, alteration, or demolition operations, including those in underground locations, shall comply with NFPA 1 Chapter 16. *Safeguarding Construction, Alteration, and Demolition Operations.*
3. Fire Safety Program. An overall construction of demolition fire safety program shall be developed. Essential items to be emphasized include the following:
 - o Good Housekeeping
 - o On-site security
 - o Installation of new fire protection systems as construction progresses
 - o Preservation of existing systems during demolition
 - o Organization and training of an on-site fire brigade
 - o Development of a pre-fire plan with the local fire department
 - o Rapid communication
 - o Consideration of special hazards resulting from previous occupancies
 - o Protection of existing structures and equipment from exposure fires resulting from construction, alteration, and demolition operations
4. Blasting, if required, shall conform with all measures of Article VIII. Regulation of Explosives in the Land Use Code and Section 3.7 Standards for Blasting and Regulation of Explosives in Portland's Technical Manual.
5. Any proposed temporary security lighting shall be shown on CMP and all fixtures shall be full cutoffs.

G. Construction Permitting and Traffic Control Plans

1. Construction Activity in Public Streets: Construction activity in the public right-of-way is controlled by Chapter 25 Article VII of the City Code of Ordinances. Required licenses and permits, restrictions on activity, and fees & area are outlined in that Chapter. Rules and Regulations for Excavation Activity are available through the Street Opening Clerk at the Department of Public Works. At no time can construction activity including delivery vehicles close or block streets or affect public safety access without prior notice and approval of the Department of Public Works.
2. Sewer and Stormwater: Sewer and stormwater water system connections are controlled by Chapters 24 and 32 of the City Code of Ordinance. Required permits for new connections and/or abandonment of existing connections are available through the Street Opening Clerk at the Department of Public Works. Rules and Regulations for these utility systems are available through the City Engineer's office of the Department of Public Works and in Section II of the Technical Manual.
3. Traffic Control Plans: Construction activity that impacts the existing public street system must be controlled to protect the safety of the construction workers and all modes of the traveling public. Projects are required to submit a satisfactory 'maintenance of traffic' (MOT) plan prior to any site plan, subdivision, or street opening permit approval. MOT plans may be required for projects that have impacts on local streets.

Maintenance of Traffic (MOT) plans shall provide for the safe passage of the public through or along the construction work zone. On a case-by-case basis, applicants may be allowed to close a street and/or detour a mode of traffic when absolutely necessary

for safety. MOT plans shall employ the appropriate techniques and devices as called for in the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD). In addition:

- Construction speed signing may be used as needed to slow traffic
- Traffic Control signs shall not be placed where they are an obstruction to bicycles or pedestrians.
- In some situations, flaggers may be required.
- Police details may be required at lighted intersections and may be requested by the City's transportation engineer or his designee.

All existing modes of travel in work zone area shall be accommodated if impacted by the activity. The safe passage of pedestrians, bicyclists, transit providers, and motorists are of equal importance when planning out the work zone; no pre-existing travel mode may be eliminated without the express approval of the Department of Public Works. The MOT should also address on-street parking impacts, including deliveries and parking for adjoining businesses and property owners, analysis of roadway capacity or diversion capacity if street closure or change to roadway capacity is required, and coordination with other on-going or future construction or utility projects in the vicinity.

- Traffic control of bicycle and pedestrian facilities or routes through work zones shall be maintained until the bicycle and pedestrian facilities or routes are ready for safe operation. Traffic control will not be removed to allow auto travel at the expense of bicycle and pedestrians.
- Barrier systems utilized to separate the construction activity from the public street and /or sidewalk shall not inhibit sight distances, particularly for visibility of pedestrians and bicyclists.
- ADA compliance shall be maintained.

Use of public parking spaces or the blockage of any portion of sidewalk for the purpose of construction activity shall require an occupancy permit and appropriate fee as assessed by the Department of Public Works.

H. Site Management and Controls

The final Construction Management Plan will address maintaining the site in a safe condition and will include the following:

1. Regular trash and debris removal
2. Street cleaning and damage controls
3. Dust controls- The construction shall comply with Portland's requirements under Section 25-129 on Noise, dust and debris (Attachment 2).
4. Noise: The construction shall comply with Portland's requirements under Section 17-18 of the City Code (Attachment 1) and Section 25-129 on Noise, dust and debris (Attachment 2).
5. Rodent Control will be provided, if applicable, by a professional exterminator and consistent with Chapter 22 of the City Code.

6. Snow Removal: Pursuant to Section 25-173 Contractors to ensure a safe means of travel within the work zone.
 - 1) Snow/ice removal or commence automatically from (1" of snow and up) or Ice
 - 2) Remove snow as needed within the work zone, including parking spaces & not to block any driveways or sight lines with the piles of snow.
 - 3) Clear all walks & ramps with the work zone
 - 4) Sand or Salt as needed
 - 5) Clear all basin or drainage to help snow melt
 - 6) This would include Monday-Friday Sat/Sunday/Holidays

I. Erosion Control and Preservation of Trees

1. The [contractor] shall install all erosion and sedimentation controls as depicted on the approved erosion and sedimentation control plan prior to the pre-construction meeting for inspection by the City. The contractor shall regularly inspect the control measures, no less than weekly and after significant storm events, and maintain any installed temporary or permanent stormwater management systems in working order. The contractor shall document all inspection activities and corrective actions and be prepared to provide these documents for inspection by the City, Maine Department of Environmental Protection or the U.S. Environmental Protection Agency upon request.
2. The [contractor] shall maintain all tree and landscaping preservation measures as depicted on the landscaping plan (Exhibit) within the area of construction.
3. The storage of materials shall be identified and avoid being located under/near trees.

J. Construction Staging Area

1. The Construction Management Plan shall depict location of the material staging areas, the location on onsite temporary construction trailers, the location on onsite truck delivery holding areas, the location onsite truck washing stations, masonry mixing stations, the general location of the construction security fence and the general location of temporary construction dumpsters. An open storage areas shall be shown on the plan.
2. Delivery Truck Holding Areas On-Site: The delivery holding area shall be shown on the plan and shall not be blocked during construction. On days when the construction activities require multiple truck deliveries, these deliveries will be carefully scheduled so that there is always adequate on-site area for the holding of the trucks until they can be unloaded. Once at the site all vehicles well be brought within the fence line and will make every attempt to avoid queueing on public streets.
3. Delivery Truck Holding Areas Off-Site: In the event that adequate on-site area for holding of trucks is not available, an off-site marshalling area will be utilized for trucking. The designated off-site location will be identified in the construction management plan.

K. Parking During Construction

1. Construction Parking: Adequate parking for construction workers shall be provided on site or arrangements for off-street parking at an off-site location shall be provided. The parking arrangements shall be included in the construction management plan.

2. **Parking:** Where existing facilities are remaining in operation during construction, the construction management plan shall identify how the parking for employees and others shall be managed.
3. **Truck Routes and Volumes:** The Construction Management Plan shall address the designated truck routes and expected truck volumes.

L. Dewatering Plans

A basic dewatering plan for any construction work is required. The plan must cover construction sites where groundwater is not expected but the impact of rainwater may require dewatering. The plan must include operating procedures, equipment to be used, including filters, erosion and sediment control measures, or other methods of removing sediment from approved discharges.

For construction work that will require frequent dewatering of groundwater from site, a dewatering plan must be prepared and approved by the Department of Public Works. Groundwater and/or soil testing may be required to determine course of action if treatment is necessary. Approval for all discharges to City infrastructure is required.

The proposed plan must address the following:

- Project duration, discharge location, storage equipment on-site, dewatering schematic, and emergency contact.
- General requirements include trained staff on-site for all approve discharges and required site log for documentation of all discharges.
- Storage and/or treatment process should include proper settling time and maintain proper use of filtering medium as required.
- Contingency/maintenance plan for all dewatering equipment devices and filtration mediums.

Any water that is removed from an excavation must be pumped from a perforated device buried in crush stone prior discharge and/or prior to storage and treatment. There will be no discharge allowed during precipitation events.

M. Special Measures as Necessary

For construction work that will take place over a long period (e.g. 12 months or more), involve major demolition/ deep excavation/ piling and/or special construction techniques, or are located near sensitive uses (e.g. medical care facilities, schools), the Construction Management Plan should provide details and demonstrate that all appropriate special measures have been taken to avoid, minimize, or possibly compensate for potential impacts. This may include taking baseline measurements before construction, such as arranging to photograph the foundations of nearby properties upon consent of the owners, in order to assess any future impacts of vibration, noise, etc.

REGULATORY FRAMEWORK

8.5.8 The University of New England Institutional Overlay Zone Regulatory Framework

A. Applicability: All development proposed by the University of New England (UNE) within the boundary of the Institutional Overlay Zone (IOZ) shall be consistent with the approved Institutional Development Plan (IDP), consistent with the Comprehensive Plan, and meet applicable standards of the Land Use Code, unless such standards are superseded by the following Regulatory Framework. This Regulatory Framework shall govern future development by UNE within the IOZ unless amended by the Portland City Council upon formal application of UNE. The UNE IOZ shall have the boundaries depicted in Figure 8-H, and shall include the properties listed in Table 8-G.

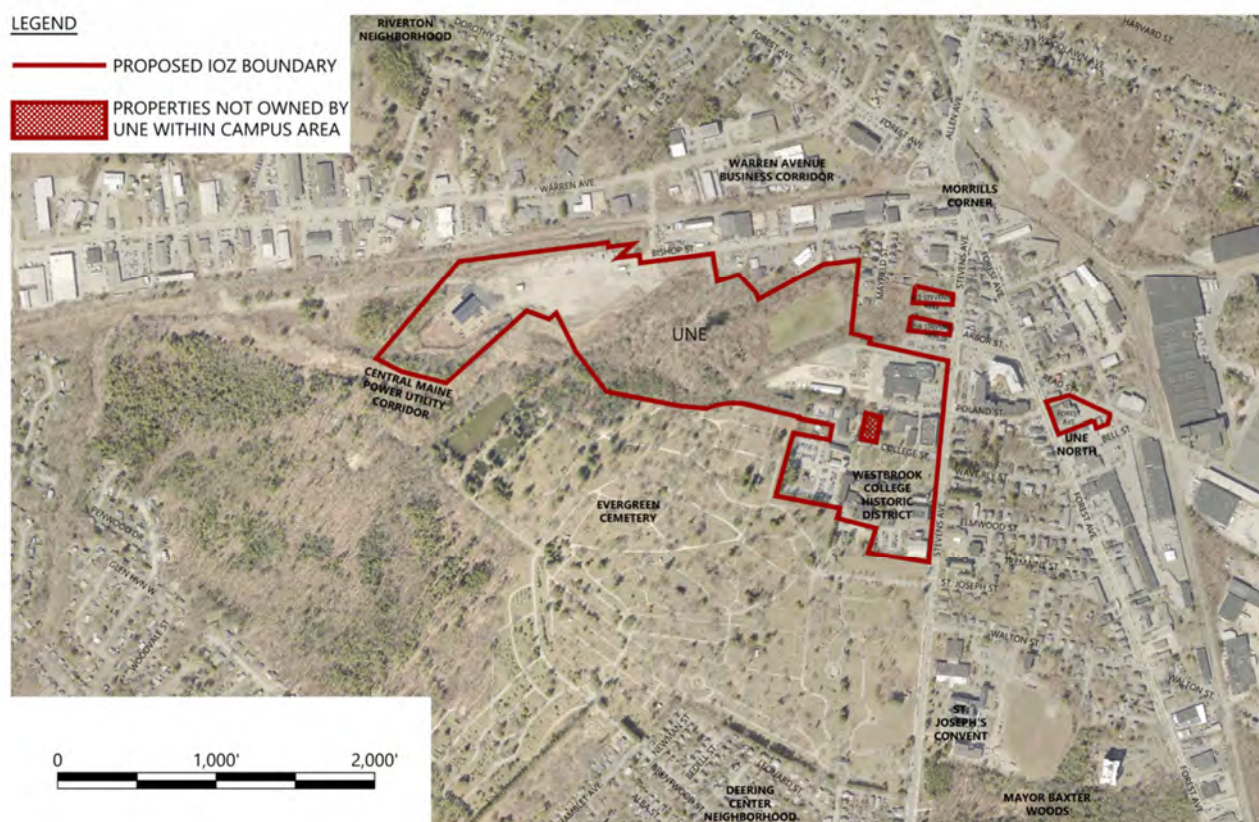


Figure 8-H: UNE Institutional Overlay Zone Boundary

Table 8-G: List of Properties Included in the UNE IOZ					
Chart	Block	Lot	Address	Acreage	Ownership
144	A	005	684 Stevens Avenue	0.141	UNE
144	A	006	684 Stevens Avenue	0.275	UNE
144	A	007	684 Stevens Avenue	0.371	UNE
144	A	008	684 Stevens Avenue	0.256	UNE
144	A	009	684 Stevens Avenue	0.586	UNE
145	A	001	706 Stevens Avenue	0.450	UNE
145	A	003	710 Stevens Avenue	0.165	UNE
145	A	006	714 Stevens Avenue	9.231	UNE
145	A	007	710 Stevens Avenue	0.025	UNE
145	A	008	710 Stevens Avenue	0.006	UNE
145	A	009	714 Stevens Avenue	0.036	UNE
145	A	010	714 Stevens Avenue	0.356	UNE
145	B	001	1 College Street	0.338	UNE
145	B	002	1 College Street	0.207	UNE
145	B	006	31 College Street	0.134	UNE
145	B	009	41 College Street	0.200	UNE
145	B	010	51 College Street	0.383	UNE
145	B	011	63 College Street	0.076	UNE
145	B	012	63 College Street	0.114	UNE
145	B	013	63 College Street	0.048	UNE
145	B	014	83 College Street	0.366	UNE
145	B	018	772 Stevens Avenue	8.603	UNE
145	B	022	798 Stevens Avenue	0.438	UNE
145	B	027	83 College Street	3.137	UNE
145	B	029	79 College Street	0.258	UNE
145	B	042	1 College Street	0.162	UNE
145	B	046	1 College Street	0.138	UNE
146	F	005	32 Bell Street	0.106	UNE
147	F	006	1075 Forest Avenue	1.159	UNE
281	A	003	0 Bishop Street	10.555	UNE
290	A	003	83 College Street	1.771	UNE
291	A	001	0 Bishop Street	8.394	UNE
291	A	005	83 College Street	17.972	UNE
291	A	007	83 College Street	0.459	UNE
293	C	005	83 College Street	1.574	UNE

B. Updates and Amendments.

1. It is intended that the IDP will be updated on a regular basis to ensure that the data is current and that the document remains accurate. Accordingly, UNE shall file monitoring reports every five (5) years with the Planning Authority and shall include a summary of progress on IDP implementation and progress towards targets established in UNE's Transportation Demand Management Plan (TDM), and of acquisitions and divestment since the date of IDP approval. At the time of the submission of the monitoring report, UNE shall identify any updates to the IDP which may result from updated master planning, changes in baseline information, or changes in the adjacent neighborhoods which affect UNE, to allow the IDP to remain current. Updates and minor amendments not described in Sub-section 2 and 3 below shall be reviewed administratively by the Planning Authority.

2. Minor amendments that impact phasing of the development or change the approach to parking, transportation, neighborhood engagement, or design shall be reviewed by the Planning Board for consistency with the objectives of the IDP. In addition to consistency with the objectives of the IDP, review of phasing and development program amendments shall focus on integration with the campus and impacts on transportation or infrastructure. This review may occur simultaneously with the site plan review of an anticipated project.

3. Major amendments shall be reviewed by the Planning Board and are required under the following circumstances:

- a. A change to the IOZ boundary or Regulatory Framework is required;
- b. The IDP is no longer representative of the institutional mission or approach to community as a result of redevelopment in the area or City upgrades to neighborhood planning (such as, but not limited to, roadway changes, infrastructure upgrades, community design,); or,
- c. Development proposed by UNE is inconsistent with the Campus Master Plan, Transportation Plan intent, Design Plan intent, or Environment and Infrastructure plan intent identified in the IDP.

4. Proposed amendments to the IOZ boundary or regulatory framework must also be adopted by the City Council subject to the provisions of the Land Use Code.

C. Uses. The UNE Campus will encompass a variety of uses to support the academic programs on the campus. In addition to the uses permitted in the underlying zone, the uses in Table 8-H shall also be permitted as a matter of right in all buildings that are located within the IOZ. In recognition that the UNE Campus contains undergraduate and graduate-level programming, ground floor retail, restaurant, or comparable community-oriented uses that provide services to local residents, students, faculty and staff may be provided. Such uses are expressly permitted whether ancillary to or supporting the educational institution, and shall be open and welcoming to the general public in addition to students, faculty, staff, or visitors of UNE.

Table 8-H: Permitted Uses
Laboratory and Research Facilities
Off-Street Parking
Intermodal Transportation Facilities

D. Dimensional requirements.

1. Applicability

All principal buildings and structures located within the IOZ shall be subject to the dimensional requirements of the underlying zone, except where modified by the provisions of this Section.

For the purposes of this IOZ, “lot” is defined as the combination of the contiguous lots under UNE ownership, including land separated by a public or private right-of-way. The “lot” boundary is as shown in Figure 8-H. Side and rear setbacks shall not be required between buildings on contiguous lots owned by UNE on the condition that such contiguous lots shall be considered merged and shall not be separately conveyed unless required setbacks in the underlying zones are provided.

Table 8-I: Dimensional Requirements	
Building Height (max.)	Maximum building heights for new principal buildings in the IOZ shall be governed by the UNE IOZ Height Map (Figure 8-I)

2. Transition Zones

The UNE campus abuts residential zones to the north and across Stevens Avenue to the east. As shown on the UNE IOZ Height Map, transition zones extend twenty-five feet from the lot boundary. Within transition zones, the maximum building height shall be fifty feet.



Figure 8-I: Open Space and Maximum Height Map

E. Transportation.

1. Transportation Demand Management (TDM)

- a. At the time of the first site plan review following IDP approval, UNE shall submit a campus-wide TDM Plan substantially in accordance with those TDM objectives and strategies identified in the approved IDP. The TDM Plan will be updated with each subsequent application for site plan approval to allow for progressive and responsive implementation over time.
- b. The TDM Plan shall be designed to provide transportation choice with the goal of reducing parking demand and single-occupancy vehicle trips to and from UNE by students, faculty, staff, and visitors.
- c. The TDM Plan shall establish parking, mode share, and trip reduction targets associated with each phase of development, as well as a data collection plan.

- d. The TDM Plan shall include parameters to encourage trip reduction and to ensure pedestrian, vehicular, bicycle, and public transit access and safety.
- e. Annual monitoring reports will be submitted for the TDM Plan. TDM monitoring reports shall include a summary of progress towards targets established in the TDM Plan. If deficiencies are identified, they will be resolved in accordance with the site plan approval.

2. Parking.

Parking requirements in the IOZ shall be established at the time of site plan review based on a parking study that includes a campus-wide analysis of demand and supply. Parking studies shall integrate parking and trip reduction achievements and data contained in the TDM Plan. Parking requirements shall be determined in accordance with the requirements in the Land Use Code in effect at the time of site plan review and shall be sufficient to alleviate parking pressure on surrounding neighborhoods.

F. Environment.

- 1. All proposed campus development projects shall avoid to the extent practicable and feasible, significant impacts to wetlands and aquatic resources. Development shall comply with the Urban Impaired Stream (UIS) Standard of Chapter 500 of the Maine DEP Stormwater Management Rules, as applicable.
- 2. All new buildings and parking facilities shall be set back a minimum of 75 feet from the normal high-water line of existing streams. Notwithstanding this requirement, the Planning Board may approve a reduction of the setback requirement for a new building to the least amount necessary to achieve the goals of the development and minimize overall impacts, provided that the setback is not reduced to less than 40 feet.
- 3. Development in significant wildlife habitats (as defined by the Maine Department of Environmental Protection) will be minimized to the maximum extent practicable and shall comply with all applicable local, state and federal permitting requirements in effect at the time.

G. Mitigation measures.

- 1. Site plan impacts to off-premise infrastructure shall be mitigated in a manner proportionate to those impacts. Mitigation may include financial or in-kind contributions to existing or planned City projects focused on mitigating the impacts of the development. Mitigation contribution shall be determined based on the City's standard procedure in effect at the time of site plan review.
- 2. Impacts to natural resources shall be mitigated in accordance with local, state and federal permitting standards in effect at the time.

H. Design.

1. Introduction and intent.

New development in the IOZ shall adhere to the following design guidelines and the site plan standards of the City of Portland. All new development shall be designed to create a visual connection with the goal of achieving a cohesive campus appearance with a strong identity and sense of place. These standards are intended to regulate future development on the UNE campus to

ensure that new development is sensitive to adjacent neighborhoods while allowing UNE to maintain a thriving academic institution in Portland.

2. Standards

a. Cohesive campus

The overall composition and experience of the campus will be considered for cohesive identity.

b. Building design

Building facade materials will be of high quality, durable to the weather, and contribute to an attractive campus experience.

c. Building entrances

Building entrances will include prominent facades and be oriented toward pedestrian-oriented activity areas, including parking areas, to facilitate safe and barrier free access.

d. Lighting

New or renovated buildings should have adequate exterior lighting to ensure that entrances and surrounding areas are safe. All new exterior lighting will be selected to provide lighting levels that meet the safety criteria of the Illuminating Engineers Society of North America, IESNA. Consideration will be given to limit light trespass and glare into neighboring properties through the use of cutoff fixtures at the edge of campus, resulting in less light spillover into the surrounding community.

e. Outdoor Spaces

Building designs should strive to include a variety of open spaces and activities ranging from small intimate courtyards for contemplative study to open lawn areas for informal recreation and outdoor classes. Where applicable, provision should be made during the programming and conceptual design of new facilities to provide opportunities for outdoor use of open space as part of the site and for integration within the larger open space/conservation network.

f. Mitigation of impacts

Buildings and site development will endeavor to minimize potential negative impacts related to shadows, wind, noise, heat, glare, lighting, contaminants, and the environment.

3. Signage. Signs shall comply with the requirements of Article 20, except as modified below:

a. Signs shall be designed in accordance with a signage plan pursuant to signage standards promulgated by the university, providing for a unified and ADA compliant campus-wide system for identification, orientation, and regulatory signage.

b. A unified campus-wide signage plan shall be submitted for review and approval by the Planning Authority. Any update to such plan due to a change in name, text or logo shall not require amendment to the IDP.

c. Banners are allowed as follows:

- i. Generic banners containing the logo and colors of the university, used for decorative purposes.
- ii. Banners used for advertising university events, which can be displayed for a maximum of four weeks prior to and one week following the event.

I. Neighborhood integration.

1. Neighborhood Engagement

- a. For the purpose of keeping surrounding residential areas apprised of its future development plans, and to address any neighborhood issues related to the operations of the UNE campus, UNE shall adhere to the ongoing neighborhood engagement principles identified in the IDP.
- b. Ongoing community engagement shall be conducted, including the continuation of posting project updates on UNE's Campus Planning web page and the creation of a dedicated email address for neighbor communications with UNE's Planning Department.
- c. A Community Advisory Group shall be created for the purpose of sharing information on project development, planning, and seeking input. To the extent practicable, the group shall be comprised of representatives of interested groups such as the Deering Center Neighborhood, parks and trails, bicycle/pedestrian, public transit, and the business community.
- d. A designated community contact shall be engaged to be the point of contact for providing information to the neighborhood and receiving feedback.

2. Construction Management

At the time of site plan review, UNE shall submit a Construction Management Plan substantially in accordance with the construction management principles identified in the Institutional Development Plan for review and approval by the Planning Authority.

J. Monitoring

- 1. Monitoring reports shall be provided to the City of Portland Planning Authority every five (5) years from the date of IDP approval. Monitoring reports shall include a summary of progress on IDP implementation and of acquisitions and divestment since the date of IDP approval.

FIGURE 1.4 - UNE CAMPUS SITE NEIGHBORHOOD CONTEXT: PROPOSED ZONING

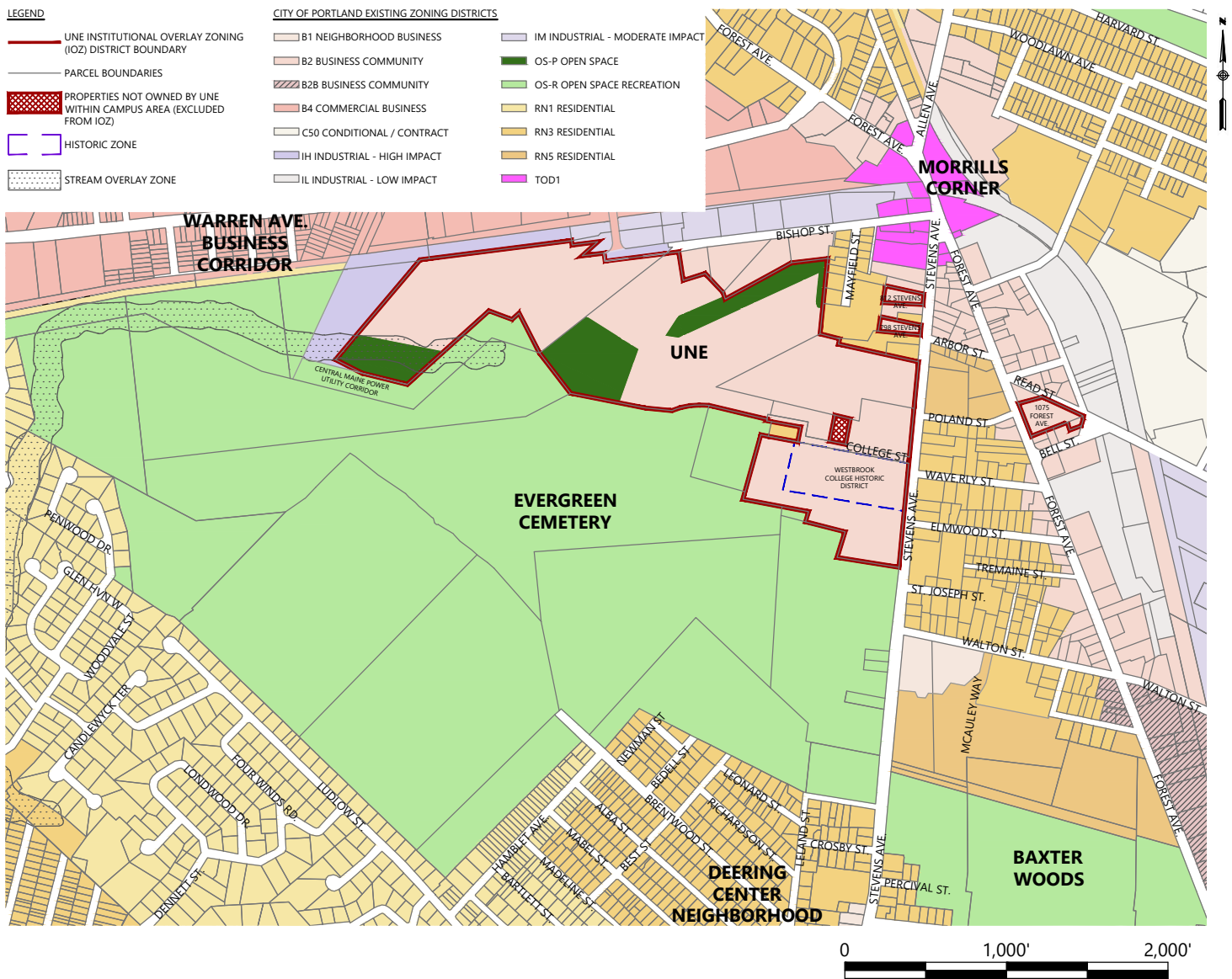
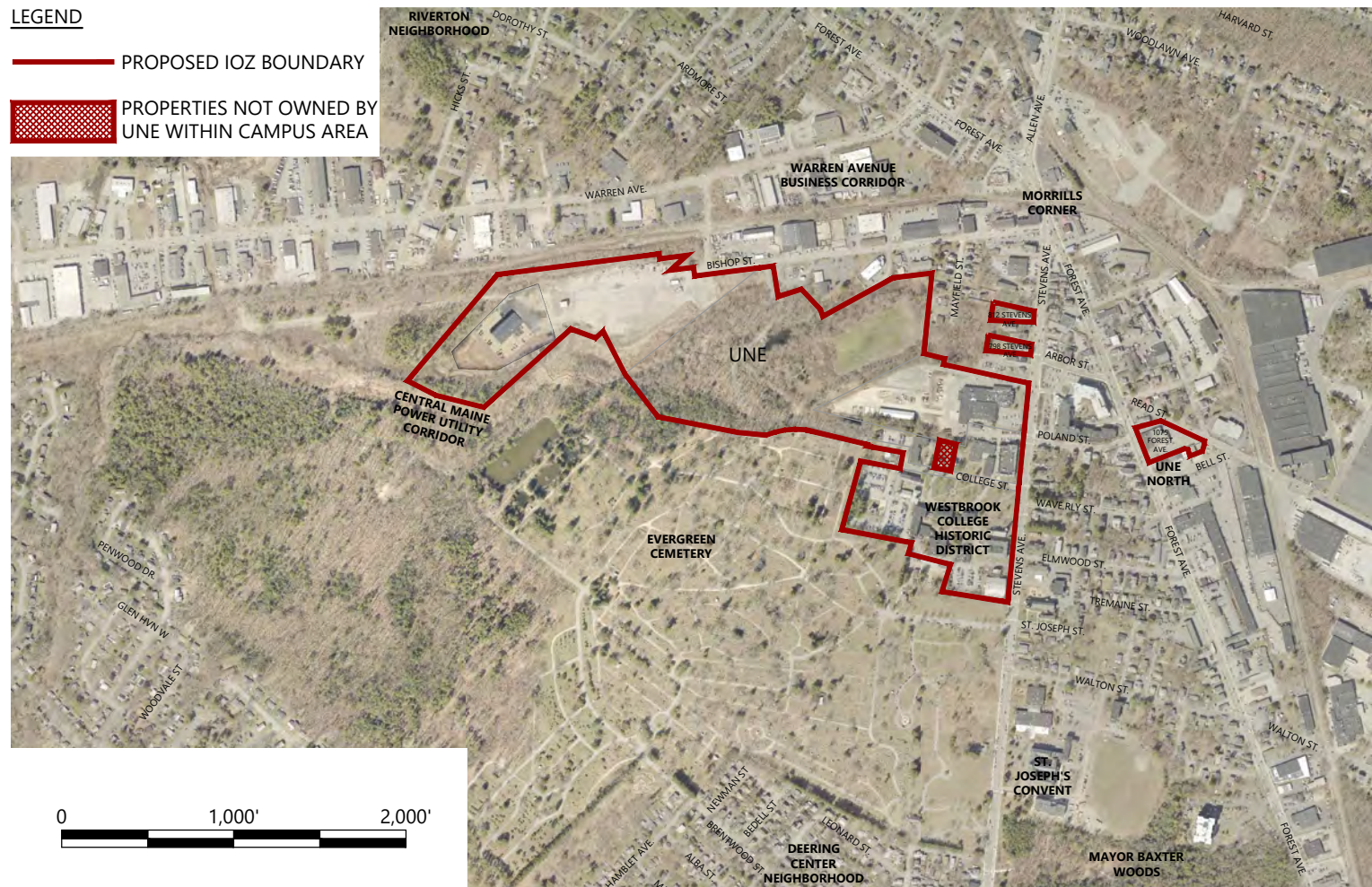


FIGURE 1.1 - UNE CAMPUS SITE & NEIGHBORHOOD CONTEXT MAP

Att. G

LEGEND

- PROPOSED IOZ BOUNDARY
- ▨ PROPERTIES NOT OWNED BY UNE WITHIN CAMPUS AREA



Att. H

Via Electronic Mail

October 9, 2024



Natasha Kypfer, Senior Planner
City of Portland
389 Congress Street, 4th Floor
Portland, ME 04101
nkypfer@portlandmaine.gov

Re: UNE Institutional Overlay Zone Application (ZN-003059-2024)
Neighborhood Meeting #1

Dear Natasha:

I, Megan Gatto, consultant for the University of New England (UNE), hereby certify that a Neighborhood Meeting was held on Thursday, June 13, 2024, at the UNE Portland Campus, 716 Stevens Avenue, in the Hannaford Lecture Hall, Room 109, at the College of Pharmacy, for the Institutional Overlay Zone proposed for the UNE Portland Campus (address: 716 Stevens Avenue).

I also certify that on June 3, 2024, notices were mailed to the following:

1. All addresses on the mailing list provided by the Planning Division which includes owners within 1,000 feet of the proposed Institutional Overlay Zone.
2. Residents on the "interested parties" list.

Sincerely,

Woodard & Curran, Inc.

A handwritten signature in black ink that reads "Megan Gatto".

Megan Gatto, AICP
Project Manager

Attachments:

1. Copy of the notice sent
2. Sign-in sheets
3. Presented material (PowerPoint Presentation)
4. Meeting Minutes

12 Mountfort Street
Portland, Maine 04101
www.woodardcurran.com

T 800.426.4262
T 207.774.2112
F 207.774.6635

June 3, 2024



Dear Neighbor:

On behalf of the University of New England (Applicant), please join us at a neighborhood meeting to discuss our plans for the Portland Campus Overlay Zone located at 716 Stevens Avenue in Portland, Maine.

The City of Portland has implemented an Institutional Overlay Zone (IOZ) ordinance that "provides a regulatory mechanism available to the city's four major medical and higher education campuses where an improved regulatory structure is needed to facilitate a consistent, predictable, and clear growth management process." This applies to the University of New England. This process will ultimately simplify the campus planning and regulatory permitting process in the future as the University grows. UNE has initiated the necessary work to coordinate with the City of Portland and apply for this Institutional Zone change.

This neighborhood meeting will provide an overview of the IOZ process and gather our neighbors' input on the growth of the campus, in advance of our Application to the City.

Neighborhood Meeting

Meeting Location: University of New England – Portland Campus, 716 Stevens Avenue, Hannaford Lecture Hall, Room 109, College of Pharmacy, Portland, ME

Meeting Date: Thursday, June 13, 2024

Meeting Time: 6:00-7:00 PM

The City of Portland's Land Use Code requires that property owners within 500 feet of the proposed development and residents on the City's "interested parties list" be invited to participate in a neighborhood meeting. In an effort to be more inclusive, UNE has extended beyond the 500-foot requirement to include property owners within 1,000 feet of the Portland Campus. Your contact information has been provided to us by the City of Portland as part of these lists. A sign-in sheet will be circulated at the meeting, and minutes of the meetings will be taken. Both the sign-in sheets and minutes will be submitted to the Planning Authority for inclusion in the project's Institutional Overlay Zone (IOZ) application to City Planning, which includes an Institutional Development Plan and Regulatory Framework.

If you have any questions, please contact me at +1 (781) 613-0168 or via email at megan.gatto@woodardcurran.com

Sincerely,

WOODARD & CURRAN, INC.

A handwritten signature in black ink that reads "Megan Gatto".

Megan Gatto, AICP
Project Manager

On behalf of the University of New England (UNE) - Portland Campus



Note:

Under the City of Portland land use code, an applicant for a major site plan, master development plan, subdivision of over five lots, or zoning map amendment is required to hold a neighborhood meeting within 30 days of an application being deemed complete and no less than seven calendar days before a public hearing. Should you wish to offer additional comments on this proposed development, you may forward them by e-mail to planning@portlandmaine.gov or by mail to the Planning and Urban Development Department, Planning Division, 4th Floor, 389 Congress Street Portland, ME 04101.

Neighborhood Meeting Sign-In Sheet



DATE: **June 13, 2024**

RE: UNE Portland Campus – Institutional Overlay Zone (IOZ) Neighborhood Meeting
Sign-In Sheet

Dear Neighbors,

Thank you for attending tonight's public Neighborhood Meeting at the University of New England – Portland Campus, 716 Stevens Avenue, Hannaford Lecture Hall, Room 109, College of Pharmacy, Portland, ME for the proposed rezoning of the UNE Portland Campus. Please sign in below.

Thank you,

UNE IOZ Project Team

Name

Email

Susan Small

ssmall12@maine.rr.com

FRAN GIRARD

frangirard380@gmail.com

Katherine Kilcullen

cccec@maine.rr.com

CHRISTOPHER NELSON

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Kate Sykes

Ksykes@portlandmaine.gov



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BRENDA BOOTHBY

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Carlton Winslow

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Email
Dev. Plan



Name

Email

Sean Hagan

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Anna Bullett

~~anna~~ abullette@portland
me.gov



University of New England – Portland Campus Institutional Overlay Zone (IOZ)

Alan Thibeault, Vice President for University Operations



INNOVATION FOR A HEALTHIER PLANET

Agenda

Welcome

Overview of UNE (*Portland Campus History + Programming*)

Regulatory Process – (*Institutional Overlay Zone*)

Campus Master Plan

Public Involvement Opportunities

Comments and Questions

UNE Portland Campus: History

- ▶ Founded in 1830
- ▶ Portland Campus located at 716 Stevens Avenue
- ▶ UNE is a private university with a comprehensive health education mission that includes medicine, pharmacy, dental medicine, nursing, and allied health professionals.



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UNE Portland Campus: Programming

The UNE Portland Campus is primarily a graduate campus, focused on educating health professionals, and is currently home to four of the University's premier Colleges: the Westbrook College of Health Professions, the College of Dental Medicine, the College of Graduate and Professional Studies and the School of Pharmacy.

Programs:

- Dental Medicine
- Dental Hygiene
- Nursing
- Nurse Anesthesia
- Occupational Therapy
- Pharmacy
- Physical Therapy
- Physician Assistant
- Health, Wellness, and Occupational Studies



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Recent Activities at UNE Portland



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COM Building Rendering



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Regulatory Process

Zone Change & Institutional Overlay Zone

- IOZ (Institutional Development Plan + Regulatory Framework)
- Neighborhood Meetings
- Planning Board Workshops and Hearing
- City Council Hearing

City Site Plan Review

- Neighborhood Meeting
- Planning Board Workshops
- Planning Board Hearing
- City Council Hearing

Construction & Operations



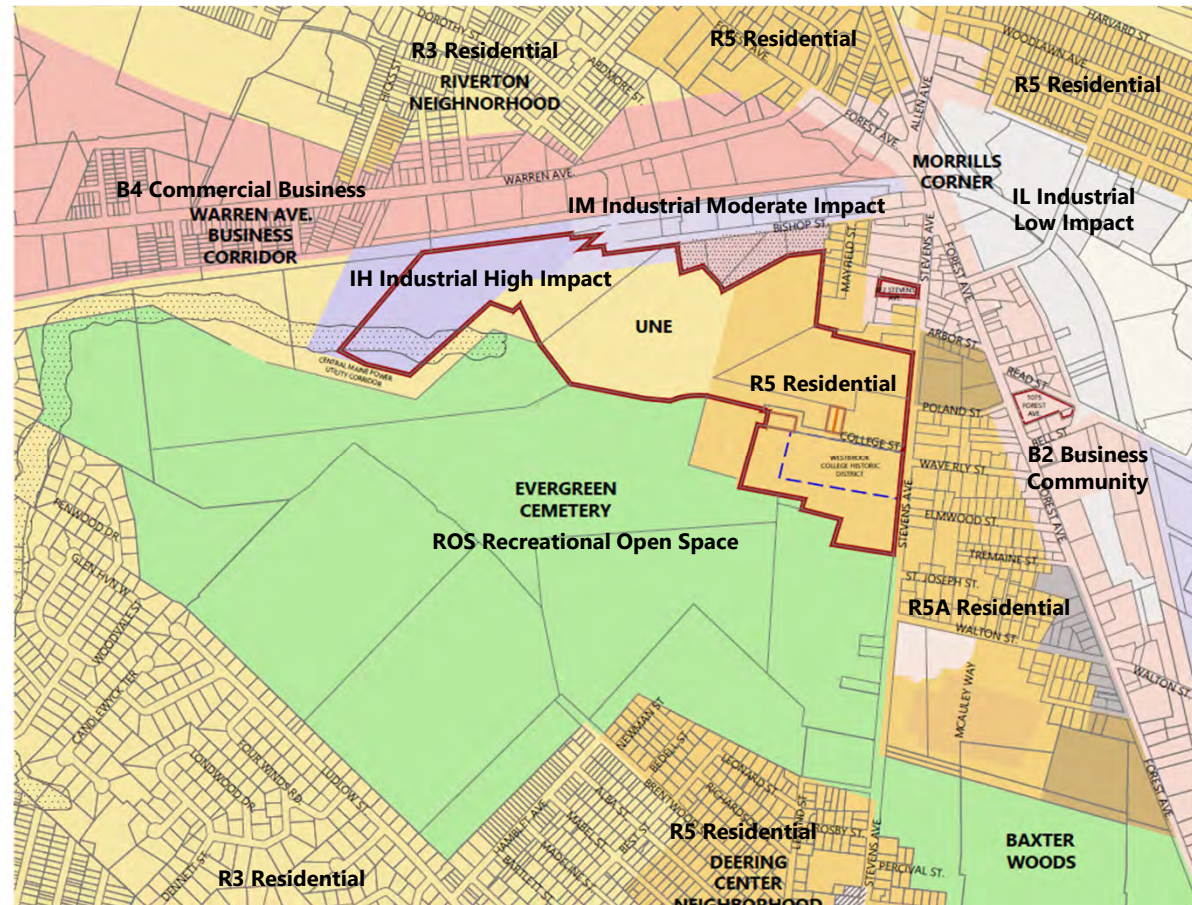
Existing Zoning

LEGEND

- UNE INSTITUTIONAL OVERLAY ZONING (IOZ) DISTRICT BOUNDARY
- PARCEL BOUNDARIES
- PROPERTIES NOT OWNED BY UNE WITHIN CAMPUS AREA
- HISTORIC ZONE
- STREAM OVERLAY ZONE

CITY OF PORTLAND EXISTING ZONING DISTRICTS

- B1 NEIGHBORHOOD BUSINESS
- B1B NEIGHBORHOOD BUSINESS
- B2 BUSINESS COMMUNITY
- B2C BUSINESS COMMUNITY
- B4 COMMERCIAL BUSINESS
- C50 CONDITIONAL / CONTRACT
- IH INDUSTRIAL - HIGH IMPACT
- IL INDUSTRIAL - LOW IMPACT
- IM INDUSTRIAL - MODERATE IMPACT
- R3 RESIDENTIAL
- R5 RESIDENTIAL
- R5A RESIDENTIAL
- R6A RESIDENTIAL
- ROS RECREATION OPEN SPACE
- RP RESIDENTIAL PROFESSIONAL



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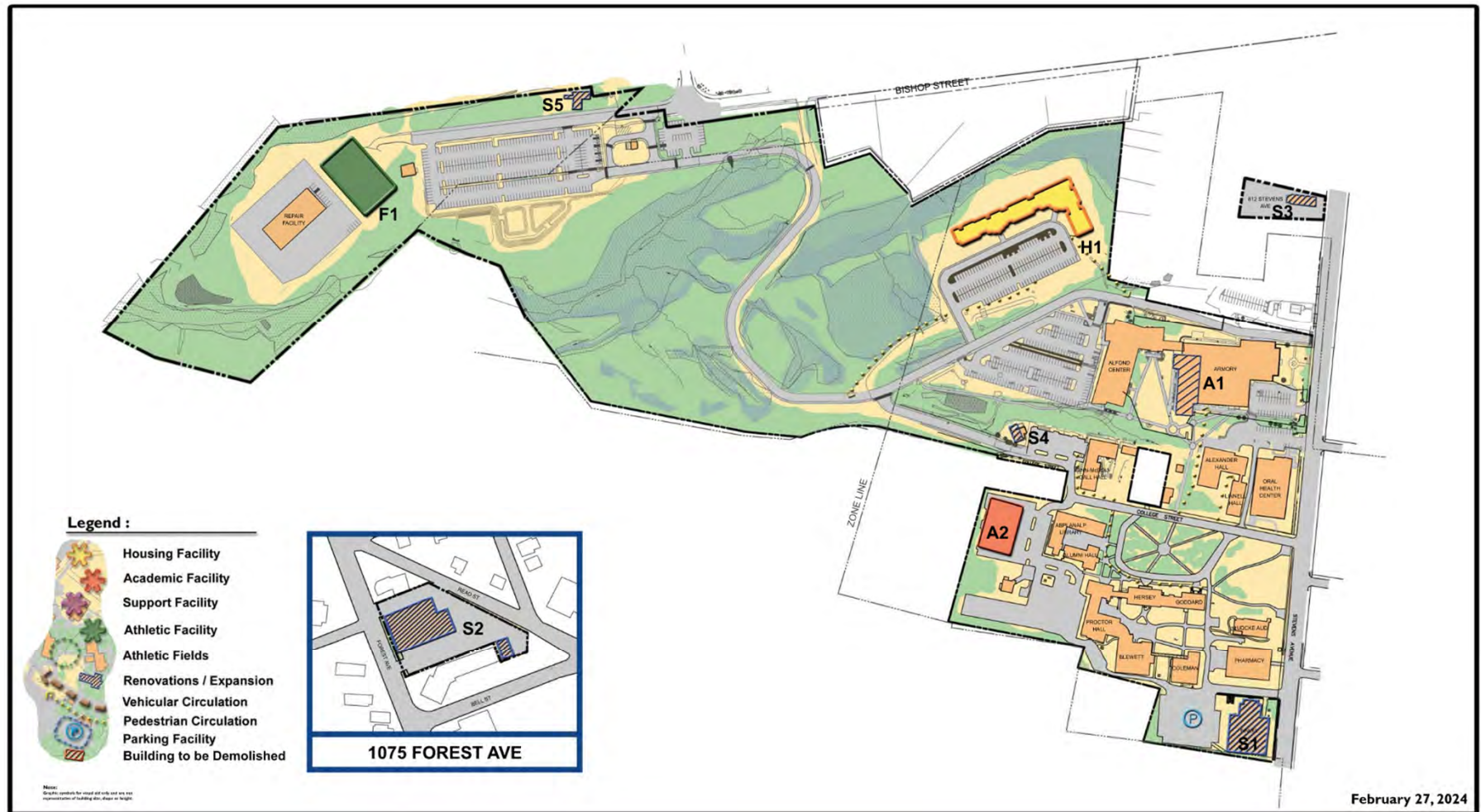
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10+ Year Development Plan

Student Population	
Fall 2025	1,400
Fall 2028	1,600
Fall 2033	1,750

Priority 1: Short-Term Development Plan (0-5 years)

Campus Master Plan Identifier	Project	Use Category	Total Square Footage	Estimated Occupancy
H1	Residence Hall	Housing	175,000	350 beds
A1	Innovation Hall Renovation/Expansion	Academic	24,000	2 offices
S3	812 Stevens Ave. Renovation/Expansion	Support	10,000	6 offices

Priority 2: Medium-Term Development Plan (5-10 years)

Campus Master Plan Identifier	Project	Use Category	Total Square Footage	Estimated Occupancy
S2	UNE North/1075 Forest Ave. Renovation/Expansion	Support	60,000	10 offices
S4	79 College Street Renovation/Expansion	Support	2,500	2 offices
S5	Bishop Street Renovation/Expansion	Support	2,000	N/A

Priority 3: Long-Term Development Plan (10+ years)

Campus Master Plan Identifier	Project	Use Category	Total Square Footage	Estimated Occupancy
A2	Academic Building	Academic	60,000	20 offices
F1	Athletic Facility	Athletic	65,000	12 offices



Public Involvement Opportunities - IOZ

- ▶ Pre-Submission Neighborhood Meeting – **WE ARE HERE**
- ▶ Post-Submission Neighborhood Meeting – Summer/Fall
- ▶ Public Hearings as part of the Regulatory Process
 - Planning Board Workshops
 - Planning Board Hearing
 - City Council Hearing
- ▶ Continued Public Engagement



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Communications

- ▶ Current/active project monthly updates on Campus Planning webpage (www.une.edu/campus/campus-planning).
- ▶ Email questions/concerns/feedback directly to UNE's Planning Department (uneprojects@une.edu).
- ▶ Deering Center Neighborhood Association (DCNA), to present and review future development plans and receive ideas/feedback.



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Open Forum

We are here to listen and answer questions.



UNE

- ▶ Your input is important to us
- ▶ Second Neighborhood Meeting in summer/fall
- ▶ Visit our website at for updates
 - <http://www.une.edu/campus/campus-planning>
- ▶ Email with questions, concerns, or feedback directly to UNE's Planning Department and project team members.
 - uneprojects@une.edu



Thank you!



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NEIGHBORHOOD MEETING MINUTES

University of New England – Portland Campus Rezoning – Neighborhood Meeting #1

PROJECT: University of New England (UNE)
Portland Campus Rezoning
MEETING DATE: 06/13/2024

LOCATION: University of New England - Portland
Campus, 716 Stevens Avenue, Hannaford
Lecture Hall, Room 109, College of
Pharmacy, Portland, ME
ISSUED DATE: 10/09/2024

ATTENDEES:

Presenters/Representatives

Alan Thibeault – UNE
Jim Irwin - UNE
Mary Costigan – Bernstein Shur
Diane Morabito - Sewall
Barry Sheff – Woodard & Curran (W&C)
Megan Gatto – Woodard & Curran (W&C)

Public

Susan Small
Fran Girard
Katherine Kilcullen
Christopher Nelson
Kate Sykes
Jerry Hankinson
Mona Oates
Haig Tifrajian
Scott Dalton
Brenda Boothby
Carleton Winslow
Sean Hagan
Anna Bullett

Total recorded attendance was 13.

In person began at 6:00 p.m.

Project Presentation & Content

- o Welcome and Introductions provided by Alan Thibeault, UNE
- o Project Background presentation provided by Alan Thibeault, UNE and Mary Costigan, Bernstein Shur
 - Overview of UNE (Portland Campus History + Programming)
 - Regulatory Process (Institutional Overlay Zone)
 - Campus Master Plan
 - Public Involvement Opportunities
 - Comments and Questions



Record of Feedback

Throughout and following the project presentation, there was a question-and-answer period with attendees. The following topics were discussed:

- Questions and discussion about zoning, property acquisitions, and tax concerns
 - o Representatives clarified that the proposed IOZ only applies to UNE property as currently held and will not apply to property acquired thereafter, without revisions to the IOZ necessitating Planning Board and City Council approval.
 - o Participant asked what the Roux did for underlying zoning; representatives responded the change was from I-M to B5.
 - o Participant asked if IOZ application was submitted to City; representatives confirmed it has not submitted an application and will use the information gained tonight to revise the draft before it is submitted.
 - o Participant asked if the City is considering an adjacent zone change; representative responded they were not aware of that.
 - o Participant asked about whether UNE makes payment in lieu of taxes (PILOT) to the City; representatives responded that they did not, and as a non-profit were not required to. However, UNE provides significant services to the greater community, including the low-cost dental clinics on campus.
 - o Participant asked about whether PILOT could be a condition of IOZ approval; representatives responded they felt that would be an unusual condition.
 - o Concerns were raised about City tax increases from future UNE property acquisitions.
- Questions and discussion about UNE's future plans for campus expansion
 - o Participant asked what additional properties UNE is considering in the long term; representatives responded that one homeowner on Stevens Avenue has approached the University to sell their property, and that the University is considering this offer.
- Questions and discussion about traffic and parking
 - o Concerns were raised about parking along Stevens Avenue.
 - o Participant asked how UNE communicates with students on encouraging use of the Bishop Street remote lot; respondents reiterated communication with students is constant to increase usage of the remote parking lot.
 - o Participant asked is UNE contemplating a parking garage in the future; representatives responded that structured parking is not envisioned on campus, as the city has confirmed that the current parking capacity is adequate to meet the University's needs.
 - o Participant asked about shuttle usage; representatives responded that METRO use is down since COVID however the University still offers free bus passes to all faculty, staff and students, and encourages usage to reduce single occupancy vehicle trips.
 - o Concerns were raised about on-street parking impacts; representatives expressed understanding and reiterated the Bishop Street remote parking and other parking on campus is intended to alleviate on-street parking, but student habits are a challenge to change, especially when public parking is readily

- available closer to the buildings, then the students, faculty and staff will use it. UNE will continue to support any revisions to public parking the City makes.
- o Representatives clarified the size of the Bishop Street parking lot and usage: There are approximately 350 spaces with 100 cars parked at any given time.
 - o Participant inquired about COM building parking needs; representatives explained that parking was a Site Plan review consideration with the City's Planning Board and that there is adequate parking supply available on campus. In fact, during its review the Planning Board suggested UNE has too much parking on site.
 - o Participant asked is the City studying traffic at Morrill's Corner; representatives explained they were not aware of any ongoing City traffic studies.
 - Questions and discussion about Westbrook Historic District
 - o Concerns were raised regarding impacts to historic district; representatives expressed no intention to change the historic district.
 - Questions and discussion about Campus Master Plan
 - o Representatives clarified there would be height and dimensional limits to campus master plan, which will enable the University to meet campus program needs.
 - o Representatives responded to a specific question regarding the location of Bishop Street remote parking versus proposed housing, and the intent to keep housing closer to the academic buildings on campus.
 - Questions and discussion about zoning restriction changes and adjacent lot zoning
 - o Concerns were raised regarding noise and light impacts; representatives reassured they had no intention of seeking changes from existing City Ordinances for noise or light trespass, and actually utilizes its own lighting standards to limit the impacts as well.
 - o There was a discussion about noise and light restrictions in various city zones, for example: noise standards in B-2 zoning districts versus R-zone standards; representatives reassured these standards were City-wide and the proposed IOZ would not seek to modify those.
 - o Concerns were raised regarding off-campus Waste Management truck collections before 7am.
 - Questions and discussion about environmental impacts
 - o Concerns were raised regarding impervious area, including Gulliver's field on Mayfield Street and climate impacts; representatives explained their overarching approach to protecting natural resources and UNE goal to Carbon Neutrality by 2040 and its commitment to its Climate Action Plan, most recently updated in 2017. UNE has a long, successful track record designing and constructing facilities in sensitive environmental locations, and is confident that this could be achieved on Gulliver's Field as well.
 - o Participant asked what wildlife studies have been done; representatives explained that all studies associated with prior Site Plan approvals are public record and available through the City.
 - o A concern was raised about a nearby well or individual spring and the water level; representatives shared the COM building stormwater design was reviewed and approved by the City Planning Board and had a lack of awareness of the particular issue raised and did not believe they were related, but



promised to make inquiries into this issue so it could be adequately considered in any future design.

- o A concern was raised about impacts to migratory birds, in particular the American Woodcock, resulting from development; representatives reiterated that all studies associated with prior Site Plan approvals are public record and available through the City.
 - o A concern was raised about construction impacts to Mayfield with planned housing (H1) building; representatives offered assurance that City Site Plan and MaineDEP Site Law standards have always and will continue to be met when proposing future projects.
- Questions and discussion about housing
 - o Participant asked If anyone looked at land behind Bruno's for housing; representatives responded that UNE has not looked at that land.
 - o Positive comment shared about student tenants in the area.
 - o Concerns were raised about the height of housing - too tall; representatives explained the intent of increased height to reduce footprints and impervious area and maintain open space on campus.
 - o Participant asked can you develop multiple buildings or move housing to Bishop Street and parking to Gulliver field; representatives reiterated their intent to locate housing proximate to academic buildings, and that multiple buildings would have greater potential impact
- Questions and discussion about maximum growth potential
 - o Participant asked about student population size and program sizes; representatives responded with current campus demographics.
- Questions and discussion about neighborhood traffic
 - o Concerns were raised about traffic at Morrill's Corner; representative expressed understanding and shared a benefit of the Bishop Street parking lot and private connector road is to remove students, staff, and faculty from the intersection. This access road would also afford public cyclists access without going through Morrill's Corner.
- Questions and discussion about meeting noticing
 - o Some attendees asked for earlier public notice.
 - o One commenter noted that the meeting room was hard to find.

Attendees requested a copy of the Master Plan be provided to them. A follow up email was promised to be sent to all attendees with email addresses on the attendance sheet, which would include the Master Plan.

List of Plans, Documents or Drawings Shared

The following information was shared via the PowerPoint presentation given at the meeting, with the presentation attached for reference:

- Regulatory Process and project timeline
- Campus Master Plan
- Work completed to date
- Website for campus project updates
- Email for follow up questions and concerns.



Meeting Close

- The meeting closed at approximately 7:15 and the project team thanked attendees and noted that a second Neighborhood Meeting would be held in the summer/fall 2024 and those in attendance will receive an email notice as well as another mailed notice.

Att. I

Via Electronic Mail

November 19, 2024



Natasha Kypfer, Senior Planner
City of Portland
389 Congress Street, 4th Floor
Portland, ME 04101
nkypfer@portlandmaine.gov

Re: UNE Institutional Overlay Zone Application (ZN-003059-2024)
Neighborhood Meeting #2

Dear Natasha:

I, Caitlin Suhr, consultant for the University of New England (UNE), hereby certify that a Neighborhood Meeting was held at 6 PM on Wednesday, October 30, at the UNE Portland Campus, 716 Stevens Avenue, in the Hannaford Lecture Hall, Room 109, at the College of Pharmacy, for the Institutional Overlay Zone proposed for the UNE Portland Campus (address: 716 Stevens Avenue).

I also certify that on October 15, 2024, notices were mailed to the following:

1. All addresses on the mailing list provided by the Planning Division which includes owners within 1,000 feet of the proposed Institutional Overlay Zone.
2. Residents on the "interested parties" list.

Sincerely,

Woodard & Curran, Inc.

A handwritten signature in black ink that reads "Caitlin Suhr".

Caitlin Suhr, PE
Project Manager

Attachments:

1. Copy of the notice sent
2. Sign-in sheets
3. Presented material (PowerPoint Presentation)
4. Record of Feedback

October 15, 2024



Dear Neighbor,

On behalf of the University of New England (UNE) (Applicant), please join us at a Neighborhood Meeting to discuss UNE's plans for an Institutional Overlay Zone (IOZ) at their Portland campus, located at 716 Stevens Avenue in Portland, Maine.

The City of Portland's Land Use Code allows for the creation of an IOZ to "provide a regulatory mechanism available to the city's four major medical and higher education campuses where an improved regulatory structure is needed to facilitate a consistent, predictable, and clear growth management process." Consistent with that purpose, UNE is seeking a zoning amendment to create an UNE IOZ to accommodate the development and growth of their Portland Campus.

UNE has submitted a Text and Map Amendment Application to the City of Portland to create an UNE IOZ, and to change the underlying zoning of the UNE properties to B-2 Community Business. As part of that Application, the City of Portland's Land Use Code requires at least two Neighborhood Meetings be held to encourage public involvement. The first meeting was held on June 13, 2024, during the development of the IOZ Application, and before the formal submission of the zone change application. A second meeting is required to be held during the City's review, which is currently ongoing.

This Neighborhood Meeting will provide an overview of the IOZ process, provide an update on UNE's IOZ Application, including the Institutional Development Plan (IDP) and Regulatory Framework, and provide an opportunity to gather neighbors' input on the growth of the campus.

Neighborhood Meeting

Meeting Location: University of New England – Portland Campus, 716 Stevens Avenue, Hannaford Lecture Hall, Room 109, College of Pharmacy, Portland, ME

Meeting Date: Wednesday, October 30, 2024

Meeting Time: 6:00 – 7:00 PM

The City of Portland's Land Use Code requires that property owners within 500 feet of the proposed development and residents on the City's "interested parties list" be invited to participate in a Neighborhood Meeting. In an effort to be more inclusive, UNE has extended beyond the 500-foot requirement to include property owners within 1,000 feet of the Portland campus. Your contact information has been provided to us by the City of Portland as part of these lists. A sign-in sheet will be circulated at the meeting, and minutes of the meeting will be taken. Both the sign-in sheet and meeting minutes will be submitted to the Planning Authority for inclusion in the project's IOZ application to City Planning.

If you have any questions, please contact me at 207-558-3707 or via email at csuhr@woodardcurran.com. We hope to see you.



Sincerely,

Woodard & Curran, Inc.

A handwritten signature in blue ink that reads "Caitlin Suhr".

Caitlin Suhr, PE
Project Manager
On behalf of the University of New England (UNE)

Attachments: Campus Map with Neighborhood Meeting Location

Note:

Under the City of Portland Land Use Code, at least two Neighborhood Meetings shall be required as part of an Application for an Institutional Overlay Zone (Section 8.5.3.B.). The first shall be held prior to the formal submission of a zone change application for an Institutional Overlay Zone and the second shall be held during the City's review. Meetings shall identify the concerns, if any, of affected residents and property owners, and inform the development of the Institutional Development Plan (IDP) and regulatory framework. Meetings shall be held in a convenient location proximate to the institution. The applicant shall provide written notification to property owners of record within 500 feet of the proposed IOZ boundary at least ten days prior to the meeting dates and maintain written records of the meetings.

Should you wish to offer additional comments on this Application, you may forward them by e-mail to planning@portlandmaine.gov or by mail to the Planning and Urban Development Department, Planning Division, 4th Floor, 389 Congress Street, Portland, ME 04101.



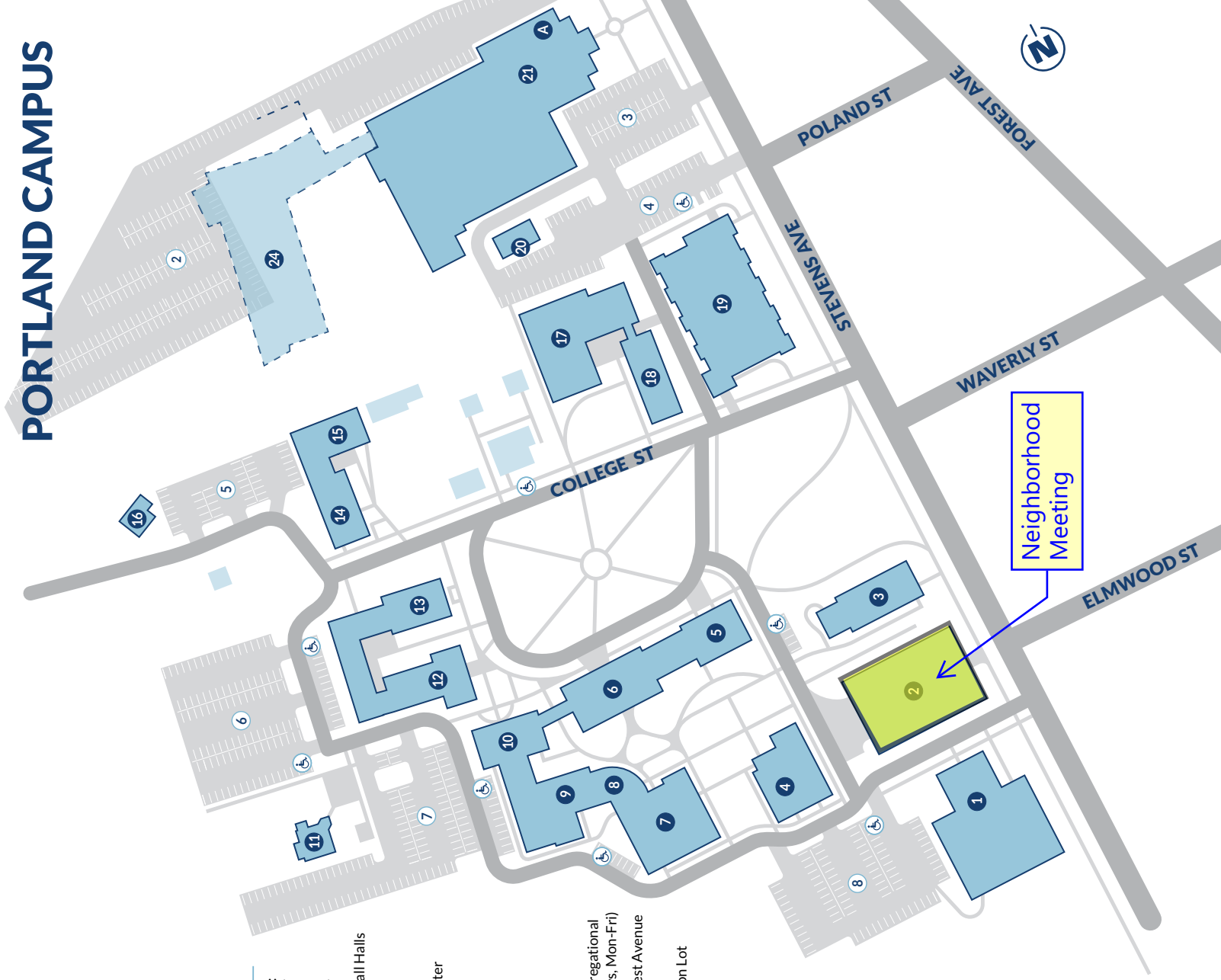
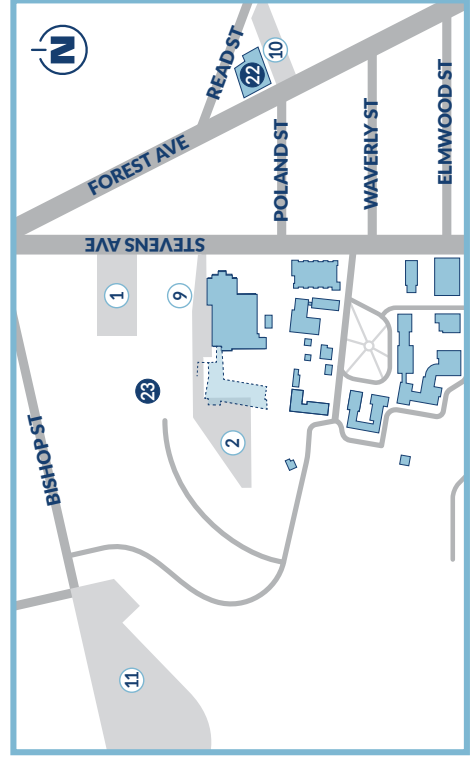
FACILITIES

- 1 Finley Recreation Center
- 2 Pharmacy Building
- 3 Ludcke Auditorium
- 4 Coleman Dental Hygiene Building
- 5 Goddard Hall
- 6 Hersey Hall
- 7 Blewett Hall
- 8 Parker Pavilion
- 9 WCHP Lecture Hall
- 10 Proctor Hall
- 11 Art Gallery
- 12 Alumni Hall
- 13 Ablanalp Library
- 14 Ginn Hall
- 15 McDougall Hall
- 16 Safety and Security/ Shuttle Terminal
- 17 Alexander Hall
- 18 Linnell Hall
- 19 Oral Health Center
- 20 Facilities Management
- 21 Girard Innovation Hall
- 22 Graduate Admissions
- 23 UNE North (see inset)
- 24 Gulliver's Field (see inset)
- 25 Harold and Bibby Alford Center for Health Sciences (opening June 2024)

PARKING

- 3 Innovation Hall South: Patient Parking ONLY
- 4 Oral Health Center: Patient Parking ONLY
- 5 Behind Ginn/McDougall Halls
- 6 Behind Library
- 7 Behind Proctor Hall
- 8 Finley Recreation Center
- Handicap Parking
- Additional UNE Parking Available (see inset)
- 1 812 Stevens Avenue
- 2 Innovation Hall Rear
- 9 Stevens Avenue Congregational Church (2 Middle Rows, Mon-Fri)
- 10 UNE North: 1075 Forest Avenue (South Side Only)
- 11 Bishop Street Extension Lot

The UNE Portland Campus is proud to be on the National Register of Historic Places (1977) and to be the original home of Westbrook Seminary (1831–1929), Westbrook Junior College (1929–1970), and Westbrook College (1970–1996).



University of New England
Institutional Overlay Zoning
Neighborhood Meeting
October 30, 2024
6pm at Hannaford Lecture Hall

Attendee

Address/Contact Information

Mona Oates

29 Mayfield St. Portland ME 04103
monaoates@gmail.com

LISA PROSIEUSKI

Karl Parker

karlparker18@gmail.com

Matt Montgomery

259 Walton St mattmonty1@gmail.com

Kate Sykes

ksykes@portlandmaine.gov

Katherine Hiballe

ceec@maine.sr.com

Frans Jufkja

University of New England
Institutional Overlay Zoning
Neighborhood Meeting
October 30, 2024
6pm at Hannaford Lecture Hall

Attendee

Address/Contact Information

Mr. Paul Sullivan SJ OLT Parish - 442 Ocean Ave Portland 04103
Paul.Sullivan@portlanddiocese.org

William Burke St. Brigid School - 695 Stevens Avenue, Portland, 04103
william.burke@portlanddiocese.org

SCOTT DALTON 751 STEVENS AVE PORTLAND 04104
sbdal06371@gmail.com

Susan Small 39 Mayfield St. ssmall12@maine-ut.com

University of New England
Institutional Overlay Zoning
Neighborhood Meeting
October 30, 2024
6pm at Hannaford Lecture Hall

Attendee

Address/Contact Information



Mark Jaroneczyk, 19 Maggie Lane, 04103, 714-721-8978, mj-xxcal@hotmail.com



University of New England – Portland Campus Institutional Overlay Zone (IOZ)

Alan Thibeault, Vice President for University Operations



INNOVATION FOR A HEALTHIER PLANET

Agenda

Overview of UNE

Regulatory Process

Institutional Development Plan

Public Engagement

Comments and Questions

UNE Portland Campus

Mission: UNE prepares students to thrive in a rapidly changing world and, in so doing, to improve the health of people, communities, and our planet.

Programs:

- Dental Medicine
- Dental Hygiene
- Nursing
- Nurse Anesthesia
- Occupational Therapy
- Pharmacy
- Physical Therapy
- Physician Assistant
- Health, Wellness, and Occupational Studies



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INNOVATION FOR A HEALTHIER PLANET

Regulatory Process

Zone Change & Institutional Overlay Zone

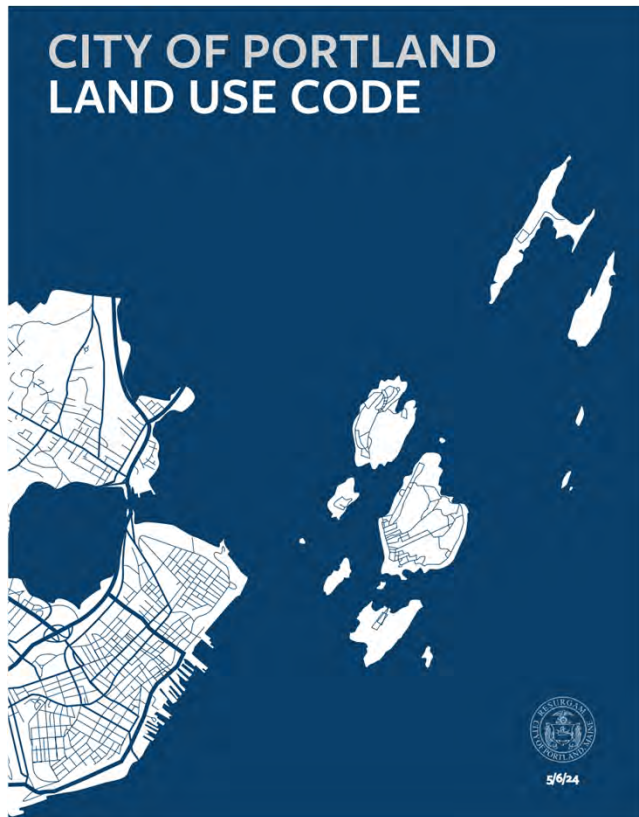
- Neighborhood Meetings (6/13 and 10/30)
- Planning Board Workshops (first Workshop 11/12)
- Planning Board Hearing
- City Council Hearing

City Site Plan Review

Construction & Operations



What is a Zoning Amendment?



A request to change the way a property is designated in the City's Land Use Code.

Establishes the parameters that will apply to future development:

- Permitted uses
- Dimensional requirements (height & setbacks)
- Design guidelines



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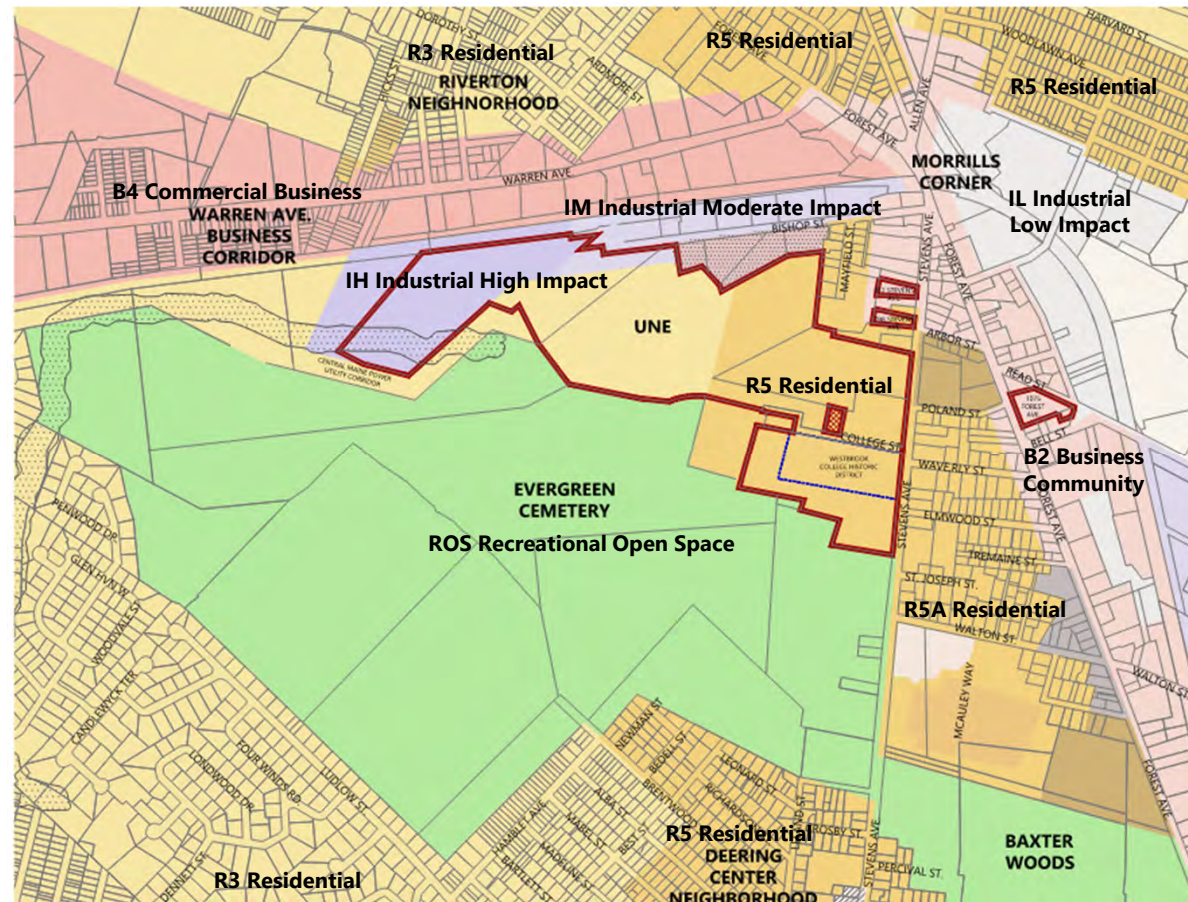
Existing Zoning

LEGEND

- UNE INSTITUTIONAL OVERLAY ZONING (IOZ) DISTRICT BOUNDARY
- PARCEL BOUNDARIES
- PROPERTIES NOT OWNED BY UNE WITHIN CAMPUS AREA
- HISTORIC ZONE
- STREAM OVERLAY ZONE

CITY OF PORTLAND EXISTING ZONING DISTRICTS

- B1 NEIGHBORHOOD BUSINESS
- B1B NEIGHBORHOOD BUSINESS
- B2 BUSINESS COMMUNITY
- B2C BUSINESS COMMUNITY
- B4 COMMERCIAL BUSINESS
- C50 CONDITIONAL / CONTRACT
- IH INDUSTRIAL - HIGH IMPACT
- IL INDUSTRIAL - LOW IMPACT
- IM INDUSTRIAL - MODERATE IMPACT
- R3 RESIDENTIAL
- R5 RESIDENTIAL
- R5A RESIDENTIAL
- R6A RESIDENTIAL
- ROS RECREATION OPEN SPACE
- RP RESIDENTIAL PROFESSIONAL



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Institutional Overlay Zone (IOZ)



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Public Feedback



Traffic & Parking



Building Height & Locations



Natural Resources & Environment



Historical District



Housing



Zoning



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Institutional Development Plan (IDP)



Planning for the future development of UNE's Campus

- Baseline Characteristics of the Institution
- Campus Master Plan
- Transportation Plan
- Environmental Plan
- Infrastructure Plan
- Design
- Neighborhood Engagement



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Campus Master Plan



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10+ Year Development Plan

Priority 1: Short-Term Development Plan (0-5 years)

Campus Master Plan Identifier	Project	Use Category	Total Square Footage	Estimated Occupancy
H1	Residence Hall	Housing	175,000	350 beds
A1	Innovation Hall Renovation/Expansion	Academic	24,000	2 offices
S3	812 Stevens Ave. Renovation/Expansion	Support	10,000	6 offices

Priority 2: Medium-Term Development Plan (5-10 years)

Campus Master Plan Identifier	Project	Use Category	Total Square Footage	Estimated Occupancy
S2	UNE North/1075 Forest Ave. Renovation/Expansion	Support	60,000	10 offices
S4	79 College Street Renovation/Expansion	Support	2,500	2 offices
S5	Bishop Street Renovation/Expansion	Support	2,000	N/A

Priority 3: Long-Term Development Plan (10+ years)

Campus Master Plan Identifier	Project	Use Category	Total Square Footage	Estimated Occupancy
A2	Academic Building	Academic	60,000	20 offices
F1	Athletic Facility	Athletic	65,000	12 offices

Student Populations

Year	Student Population
Fall 2015	1,397
Fall 2018	1,257
Fall 2021	1,198
Fall 2023	979
Fall 2025	1,400
Fall 2028	1,600
Fall 2033	1,750



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Proposed Height Map



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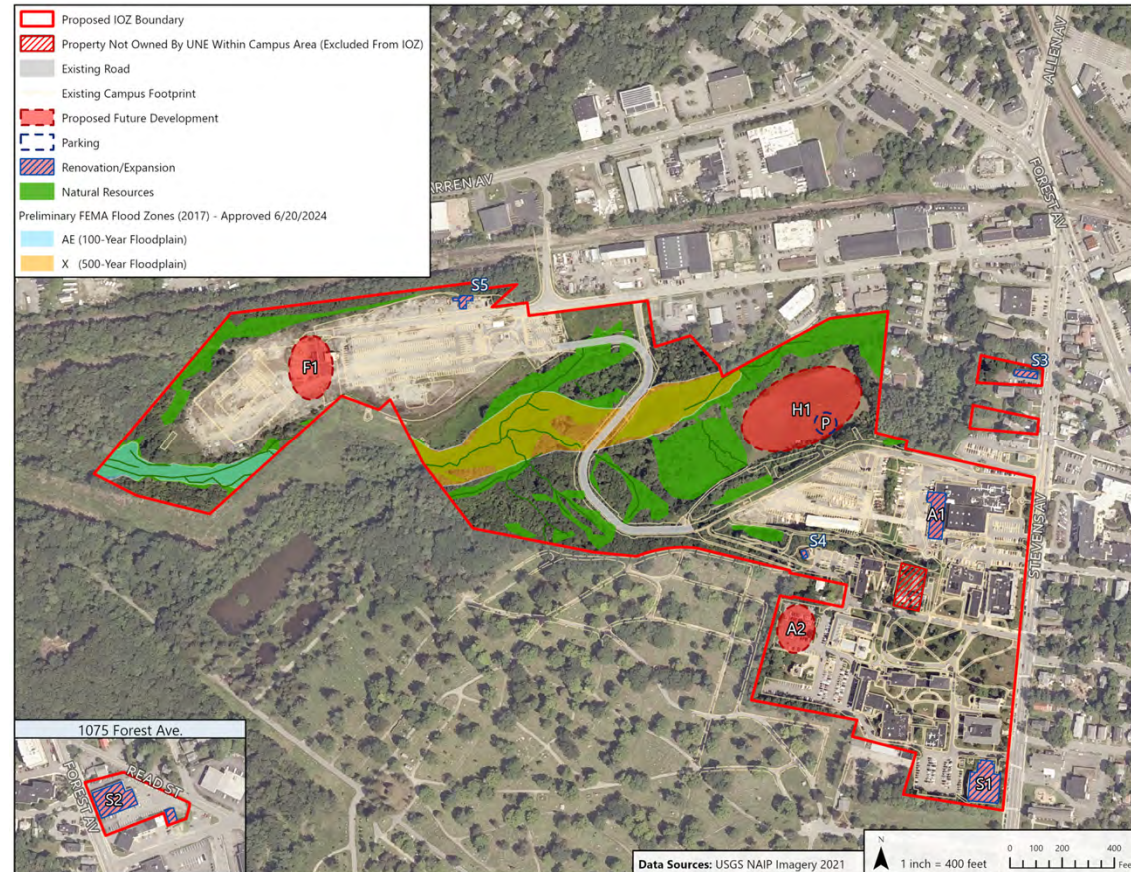
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IDP: Environmental Plan

- UNE committed to fostering environmental stewardship
- Extensive open space and natural areas
- New development sited to avoid existing natural resources
- Maintaining Capisic Brook riparian zone
- Partnership with Portland Trails
- Future site development projects will be required to go through Site Plan Review and comply with local and state stormwater management requirements



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IDP: Transportation Plan

- Traffic volumes in area have been declining
- Inclusion of on-campus housing will help reduce peak hour trips to and from campus
- Projected long-term growth of student population not expected to have any significant off-site impacts
- Newly constructed connector road provides relief to Morrill's Corner

ITE Trip Generation

Time Period	New One-way Trips	Time Period	New One-way Trips
Daily	234	PM Peak Hour	23
Entering	117	Entering	7
Exiting	117	Exiting	16
AM Peak Hour	23		
Entering	18		
Exiting	5		

Average Annual Daily Traffic

Location	2008	2010	2013	2016	2019	2022
Bishop Street, west of Forest Avenue	--	--	1650	--	--	--
Walton Street, west of Forest Avenue	--	2800	3120	2580	--	--
Forest Avenue, NW of Warren Avenue	20020	19010	19820	18140	--	17370
Forest Avenue, no. of Arbor Street	--	--	24500	22140	22570	18730
Forest Avenue, no. Walton Steet	--	--	21830	--	--	16610
Forest Avenue, so. of Walton Avenue	--	--	21710	--	--	17030
Stevens Avenue, so. of Walton Avenue	--	12510	11680	11620	--	--
Stevens Avenue, no. of Walton Avenue	--	11170	10980	11180	--	--
Stevens Avenue, so. of Forest Avenue	--	10360	10050	11230	--	8320
Warrens Avenue, SW of Forest Avenue	13370	11560	13130	11390	12380	13300
Allen Avenue, no. of Goodridge Ave	--	18210	--	16040	16220	17340



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Public Involvement Opportunities - IOZ

- ▶ Pre-Submission Neighborhood Meeting – held on June 13, 2024
- ▶ Post-Submission Neighborhood Meeting – **WE ARE HERE**
- ▶ Public Hearings as part of the Regulatory Process
 - Planning Board Workshops (First Workshop 11/12)
 - Planning Board Hearing
 - City Council Hearing
- ▶ Continued Public Engagement



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Communications

- ▶ Your input is important to us
- ▶ Visit our website at for updates
 - <http://www.une.edu/campus/campus-planning>
- ▶ Email with questions, concerns, or feedback directly to UNE's Planning Department and project team members.
 - uneprojects@une.edu



Thank you!



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Open Forum

We are here to listen and answer questions.





NEIGHBORHOOD MEETING MINUTES

University of New England – Portland Campus Rezoning – Neighborhood Meeting #2

PROJECT:
University of New England (UNE)
Portland Campus Rezoning

MEETING DATE: October 30, 2024

ISSUED DATE: November 19, 2024

LOCATION:
University of New England - Portland
Campus, 716 Stevens Avenue, Hannaford
Lecture Hall, Room 109, College of
Pharmacy, Portland, ME

ATTENDEES:
Presenters/Representatives
Alan Thibeault – UNE
Mary Costigan – Bernstein Shur
Diane Morabito – Sewall
Caitlin Suhr – Woodard & Curran (W&C)

Public
See attached sign-in sheet

Total recorded attendance was 12.

In person began at 6:00 p.m.

Project Presentation & Content

- o Welcome and Introductions provided by Alan Thibeault, UNE
- o Presentation provided by Alan Thibeault, UNE and Mary Costigan, Bernstein Shur
 - Overview of UNE
 - Regulatory Process (Institutional Overlay Zone)
 - Institutional Development Plan
 - Public Involvement Opportunities
 - Comments and Questions

Record of Feedback

Throughout and following the project presentation, there was a question-and-answer period with attendees. The following questions were asked and feedback provided:

- o Participant asked if information on the upcoming Planning Board Workshop could be provided.
- o Participant asked if any future property acquisitions would automatically be included in the IOZ.



- o Participant asked where the headwaters of Capisic Brook are located.
- o Participant asked what an urban impaired stream is.
- o Participant asked if the parking lot behind the newly constructed College of Osteopathic Medicine (COM) building has been permitted and how many spaces it has.
- o Participant asked what the ratio of students and staff is to parking spaces.
- o Participants expressed that it is difficult to find on-street parking on Stevens Avenue due to students parking there.
- o Participants expressed that the City doesn't enforce the 1-hour parking restrictions on side streets, and that students block driveways of abutters.
- o Participant asked what the existing building is located behind the Bishop Street parking area.
- o Participant asked what height is allowed in the B-2 zone under current zoning.
- o Participant asked how many stories the proposed housing building would be.
- o Participant asked whether the new housing would be dormitories or apartments.
- o Participant asked what will happen if the building height request as part of this application doesn't get approved.
- o Participant asked if the housing will be for students only.
- o Participant asked if UNE is bound by rent control restrictions.
- o Participant asked what the height is of the new medical (COM) building.
- o Participant asked whether the housing building could be located where the proposed athletic facility is, near Bishop Street.
- o Participant asked what academic programs will be occupying proposed development A2.
- o Participant asked if the location of proposed development A2 is located in an existing parking lot.
- o Participant asked how many units would be in the housing building.
- o Participant noted that there was recently construction noise happening at night at one of the parking lots on campus.
- o Participant noted that 2024 student population data was not provided in the table in the presentation.
- o Participant asked what UNE's plans are for the building at 798 Stevens Avenue.
- o Participant asked whether UNE has done traffic counts for new roadway internal to campus.
- o Participant asked when UNE met with DCNA.
- o Participant asked what DCNA's concerns were related to the IOZ application.
- o Participant asked if a copy of the PowerPoint presentation could be made available.
- o Participant asked if this information is available on UNE's website.

List of Plans, Documents or Drawings Shared

The following information was shared via the PowerPoint presentation given at the meeting, with the presentation attached for reference:

- UNE Portland Campus overview
- Regulatory process and project timeline
- Existing and proposed zoning



- Summary of public feedback received to date
- Institutional Development Plan (IDP)
- Campus Master Plan
- Proposed Height Map
- IDP: Environmental Plan
- IDP: Transportation Plan
- Public involvement opportunities
- Email for follow up questions and concerns.

Meeting Close

- The meeting closed at approximately 7:30 and the project team thanked attendees.

Att. J

Via Electronic Mail

December 20, 2024



Natasha Kypfer, Senior Planner
City of Portland
389 Congress Street
Portland, ME 04101
nkypfer@portlandmaine.gov

Re: University of New England – Map and Text Amendment Application ZN-003059-2024
Response to City Comments

Dear Natasha:

Thank you for coordinating the review of our application (ZN-003059-2024), a Map and Text Amendment, proposing a new Institutional Overlay Zone (IOZ) for the University of New England (UNE) at 716 Stevens Avenue, with a change to the underlying zoning to B-2 Community Business. We received the comments from the City's reviewers on October 17, 2024, and are providing responses.

Our responses are provided in tables in the following sections:

- Attachment 1: Institutional Development Plan (IDP): Response To Comments
- Attachment 2: Regulatory Framework: Response To Comments

If you have any questions or require additional information, please do not hesitate to contact me at (207) 558-3707 or csuhr@woodardcurran.com. We look forward to continuing to collaborate with the City as we work through the IOZ process.

Sincerely,

Woodard & Curran, Inc.

A handwritten signature in black ink that reads "Caitlin Suhr".

Caitlin Suhr, PE
Project Manager

cc: Alan Thibeault, University of New England
Mary Costigan, Bernstein Shur
Diane Morabito, Sewell Infrastructure

PN: 0235387.00

1. ATTACHMENT 1: INSTITUTIONAL DEVELOPMENT PLAN (IDP): RESPONSE TO COMMENTS

Institutional Development Plan (IDP): Content

Land Use Code, Section 8.5.4.C

Category, Sub-category, requirement and Sub-requirement	Location, IDP Page #	Review Comments: Overview & Updates Requested	Comment Response Provided by Applicant
1. Context Information <i>a. The institution's adopted mission, vision or purpose statement</i>	Pages 4-5	As stated and provided for on pages 4-5, UNE is guided by its Mission, Vision, and Core Values, as well as its own strategic plan ("Our World, Our Future").	This requirement has been met.
1. Context Information <i>b. A summary of relevant baseline data on the institution, including;</i> <i>i. A neighborhood context plan</i>	Pages 11-12, Figure 1.1	The UNE's approximately 72-acre campus is bounded by Warren Ave., Bishop St. Extension, and Bishop St. to the north; Stevens Ave. to the east; and, Evergreen Cemetery and CMP's Utility Corridor to the south, as depicted in provided Figure 1.1.	This requirement has been met.
1. Context Information <i>b. A summary of relevant baseline data on the institution, including;</i> <i>ii. An inventory of current programs and services.</i>	Page 7-9	The UNE Portland campus houses three academic colleges: the Westbrook College of Health Professions (WCHP), the College of Dental Medicine, and the College of Graduate and Professional Studies. In addition, UNE operates two health clinics on campus: the Oral Health Center and the Dental Hygiene Center, as well as UNE North, the Center for Global Humanities, and cultural institutions that include the Maine Women Writers Collection and the UNE Art Gallery.	This requirement has been met.

1. Context Information b. A summary of relevant baseline data on the institution, including; iii. A current census of the number of people using the institution (e.g., employees, enrollment, patients), with an indication of maximums and minimums over time.	Page 18, Table 1.3	Table 1.3 titled "FTE Student, Faculty, and Professional Staff Data", includes population data from 2016-2023 for student, faculty and professional staff, and campus population. Please also add an additional column to Table 1.3 that includes patient figures visiting the campus (for example, dental patients to the Oral Health Center), further, consider incorporating part-time data, as the provided table only documents FTE.	Table 1.3 has been updated to include historical patient visit data. UNE does not keep track of other campus visitors so is unable to provide this information.
1. Context Information b. A summary of relevant baseline data on the institution, including; iv. An inventory and/or plan of all existing property holdings within the main campus and within the City of Portland, including an indication of functional land use links between off-campus properties and the main campus (e.g. remote parking).	Page 17, Table 1.2	Table 1.2 titled "UNE Owned Properties in the City of Portland", documents UNE's total of 17 parcels, the majority of which are contiguous in the campus core, while several are outparcels. Please speak to the functional land use links between off-campus properties and the main campus (e.g. remote parking and the Bishop Street shuttle service).	This section has been updated to include descriptions of the outparcels, including their functional land use, and links to the campus core.
1. Context Information b. A summary of relevant baseline data on the institution, including; v. An inventory and/or plan of existing facilities, including data on use, floor area, and any existing functional connections between facilities.	Page 16, Figure 1.5 Pages 21-22	The UNE campus map is provided on page 16 as Figure 1.5, depicting the 25 distinct facilities and 11 parking areas, with an inset map centered around the Campus Quad. Please supplement Figure 1.5 Campus Map with a table listing the 25 facilities and 11 parking areas identified in Figure 1.5, organized chronologically by facility number. Please also incorporate the parking spaces data from Table 3.5 here as well. The table should include columns for facility name, total	Table 1.2 has been added to this section that lists and describes the facilities and parking areas as shown on the Campus Map.



		floor area, and use. For parking areas, organize chronologically by parking area # and include columns for total square footage, total number of existing spaces, and a breakdown of ADA and EV spaces.	
<i>1. Context Information</i> <i>c. A summary of the baseline characteristics of the existing campus and context of the institution, based on identified study areas, including:</i> <i>i. A summary of existing resources, such as historic, open space, and natural resources.</i>	Pages 19-20	UNE's campus is the site of the Westbrook College Historic District, which includes six buildings built between 1834 and 1952. Further, existing open space and natural resources are summarized, and include notation of the Portland Trails Forest City Trail connection and the Capisic Brook watershed area.	This requirement has been met.
<i>1. Context Information</i> <i>c. A summary of the baseline characteristics of the existing campus and context of the institution, based on identified study areas, including:</i> <i>ii. A summary of the existing transportation system, including vehicular, pedestrian, transit, bicycle, and parking supply, demand, and utilization</i>	Page 41-44, Table 3.5	Table 3.5 titled "UNE Portland Campus - Parking Spaces" details the currently 11 parking lots located on campus, plus the on-street parking along two principle campus roadways, which amounts to 882 spaces total, plus the 182 permitted spaces presently at the COM building. Please include a quick summary of the existing transportation system within the Context chapter, to incorporate what is detailed on pages 41-44.	A summary of the existing transportation system has been added to the Context chapter.
<i>1. Context Information</i> <i>c. A summary of the baseline characteristics of the existing campus and context of the institution, based on identified study areas, including:</i>	Page 20	Existing stormwater management systems utilize on-site infiltration systems, with secondary use of conveyance to the Stevens Ave. and Bishop St. CSO. Existing wastewater infrastructure for the campus is discharged to	This requirement has been met.

iii. A summary of existing public infrastructure supporting the institution, including demand, utilization and any capacity issues.		a CSO in College St. and Stevens Ave. Other public utilities include: PWD, CMP, and Unitil.	
1. Context Information c. A summary of the baseline characteristics of the existing campus and context of the institution, based on identified study areas, including: iv. Relevant municipal plans, projects, and studies that may influence the IDP study area and opportunities for integrating institutional growth.	Page 21	A breakdown of the City's Comprehensive Plan, with tie in to the eight policy guide topics as they relate to UNE's work is provided with excerpts from Portland's Plan that UNE works to promote and advance are underscored and include the: environment, economy, historic resources, and housing. Please include additional studies that should be referenced in this section, such as the: Portland-South Portland Smart Corridor Plan (final report dated June 2018), the One Climate Future Plan, and the Forest Avenue Redesign Project. For example, within the Smart Corridor Plan on Page 143 it states: "[The] University of New England (UNE) office at 1075 Forest Avenue, shown in Figure 142 is a parcel that addresses the street well, and would be enhanced by the recommended planting palette and materials design guidelines found later in this section."	This section has been updated to reference additional studies as suggested in the comment.
1. Context Information d. A summary of public involvement in the development of the IDP, including major areas of public concern.	Page 22	UNE has worked to involve the public in the creation of the IDP during the IOZ submission process, this includes holding one of two required neighborhood meetings, which took place on June 13, 2024. Please be sure to update this section with the 10/30 neighborhood meeting date. Additionally, it may be beneficial to include a few sentences on the required review by both the Planning Board and City Council, as these	This section has been updated to include the 10/30 neighborhood meeting, as well as to include an additional meeting with Deering Center Neighborhood Association. Additional information on the City review process and opportunities for public engagement at Planning Board and City Council has also been provided.

		will also be opportunities for public involvement.	
2. Assessment of future institutional growth and change, including: a. A description of institutional needs and areas of future institutional growth and change, with: i. A projected census of users (e.g., enrollment /employment/patient/ visitor figures and anticipated variations over time).	Page 25, Table 2.2	Table 2.2 titled "Projected Growth of FTE Student, Faculty, and Professional Staff" provides a snapshot of data for the years of 2025, 2028, and 2033. Please include data on campus visitors, i.e. visiting faculty, prospective students, guests, etc.; to incorporate as a column in Table 2.2. Please also add patients seen for on-campus health visits.	Projected patient visit data has been added to Table 2.2. UNE does not track other types of visitors (such as visiting faculty, prospective students, or guests) so is unable to provide projections for these visitor types.
2. Assessment of future institutional growth and change, including: a. A description of institutional needs and areas of future institutional growth and change, with: ii. Institutional objectives for property both within and outside the IOZ boundary (e.g. acquisition and/or disposition), including an indication of any functional land use connection for sites outside the IOZ boundary to the main campus.	Pages 26-28	UNE identifies five categories for key current and future institutional needs: campus reorganization, new building and renovation, educational/pedagogy improvements, campus infrastructure, and housing.	This requirement has been met.
2. Assessment of future institutional growth and change, including: a. A description of institutional needs and areas of future	Pages 28-30, Table 2.3	A development plan is shown in Table 2.3, titled "10 +- Year Development Program", which identifies three core priority timelines: the short-term (0-5 years), medium-term (5-10 years), and long-term (10+ years).	This requirement has been met.

<i>institutional growth and change, with:</i> <i>iii. A development plan addressing anticipated or potential institutional needs and physical improvements, including the proposed boundary of the IOZ and any phasing of the development.</i>			
<i>2. Assessment of future institutional growth and change, including:</i> <i>b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including:</i> <i>i. Transportation and access, with:</i> <i>a) An analysis of the projected changes in parking demand, supply, and impacts to the off-street and on-street parking capacity, including an explanation of the proposed parking plan.</i>		Please provide an analysis of the projected changes in parking demand, supply, and impacts, and a review of current parking conditions. The previous TDM plan could be utilized to assist in completing this section. Further, a discussion on how to mitigate neighborhood impact by reducing on-street parking usage by UNE students and personnel should be included here.	This section has been updated to include the parking analysis based upon the historical parking counts.
<i>2. Assessment of future institutional growth and change, including:</i> <i>b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support</i>	Page 36-37, Tables 3.2 & 3.3	Table 3.2 titled "Trip Generation Analysis" provides a snap shot of vehicular usage projections for the student population in the years 2025, 2028, and 2033.	This section has been updated to project increases in pedestrian, bicycle and transit trips based upon ITE data for the projected increase in student population.

<i>the development parameters as set out in the regulatory framework, including:</i> <i>i. Transportation and access, with:</i> <i>b) An analysis of the projected changes in vehicular, pedestrian, transit, and bicycle access routes and facilities, their capacity, and safety.</i>		Please provide more details, as it relates to pedestrian and bicycle usage in this section, which largely focuses on vehicular travel.	
<i>2. Assessment of future institutional growth and change, including:</i> <i>b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including:</i> <i>i. Transportation and access, with:</i> <i>c) A transportation, access, and circulation plan, representing the synthesis of the analysis, and including a program of potential improvements or set of guidelines to address access deficiencies to and within the IOZ. The plan should outline proposed mechanisms and potential strategies to meet transportation objectives, including transportation demand management, phasing,</i>	Pages 38-44	UNE's original TDM plan was created in 2010, and is routinely updated, most recently in April 2022. Strategies that emerged from the plan include: education and promotion, carpooling & ridesharing, transit service, incentives, EV charging infrastructure, bicycle infrastructure, and pedestrian & bicycle access. Please provide a more detailed transportation, access, and circulation plan, that expands beyond the strategies identified in the TDM. As an example, perhaps providing a circulation plan of the core campus as a visual could then highlight potential opportunities for connections to the existing and future trail network. Please also speak to the existing Traffic Movement Permit (TMP) in this section, whether UNE envisions surpassing the threshold for a new TEMP under your build-out plans, i.e. indicate when a revised TMP may be required, or triggered, in the future.	A circulation and access plan for the core campus (Figure 3.6) has been added, as suggested, showing the sidewalk connections as well as trail connections with some discussion. A discussion was added regarding the historical TMP information and recent campus building projects. It is unlikely a TMP will be required for the building projects anticipated in this 10-year plan.

<i>and when a Traffic Movement Permit (TMP) may be required.</i>			
2. Assessment of future institutional growth and change, including: b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including: ii. Environment, with: a) An analysis of potential cumulative impacts on natural resources and open spaces.	Page 52	Please provide an expanded analysis under the 'Proposed Future Development and the Environment' paragraph, which should detail potential cumulative impacts to the existing natural resources and open spaces on campus. For example, perhaps some good data to capture here could be existing vs. proposed impervious lot coverage, the existing open space on campus vs. proposed loss or gain of open space over time, and the existing square footage of wetlands vs. potential impacts or gains in the future.	An expanded analysis related to anticipated impacts on natural resources and open space has been included in this section.
2. Assessment of future institutional growth and change, including: b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including: ii. Environment, with: b) An analysis of projected energy consumption, hazardous materials	Pages 57-60	UNE's operational sustainability is detailed within the categories of energy conservation, waste management practices, biomedical waster best practices, sustainable landscaping, and noise generation.	This requirement has been met.



generation, noise generation, and similar issues as relevant.			
2. Assessment of future institutional growth and change, including: b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including: ii. Environment, with: c) An environmental plan, representing the synthesis of the analysis and including a proposed program or set of guidelines for future preservation, enhancement, conservation, and/or mitigation	Page 56, Figure 4.8	Figure 4.8 titled "Natural Resources and Campus Master Plan" shows proposed campus improvements in locations aimed to mitigate impact to natural resources.	This requirement has been met.
2. Assessment of future institutional growth and change, including: b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including: iii. Infrastructure, with:	Pages 62-63	Utility demand and capacity are detailed through the lens of the various providers: water services supplied by PWD, electricity supplied by CMP, telephone & data services by Consolidated Communications and Spectrum, natural gas and heating fuels supplied by Unitil, and existing wastewater infrastructure	This requirement has been met.

<i>a) An analysis of projected public utility demand and the capacity of associated infrastructure.</i>			
2. Assessment of future institutional growth and change, including: <i>b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including:</i> <i>iii. Infrastructure, with:</i> <i>b) An analysis of projected public safety needs and projected impacts to the capacity of these services.</i>	Page 64	UNE has security officers who provide 24/7 patrol and dispatch coverage of the campus, in addition, an emergency notification service (Rave Mobile Safety), provides faculty, staff, and students with timely updates during emergencies, speaking to the capacity of public safety as the campus grows.	This requirement has been met.
2. Assessment of future institutional growth and change, including: <i>b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including:</i> <i>iii. Infrastructure, with:</i> <i>c) An infrastructure plan, representing the synthesis of the analysis and including a proposed</i>	Pages 61-62, Figure 5.1	Figure 5.1 titled "Existing Stormwater Infrastructure and Campus Master Plan" illustrates existing City sanitary sewer and stormwater infrastructure surrounding and within the campus, as well, future stormwater run-off flows are detailed. Please include a set of guidelines to support sustainable growth at the conclusion of this chapter.	A set of guidelines to support sustainable growth has been added at the conclusion of this chapter.



program or set of guidelines to support sustainable growth.			
2. Assessment of future institutional growth and change, including: b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including: iv. Design, with: a) An analysis of projected impacts to neighboring properties and public spaces, including potential shadow, wind, and lighting impacts, impacts of height and massing, and impacts to historic resources.	Pages 65-72, Figures 6.1, 6.2, 6.3, & 6.4	The City wants to ensure UNE is adequately addressing potential impacts to the surrounding parcels, including: Evergreen Cemetery, the isolated parcels within the Campus, and properties on Mayfield Street. Please provide spot elevations on the buildings shown in Figure 6.2 to better dedicate heights. Provide rendering of proposed development looking from Mayfield Street towards proposed student housing building (west). Additionally, as UNE considered alternative building layouts and parking configurations for the conceptual student housing on the Gulliver's Field site?	Building height information has been added to Figure 6.1 to provide greater context for existing and proposed facilities. A rendering of the proposed housing development looking from Mayfield Street towards the proposed student housing building has been included as Figure 6.3. The design of the proposed housing building and associated parking area is still in the planning stages. UNE is evaluating alternatives for building footprints and parking configurations within the general area depicted on the Campus Master Plan. The general area for development will be within the existing Gulliver's Field site, however final design will be developed in the future and reviewed by the City as part of the Site Plan Review process. The rendering included as Figure 6.3 shows a version of the housing located at the closest point to Mayfield Street within the 85-ft maximum height overlay.
2. Assessment of future institutional growth and change, including: b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set	Page 71-72, Figure 6.4	Figure 6.4 titled "Proposed Maximum Heights" has identified transition zones along the edges of the IOZ boundary. Please provide the design rationale for the proposed 50 ft height within the 25 ft-wide transition zone—was there any consideration of varying the maximum height to better align with the surrounding context? Did UNE	Figure 6.4 has been revised to be a "Proposed Open Space and Maximum Height Map" and has been updated to include open space, i.e., "no build", areas. The design rationale for the proposed 50 ft height within the 25 ft-wide transition zone was to provide a step back of building heights from the campus edges and



<i>out in the regulatory framework, including:</i> <i>iv. Design, with:</i> <i>b) An analysis of transition areas between the institution and adjoining neighborhoods, including identification of key character defining components of the surrounding context.</i>		consider mapping lower maximum heights along Capisic Brook, and what is the rationale for mapping 65 ft on the two outparcels fronting Stevens Avenue? Additionally, the parcel on Forest Avenue, under ReCode, would allow a height of up to 75 ft. We recommend removing the height limitation for that parcel should ReCode pass as proposed.	adjacent properties, with the intent to focus densification and greater building heights internal to the campus. The open space areas that have been added to the plan will provide further buffering of neighboring properties, and will preserve existing wetland and open space areas, such as along Capisic Brook and adjacent to the Mayfield Street neighborhood. The proposed maximum height of the outparcels on Stevens Ave and Forest Ave have been revised to 75-ft for consistency with the updated maximum height for the B2 zone as part of the recently adopted ReCode. The UNE outparcels at 1075 Forest Ave, 32 Bell Street, and 812 Stevens Ave are zoned B2 under ReCode. As part of this IOZ application, UNE is seeking to change the underlying zoning at outparcel 798 Stevens Ave to B2 for consistency with the rest of the campus and nearby properties on Stevens Ave.
<i>2. Assessment of future institutional growth and change, including:</i> <i>b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including:</i> <i>iv. Design, with:</i>	Page 72	UNE's Campus Safety and Security Department monitors through in-person patrols and CCTV cameras and provides response 24/7, which contribute to low crime statistics on campus.	This requirement has been met.

<i>c) An analysis of existing Crime Prevention Through Environmental Design issues and identification of how these principles would be addressed as part of the proposed campus development.</i>			
<i>2. Assessment of future institutional growth and change, including:</i> <i>b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including:</i> <i>iv. Design, with:</i> <i>d) A conceptual built environment/public realm plan, representing the synthesis of the analysis and including a set of guidelines for urban design, landscape, open space, and streetscape treatments, with particular attention to the treatment of edges (both within and abutting the IOZ boundary) to achieve compatible transitions.</i>	Pages 71-75	Figure 6.4 titled "Proposed Maximum Heights" could be expanded on as a conceptual built environment/public realm plan for this section. Has there been consideration for a more targeted contextual set of heights throughout the campus to address varying building typologies in adjacent neighborhoods?	Figure 6.4 has been revised to be a "Proposed Open Space and Maximum Height Map" and has been updated to include open space, i.e., "no build", areas. The open space areas that have been added to the plan will provide further buffering of neighboring properties, and will preserve existing wetland and open space areas, such as along Capisic Brook and adjacent to the Mayfield Street neighborhood, and Evergreen Cemetery. The proposed maximum height areas have been thoughtfully selected to facilitate future development in portions of the campus that will not impact natural resources and will enhance campus engagement and safety.
<i>2. Assessment of future institutional growth and change, including:</i> <i>b. Analysis and associated plans that address the following elements in terms of anticipated growth or</i>	Pages 76-77	UNE outlines four steps in their effort to provide ongoing community engagement, which include:	This requirement has been met.



<i>potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including:</i> <i>v. Neighborhood engagement, with:</i> <i>a) A plan for ongoing community engagement that represents best practices, promotes collaborative problem solving around community concerns, fosters transparency, and identifies mechanisms for neighborhood feedback and institutional accountability.</i>		-Developing a comprehensive CMP -Providing monthly project updates for all current/active projects -Creating a dedicated email address to allow neighbors to forward questions, concerns, and feedback -Attendance as local community neighborhood association meetings	
<i>2. Assessment of future institutional growth and change, including:</i> <i>b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including:</i> <i>v. Neighborhood engagement, with:</i> <i>b) A property management framework that identifies the institution's process for handling operational property issues with neighbors.</i>	Page 76	UNE directly oversees the maintenance and care of its facilities; it does not inspect or approve any off-campus housing.	This requirement has been met.



2. Assessment of future institutional growth and change, including: b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including: v. Neighborhood engagement, with: c) Strategies for assuring communication pertaining to property acquisition and disposition in surrounding neighborhoods.	Page 77	UNE has established strategies for assuring communication pertaining to property acquisition and disposition in surrounding neighborhoods, including alerting abutting properties of the transition of ownership and providing the appropriate contact information.	This requirement has been met.
2. Assessment of future institutional growth and change, including: b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including: v. Neighborhood engagement, with: d) A set of construction management principles to apply to all institutional construction, that represent best practice, aim to minimize short- and long-term construction impacts on	Pages 82-84, + Attachment A	UNE has identified construction management principles that will be implemented to minimize impacts to its surrounding neighborhoods from noise, vibrations, ground movement, truck traffic, dust control and other construction related factors.	This requirement has been met.



<i>surrounding residents and businesses, and ensure a clear communication strategy is in place in advance of construction.</i>			
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2. REGULATORY FRAMEWORK RESPONSE TO COMMENTS

Regulatory Framework: Content			
Land Use Code, Section 8.5.5.D			
Category & Requirement	Location, R.F. – PDF Page Number & Document Section	Review Comments: Overview & Updates Requested	Comment Response Provided by Applicant
<i>1. Zoning boundary of the IOZ</i> <i>The area to which the regulations apply, as shown on the zoning map, subject to other provisions of this ordinance (i.e. the map amendment to the City's zoning map)</i>	Page 144, Figure 8-H	General comment: Please add page numbers to the Regulatory Framework document itself.	Page numbers have been added.
<i>2. Phasing and schedules</i> <i>Requirements that relate to particular proposed phases</i> <i>A chart showing the schedule or thresholds for submitting an amended IDP (or elements of an IDP, such as a Transportation Demand Management (TDM) Plan)</i>		N/A - No phasing or scheduling proposed (imminent site plan) at this time.	



3. <i>Uses</i> <i>Clarification, as necessary, on permitted uses</i>	Page 146, Section C., Table 8-H		
4. <i>Dimensional requirements</i> <i>Graphics, sketches, or standards, including details for transition zones within the IOZ boundary</i>	Pages 146-147, Section D., Figure 8-I	Staff requests further discussion regarding the proposed height map and how to consider the surrounding context. See attached comments.	The applicant met with City Staff on October 22, 2024, and December 13, 2024, to further discuss the proposed height map. Changes to the height map have been incorporated as shown on Figure 8-I.
5. <i>Transportation</i> <i>Elements such as Transportation Demand Management Plan (TDM) trip reduction targets or contribution to area-wide TDM measures</i> <i>Broad parameters for ensuring pedestrian, vehicular, bicycle and transit access and safety</i> <i>Parking ratios and management strategies</i> <i>Thresholds for access improvements</i>	Page 148, Section E.	<i>City Staff is working with the applicant to draft language for this requirement section.</i>	The applicant is working with City Staff on the final language for this requirement section.

6. Environment <i>The approach to the inclusion of open space and preservation of environmentally-sensitive areas</i>	Page 148, Section F.		
7. Mitigation measures <i>The broad approach to identified mitigation measures, which would be addressed in greater detail in the site plan review process</i> <i>Thresholds for addressing deficiencies</i> <i>Goals for preservation/protection</i>	Page 148, Section G.	<i>City Staff is working with the applicant to draft language for this requirement section.</i> <i>City Staff is working with the applicant to draft language for this requirement section.</i>	The applicant is working with City Staff on the final language for this requirement section.
8. Design <i>Graphics and standards to clarify building placement and envelope (height and massing)</i> <i>Guidelines for integration of site features</i> <i>Required treatments for transition zones and treatment for all edges</i>		<i>City Staff is working with the applicant to draft language for this requirement section.</i>	The applicant is working with City Staff on the final language for this requirement section.



<i>(both within and abutting the IOZ boundary)</i> <i>Guidelines for establishing campus identity</i>			
9. Neighborhood integration Thresholds and strategies for neighborhood engagement Mitigation of impacts on neighboring properties, including construction impacts Buffering requirements Objectives for pedestrian linkages and safety Other requirements that address community concerns	Page 150, Section I.	<i>City Staff is working with the applicant to draft language for this requirement section.</i>	The applicant is working with City Staff on the final language for this requirement section.
10. Monitoring <i>A schedule for regular monitoring reports on IDP implementation in accordance with the IDP</i>		This section should simply address monitoring, stating that updates will be provided to the Planning Authority every five years.	Monitoring requirements have been added to this section.

Att. K

Via Electronic Mail

February 7, 2025



Natasha Kypfer, Senior Planner
City of Portland
389 Congress Street
Portland, ME 04101
nkypfer@portlandmaine.gov

Re: University of New England – Map and Text Amendment Application ZN-003059-2024
Response to City Comments Round 2

Dear Natasha:

Thank you for coordinating the review of our application (ZN-003059-2024), a Map and Text Amendment, proposing a new Institutional Overlay Zone (IOZ) for the University of New England (UNE) at 716 Stevens Avenue, with a change to the underlying zoning to B-2 Community Business, and OS-P Open Space Preservation. We received the second round of comments from the City's reviewers on January 17, 2025, and are providing responses on the attached table:

- Attachment 1: Institutional Development Plan (IDP): Response To Comments

In addition to the written comments received from City staff, we have also heard feedback from the Planning Board and public at the second Planning Board Workshop held on January 28, 2025. Some of the feedback we heard included a suggestion to consider rezoning the proposed open space areas as Open Space Preservation (OS-P), suggestions for ongoing community engagement requirements to be incorporated into the Regulatory Framework, and suggestions related to the maximum height areas and consideration of increased transition zones. Responses and further information related to these topics are provided below for consideration.

Open Space Preservation (OS-P) Rezoning

Staff suggested considering rezoning UNE's proposed open space areas as Open Space Preservation (OS-P), for consistency with the City's Land Use Ordinance. UNE is committed to preserving these areas of campus, which are largely comprised of natural resources such as wetlands and streams. In line with Staff's suggestion, UNE is proposing to rezone three areas of campus as OS-P. These areas are shown on Figures 1.4 and 6.4 in the IDP. These areas make up approximately 14% of the campus' total area, reflecting UNE's commitment to protecting the environment and providing ample open space areas on their campus.

Ongoing Community Engagement

UNE and City Staff have had discussions regarding the requirements for ongoing community engagement, as described in Section I, Neighborhood Integration, of the draft Regulatory Framework. UNE has a history of consistent outreach to its neighbors and is committed to continuing that engagement. To reflect this commitment, UNE will conduct annual



neighborhood outreach through neighborhood meetings, to be hosted on campus. Neighbors within 500' of the campus will receive notices ahead of the meeting, and UNE will provide a record of participants, content, and feedback to the City, as required in Section 13.5.5.C of the City's Land Use Code.

Height Map

During the second Planning Board Workshop, Members of the Planning Board and public shared suggestions on further revisions to the proposed Open Space and Maximum Height Map, which is a figure included in both the IDP and Regulatory Framework. Suggestions included providing additional transition zones between the proposed housing site and the Mayfield Street neighborhood and providing open space areas adjacent to Evergreen Cemetery. In consideration of the feedback related to the maximum heights near Mayfield Street, the Open Space and Maximum Height Map has been revised to reflect an additional transition zone with a maximum height of 50' adjacent to the proposed housing site. This transition zone is in addition to the 50' wide no build area adjacent to the Mayfield Street neighborhood, which is proposed to be rezoned as OS-P.

UNE has considered the feedback received suggesting additional open space area be provided adjacent to Evergreen Cemetery. There is an area of approximately 4.6 acres of OS-P that is proposed adjacent to Evergreen Cemetery. The remaining area of campus immediately adjacent to the cemetery has been previously developed with an access roadway that provides connectivity between the core campus and the Bishop Street intermodal facility. A 25' wide transition zone with maximum height of 50' is provided on the campus adjacent to Evergreen Cemetery, which exceeds the typical minimum 15' setback required in the B-2 zone for areas adjacent to Open Space Recreation (OS-R) areas (as Evergreen Cemetery is zoned).

If you have any questions or require additional information, please do not hesitate to contact me at (207) 558-3707 or csuhr@woodardcurran.com. We look forward to continuing to collaborate with the City as we work through the IOZ process.

Sincerely,

Woodard & Curran, Inc.

A handwritten signature in black ink that reads "Caitlin Suhr".

Caitlin Suhr, PE
Project Manager

cc: Alan Thibeault, University of New England
Mary Costigan, Bernstein Shur
Diane Morabito, Sewall Infrastructure

Attachments: Institutional Development Plan (IDP) Response To Comments Table

Worksheet(s) Table Legend:

Provided on Page # = Requirement Met

Partially Provided on Page # = Requirement Not Fully Satisfied

Not Provided = Requirement Not Satisfied

1. ATTACHMENT 1: INSTITUTIONAL DEVELOPMENT PLAN (IDP): RESPONSE TO COMMENTS

Institutional Development Plan (IDP): Content			
Land Use Code, Section 8.5.4.C			
Category, Sub-category, requirement and Sub-requirement	Location, IDP Page #	Review Comments: Overview & Updates Requested	Comment Response Provided by Applicant
1. Context Information <i>a. The institution's adopted mission, vision or purpose statement</i>	Pages 4-5	As stated and provided for on pages 4-5, UNE is guided by its Mission, Vision, and Core Values, as well as its own strategic plan ("Our World, Our Future").	This requirement has been met.
1. Context Information <i>b. A summary of relevant baseline data on the institution, including;</i> <i>i. A neighborhood context plan</i>	Pages 11-12, Figure 1.1	The UNE's approximately 72-acre campus is bounded by Warren Ave., Bishop St. Extension, and Bishop St. to the north; Stevens Ave. to the east; and, Evergreen Cemetery and CMP's Utility Corridor to the south, as depicted in provided Figure 1.1.	This requirement has been met.
1. Context Information <i>b. A summary of relevant baseline data on the institution, including;</i> <i>ii. An inventory of current programs and services.</i>	Page 7-9	The UNE Portland campus houses three academic colleges: the Westbrook College of Health Professions (WCHP), the College of Dental Medicine, and the College of Graduate and Professional Studies. In addition, UNE operates two health clinics on campus: the Oral Health Center and the Dental Hygiene Center, as well as UNE North, the Center for Global Humanities, and cultural institutions that include the Maine Women Writers Collection and the UNE Art Gallery.	This requirement has been met.

1. Context Information b. A summary of relevant baseline data on the institution, including; iii. A current census of the number of people using the institution (e.g., employees, enrollment, patients), with an indication of maximums and minimums over time.	Page 21, Table 1.3	Table 1.3 titled "FTE Student, Faculty, and Professional Staff Data", includes population data from 2016–2023 for student, faculty and professional staff, campus population, and patient visits. Note, UNE does not keep track of general campus visitors.	This requirement has been met.
1. Context Information b. A summary of relevant baseline data on the institution, including; iv. An inventory and/or plan of all existing property holdings within the main campus and within the City of Portland, including an indication of functional land use links between off-campus properties and the main campus (e.g. remote parking).	Page 20, Table 1.2	Table 1.2 titled "UNE Owned Properties in the City of Portland", documents UNE's total of 17 parcels, the majority of which are contiguous in the campus core, while several are outparcels. An additional section speaks to the functional land use links between off-campus properties (outparcels) and the main campus.	This requirement has been met.
1. Context Information b. A summary of relevant baseline data on the institution, including; v. An inventory and/or plan of existing facilities, including data on use, floor area, and any existing functional connections between facilities.	Page 16, Figure 1.5 Pgs. 17-19, Table 1.1	The UNE campus map is provided on page 16 as Figure 1.5, depicting the 25 distinct facilities and 11 parking areas, with an inset map centered around the Campus Quad. A campus facilities table has been provided detailing each facility, their location, name, total floor area, building height, and use. Further, the table includes each parking facility, a lot description, total parking area, total number of spaces including those ADA and EV charging compliant.	This requirement has been met.

1. Context Information c. A summary of the baseline characteristics of the existing campus and context of the institution, based on identified study areas, including: i. A summary of existing resources, such as historic, open space, and natural resources.	Pages 22-23	UNE's campus is the site of the Westbrook College Historic District, which includes six buildings built between 1834 and 1952. Further, existing open space and natural resources are summarized, and include notation of the Portland Trails Forest City Trail connection and the Capisic Brook watershed area.	This requirement has been met.
1. Context Information c. A summary of the baseline characteristics of the existing campus and context of the institution, based on identified study areas, including: ii. A summary of the existing transportation system, including vehicular, pedestrian, transit, bicycle, and parking supply, demand, and utilization	Page 41-53, Table 3.5 & 3.6, Page 50, Figure 3.6	Table 3.5 titled "UNE Portland Campus - Parking Spaces" details the currently 11 parking lots located on campus, plus the on-street parking along two principal campus roadways, which amounts to 882 spaces total, plus the 182 permitted spaces presently at the COM building. Table 3.6 details parking occupancy at the UNE Portland campus data and assumptions from 2015-2033. The chapter concludes with three main parking goals for the campus.	This requirement has been met.
1. Context Information c. A summary of the baseline characteristics of the existing campus and context of the institution, based on identified study areas, including: iii. A summary of existing public infrastructure supporting the institution, including demand, utilization and any capacity issues.	Page 24	Existing stormwater management systems utilize on-site infiltration systems, with secondary use of conveyance to the Stevens Ave. and Bishop St. CSO. Existing wastewater infrastructure for the campus is discharged to a CSO in College St. and Stevens Ave. Other public utilities include: PWD, CMP, and Unital.	This requirement has been met.

1. Context Information c. A summary of the baseline characteristics of the existing campus and context of the institution, based on identified study areas, including: iv. Relevant municipal plans, projects, and studies that may influence the IDP study area and opportunities for integrating institutional growth.	Page 24-27	A breakdown of the City's Comprehensive Plan, with tie in to the eight policy guide topics as they relate to UNE's work is provided with excerpts from Portland's Plan that UNE works to promote and advance are underscored and include the: environment, economy, historic resources, and housing. Additional studies also referenced are: One Climate Future, the Smart Corridor Plan, and the Forest Avenue Redesign Project.	This requirement has been met.
1. Context Information d. A summary of public involvement in the development of the IDP, including major areas of public concern.	Pages 27-28	UNE has worked to involve the public in the creation of the IDP during the IOZ submission process, this includes holding two required neighborhood meetings, which took place on June 13, 2024 and October 30, 2024, as well as the necessary Planning Board and City Council meetings during the adoption of the IOZ.	This requirement has been met.
2. Assessment of future institutional growth and change, including: a. A description of institutional needs and areas of future institutional growth and change, with: i. A projected census of users (e.g., enrollment /employment/patient/ visitor figures and anticipated variations over time).	Page 31, Table 2.2	Table 2.2 titled "Projected Growth of FTE Student, Faculty, and Professional Staff, and Patient Visits" provides a snapshot of data assumptions for the years of 2025, 2028, and 2033. Note, UNE does not keep track of general campus visitors.	This requirement has been met.

<i>2. Assessment of future institutional growth and change, including:</i> <i>a. A description of institutional needs and areas of future institutional growth and change, with:</i> <i>ii. Institutional objectives for property both within and outside the IOZ boundary (e.g. acquisition and/or disposition), including an indication of any functional land use connection for sites outside the IOZ boundary to the main campus.</i>	Pages 32-34	UNE identifies five categories for key current and future institutional needs: campus reorganization, new building and renovation, educational/pedagogy improvements, campus infrastructure, and housing.	This requirement has been met.
<i>2. Assessment of future institutional growth and change, including:</i> <i>a. A description of institutional needs and areas of future institutional growth and change, with:</i> <i>iii. A development plan addressing anticipated or potential institutional needs and physical improvements, including the proposed boundary of the IOZ and any phasing of the development.</i>	Pages 34-35, Table 2.3	A development plan is shown in Table 2.3, titled "10 +- Year Development Program", which identifies three core priority timelines: the short-term (0-5 years), medium-term (5-10 years), and long-term (10+ years).	This requirement has been met.
<i>2. Assessment of future institutional growth and change, including:</i> <i>b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support</i>	Page 24, Pages 51-53	The context section notes: "A campus parking analysis, based upon the historical count data, projects a maximum occupancy rate per university population to be at 0.39 from 2025 to 2033. This rate is similar to the Institute of Transportation Engineers (ITE) 85th percentile parking rate." Further,	This requirement has been met.

<i>the development parameters as set out in the regulatory framework, including:</i> <i>i. Transportation and access, with:</i> <i>a) An analysis of the projected changes in parking demand, supply, and impacts to the off-street and on-street parking capacity, including an explanation of the proposed parking plan.</i>		provided within the Transportation Plan section, UNE includes a parking analysis based upon the historical parking counts.	
<i>2. Assessment of future institutional growth and change, including:</i> <i>b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including:</i> <i>i. Transportation and access, with:</i> <i>b) An analysis of the projected changes in vehicular, pedestrian, transit, and bicycle access routes and facilities, their capacity, and safety.</i>	Page 36-37, Tables 3.2 & 3.3	Table 3.2 titled "Trip Generation Analysis" provides a snap shot of vehicular usage projections for the student population in the years 2025, 2028, and 2033.	This requirement has been met.
<i>2. Assessment of future institutional growth and change, including:</i> <i>b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the</i>	Pages 45-53, Figure 3.6	UNE's original TDM plan was created in 2010, and is routinely updated, most recently in April 2022. Strategies that emerged from the plan include: education and promotion, carpooling & ridesharing, transit service, incentives, EV	This requirement has been met.

<i>identified study area, and support the development parameters as set out in the regulatory framework, including:</i> <i>i. Transportation and access, with:</i> <i>c) A transportation, access, and circulation plan, representing the synthesis of the analysis, and including a program of potential improvements or set of guidelines to address access deficiencies to and within the IOZ. The plan should outline proposed mechanisms and potential strategies to meet transportation objectives, including transportation demand management, phasing, and when a Traffic Movement Permit (TMP) may be required.</i>		charging infrastructure, bicycle infrastructure, and pedestrian & bicycle access. Figure 3.6 titled "Core Campus Bicycle and Pedestrian Connectivity", shows the primary campus sidewalks, bike facilities, and off-site connections. UNE notes, opportunities to expand this network (as visualized in Fig. 3.6), and to increase these alternative commuting modes, will continue to be explored. Details regarding the Traffic Movement Permit (TMP) have also been included in this section.	
<i>2. Assessment of future institutional growth and change, including:</i> <i>b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including:</i> <i>ii. Environment, with:</i> <i>a) An analysis of potential cumulative impacts on natural resources and open spaces.</i>	Page 61 Page 80, Figure 6.4	Provided under the 'Proposed Future Development and the Environment' section, UNE details their commitment to preserving 10± acres on campus as dedicated open space, which is also depicted in Figure 6.4 titled "Proposed Open Space and Maximum Height Map". Staff suggests an additional table be added to this section, breaking down the acreage on campus, and providing the dedicated open space calculations.	Table 4.1 has been added to this section summarizing the total campus area and dedicated open space area calculations. Language has also been added to this section to note UNE's commitment to rezoning the three open space areas as Open Space Preservation (OS-P).

<i>2. Assessment of future institutional growth and change, including:</i> <i>b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including:</i> <i>ii. Environment, with:</i> <i>b) An analysis of projected energy consumption, hazardous materials generation, noise generation, and similar issues as relevant.</i>	Pages 67-70	UNE's operational sustainability is detailed within the categories of energy conservation, waste management practices, biomedical waste best practices, sustainable landscaping, and noise generation.	This requirement has been met.
<i>2. Assessment of future institutional growth and change, including:</i> <i>b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including:</i> <i>ii. Environment, with:</i> <i>c) An environmental plan, representing the synthesis of the analysis and including a proposed program or set of guidelines for future preservation, enhancement, conservation, and/or mitigation</i>	Page 66, Figure 4.8	Figure 4.8 titled "Natural Resources and Campus Master Plan" shows proposed campus improvements in locations aimed to mitigate impact to natural resources.	This requirement has been met.

2. Assessment of future institutional growth and change, including: b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including: iii. Infrastructure, with: a) An analysis of projected public utility demand and the capacity of associated infrastructure.	Pages 72-73	Utility demand and capacity are detailed through the lens of the various providers: water services supplied by PWD, electricity supplied by CMP, telephone & data services by Consolidated Communications and Spectrum, natural gas and heating fuels supplied by Unitil, and existing wastewater infrastructure	This requirement has been met.
2. Assessment of future institutional growth and change, including: b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including: iii. Infrastructure, with: b) An analysis of projected public safety needs and projected impacts to the capacity of these services.	Page 74	UNE has security officers who provide 24/7 patrol and dispatch coverage of the campus, in addition, an emergency notification service (Rave Mobile Safety), provides faculty, staff, and students with timely updates during emergencies, speaking to the capacity of public safety as the campus grows.	This requirement has been met.
2. Assessment of future institutional growth and change, including:	Pages 71-74, Figure 5.1	Figure 5.1 titled "Existing Stormwater Infrastructure and Campus Master Plan" illustrates existing City sanitary sewer and	This requirement has been met.

<i>b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including:</i> <i>iii. Infrastructure, with:</i> <i>c) An infrastructure plan, representing the synthesis of the analysis and including a proposed program or set of guidelines to support sustainable growth.</i>		stormwater infrastructure surrounding and within the campus, as well, future stormwater run-off flows are detailed. At the conclusion of this chapter, a set of guidelines to support sustainable growth was added.	
<i>2. Assessment of future institutional growth and change, including:</i> <i>b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including:</i> <i>iv. Design, with:</i> <i>a) An analysis of projected impacts to neighboring properties and public spaces, including potential shadow, wind, and lighting impacts, impacts of height and massing, and impacts to historic resources.</i>	Pages 65-72, Figures 6.1, 6.2, 6.3, & 6.4	The City wants to ensure UNE is adequately addressing potential impacts to the surrounding parcels, including: Evergreen Cemetery, the isolated parcels within the Campus, and properties on Mayfield Street. Figure 6.1 was updated to include spot elevations on campus current and future buildings, in order to better delineate height. Further, Figure 6.3 was updated to provide a 3D view from Mayfield Street towards proposed student housing building (west). With regard to the future development of the Gulliver's Field site, UNE notes they are evaluating alternatives for building footprints and parking configurations within the general area depicted on the Campus Master Plan (Figure 2.1, P. 33). The general area for development will be within the existing	This requirement has been met.

		Gulliver's Field site, however final design will be developed in the future and reviewed as part of site plan application	
2. Assessment of future institutional growth and change, including: b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including: iv. Design, with: b) An analysis of transition areas between the institution and adjoining neighborhoods, including identification of key character defining components of the surrounding context.	Page 79-81, Figure 6.4	Figure 6.4 titled "Proposed Open Space and Maximum Height Map" depicts open space (i.e. "no build" areas), as well, a 25-ft-wide transition zone around the interior perimeter of the contiguous campus, with a maximum height in that transition zone of 50-ft. UNE indicates the design rationale of which is to provide a stepback of building heights from the campus edges and adjacent properties, with the intent to focus densification and greater building heights internal to the campus. Further, the open space areas added to the plan will provide added buffering of neighboring properties, and will preserve existing wetland and open space areas, including along Capisic Brook and adjacent to the Mayfield Street neighborhood.	This requirement has been met.
2. Assessment of future institutional growth and change, including: b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set	Page 81	UNE's Campus Safety and Security Department monitors through in-person patrols and CCTV cameras and provides response 24/7, which contribute to low crime statistics on campus.	This requirement has been met.

out in the regulatory framework, including: iv. Design, with: c) An analysis of existing Crime Prevention Through Environmental Design issues and identification of how these principles would be addressed as part of the proposed campus development.			
2. Assessment of future institutional growth and change, including: b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including: iv. Design, with: d) A conceptual built environment/public realm plan, representing the synthesis of the analysis and including a set of guidelines for urban design, landscape, open space, and streetscape treatments, with particular attention to the treatment of edges (both within and abutting the IOZ boundary) to achieve compatible transitions.	Pages 79-84, Figure 6.4	Figure 6.4 titled “Proposed Open Space and Maximum Height Map” was revised to include open space (i.e., “no build”, areas). The open space areas added to the plan provide further buffering of neighboring properties, and will preserve existing wetland and open space areas, such as along Capisic Brook and adjacent to the Mayfield Street neighborhood, and Evergreen Cemetery. UNE notes, the proposed maximum height areas have been selected to facilitate future development in portions of the campus that will not impact natural resources and will enhance campus engagement and safety.	This requirement has been met.

2. Assessment of future institutional growth and change, including: b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including: v. Neighborhood engagement, with: a) A plan for ongoing community engagement that represents best practices, promotes collaborative problem solving around community concerns, fosters transparency, and identifies mechanisms for neighborhood feedback and institutional accountability.	Pages 85-86	UNE outlines four steps in their effort to provide ongoing community engagement, which include: -Developing a comprehensive CMP -Providing monthly project updates for all current/active projects -Creating a dedicated email address to allow neighbors to forward questions, concerns, and feedback -Attendance as local community neighborhood association meetings	This requirement has been met.
2. Assessment of future institutional growth and change, including: b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including: v. Neighborhood engagement, with: b) A property management framework that identifies the	Page 86	UNE directly oversees the maintenance and care of its facilities; it does not inspect or approve any off-campus housing.	This requirement has been met.

<i>institution's process for handling operational property issues with neighbors.</i>			
2. Assessment of future institutional growth and change, including: b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including: v. Neighborhood engagement, with: c) Strategies for assuring communication pertaining to property acquisition and disposition in surrounding neighborhoods.	Page 86	UNE has established strategies for assuring communication pertaining to property acquisition and disposition in surrounding neighborhoods, including alerting abutting properties of the transition of ownership and providing the appropriate contact information.	This requirement has been met.
2. Assessment of future institutional growth and change, including: b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including: v. Neighborhood engagement, with: d) A set of construction management principles to apply to all institutional construction, that	Pages 91-93, + Attachment A	UNE has identified construction management principles that will be implemented to minimize impacts to its surrounding neighborhoods from noise, vibrations, ground movement, truck traffic, dust control and other construction related factors.	This requirement has been met.

<i>represent best practice, aim to minimize short- and long-term construction impacts on surrounding residents and businesses, and ensure a clear communication strategy is in place in advance of construction.</i>			
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8.2.4 Review process

Any project within the Fort Sumner Park Overlay shall go before the Parks Commission for a recommendation to the Planning Board regarding potential impacts on Fort Sumner Park.

8.3 INSTITUTIONAL OVERLAY (IOZ)

8.3.1 Purpose

The Institutional Overlay Zone (IOZ) provides a regulatory tool available to the city's major medical and higher education campuses where an alternative regulatory structure is needed to facilitate a consistent, predictable, and clear growth management process. The purposes of the Institutional Overlay Zone are to:

- A. Acknowledge that the city's major academic and medical institutions play a prominent role in the health and well-being of the local and regional community, and to sustain that role, these institutions need flexibility to change and grow.
- B. Encourage proactive planning for institutional change and growth which identifies and addresses likely long-term institutional needs and cumulative impacts while leveraging potential benefits at the neighborhood, city, and regional level.
- C. Ensure that institutional change and growth both complements and, as appropriate, integrates adjacent or surrounding neighborhoods through carefully planned transitions.
- D. Support the formation and continuation of mutually beneficial public-private cooperation.
- E. Support an ongoing public engagement process that benefits both the institutions and nearby neighborhoods.
- F. Reflect Comprehensive Plan and other policy

objectives.

- G. Provide a regulatory tool for Portland's major institutions that includes the flexibility required to balance the particular needs of institutions with the needs of the surrounding neighborhood and wider community.

8.3.2 Location and applicability

The city's major medical and higher education institutions are eligible to apply for designation as Institutional Overlay Zones. Use of an Institutional Overlay Zone is encouraged for these institutions, particularly where proposed future development may be inconsistent with current base zoning.

8.3.3 Establishment

A. Application for an Institutional Overlay Zone.

Where an eligible institution seeks designation as an IOZ, they shall submit a zone change application consisting of two components:

- 1. An Institutional Development Plan (IDP) in accordance with Subsection 8.3.4.
- 2. A regulatory framework in accordance with Subsection 8.3.5. If adopted, this framework shall serve as the text and map amendment to the City's Land Use Code and zoning map.

- B. **Required public involvement.** At least two neighborhood meetings shall be required to establish designation as an IOZ. The first shall be held prior to the formal submission of a zone change application, and the second shall be held during the City's review. Meetings shall identify the concerns, if any, of affected residents and property owners, and should solicit feedback to inform the Institutional Development Plan (IDP) and regulatory framework proposed. Meetings shall be held in

a convenient location proximate to the institution. The applicant shall provide written notification to property owners of record within 500 feet of the proposed IOZ boundary at least ten days prior to the meeting dates, and shall maintain written records of the meetings.

- C. Required scoping meeting.** The eligible institution shall meet with the Planning Authority after the first required neighborhood meeting and prior to submission of the zone change application to confirm the focus of the Institutional Development Plan (IDP) and regulatory framework, including associated study areas that may be outside of the proposed IOZ boundary. The IDP and regulatory framework will vary in detail and focus depending on the eligible institution and its context. The content requirements in Subsections 8.3.4 and 8.3.5 and the recorded comments from neighborhood meeting(s) shall provide direction for the content of the IDP. The Planning Authority or Planning Board may require additional information or modify content requirements as is relevant to the eligible institution.
- D. Reviewing authority.** The Planning Board shall review the zone change application, including the IDP and regulatory framework. At least one public workshop and a public hearing before the Planning Board are required. Upon recommendation of the Planning Board, the City Council shall review and consider adoption of the Institutional Overlay Zone and the accompanying regulatory framework as an amendment to the City's Code of Ordinances.
- E. Future institutional development.** All new development shall be compliant with the established IOZ and accompanying regulatory

framework. It shall also be consistent with the IDP, consistent with the Comprehensive Plan, and shall meet applicable site plan standards, unless such standards are superseded by the regulatory framework. Any development proposed by an eligible institution outside the established IOZ boundary shall be reviewed under the standards of the applicable zone, unless such development is proposed in a residential zone and is functionally related to the operations within the IOZ, in which case it shall be addressed by the IDP and require an amendment to the IDP as applicable.

8.3.4 Institutional Development Plan (IDP)

- A. Purpose.** Any use conducted by an eligible institution and any construction by an eligible institution in an Institutional Overlay Zone shall be consistent with an Institutional Development Plan (IDP) approved by the Planning Board in accordance with this section. The purpose of the IDP is to establish baseline data about institutional land uses, facilities, and services, and to measure, analyze, and address the anticipated or potential impacts of planned institutional growth and change. The IDP shall serve as a background document that supports the proposed regulatory framework and informs subsequent site plan review(s).
- B. Planning horizon.** An IDP shall provide the City and abutting neighborhoods with a clear outline of the anticipated or potential growth and change of the eligible institution for the short- to medium-term (e.g. 1-5 and 5-10 years respectively), as well as a conceptual growth plan for the long-term (e.g. 10 years or more). However, the specific planning horizons for each institution will be determined as part of



the IDP approval process.

- C. Content.** The IDP submission shall address the following elements unless specifically modified by the Planning Authority or Planning Board, with the scope and level of detail to be clarified at the required scoping meeting:

- 1.** Context information, including:
 - a.** The institution's adopted mission, vision, or purpose statement.
 - b.** A summary of relevant baseline data on the institution, including:
 - i.** A neighborhood context plan.
 - ii.** An inventory of current programs and services.
 - iii.** A current census of the number of people using the institution (e.g., employees, enrollment, patients), with an indication of maximums and minimums over time.
 - iv.** An inventory and/or plan of all existing property holdings within the main campus and within the City of Portland, including an indication of functional land use links between off-campus properties and the main campus (e.g. remote parking).
 - v.** An inventory and/or plan of existing facilities, including data on use, floor area, and any existing functional connections between facilities.
- c.** A summary of the baseline characteristics of the existing campus and context of the institution, based on identified study areas, including:

- i.** A summary of existing resources, such as historic, open space, and natural resources.
 - ii.** A summary of the existing transportation system, including vehicular, pedestrian, transit, bicycle, and parking supply, demand, and utilization.
 - iii.** A summary of existing public infrastructure supporting the institution, including demand, utilization and any capacity issues.
 - iv.** Relevant municipal plans, projects, and studies that may influence the IDP study area and opportunities for integrating institutional growth.
 - d.** A summary of public involvement in the development of the IDP, including major areas of public concern.
- 2.** Assessment of future institutional growth and change, including:
- a.** A description of institutional needs and areas of future institutional growth and change, with:
 - i.** A projected census of users (e.g., enrollment /employment/patient/ visitor figures and anticipated variations over time).
 - ii.** Institutional objectives for property both within and outside the IOZ boundary (e.g. acquisition and/or disposition), including an indication of any functional land use connection for sites outside the IOZ boundary to the main campus.

- iii. A development plan addressing anticipated or potential institutional needs and physical improvements, including the proposed boundary of the IOZ and any phasing of the development.
- b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including:
 - i. Transportation and access, with:
 - a) An analysis of the projected changes in parking demand, supply, and impacts to the off-street and on-street parking capacity, including an explanation of the proposed parking plan.
 - b) An analysis of the projected changes in vehicular, pedestrian, transit, and bicycle access routes and facilities, their capacity, and safety.
 - c) A transportation, access, and circulation plan, representing the synthesis of the analysis, and including a program of potential improvements or set of guidelines to address access deficiencies to and within the IOZ. The plan should outline proposed mechanisms and potential strategies to meet transportation objectives, including transportation demand management, phasing, and when a Traffic Movement Permit (TMP) may be required.
 - ii. Environment, with:
 - a) An analysis of potential cumulative impacts on natural resources and open spaces.
 - b) An analysis of projected energy consumption, hazardous materials generation, noise generation, and similar issues as relevant.
 - c) An environmental plan, representing the synthesis of the analysis and including a proposed program or set of guidelines for future preservation, enhancement, conservation, and/or mitigation.
 - iii. Infrastructure, with:
 - a) An analysis of projected public utility demand and the capacity of associated infrastructure.
 - b) An analysis of projected public safety needs and projected impacts to the capacity of these services.
 - c) An infrastructure plan, representing the synthesis



OVERLAY ZONES

of the analysis and including a proposed program or set of guidelines to support sustainable growth.

iv. Design, with:

- a)** An analysis of projected impacts to neighboring properties and public spaces, including potential shadow, wind, and lighting impacts, impacts of height and massing, and impacts to historic resources.
- b)** An analysis of transition areas between the institution and adjoining neighborhoods, including identification of key character defining components of the surrounding context.
- c)** An analysis of existing Crime Prevention Through Environmental Design issues and identification of how these principles would be addressed as part of the proposed campus development.
- d)** A conceptual built environment/public realm plan, representing the synthesis of the analysis and including a set of guidelines for urban design, landscape, open space, and streetscape treatments, with particular attention to

the treatment of edges (both within and abutting the IOZ boundary) to achieve compatible transitions.

v. Neighborhood engagement, with:

- a)** A plan for ongoing community engagement that represents best practices, promotes collaborative problem solving around community concerns, fosters transparency, and identifies mechanisms for neighborhood feedback and institutional accountability.
- b)** A property management framework that identifies the institution's process for handling operational property issues with neighbors.
- c)** Strategies for assuring communication pertaining to property acquisition and disposition in surrounding neighborhoods.
- d)** A set of construction management principles to apply to all institutional construction, that represent best practice, aim to minimize short- and long-term construction impacts on surrounding residents and businesses, and ensure a clear

communication strategy is in place in advance of construction.

D. Standards of review. The IDP shall:

1. Address all content requirements, unless explicitly modified by the Planning Authority or Planning Board.
2. Reflect the issues/topics identified in the required public process.
3. Demonstrate consistency with the City's Comprehensive Plan and the purpose of this ordinance.
4. Demonstrate how the property ownership, proposed growth, and requested regulatory framework relate to the institution's mission.
5. Demonstrate that traffic and parking impacts have been anticipated and that the proposed parking provision is justified as based on an assessment of options for reducing traffic and parking demands.
6. Outline an approach to open space, natural, and historic resources that supports preservation and enhancement.
7. Demonstrate that potential cumulative environmental impacts have been anticipated and can be minimized or satisfactorily mitigated.
8. Demonstrate that utility impacts have been anticipated and can be minimized or satisfactorily mitigated.
9. Reflect a comprehensive design approach that ensures appropriate transitions with the existing or future scale and character of the neighboring urban fabric.
10. Promote compatibility with existing or future uses in adjacent neighborhoods, maintain housing, and support local

amenities.

11. Anticipate future off-site improvements that would support the integration of the institution into the community and city-wide infrastructure.
12. Conform with the standards of Article 16 for designated landmarks or for properties within designated historic districts or designated historic landscapes, if applicable. ~~When proposed adjacent to or within 100 feet of designated landmarks, historic districts, or historic landscapes, the IDP shall be generally compatible with the major character defining elements of the landmark or portion of the district in the immediate vicinity.~~
13. Incorporate strategies to support clear communication and ongoing public engagement between institutions and nearby neighbors.

E. Approval. Upon finding that an eligible institution's IDP meets the standards of review, the Planning Board shall approve, approve with conditions, or deny an IDP.

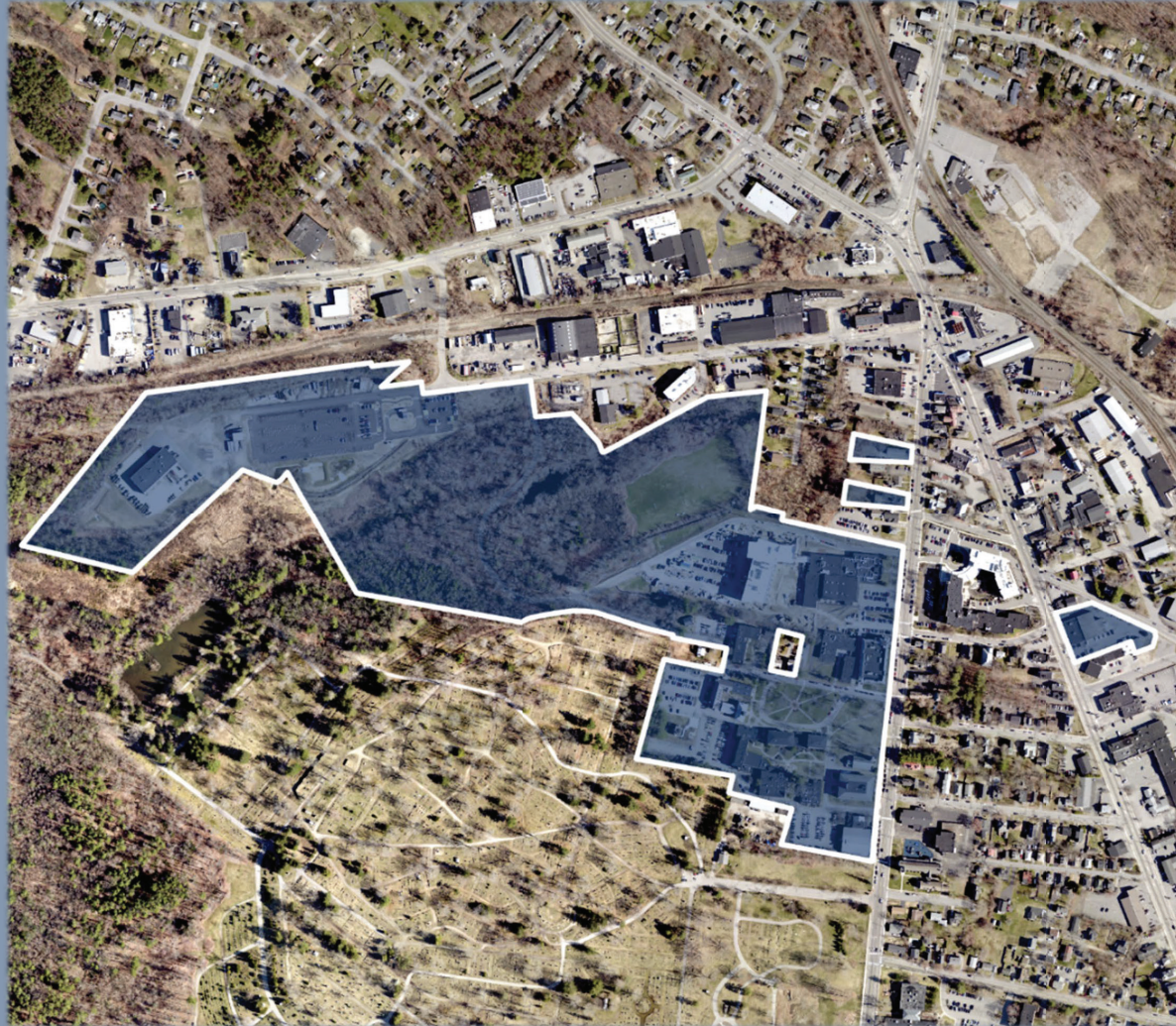
F. Monitoring. The IDP shall establish a schedule for reporting on IDP implementation at regular intervals of not more than ten years from the date of approval of the initial or amended IDP, and identify thresholds for IDP amendments.

G. Amendments. An approved IDP shall guide campus development unless and until amended. If at any time the eligible institutions request minor amendments to an approved IDP, the Planning Authority may approve such minor amendments, provided that they do not constitute a substantial alteration of the IDP and do not affect any condition or requirement of the Planning Board. The applicant shall apply



Proposed UNE IOZ Boundary

Attachment C



identified in the Institutional Development Plan for review and approval by the Planning Authority.

J. Historic preservation

1. *Historic preservation review.* The B&M Cannery Building has been designated as a local historic landmark. The area of designation includes the B&M Cannery Building, as well as the area of the former Codfish Building and pier. The Historic Preservation Board's review of activity within the site of the former Codfish Building and pier is limited to review of any activity that would require a Certificate of Appropriateness that is proposed on a newly constructed pier. A Certificate of Appropriateness will not be required for the demolition of the Codfish Building or construction of a new pier and related infrastructure, including future alterations to the pier structure.
2. *Required interpretive elements.* Northeastern University shall include interpretive element(s) on top of or within the surface of the new pier that convey the history and significance of the Codfish Building. Prior to construction of said elements, the University shall submit the proposal to the Historic Preservation Board for its review and approval. The interpretive elements shall be designed in a manner that does not interfere with the use and functionality of the pier as a marine passenger facility and for water access by the Roux Institute and the public.
3. *100-foot review exemption.* The B&M Cannery Building is exempt from Subsection 13.6.4(E)(2) for review of

development within 100 feet of a landmark.

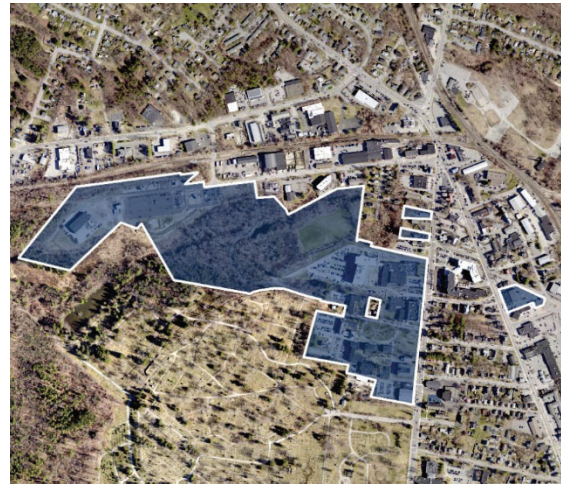


FIGURE 8-H: UNE IOZ BOUNDARY

8.3.8 The University of New England Overlay Zone Regulatory Framework

A. Applicability. The regulatory framework shall apply only to development proposed by the University of New England (UNE) within the boundary of the Institutional Overlay Zone (IOZ) and to which UNE holds right, title, or interest. Properties in the UNE IOZ shall continue to be governed by the regulations applicable to the underlying zone except as specifically modified by the regulatory framework. The UNE IOZ shall have the boundaries depicted in Figure 8-H.

B. Phasing and monitoring

1. UNE shall file monitoring reports every five years with the Planning Authority. Monitoring reports shall ensure that data in the IDP is current and provide a summary of progress on IDP implementation, including details of

acquisitions and divestments since the date of IDP approval.

2. Interim conditions shall be designed for a pleasant pedestrian experience through planting, lighting, wayfinding, graphics, artwork, or ornamental fencing to provide screening, buffers, and enhancement. Interim areas of the site which are not actively used for parking or construction staging will be appropriately left in a natural state, landscaped or accommodate gathering on lawns or other aesthetically hardened spaces.

C. Uses. In addition to the uses permitted in the underlying zone, laboratory and research facilities and off-street parking shall also be permitted as a matter of right within the IOZ.

D. Dimensional requirements

1. For the purposes of this IOZ, “lot” is defined as the contiguous lots under UNE ownership, including land separated by a

public or private right-of-way. The “lot” boundary is shown in Figure 8-H.

2. Side and rear setbacks shall not be required between buildings on contiguous lots owned by UNE on the condition that such contiguous lots shall be considered merged and shall not be separately conveyed unless required setbacks in the underlying zones are provided.
3. Maximum building heights for new principal buildings in the IOZ shall be governed by the maximum building heights map in Figure 8-I.

E. Transportation

1. *Transportation demand management (TDM).* At the time of the first site plan review following IDP approval, UNE shall submit a campus-wide TDM Plan substantially in accordance with those TDM objectives and strategies identified in the approved IDP. The TDM Plan may be

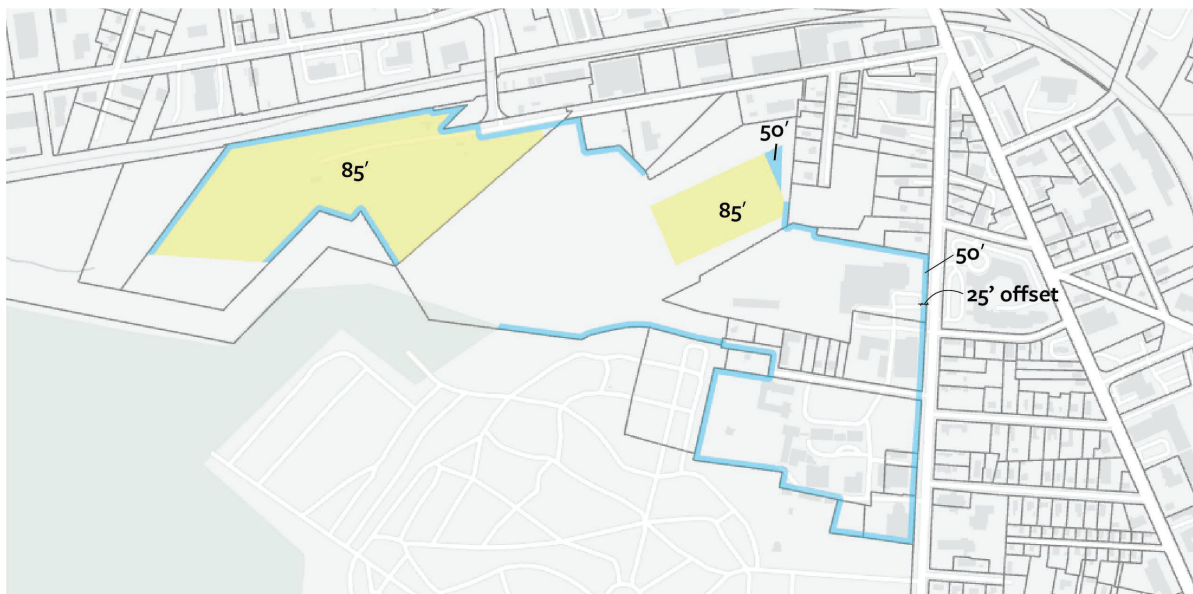


FIGURE 8-I: MAXIMUM BUILDING HEIGHTS



phased into short-, mid-, and long-term actions to allow for progressive implementation over time.

2. *Parking.* Parking requirements in the IOZ shall be established at the time of site plan review based on a parking study that includes a campus-wise analysis of demand and supply. Parking studies shall integrate parking and trip reduction achievement and data contained in the TDM Plan.

F. Environment. All new buildings and parking facilities proposed by UNE shall integrate with the surrounding context to allow connectivity amongst open space, pedestrian networks, and the Evergreen Cemetery, and to protect the critical natural resources associated with the Capisic Brook watershed. The Planning Board may approve a reduction of the setback requirement for a new building to the least amount necessary to achieve the goals of the development and minimize overall impacts, provided that the setback is not reduced to less than 40 feet.

G. Mitigation measures

1. Site plan impacts to off-premise infrastructure shall be mitigated in a manner proportionate to those impacts. Mitigation may include financial or in-kind contributions to existing or planned City projects focused on mitigating the impacts of the development. Mitigation contribution shall be determined based on the City's standard procedure in effect at the time of site plan review.
2. Impacts to natural resources shall be mitigated in accordance with local, state, and federal permitting standards in effect at the time.

H. Design

1. All new development shall be designed to create a cohesive campus character.
2. New buildings shall be designed with building entrance(s) and principle facades oriented towards existing campus buildings, open space, streets, and pedestrian pathways.
3. New buildings will minimize visual impact of service areas, loading docks, and utility structures.
4. All new development shall provide a variety of open spaces that are integrated into the existing campus.
5. All new development shall provide adequate lighting for clear visibility at streets, pedestrian pathways, building entries, and parking areas. All lighting shall be compliant with UNE's lighting plan, which is included in the IDP.
6. All signage shall be compliant with UNE's signage design standards, which are included in the IDP.

I. Neighborhood integration

1. For the purposed of keeping surrounding residential areas appraised of its future development plans, and to address any neighborhood issues related to the operations of the UNE campus, UNE shall adhere to the ongoing neighborhood engagement principles identified in the IDP.
2. Ongoing community engagement shall be conducted, including the continuation of posting project update's on UNE's Campus Planning web page and the creation of a dedicated email address for neighbor

communications with UNE's Planning Department.

3. UNE shall conduct annual neighborhood outreach through neighborhood meeting(s), to be hosted on campus, and shall provide the Planning Authority with a copy of the neighborhood notice and a record of participants, content, and feedback as described in Section 13.5.5(C).
4. A designated community contact shall be engaged to be the point of contact for providing information to the neighborhood and receiving feedback.

8.4 ISLAND TRANSFER STATION OVERLAY

8.4.1 Purpose

The purpose of the Island Transfer Station Overlay Zone is to establish a location for a transfer station for municipal solid waste and municipal public works activities. This zone shall be established through a conditional rezoning process in order to ensure the imposition of appropriate conditions for the protection of neighboring properties.

8.4.2 Permitted uses

- A. Municipal solid waste facilities, including compactors and storage bins, provided that the compactor shall be located within a fully enclosed structure.
- B. Recycling facilities, provided that all recycling areas shall be buffered and screened from neighboring properties.
- C. Municipal garages, material storage, and parking for vehicles.
- D. Maintenance of municipal vehicles and equipment.
- E. Minor wind energy systems co-located with public industrial or utility facilities, subject to

the applicable standards within Article 6.

8.4.3 Conditions

Requirements for setbacks and any operational limitations shall be established as part of the conditional rezoning process.

8.5 PEDESTRIAN ACTIVITIES DISTRICT (PAD) OVERLAY

8.5.1 Purpose and applicability

The purpose of the Pedestrian Activities District (PAD) Overlay is to ensure that key areas within the City, as identified on the PAD Overlay Zone map (Figure 8-HJ), are maintained as active, walkable, pedestrian-oriented activity centers. As such, the overlay requires that street-level frontages within those areas identified on the PAD Overlay Zone map should be occupied with active uses as identified in this section.

8.5.2 Use restrictions

- A. Within the PAD Overlay Zone, a minimum of 75% of the street level frontage, measured as a percentage of total building length excluding areas of vehicular and pedestrian egress, and any mechanical or electrical equipment rooms servicing the building, shall consist of the uses specified below. Such uses shall occupy a minimum of 40 feet in depth, measured from the street facing façade of the building.
 1. Bars
 2. Cultural facilities
 3. General services
 4. Governmental uses
 5. Hotels
 6. Low-impact industrial, provided that only retail sales of products produced on site, or eating and drinking areas shall be

**PLANNING BOARD REPORT
TO CITY COUNCIL
PORTLAND, MAINE**

684 Stevens Avenue
Institutional Overlay Zone, Zone Map and Text
Amendment
Application #: ZN-003059-2024
Applicant: University of New England



Submitted to:	Mayor Dion & the City Council	From:	Portland Planning Board
1st Read Date:	April 28, 2025	Date:	April 22, 2025
2nd Read Date:	May 5, 2025 (public hearing)		

I. INTRODUCTION

Following an in-depth review that began in August 2024, including two Planning Board workshops that welcomed both written and verbal public comment, the Planning Board held a public hearing on February 25, 2025, and unanimously voted (5-0; Mazer recused, Silk absent) to recommend that the City Council adopt the following:

- a. Amend the text of Article 8 to remove reference to the 100-foot advisory review by Historic Preservation staff (Attachment A).
- b. Amend the zoning map to rezone the UNE campus from RN-1 and RN-3 Residential, and I-M and I-H Industrial zones to B-2 Community Business and OS-P Open Space Preservation (Attachment B).
- c. Amend the zoning map to establish the UNE Institutional Overlay Zone boundary (Attachment C).
- d. Amend the text of Article 8 of the Land Use Code to establish a regulatory framework outlining specific zoning requirements that would regulate future development by UNE within the IOZ boundaries (Attachment D).

These amendments would result in a uniform zoning designation across the UNE Portland campus, replacing the existing mix of residential (RN-1 and RN-3), commercial (B-2), and industrial (I-M and I-H) zones. The OS-P zone would apply to undeveloped areas along the Capisic Brook to ensure conservation of over 10 acres of natural resources that buffer the brook, which is currently classified as an urban-impaired stream.

The City's major medical and higher education institutions are eligible to apply for IOZ designation, which is encouraged when an institution's operations may not align with existing base zoning. The proposed zoning changes aim to support the campus's long-term evolution by providing flexibility for the development of academic facilities, student housing, and publicly accessible and conserved open space. The goal is to better serve students, faculty, staff, and visitors, while accommodating the diverse range of uses typical of a modern academic institution.

II. PLANNING BOARD REVIEW & DELIBERATION

The Planning Board held two workshops (November 12, 2024; January 28, 2025) and a public hearing to review the proposed zoning map and text amendments for the UNE Portland campus. Following its review, the Board

determined the proposal to be consistent with *Portland's Plan 2030*, the City's Comprehensive Plan. Board deliberations focused on several key topics, including proposed dimensional standards, the suitability of the B-2 zone as the campus's base zoning, and strategies for preserving critical open space. The applicant responded to the Board's inquiries throughout the process, leading to a unanimous recommendation for adoption at the February 25, 2025 hearing.

One area of focus was the proposed height map, particularly two areas on campus where allowable building heights would increase to 85 feet. The applicant explained that these higher-intensity areas were strategically located to minimize the campus's future development footprint, preserve sensitive environmental features, including areas within the Capisic Brook watershed, and allow for the growth of UNE in an urban setting without the need to expand into surrounding areas. The proposal prompted discussion regarding the proposed height increase near Mayfield Street, a lower-scale residential street adjacent to the campus. To mitigate perceived impacts from an increase in the height, the University initially proposed a 25-foot-wide transition zone with a 50-foot height limit. In response to neighborhood concerns, the transition zone was expanded to approximately 100 feet in select areas, and additional portions of the campus perimeter were rezoned to OS-P (Open Space Preservation) to further buffer adjacent properties and limit future development.

The University also committed early on in the review process to preserving significant portions of the campus's natural areas, particularly along the Capisic Brook. The Planning Board recommended that these conservation efforts be formalized through zoning or a conservation easement. In response, at the recommendation of Planning & Urban Development staff, the applicant proposed rezoning these areas of the campus to OS-P (Open Space Preservation). This existing City zoning district includes use and dimensional restrictions, ensuring long-term protection of these natural areas abutting an existing urban impaired stream.

Lastly, the Board evaluated the appropriateness of the B-2 zone as the campus's base zoning. While one Board member raised questions about the implications of this zone if the University were to vacate the campus, given B-2's allowance for commercial uses. City staff conducted a detailed analysis and the findings emphasized the zone's compatibility with surrounding land uses and its alignment with the University's long-term development vision. Staff also noted that, should the campus be redeveloped for a use other than UNE in the future, a more flexible zoning designation would be necessary, as much of the site would otherwise be difficult to redevelop and potentially rendered nonconforming.

III. THE PURPOSE AND COMPONENTS OF AN IOZ

Section 8.5.1 of the Land Use Code establishes the Institutional Overlay Zone (IOZ) as a regulatory tool available exclusively to Portland's major medical and higher education institutions. The IOZ provides a more consistent, predictable, and transparent framework for managing future growth of these larger institutions. It also encourages large institutions to proactively engage in long-range planning and to establish a more transparent process and dialogue with the surrounding neighborhoods. Maine Medical Center established the first IOZ in 2017, followed by the Roux Institute in 2022, making UNE the third institution to pursue this



Figure 1: Campus Map (Historic Core of UNE Portland Campus)

designation.

The Land Use Code requires the following three components as part of an Institutional Overlay Zone (IOZ) submission:

A. Institutional Development Plan (IDP): The IDP serves as a comprehensive planning document developed by the eligible institution to guide its short-, medium-, and long-term growth. It is intended to function as a standalone document that sets the vision for an institution, similar to a comprehensive plan, and is considered a foundational component of the IOZ. The IDP is reviewed and approved by the Planning Board and must meet the content and review standards outlined in Section 8.5.4, subsections C and D.

B. Regulatory Framework: This component establishes supplemental zoning and land use regulations tailored to the institution, informed directly by the IDP. It is designed to support orderly growth while managing off-site impacts. The Planning Board reviews and makes a recommendation on the framework, which must then be adopted by the City Council for inclusion in the Land Use Code.

C. IOZ Zoning Map: The zoning map defines the geographic boundaries of the institution's IOZ. It serves as an amendment to the City's official zoning map and, like the regulatory framework, must be adopted by the City Council following a recommendation by the Planning Board.

IV. BACKGROUND AND EXISTING CONDITIONS

The University of New England (UNE), Maine's largest private university, operates campuses in Portland, Biddeford, Tangier (Morocco), and online. This IOZ application pertains solely to the Portland campus, located on approximately 72 acres within the Deering Center neighborhood (see Figure 2). Originally founded as Westbrook Seminary in 1831, the campus now houses the College of Dental Medicine, Westbrook College of Health Professions, College of Graduate and Professional Studies, Innovation Hall, the Oral Health Center and Dental Hygiene Center clinics, the UNE Art Gallery, and the Maine Women Writers Collection.

The Portland campus includes 25 buildings, 11 off-street parking areas, significant forested and landscaped open space, and a central historic campus core. This core, located in the southeastern portion of the site, comprises the Westbrook College Historic District, a locally designated area with several historic academic buildings organized around a traditional campus quad.

The surrounding context includes Warren Avenue, Bishop Street Extension, and Bishop Street to the north; Stevens Avenue to the east; and Evergreen Cemetery and the Central Maine Power utility corridor to the south. Several privately-owned residential properties are located within the campus boundary along College Street (see Figure 1). UNE also owns three additional parcels near, but not contiguous with, the main campus at 1075 Forest Avenue, 798 Stevens Avenue, and 812 Stevens Avenue.

V. PROPOSED ZONING MAP AMENDMENT | B-2 AND OS-P

This application requests the rezoning of the UNE Portland campus from a mix of RN-1, RN-3, B-2, I-M, and I-H to a combination of B-2 Community Business and OS-P Open Space Preservation. The intent is to establish a more consistent and functional base zoning framework that reflects UNE's institutional use and long-term development goals, as outlined in their Institutional Development Plan (IDP).

The B-2 zone permits post-secondary schools by-right (see definition below), while this use is only conditionally permitted in the RN-3 zone and is not permitted at all in the other existing zones on campus, resulting in regulatory burden for UNE. Rezoning to B-2 would create a unified regulatory structure, supporting a more predictable review process for future development.

Post-Secondary School Definition:

A facility for postsecondary higher learning that grants associate or bachelor's degrees. The institution may also have research facilities and/or professional schools that grant master and doctoral degrees. Post-secondary schools may also include additional uses as part of the principal use, such as dormitories, cafeterias, restaurants, retail sales, indoor or outdoor recreational facilities, preschool facilities, and similar uses.

The purpose statement for the B-2 zone is provided below:

B-2 Purpose Statement

The purpose of the B-2 zone is: To provide locations for a mixture of commercial, service, and residential uses in a comfortable pedestrian environment that is easily accessible and well-connected to surrounding neighborhoods. Such a mixture may serve the daily needs of nearby residents within walking distance, as well as surrounding neighborhoods via multiple modes of transportation. The zone provides a broad range of goods and services with a mixture of large and small buildings, such as grocery stores, shops and services located in shopping centers and along arterial streets. The B-2 zone's multi-modal orientation accommodates all modes of transportation, and the standards of the zone require that development relate to surrounding neighborhoods by design, orientation, and circulation patterns. The zone encourages mixed- use development, and provides locations for moderate to high-density housing, including three-family, four- family, townhouse, and multi-family structures in urban neighborhoods along arterials.

Dimensional standards for the B-2 zone are outlined in Article 7, Table 7-C of the Land Use Code. The B-2 zone does not have a density requirement. The maximum building height is 75 feet, and there are no required building setbacks, except where a lot directly abuts a residential zone. In such cases, the required rear setback is 10 feet, the side setback is 5 feet, and a minimum of 10% of the lot must be maintained as landscaped open space.

The B-2 zone is a mixed-use district, with use standards outlined in Article 6, Table 6-C of the Land Use Code. Permitted uses include but are not limited to residential (single, two-family, three-family, four-family, and multi-family), institutional uses such as cultural facilities, child care centers, and post-secondary schools, as well as commercial uses including offices, restaurants, and retail establishments.

The applicant is also seeking to rezone natural areas on campus, particularly those along the Capisic Brook, to OS-P, Open Space Preservation. The OS-P zone is an established zoning designation with defined use and dimensional standards, and a purpose that aligns with the City's goals for preserving critical natural resource areas. The purpose statement for the OS-P zone is provided below:

OS-P Purpose Statement

The purpose of the OS-P zone is: To preserve and protect open space as a limited and valuable resource, and to further the City of Portland's goals related to climate adaptation and resiliency. The OS-P zone prioritizes preservation and protection of Portland's critical conservation and natural resource areas. Very limited development may be allowed for sustainable energy generation, passive recreation and educational purposes, but must be compatible with and cause little impact to these areas.

The OS-P zone restricts permitted uses to parks and open spaces, as well as waterfront facilities such as wharves, piers, docks, and landing ramps.

Surrounding Zoning Context

UNE's Portland campus is located just south of Morrill's Corner, where properties are predominantly zoned TOD-1 (Transit-Oriented Development), allowing a mix of uses and higher-intensity development to support public transit. The TOD-1 zone does not have a maximum density requirement and permits buildings with minimal setback requirements and a maximum building height of 85 feet. Southward along Stevens Avenue, the zoning transitions to B-2, accommodating a range of commercial, institutional, and residential uses, including several UNE-owned outparcels. North of the campus along Bishop Street, properties are zoned B-2 Community Business and include uses such as Huston Commons, a Housing First residence and the Portland Recovery Community Center. The B-2 zone does not have a maximum density requirement and permits buildings with minimal setback requirements and a maximum building height of 75 feet. The north side of Bishop Street is zoned I-M (Industrial – Moderate Impact) and is home to a mix of light industrial and commercial uses, including a dog daycare, veterinary clinic, and several larger warehouse buildings. The I-M zone permits buildings with a maximum building height of up to 75 feet.

Directly across from the UNE campus is a parcel zoned RN-5, home to Park Danforth, a seven-story, approximately 75-foot tall senior living facility. As one moves south toward Deering Center, the zoning along Stevens Avenue shifts to RN-3 and includes small- and mid-scale residential uses, St. Brigid School, St. Joseph's Catholic Church, and a childcare center. Further south, zoning transitions again to B-1 and RN-5 at the site of the former St. Joseph's Convent, now redeveloped into senior housing with commercial space. The west side of Stevens Avenue, adjacent to Evergreen Cemetery and areas along the Capisic Brook is zoned OS-R (Open Space – Recreation).

In evaluating the appropriateness of the B-2 zone, the Planning Board noted that it is generally more permissive than the existing RN-1 and RN-3 zones, which currently comprise most of UNE's campus, including the core upper campus. While the RN-3 zone allows post-secondary schools as a conditional use, its dimensional standards are intended for small-scale residential development and are not well-suited for larger institutional uses. For example, RN-3 limits building height to 35 feet and caps lot coverage for non-residential uses at 50%. In contrast, the B-2 zone permits building heights up to 75 feet and requires only 10% landscaped open space, allowing for more intensive development. From a use perspective, B-2 permits a wide range of residential, institutional, commercial, and light-industrial uses, as outlined in Table 6-C of the Land Use Code. These permitted uses align with those anticipated in UNE's Institutional Development Plan (IDP), including student housing, an athletic facility, and future academic buildings or expansions. From a density perspective, B-2 zoning is consistent with the surrounding context along Stevens Avenue, Bishop Street, and Morrill's Corner. These areas feature existing mixed-use zoning designations, including TOD-1, B-2, B-1, and I-M (Industrial). These zones are generally permissive in terms of use, allow for limited setback requirements, and support a range of maximum building heights—from 55 feet in the B-1 zone, to 75 feet in the B-2 and I-M zones, and up to 85 feet in the TOD-1 zone. Both Stevens Avenue and nearby Forest Avenue are identified as priority corridors in Portland's Comprehensive Plan—areas intended to support dense, mixed-use development with access to public transit. Additionally, Morrill's Corner and the UNE campus area are designated as priority nodes in the Plan—areas to be transformed and evaluated, respectively. The rezoning of the campus to B-2 and the establishment of the UNE IOZ align directly with the vision outlined in the Comprehensive Plan: to create centers of complete neighborhoods, characterized by dense, mixed-use development in walkable areas with strong transit access.

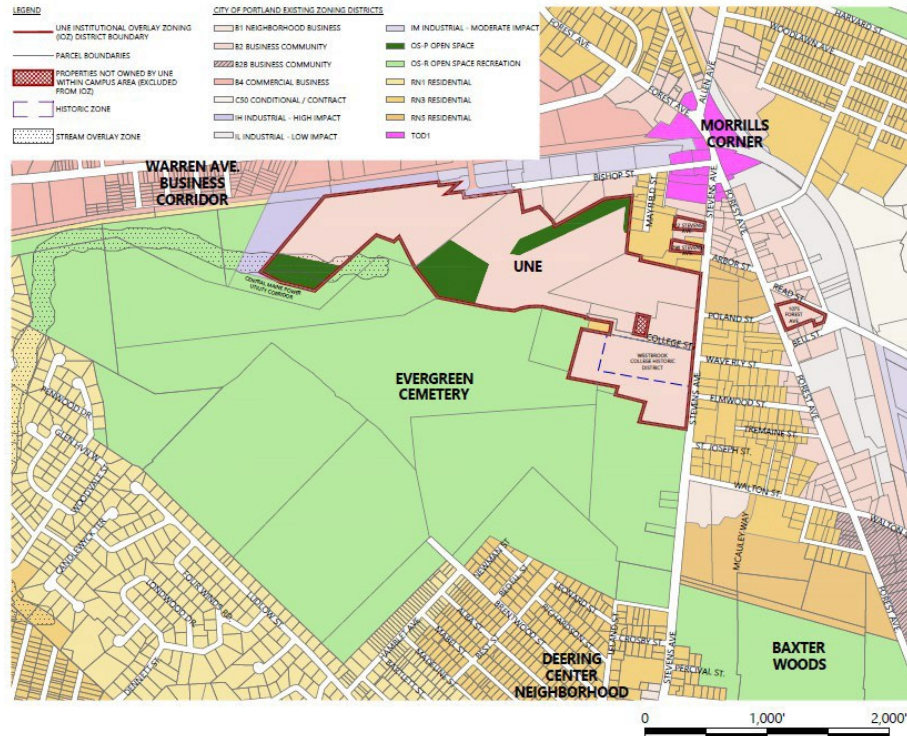


Figure 2: Proposed Zoning Map Amendment (Dark Green: OS-P zone) | Pink (B-2 zone)

VI. ZONING TEXT AMENDMENTS

A. Historic Preservation Advisory Review

City staff, in reviewing the proposed zoning text amendments to Article 8, identified language within Sec. 8.3.4.D, pertaining to the standards of review for an IDP. This text required that institutional development pursuing an IOZ and developing within 100 feet of a historic district or landmark, be designed to be generally compatible with the character defining elements of the district or landmark. This text mirrored historic preservation advisory review requirements for site plan applications, that were recently removed from Article 13 when the City Council adopted ReCode on November 4, 2024. The City is recommending that it be removed as detailed in Attachment A, to be consistent with the City's practice for site plan review.

B. Regulatory Framework

Stemming from the IDP, the proposed regulatory framework (zoning) works to codify the institutional use(s) and related activities in line with UNE's stated mission to: *prepare students to thrive in a rapidly changing world and, in so doing, to improve the health of people, communities, and our planet.* The regulatory framework would be inserted into the City's Land Use Code within Article 8, Sec. 8.3.8. Table 1 below was created to provide an overview of each content category, listing whether or not the required information has been provided, and an overview of content details. Further, Figure 3 below depicts the Maximum Building Heights map proposed with the UNE IOZ.

TABLE 1: Section 8.3.5.D, Required Content of the Regulatory Framework			
	Content Category	Provided	Overview

1.	Zoning boundary of the IOZ		Figure 6, shown below, identifies the zoning boundary clearly in the form of a map displaying the overlay zone, and a table, included within the IDP, lists all properties, identified by both CBL and address.
2.	Phasing and schedules		UNE shall file monitoring reports every five (5) years with the Planning Authority, and at the time of submission of future site plan applications, UNE shall identify any required updates to the IDP, to allow the document to remain current.
3.	Uses		In addition to those uses permitted within the B-2 and OS-P zones, the IOZ would also permit the following uses by right on the campus: • Laboratory and research facilities • Off-street parking
4.	Dimensional requirements		The proposed IOZ would supplement the dimensional restrictions of the underlying zones as follows: • Transition zones to extend twenty-five feet (25') from the lot boundary and, within transition zones, the maximum building height shall be fifty feet (50'), as depicted by the UNE IOZ Height Map, Figure 3. • Maximum building heights for new principal buildings in the IOZ shall be governed by the UNE IOZ Height Map, Figure 3.
5.	Transportation		TDM and parking requirements are highlighted in this section.
6.	Environment		This section establishes a framework for future development that prioritizes the interconnection of existing and proposed open spaces, and minimizing impacts to critical natural features, such as Capisic Brook. This standard would also establish a minimum stream setback requirement of 40 feet for any newly proposed buildings, which is more stringent than the City's typical requirement, which sets no exact limit.
7.	Mitigation measures		The regulatory framework identifies protocols for mitigation, where development on campus is anticipated to impact off-site public infrastructure, such as streets and or utilities, or where new development is anticipated to impact natural resources.
8.	Design		The Regulatory Framework provides five design standards for development, which establish requirements for building design and orientation, the provision of open space, site lighting and campus signage requirements.
9.	Neighborhood integration		This section details requirements for ongoing community engagement, which would include the creation and maintenance of a campus planning website, the designation of a community liaison, and the hosting of an annual neighborhood outreach event, noticed and held in accordance with the City's requirements for neighborhood outreach as required for major site plan applications, Sec. 13.5.5(C).
10.	Monitoring		As noted above under 2., the applicant will prepare and file monitoring reports with the City every five (5) years.

In order to adopt the proposed regulatory framework, the City Council must find that the contents of the regulatory framework satisfy the Regulatory Framework Standards of Review, listed in Sec. 8.3.5.E within the City of Portland Land Use Code. An overview of the Planning Board’s findings is listed below:

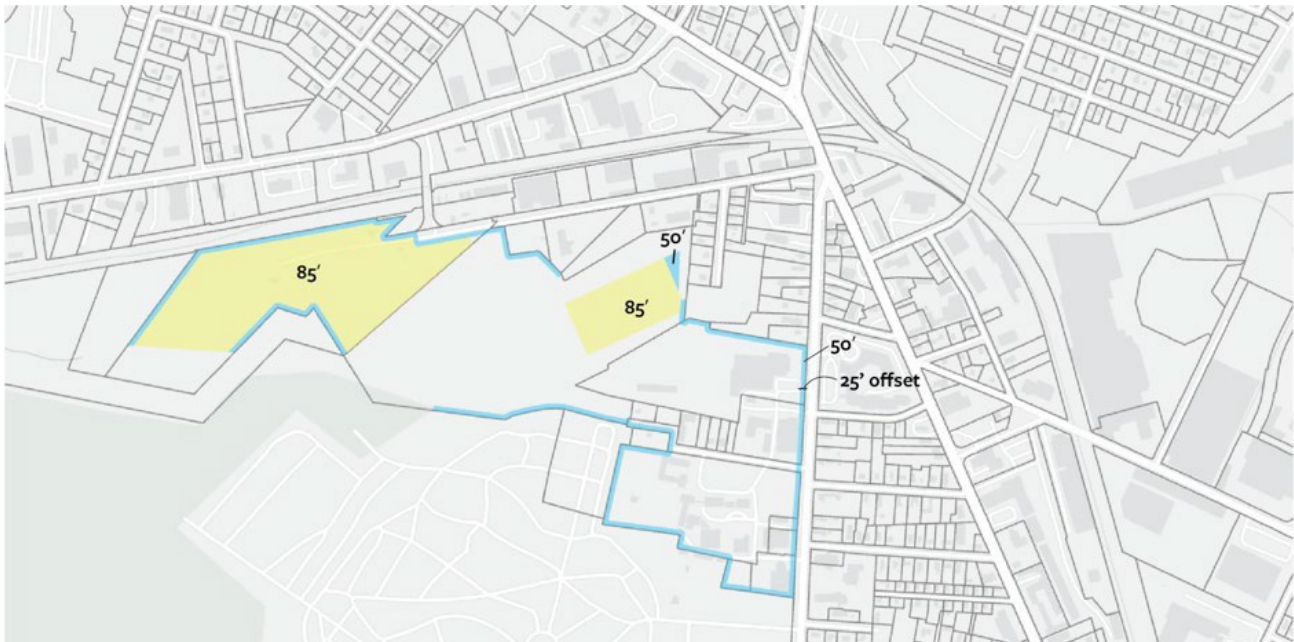


Figure 3: Proposed Height Map for UNE Regulatory Framework

1. *Be consistent with the Comprehensive Plan and the Institutional Development Plan.*

Finding: The drafted Regulatory Framework is consistent with both *Portland’s Plan 2030* and the drafted Institutional Development Plan. Throughout the formation of the proposed IOZ, City staff worked with the Applicant to revise the documents to not only include all required content, but also to strengthen the connection between the proposed land use regulations, and both *Portland’s Plan 2030* and the drafted IDP.

Specifically, Portland’s Plan 2030 emphasizes the importance of prioritizing sustainable land use and transportation policies that enhance connectivity, walkable neighborhoods, and multimodal transportation while protecting the city’s critical natural resources (pg. 19). It also emphasizes the need to balance continuity and change as Portland grows (pg. 27), and supporting sustainable growth in educational, medical, and cultural institutions, while fostering a strong workforce by attracting and retaining human capital (pg. 43). Additionally, the plan encourages contextually appropriate housing density near neighborhood centers, service hubs, and transit corridors to support complete neighborhoods (pg. 50). Specifically, the Comprehensive Plan acknowledges the need for the City to support the orderly expansion of institutional uses—including educational, cultural, and medical campuses—recognizing their essential role in workforce development, employment, and the broader regional economy. Based on the goals and objectives of the Comprehensive Plan, the Regulatory Framework aligns with the plan’s vision and will guide UNE’s future growth in a manner that reflects the shared priorities outlined in the plan.

2. *Provide a clear zoning framework, using graphics and tables as appropriate, to apply to future site plan reviews.*

Finding: The submitted Regulatory Framework is a concise yet functional set of supplemental development regulations to help facilitate the build-out of UNE's Portland campus in alignment with the IDP while ensuring that the impacts associated with such development are satisfactorily considered and mitigated. The applicant has delineated the IOZ boundary and provided supplemental use and dimensional standards to complement and expand upon the underlying zoning regulations.

3. *Provide specific regulatory statements as appropriate that respond to concerns raised during the required public involvement.*

Finding: Throughout the Planning Board's public review process, the University revised its IDP and the associated regulatory framework in response to feedback from the public, City staff and the Board. Notably, this includes the mapping of more than 10 acres of OS-P across the UNE Portland Campus, to preserve critical natural resources, and the extension of the building height transition zone adjacent to the contemplated residential development, proximate to the existing residential neighborhood along Mayfield Street. These revisions directly responded to feedback discussed throughout the review.

4. *Outline measurable goals and thresholds for improvements or other actions identified in the IDP to be advanced in subsequent site plan applications*

Finding: The Regulatory Framework has outlined specific design-related language that expands upon the IDP and that would apply to any future site plan and TDM Plan reviews submitted by UNE, working to create a cohesive campus and integrate with baseline characteristics.

VII. COMPREHENSIVE PLAN CONSISTENCY

Amendments to zoning require a determination of consistency with Portland's Comprehensive Plan, *Portland's Plan 2030*. The proposed zoning changes align with several key goals of the Plan, as outlined below. These elements were considered by the Planning Board in its recommendation to the City Council. The applicant also highlighted how the proposed amendments support the goals of *Portland's Plan 2030* in the Institutional Development Plan (Attachment E).

Environment

- *Develop climate resilience through carbon reduction goals, climate adaptation strategies, and protections for vulnerable infrastructure.*
- *Adopt sustainable land use and transportation policies supporting connectivity, walkability, and multi-modal transportation.*

Economy

- *Support job creation and business growth through public, private, and institutional partnerships.*
- *Modify ordinances and invest strategically to promote business development and job creation in priority areas.*
- *Integrate the growth of Portland's educational, medical, and cultural institutions into the urban fabric through high-quality design, impact management, community partnerships, and innovative planning.*

Housing

- *Encourage appropriate housing density near neighborhood centers, services, and transit nodes to support complete neighborhoods.*

Recreation & Open Space

- *Strengthen connections between open spaces.*
- *Provide well-designed, well-maintained, safe, and accessible parks, trails, and recreational opportunities.*
- *Sustain and expand the city's parks, trails, and open spaces to enhance quality of life, protect the environment, and promote economic well-being.*

Land Use Framework

- *Stevens Avenue identified priority corridor*
- *Morrill's Corner identified priority node*
- *UNE Campus Area identified priority node*

The proposed zoning amendments would provide UNE with a predictable zoning framework aligned with the City's comprehensive plan. This framework supports continued development as an important educational institution, while mitigating impacts to surrounding neighborhoods and natural features. Rezoning to the B-2 zone would allow for typical university uses by-right, such as classrooms, recreational facilities, offices, and student housing. The regulatory framework would also permit laboratories and research facilities and adjust dimensional requirements for more intensive development in two locations on campus, while limiting scale near residential and commercial areas. Rezoning to OS-P would preserve high-value natural areas and set development standards to minimize impacts on these features.

VIII. NEIGHBORHOOD MEETINGS & PUBLIC COMMENT

The applicant held two neighborhood meetings to gather public input. The first meeting took place on June 13, 2024, at 6:00 PM at UNE's Hannaford Lecture Hall. Documentation of the meeting is included in **Attachment F**. Thirteen (13) members of the public attended, and feedback focused on concerns related to property acquisitions, traffic and parking, and environmental impacts.

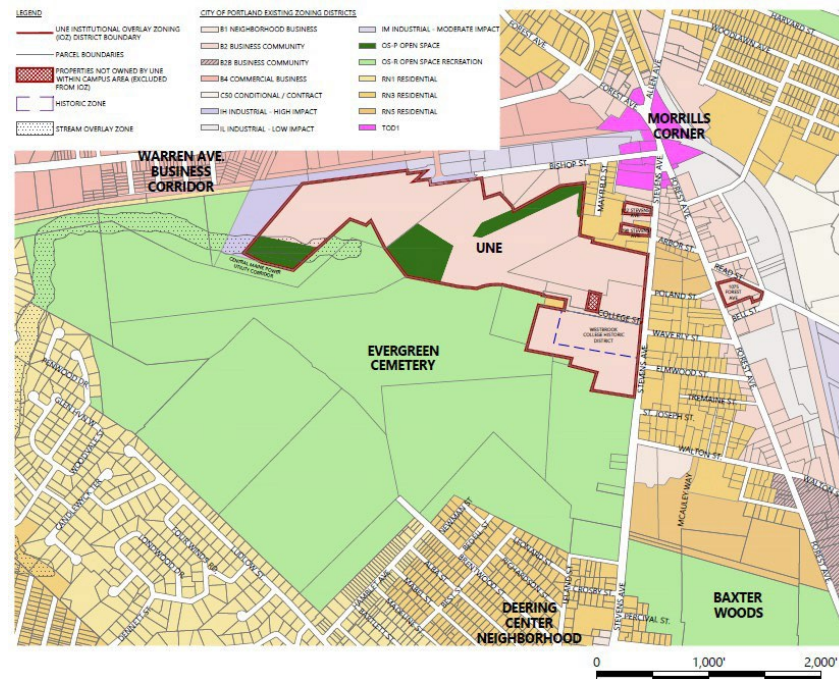
The second meeting was held on October 30, 2024, also at 6:00 PM at UNE's Hannaford Lecture Hall, with documentation likewise included in **Attachment F**. Twelve (12) members of the public attended, and discussion centered on parking, building heights, and plans for future student housing.

During the Planning Board's review, two written public comments were submitted, included in **Attachment F**. One comment opposed allowing building heights up to 85 feet, while the other encouraged a stronger focus on planning for student housing.

IX. PLANNING BOARD RECOMMENDATION

The Planning Board considered the proposed zoning amendments at a hearing on February 25, 2025. After deliberation, and on the basis of staff reports, public testimony, and review of applicable policies and application materials, the Planning Board unanimously voted (5-0; Mazer recused, Silk absent) to find that the following zoning map and text amendments are consistent with the Comprehensive Plan and recommended adoption to the City Council:

1. Amend the text of Article 8 to remove reference to the 100-foot advisory review by Historic Preservation staff (Attachment A).
2. Amend the zoning map to rezone the UNE campus from RN-1 and RN-3 Residential, and I-M and I-H Industrial zones to B-2 Community Business and OS-P Open Space Preservation (Attachment B).



3. Amend the zoning map to establish the UNE Institutional Overlay Zone boundary (Attachment B)



4. Amend the text of Article 8 of the Land Use Code to establish a regulatory framework outlining specific zoning requirements that would regulate future development by UNE within the IOZ boundaries (Attachment D).

X. ATTACHMENTS

Attachments

- A. Proposed Text Amendment – Article 8 (Remove 100-foot rule)
- B. Proposed B-2/OS-P Zoning Map Amendment
- C. Proposed Map Amendment – IOZ Boundary
- D. Proposed Text Amendment – UNE Regulatory Framework
- E. Institutional Development Plan (Approved by Planning Board on February 25, 2025)
- F. Summary of Required Neighborhood Meetings
- G. Staff Report to Planning Board
- H. Public Comment

MEMORANDUM
City Council Agenda Item

FROM:

DATE: April 22, 2025

SUBJECT: Order 196-24/25 Amendments to Zoning Map RE: B-2 Community Business, Open Space Preservation, and Institutional Overlay Zone for the University of New England Campus - Sponsored by the Planning Board, Brandon Mazer, Chair

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

Can action be taken at a later date: No If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City:

PRESENTATION: Please list the presenter(s), type, and length of presentation

I. SUMMARY

II. AGENDA DESCRIPTION

This is a companion order to the order above.

This item must be read on two separate days. This is its first reading.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is \$50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. Amendment - UNE IOZ Map Amendments

Prepared by:

Date: 04/22/2025

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL D. FOURNIER (A/L)
BENJAMIN GRANT (A/L)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

SARAH MICHNIEWICZ (1)
WESLEY PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**AMENDMENTS TO ZONING MAP
RE: B-2 COMMUNITY BUSINESS, OPEN SPACE PRESERVATION AND
INSTITUTIONAL OVERLAY ZONE FOR THE UNIVERSITY OF NEW ENGLAND
CAMPUS**

WHEREAS, based on the information provided to the City Council in the April 22, 2025 Planning Board Report to City Council, numbered ZN-003059-2024, the testimony, comment and other information submitted to the City Council, as well as the findings, conclusions and recommendations contained in the Planning Board Report following the public hearing held on February 25, 2025, which is attached hereto and incorporated herein by reference, the City Council adopts the findings and conclusions in the Planning Board Report and finds that the below referenced zoning map amendments are pursuant to and consistent with the City's Comprehensive Plan;

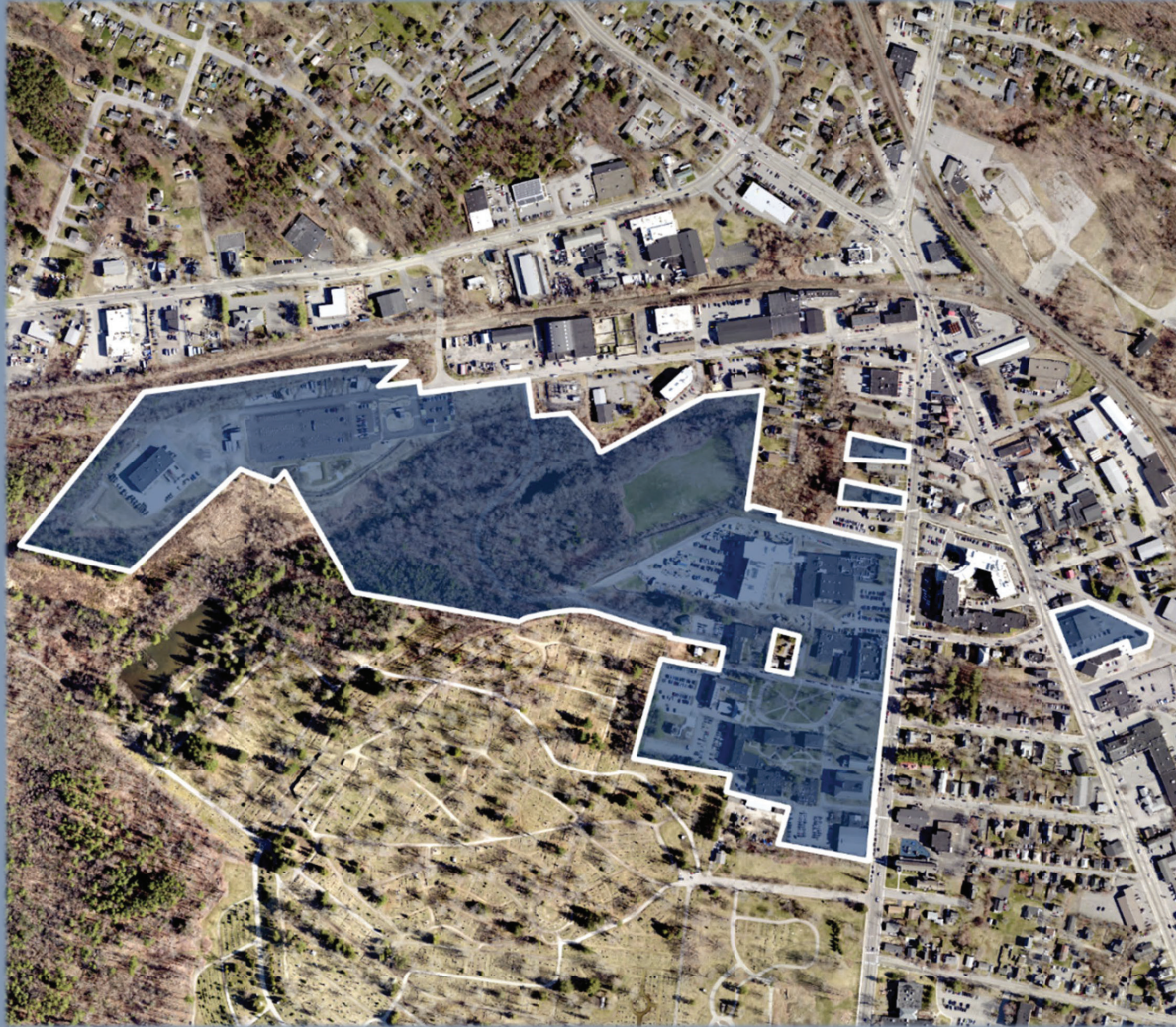
**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND, MAINE
IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

That the Zoning Map of the City of Portland, dated December 4, 2024, as amended and on file in the Department of Planning and Urban Development, and incorporated by reference into Portland City Code Chapter 14, the Zoning Ordinance, by §1.2, be and hereby is amended pursuant to §1.10.1 by adopting the attached map amendments and specifically rezoning property around 716 Stevens Avenue to B-2 Community Business and OS-P, Open Space Preservation, as depicted in Exhibit A attached hereto, and creating an Institutional Overlay Zone at the University of New England Campus as depicted in Exhibit B attached hereto.



Proposed UNE IOZ Boundary

Exhibit B



MEMORANDUM
City Council Agenda Item

FROM:

DATE: April 24, 2025

SUBJECT: Order 197-24/25 Amendment to Portland City Code Chapters 15 and 35 RE:
Requirements for Marijuana Retail Licenses Offering Non-Alcoholic Beverages
Prepared on-Site - Sponsored by Health & Human Services & Public Safety
Committee, Anna Bullett, Chair

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or
up to three (3) members of the Council shall sponsor any orders or other items. If
sponsored by a Council Committee, please include the date the committee met and
the results of the vote.

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

Can action be taken at a later date: No If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City:

PRESENTATION: Please list the presenter(s), type, and length of presentation

I. SUMMARY

II. AGENDA DESCRIPTION

On April 15, 2025, the Health & Human Services and Public Safety Committee unanimously recommended to the City Council approval of Order 196, which would allow marijuana retail stores to prepare and sell non-alcoholic beverages on site. Currently, these retailers may only sell prepackaged food and drinks.

There are currently 38 licensed marijuana retailers in the City of Portland. To facilitate the co-location of marijuana retail and beverage preparation, City staff will need to increase training, food safety education, and inspections. A fiscal note that reflects the work required to effectively implement this change is included in backup materials.

This item must be read on two separate days. This is its first reading.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is \$50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. Amendment - Ch 15 and Ch 35 re FSE License Requirements
2. Chapter 35 Memo
3. Chapter015.Licenses and Permits 04.02.25 DRAFT NMA
4. Chapter035. Marijuana Business Licenses mig rev 040225

Prepared by:

Date: 04/24/2025

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL D. FOURNIER (A/L)
BENJAMIN GRANT (A/L)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

SARAH MICHNIEWICZ (1)
WESLEY PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**AMENDMENT TO PORTLAND CITY CODE
CHAPTERS 15 AND 35 RE: REQUIREMENTS FOR MARIJUANA RETAIL
LICENSEES OFFERING NON-ALCOHOLIC BEVERAGES PREPARED ON-SITE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

- 1. That the Sections 15-12 and 35-43 are hereby amended to
read as follows:*

Sec. 15-12. Fees and expiration dates.

(a) Unless specified elsewhere in this Code, fees for licenses issued pursuant to this Code and the expiration date of each license shall be as follows:

Location in Code	Description	Fee	Expiration Date
	FSE-No food preparation on premises	\$181.00	January 31
	FSE-With preparation limited to hot - <u>non-alcoholic</u> beverages only	\$142 <u>230</u> .00	January 31
	FSE-With beer and wine take out	\$415.00	January 31

35-43. Additional Retail Store and Dispensary Requirements.

Marijuana businesses licensed pursuant to this Article must also meet the following performance standards:

...

(d) Other uses prohibited. Marijuana retail stores and dispensaries may only not have the following uses other than marijuana retail or other retail on the premises:

1. Licensed marijuana retail sales and licensed marijuana dispensary sales; , including entertainment or restaurant uses, except that the
2. Ssales of pre-packaged, ready-to-eat foods that are not prepared on site, subject to a FSE (food service establishment) - "No food preparation on premises" license;
3. Sales and of ready-to-drink non-alcoholic beverages, shall be allowed provided the applicant has an subject to a FSE - "No food preparation on premises" license; appropriate food service license.
4. Sales of non-alcoholic beverages prepared on site subject to a FSE - "With preparation limited to non-alcoholic beverages only" license.

. . .



To: Health and Human Services and Public Safety Committee
From: Jessica B. Hanscombe, Director
Date: April 7, 2025
RE: Staff Feedback on Proposed amendment to Chapters 35, 15

MEETING DATE

April 10, 2025

AGENDA ITEM

Proposed Amendments to Chapter 35, Chapter 15.

PURPOSE

Amend Chapters 35 and 15, Code of Ordinances to allow Marijuana Retail Stores to operate as a Restaurant Use with nonalcoholic beverage preparation. .

COMMITTEE WORK PLAN

This item is included on the HHS & PS Committee's 2025 Work Plan.

BACKGROUND

Chapter 35 of the Code of Ordinance currently prohibits the preparation of food or drinks at Marijuana Retail Stores. The stores are currently allowed to sell pre-packaged food and drinks with a City and State of Maine Prepackaged Food Service License. The definition of Packaged can be found in the Maine State Food Code, which has been adopted by reference:

(73) Packaged.

(a) "Packaged" means bottled, canned, cartoned, securely bagged, or securely wrapped, whether packaged in a Food Establishment or a Food Processing Plant

When the ordinance was created in 2019-2020, allowing for only Marijuana products and paraphernalia was deemed best practice. As part of the process of creating the ordinance, staff researched regulations by other states and Canada that were already licensing Marijuana retail businesses. Some, not all, states now allow it as part of the license for a "social club". At this time, the State of Maine does not allow for Social Clubs.

Proposed changes to the Code to allow for a new license classification type, also has the potential to impact all 38 Marijuana Retail Stores, as well as future licensees. These additional

requirements would require City of Portland staff to train and educate on the requirements of the Maine State Food Code and how to prevent cross-contamination.

When Chapter 35 was adopted by the City of Portland, there was a cap of 20 Retail Stores. The voters removed that cap in November of 2020, which doubled staff's workload of Retail stores alone. The one dedicated Marijuana employee is currently past their capacity for the almost 100 licensed Marijuana businesses in the City of Portland. This new license classification would increase their workload if a large percentage of current licensees and new applicants chose to apply. PID would need to hire an additional Inspector to assess compliance with license requirements which ensure the safety of retail customers.

FISCAL IMPACT

\$102,802.61-Additional Marijuana Inspector (CEBA 18-M-SP) This includes salary, benefits, equipment, uniform, training

Chapter 15 LICENSES AND PERMITS*

***Cross reference(s)**--Uniform procedure for assessments, § 1-16; administration, Ch. 2; funds due to city, § 2-201 et seq.; permits for burglar alarm systems, § 2.5-17; license for bottle clubs, § 3-26 et seq.; license for amusement devices, § 4-26 et seq.; license for music, dancing and special entertainment, § 4-51 et seq.; license for gaming, § 4-81 et seq.; license for sidewalk tanks and pumps for petroleum products, § 10-116 et seq.; inspection performance requirements, § 11-37; license for food service establishments, § 11-46 et seq.; license for street vendors, § 19-29 et seq.; license for transient sales, § 19-56 et seq.; license for pawnbrokers, junk dealers, secondhand dealers and flea markets, § 23-26 et seq.; excavator license, § 25-119; license for wreckers and vehicle towing, § 28-286 et seq.; licenses for taxicabs and limousines, § 30-31 et seq.; licenses for horse-drawn cabs, § 30-42 et seq.

Art. I. In General, §§ 15-1--15-14.5

Art. II. Reserved, §§ 15-15--15-20

Art. III. State Liquor Licenses and Special Entertainment Licenses, § 15-21

Div. 1. Renewals, §§15-21--15-30

Div. 2. Site Restriction, §§15-31--15-40

Div. 3. Training Requirements, §§15-41--15-43

ARTICLE I. IN GENERAL

Sec. 15-1. Definitions.

Words used in this chapter shall have their common meanings except that, as used in this chapter or in chapters related to this chapter, the following terms shall have the meanings set forth in this section, unless the particular licensing provision, or the context in which the term appears, clearly establishes that a different meaning was intended:

Actual ownership interest shall mean and include any legal or equitable interest in either the licensed firm, corporation, partnership or other entity, or the assets of that entity which are the subject matter of the license, other than any mortgage or security interest created solely as security for valuable consideration. In the case of stock in a corporation, the term shall be limited to those persons who individually or collectively have an interest in more than one-half of the voting shares of the

corporation. In the case of a limited partnership, the term shall not include ownership of limited partnership shares.

Bona fide nonprofit organization shall mean and include a bona fide nonprofit, charitable, educational, political, civic, recreational, patriotic or religious organization, which is organized under the provisions of 13 M.R.S.A. § 901, or 13-B M.R.S.A. § 201, or which is recognized as such by the Internal Revenue Service under 26 U.S.C.A. § 501(c)(3).

Bottle club means any person operating on a regular basis a premises for social activities in which members or guests provide their own alcoholic beverages.

Disqualifying criminal conviction shall mean and include any conviction for any criminal offense punishable by imprisonment for any period of time, whether or not the sentence was imposed or served, but shall not include any conviction which is shown to have been set aside on appeal or collaterally, or for which a pardon, certificate of rehabilitation, or the equivalent under the law of the sentencing jurisdiction has been granted, or which is not rationally related to the purpose of licensing the particular activity or device.

Person aggrieved shall mean and include any person whose license is suspended or revoked or whose license application is denied by any administrative official charged with responsibility for the granting or supervision of any license.

Principal officers shall mean and include the applicant and any officer, director, partner, owner, manager, or person who either has an actual ownership interest in the entity or directs any policy of the entity.

(Code 1968, § 901.3; Ord. No. 231-80, 12-22-80; Ord. No. 562-84, § 1, 4-23-84; Ord. No. 183-84, 9-24-84; Ord. No. 165-15/16, 3-7-2016)

Cross reference(s)--Definitions and rules of construction generally, § 1-2.

Sec. 15-2. Applicability.

(a) It is the sense of the city council that, to the extent practical, licensing procedures within the city should be uniform, and should be conducted at all times so as to give the maximum degree of protection to the licensee consistent with protection of the public health, safety and welfare. To that end, this chapter shall apply to all licenses and permits issuable by the city

through the Permitting and Inspections Department, and all licenses and permits issued by the state to which the city council have a right or duty to offer recommendations, comments, or to consent, set forth in this Code. Notwithstanding the aforesaid, any more stringent licensing or other requirement of this Code which is not inconsistent with this chapter, shall be deemed to be an additional requirement of this chapter.

(b) The Director of the Permitting and Inspections Department or his or her authorized designee shall be responsible for licensing of taxicabs and liveries under article II of chapter 30, and all references herein to the Permitting and Inspections Department shall be to the said director in regard to such licensing.

(Code 1968, § 901.1; Ord. No. 231-80, 12-22-80; Ord. No. 562-84, § 2, 4-23-84; Ord. No. 294-04/05, 6-20-05; Ord. No. 165-15/16, 3-7-2016; Ord. 18-17/18, 8-21-2017)

Sec. 15-3. License required.

(a) No person shall engage in, operate any business, or use or permit the use of any device for which one (1) or more licenses are required by this Code or permit others operating under such licenses to act, without having obtained each and every such license required therein and shall not operate or use such license or device during any time that the applicable license has been suspended or after revocation as provided herein.

(b) A license may be issued pending receipt of the criminal history report from the State Bureau of Identification for pawnbrokers, junk dealers, secondhand dealers and flea markets as defined in Section 23-16, provided that the Permitting and Inspections Department has received all other documentation required for the issuance of such license and a copy of the applicant's criminal history record from the Portland Police Department, which criminal history record does not contain a disqualifying criminal conviction. If, after issuance of the license, the Permitting and Inspections Department receives a criminal history report from the State Bureau of Identification that contains disqualifying information, the Permitting and Inspections Department shall immediately move to suspend or revoke the license pursuant to Chapter 15 Section 15-8(a)(6) of the City Code.

(c) Any person engaged in, or operating any business or activity, or who uses or permits the use of any device for which a

license is required, shall procure a license for each and every such business activity, device or location of each activity or device unless this Code specifically provides to the contrary.

(d) Every license shall be exhibited in a conspicuous place on the premises, device or vehicle at all times that the premises, device, or vehicle is open to the public.

(Code 1968, § 901.2; Ord. No. 231-80, 12-22-80; Ord. No. 152-02/03, 2-3-03; Ord. No. 165-15/16, 3-7-2016; Ord. 18-17/18, 8-21-2017)

Sec. 15-4. Licensing authority.

(a) All licenses shall be issued, denied, suspended or revoked and all hearings shall be held by the Permitting and Inspections Department except as expressly provided in this Code. The Permitting and Inspections Department is authorized to notify the state licensing division of bureau of alcoholic beverages that the city council consent to the extension of existing state liquor licenses to city licensees pending the next meeting of the city council.

(Code 1968, § 901.4; Ord. No. 231-80, 12-22-80; Ord. No. 576-81, § 1, 3-16-81; Ord. No. 361-82, 1-4-82; Ord. No. 562-84, § 3, 4-23-84; Ord. No. 165-15/16, 3-7-2016; Ord. 18-17/18, 8-21-2017)

Sec. 15-5. Applications.

(a) All applications shall be made in writing on a form provided by the Permitting and Inspections Department. Each application submitted to the Permitting and Inspections Department shall state the name and business address of each applicant, the license desired, location to be used, if any, the date of the application, and such additional information as may be deemed necessary or useful by the Permitting and Inspections Department in determining whether such permit or license applied for should be issued.

(b) Other papers:

- (1) Any application for a license for which a criminal conviction is a disqualification under this Code shall be accompanied by a written waiver of the applicant's right to privacy or confidentiality under the State Criminal History Records Act [16 M.R.S.A. § 611 et seq.] and otherwise to the extent necessary for the Permitting and Inspections Department, acting through the chief of police, to determine whether or not such disqualification exists.

- (2) If the applicant is other than a natural person, the names of all principal officers shall accompany the original application.
- (3) A statement to the fact that no employee or officer of the city is beneficially interested in the license or licenses, or in lieu thereof, a statement of the names of such employees or officers as are beneficially interested.
- (4) In the case of a renewal, the licensee shall submit to the Permitting and Inspections Department on a form provided by the Permitting and Inspections Department, a certified ownership report for the previous twelve (12) month period. Such report, among other things, shall list the names of all persons, or groups of persons acting in concert who at any time during the period had an actual ownership interest.
- (5) Any organization claiming status as a bona fide nonprofit organization shall furnish sufficient evidence of such status.

(Code 1968, § 901.5; Ord. No. 231-80, 12-22-80; Ord. No. 165-15/16, 3-7-2016; Ord. 18-17/18, 8-21-2017)

Sec. 15-6. Fees.

(a) *Application fees.* Except as expressly provided, all applications for original licenses or for the consent of the city council, other than a flea market seller, temporary FSE or auction license, shall be accompanied by an administrative fee of forty-five dollars (\$45.00) to defray the cost of processing the application. All applications for renewal of licenses shall be accompanied by the fees for issuance and an administrative fee of thirty-five dollars (\$35.00), except for a flea market seller to defray the cost of processing the application. In any case where notice by publication or mail is required, the applicant shall pay the cost of publication and postage in advance. Application fees shall not be refundable.

- (1) Applications for any original licenses pursuant to Chapter 35, other than licenses for Small Scale Caregivers, shall be accompanied by an administrative fee of five hundred dollars (\$500.00). Applications for renewal of licenses pursuant to Chapter 35, other than

licenses for Small Scale Caregivers, shall be accompanied by an administrative fee of two hundred and fifty dollars (\$250.00).

- (2) Applications for original Small Scale Caregiver Licenses shall be accompanied by an administrative fee of fifty dollars (\$50.00). Applications for renewal of Small Scale Caregiver Licenses shall be accompanied by an administrative fee of forty dollars (\$40.00).

(b) *Appeals fee.* Appeals from determinations of the Permitting and Inspections Department shall be accompanied by a filing fee of twenty-five dollars (\$25.00) and the appellant shall also pay the full cost of publication and postage in advance, if such notice is required. For the purposes of this subsection, notice by publication shall be deemed to apply to the hearing on appeal whenever the requirement of publication would exist in the first instance. Appeals fees shall not be refundable except that, upon a successful appeal, the Permitting and Inspections Department shall credit the appeal fee toward the fee for issuance and shall refund any excess.

(c) *Filing fees.* Whenever any document, other than an application for any license, is required or permitted to be filed with the Permitting and Inspections Department in connection with any license, and no fee for such filing is otherwise prescribed, the fee for filing such document shall be two dollars (\$2.00) for the first page, and one dollar (\$1.00) for each page thereafter. Filing fees shall not be refundable.

(d) *Fees for issuance.* Fees for issuance of licenses shall be as provided in section 15-12. Fees for issuance shall be refundable in the amounts, and under the conditions, as set forth in a policy adopted by the Permitting and Inspections Department.

(e) *Late fees.* An additional fee shall be charged for issuance of any license after expiration of the holder's prior license, unless the application for the renewal license was filed prior to such expiration. The additional fee for issuance or renewal of any license applied for after the applicant has commenced the activity, or has permitted the use of the device to be licensed prior to such issuance, shall be ten dollars (\$10.00) or five (5) percent per month of the fee for issuance, whichever is greater, but shall not exceed the fee specified in this chapter for issuance of that license. Late fees shall not be refundable.

(f) *Proration.* The fee for issuance of an original license, unless issued late as provided in subsection (e), and which is issuable on an annual basis, but which when issued will not give the licensee twelve (12) full months use prior to expiration, shall be reduced by ten (10) percent for each full month that licensee will not have the use of the license, but in no case shall the license fee be reduced by more than fifty (50) percent. Notwithstanding the foregoing, there shall be no proration of the fee for excavators' licenses issued pursuant to chapter 25, article VII of this Code.

(g) *Fees to be cumulative.* Fees provided for in this section shall be deemed cumulative and shall be in addition to any other fee or fees required for the issuance of any permit under section 15-12. Where a maximum license fee is established by the state, the fees set by this chapter shall be deemed cumulative to the extent of such maximum fee.

(h) *Refunds where activity subsequently prohibited.* If, during the unexpired term of the license, a licensed activity is subsequently prohibited by amendment to this Code, the Permitting and Inspections Department shall refund to the licensee a portion of the license fee in accordance with the formula for proration of fees set forth in section 15-6(f).

(Code 1968, § 901, 6; Ord. No. 231-80, § 901.6, 12-22-80; Ord. No. 554-81, § 901.6, 3-2-81; Ord. No. 40-82, 6-21-82; Ord. No. 554-85, 5-14-85; Ord. No. 210-85, § 1, 10-21-85; Ord. No. 30-87, 7-6-87; Ord. No. 424-89, 5-15-89; Ord. No. 247-04/05, 5-16-05; Ord. No. 224-09/10, 5-17-10; Ord. No. 203-11/12, 6-4-12; Ord. No. 165-15/16, 3-7-2016; Ord. 18-17/18, 8-21-2017)

Sec. 15-7. Investigation of applicant.

(a) Upon receipt of an application for any license or permit, other than a renewal application substantially identical to the original application, the Permitting and Inspections Department shall inquire of other city departments, as appropriate, for comments as to whether a license may be granted consistently with the provisions of the laws and ordinances enforced by such departments. In all appropriate cases, the building authority shall verify that the premises to be used for the proposed activity comply with the building code, electrical code, plumbing code and zoning ordinance, and if applicable, state junkyard screening law; the health authority shall cause inspections to be made of the proposed location of any premises dispensing food or liquor; the fire chief shall cause inspection to be made for the purpose of determining if city ordinances, a state law, or state regulations

concerning fire and safety have been complied with; and if the license is not issuable to any class of persons, the police chief shall cause an investigation to be made of the principal officers or persons to be licensed. All such persons shall report to the Permitting and Inspections Department in writing, and copies of any such report shall be deemed a public record.

(b) Whenever a criminal background check is done prior to issuance of a license, any cost of such background check which is charged to the City by another agency shall be added to the fees to be paid by the applicant.

(Code 1968, § 901.7; Ord. No. 231-80, 12-22-80; Ord. No. 115-84, § 1, 8-6-84; Ord. No. 247-02/03, 5-19-03; Ord. No. 165-15/16, 3-7-2016; Ord. 18-17/18, 8-21-2017)

Sec. 15-8. Standards for denial, suspension or revocation.

(a) *Grounds.* In addition to any other specific provision of this Code authorizing such action, a license or permit may be denied, suspended or revoked upon a determination of the existence of one (1) or more of the following grounds:

- (1) Failure to fully complete the application forms; knowingly making an incorrect statement of a material nature on such form; or failure to supply any additional documentation required or reasonably necessary to determine whether such license is issuable, or failure to pay any fee required hereunder;
- (2) The licensed activity, or persons on the premises for the purpose of participating in the licensed activity, or persons patronizing the licensed device have caused one (1) or more breaches of the peace; or
- (3) There is a clear danger that a breach of the peace will occur if the licensed activity is permitted; or
- (4) The licensed activity or persons patronizing the licensed premises will substantially and adversely affect the peace and quiet of the neighborhood, whether or not residential, or any substantial portion thereof;
- (5) The licensee has violated any provision of this Code in the course of the conduct of the activity or device for which the license or licenses have been applied for, or have been issued; or

- (6) The occurrence of any event subsequent to issuance of the license which event would have been a basis for denial of the license shall be grounds for revocation thereof; or
- (7) The applicant's or licensee's real or personal property taxes, or final judgments due and payable to the city, are determined to be in arrears as of the date of the license or application; or that real or personal property taxes or final judgments due and payable to the city on account of the premises for which application has been made or a license issued have not been paid in full as of the date of the license or application. Real or personal property taxes or final judgments that are less than thirty (30) days past due at the time of the license or permit application, that are less than \$500.00, or that are determined by the City Manager of his or her designee to not be owed as per §2-203(f) shall not be considered in arrears for purposes of this section.

(b) *Hearings.*

- (1) Except as expressly provided in this Code, no license to which this chapter applies may be revoked or suspended without prior notice to the licensee, and after a hearing.
- (2) In the case of the suspension or revocation of a license, a hearing shall be given to the licensee and a generalized statement of the nature of the complaint constituting the basis for the proposed action shall be included in the notice of hearing. Unexcused failure of licensee to appear at the hearing shall be deemed a waiver of the rights to said hearing.
- (3) Upon a determination that immediate and irreparable harm will be suffered by the public prior to the time that a hearing on suspension or revocation of a license can be scheduled and a finding of probable cause for such suspension or revocation, the Permitting and Inspections Department may suspend a license, pending hearing, effective upon the giving of actual notice to the licensee; provided that the Permitting and Inspections Department shall give an opportunity to be heard as soon as practicable thereafter. At any hearing, the licensee shall be given the opportunity to answer the complaint

and to present evidence. The complainant shall also be notified of the hearing and given the opportunity to be heard.

- (4) All suspensions or revocations shall be upon substantial evidence and all hearings shall be conducted with substantial fairness and strict adherence to the rules of evidence shall not be required.
- (5) All hearings on suspension or revocation of licenses shall be held within thirty (30) days of delivery to licensee of the generalized statement of complaint.

(c) *Abandoned licenses.* The applicant shall pay the issuance fee and obtain any license from the Permitting and Inspections Department within thirty (30) days after it has been approved by the Permitting and Inspections Department. Upon failure to pay the issuance fee and obtain the license within said thirty-day period, the approval shall be void and the application deemed abandoned. For good cause shown, the Permitting and Inspections Department may extend the thirty-day period provided such extension does not result in the issuance of the license being delayed more than one hundred eighty (180) days from its approval by the Permitting and Inspections Department.

(Code 1968, § 901.8; Ord. No. 231-80, 12-22-80; Ord. No. 291-83, 12-5-83; Ord. No. 562-84, §§ 4, 5, 4-23-84; Ord. No. 196-88, 11-7-88; Ord. No. 165-15/16, 3-7-2016; Ord. 18-17/18, 8-21-2017; Ord. No. 220-17/18, 6-4-2018)

Sec. 15-9. Appeals.

(a) *Procedure.* An appeal to the city manager may be taken by any person aggrieved by the denial, suspension or revocation of a license by the Permitting and Inspections Department by filing a notice of appeal and the prescribed fee with the city manager within thirty (30) days of the decision appealed from, and not thereafter. Every appeal should be in writing and shall state the basis for the appeal. Within two (2) business days of the filing of an appeal, the city manager shall designate himself or any agent or employee to act as hearing designee in the appeal. The hearing designee shall hear the appeal within ten (10) business days after the filing of the appeal and may affirm, reverse or modify the decision appealed from. The taking of an appeal shall not stay a decision appealed from, except that at the request of the licensee, the Permitting and Inspections Department may stay the effective date of a suspension, revocation or denial of a renewal license upon a finding that the public is not likely to suffer any harm

during the pendency of the appeal. In such case, the Permitting and Inspections Department shall make a written finding of his or her decision in this regard and shall notify the appellant.

(b) *Scope of review.* On appeal, the hearing officer shall review the decision of the Permitting and Inspections Department and any disciplinary action taken pursuant thereto to determine whether the decision was based upon substantial evidence and the disciplinary action taken was proportionate to the violation. The hearing officer may take additional evidence with respect to such decision or action and if additional testimony or evidence is taken shall determine the appeal upon all of the evidence, except as provided in this section.

(c) *Appeal to the superior court.* Any person aggrieved by a decision of a hearing officer on appeal may appeal therefrom to the superior court in accordance with the provisions of Maine Rule of Civil Procedure 80B.

(Code 1968, § 901.9; Ord. No. 231-80, 12-22-80; Ord. No. 562-84, § 6, 4-23-84; Ord. No. 182-84, 9-24-84; Ord. No. 165-15/16, 3-7-2016; Ord. 18-17/18, 8-21-2017)

Sec. 15-10. Notices of hearing.

(a) *Content.* Whenever a public hearing is required, the Permitting and Inspections Department shall give notice of the time and place of the hearing, the type of license involved, and the nature of the hearing, and the address or location of the property involved.

(b) *Service.* Except as expressly provided, whenever notice by mail is required, such notice shall be mailed by regular United States mail at least ten (10) days in advance of the hearing date. When notice by publication is required, such notice shall be published in a newspaper of general circulation in the city at least once, not more than thirty (30), nor less than seven (7) days before the date of the hearing. Where notice to abutters is required, all owners or occupants of property within five hundred (500) feet of such parcel or tract shall be deemed to be abutters, and service shall be made by ordinary mail at least seven (7) days before the date of the hearing. In the case of abutters, the owners and occupants of property listed in the assessor's records on the last tax date prior thereto, shall be deemed to be the persons to whom notice is to be given. The Permitting and Inspections Department shall take reasonable measures to notify renters in close proximity.

(c) *Notice requirements not mandatory.* Failure of any person other than the applicant or licensee to receive a notice of the public hearing shall not necessitate another hearing and shall not invalidate any action taken as a result thereof, except as otherwise expressly provided by law.

(Code 1968, § 901.10; Ord. No. 231-80, 12-2-80; Ord. No. 165-15/16, 3-7-2016; Ord. 18-17/18, 8-21-2017)

Sec. 15-11. License not to be transferable.

(a) No license shall be transferred to any person, to any location, or to any other vehicle or device, and no license fee shall be refunded if the licensed activity is ceased prior to the expiration of the license. All purported transfers not in accordance with this section are void. A license shall be deemed the subject of an attempted transfer whenever there is a sale of the business, vehicle or device, or where there is a change in actual ownership interest. Upon any such event, the licensee shall immediately surrender the license to the Permitting and Inspections Department; except that, in the case of death, bankruptcy or receivership of any licensee, the duly appointed executor or administrator of the deceased licensee or the duly appointed trustee or receiver of the bankrupted licensee or licensee receivership may retain the license and operate under the same for the benefit of the estate with the written permission and approval of the Permitting and Inspections Department until such time as such operation is no longer needed to benefit the estate. Thereafter, such personal representatives, receivers, or trustees shall either return the license to the Permitting and Inspections Department or transfer same to any other person, under order of the court having jurisdiction and upon written notice to the Permitting and Inspections Department. In the interim, between the death of the licensee and the appointment of an executor or administrator, or in cases where no administration of the estate of a deceased licensee is contemplated, the widow or widower or person designated by all of the heirs of the deceased licensee may take over the license upon written notice to the Permitting and Inspections Department. Duly appointed and qualified guardians and conservators of the estate of a licensee may retain the license of their ward during the term of office upon written notice to the Permitting and Inspections Department.

(b) In all cases arising out of this section in which the Permitting and Inspections Department is required to determine the identity or composition of or ownership interests in an applicant or licensee, or to determine whether a transfer of an ownership

interest in an applicant or licensee has taken place, he shall look to the substance rather than the form of transactions and any person aggrieved may appeal the Permitting and Inspections Department's determination to the city manager.
(Code 1968, § 901.11; Ord. No. 231-80, 12-22-80; Ord. No. 562-84, § 7, 4-23-84; Ord. No. 165-15/16, 3-7-2016; Ord. 18-17/18, 8-21-2017)

Sec. 15-12. Fees and expiration dates.

(a) Unless specified elsewhere in this Code, fees for licenses issued pursuant to this Code and the expiration date of each license shall be as follows:

Location in Code	Description	Fee	Expiration Date
Ch. 3, Art. II	Bottle clubs (must obtain FSE and entertainment if applicable)	\$940.00	June 30
Ch. 3, Art. III	Brewery, Winery and On-Premises Consumption Distillery License (must obtain FSE and/or entertainment if applicable)	\$525.00	Concurrent with state liquor license
Ch. 3, Art. III	Small Brewery, Winery and Distillery Manufacturing License	\$250.00	Effective November 1, 2019; Concurrent with state liquor license
Ch. 3, Art. III	Large Brewery, Winery and Distillery Manufacturing License	\$2,000	Effective November 1, 2019; Concurrent with state liquor license

Location in Code	Description	Fee	Expiration Date
Ch. 4, Art. II	Amusement devices (other than adult amusements), per device	\$153.00 for up to 25 and all additional @ \$10.00 per device	Twelve months or concurrent with state liquor license or with any city license
	Adult amusement devices, per location	\$978.00	Twelve months or concurrent with state liquor license or with any city license
Ch. 4, Art. III	Entertainment:		
	Single Entertainment Event - Private Property	\$50	Per event
	Single Entertainment Event - Public Property	\$50	Per event
	Indoor Entertainment	\$500	12 months or concurrent with state liquor license or any city license
	Outdoor Entertainment	\$700	12 months or concurrent with state liquor license or any city license
	Combined Entertainment	\$800	12 months or concurrent with state liquor license or any city license
	Sound Mitigation Review Fee	\$150	Per sound mitigation plan

Location in Code	Description	Fee	Expiration Date
	Expanded Entertainment Addendum	\$100	Per event
Ch. 4, Art. IV	Gaming:		
	Beano	\$104.00	December 31
	Games of chance (application fee pursuant to section 15-6 only)		
Ch. 4, Art. V	Nudity in licensed businesses	\$1,474.00	June 30
Ch. 11, Art. II	Food service establishments (FSE):		
	Temporary FSE:		
	a. Unopened prepackaged food	\$93.00	Three months
	b. Opened or nonprepackaged food	\$93.00	Per event not to exceed two weeks
	Mobile FSE (Chapter 19) a. pushcarts	\$322.00	March 31
	b. Food Trucks	\$546.00	March 31

Location in Code	Description	Fee	Expiration Date
	Street vendor cooler storage space - maximum of 7 sq. ft.	\$38.00 per 3.5 sq. ft. of space	March 31
	FSE-No food preparation on premises	\$181.00	January 31
	FSE-With preparation limited to hot <u>non-</u> <u>alcoholic</u> beverages only	\$ 142 <u>230</u> .00	January 31
	FSE-With beer and wine take out	\$415.00	January 31
	FSE/Commissary - Food preparation on premises	\$459.00	January 31
	Marijuana Food Processing Establishment	\$459.00	Concurrent with marijuana license
	FSE's with liquor:		
	FSE-Class A lounge (Class X)	\$2,774.00	Concurrent with state liquor license
	FSE-Class A restaurant (Class I)	\$1,873.00	Concurrent with state liquor license
	FSE-Hotel (Class IA)		
	FSE-Class A restaurant/lounge (Class XI)	\$2,326.00	Concurrent with state liquor license

Location in Code	Description	Fee	Expiration Date
	FSE-Qualified catering service (Class I)	\$1,873.00	Concurrent with state liquor license
	Innholder-15 rooms or less	\$1,436.00	Concurrent with state liquor license
	Innholder-16 to 40 rooms	\$1,928.00	Concurrent with state liquor license
	Innholder-more than 40 rooms	\$2,239.00	Concurrent with state liquor license
	FSE-Spirituious license (Class II)	\$611.00	Concurrent with state liquor license
	FSE-Vinous license (Class III)	\$410.00	Concurrent with state liquor license
	FSE-Malt license (Class IV)	\$824.00	Concurrent with state liquor license
	FSE-Malt and vinous license (Classes III and IV combined)	\$906.00	Concurrent with state liquor license
	FSE-Nonprofit club (Class IV with catering or Class V without catering)	\$737.00	Concurrent with state liquor license

Location in Code	Description	Fee	Expiration Date
	FSE-Liquor catering	\$33.00	Per event
	FSE-Temporary (bona fide nonprofit organization) with any spirituous, vinous or malt license and special entertainment	\$65.00	Per 2-day period
	FSE-Auditorium	\$584.00	Concurrent with State Liquor License
	FSE-Civic Auditorium	\$1,851.00	Concurrent with State Liquor License
Ch. 12, Art. VII	Operation of rendering facilities	263.00	September 30
Ch. 16	Massage establishment	\$65.00	September 30
	Combined massage establishment/massage therapist	\$55.00	
	Massage therapist	\$38.00	
	Conditional massage therapist	\$38.00	
Ch. 19, Art. II	Night Street Vendor (must also obtain FSE and street vendor)	\$218.00	
Ch. 19, Art. III	Transient sellers	\$109.00	December 31
Ch. 21	Farmers' Markets on private property	\$26 per vendor	March 31

Location in Code	Description	Fee	Expiration Date
Ch. 23, Art. II	Flea market seller	\$22.00	Last day of February
	Flea market Operator	\$55.00 \$246.00	Per day Annual/March 1st
	Secondhand dealer, junk dealer, pawnbroker ¹ (including used cars)	\$153.00	December 31
	Junk collector	\$26.00	December 31
Ch. 28, Art. IV	Wreckers and vehicle towing	\$278.00	June 30
Ch. 28, Art. VII	Valet Parking	\$ 2 7 3 . 0 0 p e r l o c a t i o n	Twelve months
	Valet Parking Special Event Permit	\$64.00	
Ch. 28, Art. VIII	Licensing of Booting of Motor Vehicles	\$105.00	October 31
Ch. 30, Art. II	Taxicabs and liveries:		
	Taxicab business license	315.00	April 30
	Livery business license	315.00	April 30
	Taxicab driver's license	79.00	April 30

¹ Reflects city practice for junk dealers and pawnbrokers.
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Location in Code	Description	Fee	Expiration Date
	Taxi Replacement license	11.00	
	Livery driver's license	21.00	April 30
	Livery replacement license	11.00	
Ch. 30, Art. III	Horse-drawn cabs	210.00, plus 21.00 per driver	April 30
Ch. 30, Art. IV	Bicycle cabs	105.00, plus 21.00 per driver	April 30
Ch.30, Art. V	Tour companies	315.00, plus 32.00 per vehicle/operator operator	April 30
Ch. 35	Marijuana Cultivation - Tier 1	500.00	Twelve months/concurrent with state license
	Marijuana Cultivation - Tier 2	5,000.00	Twelve months/concurrent with state license
	Marijuana Cultivation - Tier 3	10,000.00	Twelve months/concurrent with state license
	Manufacturing - manual	2,500.00	Twelve months/concurrent with state license
	Manufacturing - high hazard	5,000.00	Twelve months/concurrent with state license

Location in Code	Description	Fee	Expiration Date
	Retail Marijuana - medical	5,000.00	Twelve months
	Retail Marijuana - adult use	10,000	Twelve months/concurrent with state license
	Small Scale Marijuana Caregiver	250.00	Twelve months
	Marijuana Testing	1,000.00	Twelve months/concurrent with state license

(b) Fees for licenses to be established by the city pursuant to state law shall be as follows:

Description	Fee	Expiration Date
Amusements, including images; pageantry; sleight of hand tricks; puppet shows; feats of balancing; wire dancing; personal agility; or dexterity	\$22.00	Per day
Billiards or pool, per table	\$33.00	Twelve months or concurrent with state liquor license or with any city license
Bowling alley, per establishment	\$92.00	April 30
Circus	\$181.00	Per day

Description	Fee	Expiration Date
Circus (bona fide nonprofit organization)	\$27.00	Per day
Going-out-of-business sale	\$104.00	--
Menageries	\$22.00	Per day
Motion picture theatres (other than open-air drive-in) operating more than six (6) months:		
Seating capacity 999 or less, per screen	\$295.00	June 30
Seating capacity 1,000 or more, per screen	\$486.00	June 30
Temporary--One (1) week or less	\$33.00	One week
Temporary--More than one (1) week but less than two (2) months	\$49.00	Two months
Temporary--More than two (2) months but less than six (6) months	\$77.00	Six months
Roller skating rink	\$164.00	June 30

(Code 1968, §§ 302.6, 414.1, 414.5, 712.2, 714.6, 714.7, 901.12; Ord. No. 391-72, 7-5-72; Ord. No. 201-74, 4-17-74; Ord. No. 645a-75, 11-17-75; Ord. No. 231-80, 12-22-80; Ord. No. 553-81, § 1, 3-2-81; Ord. No. 554-81, 3-2-81; Ord. No. 576-81, § 2, 3-16-81; Ord. No. 694-81, 5-18-81; Ord. No. 82-81, § 1, 7-6-81; Ord. No. 392-82, 2-1-82; Ord. No. 564-82, 5-17-82; Ord. No. 565-82, 5-17-82; Ord. No. 566-82, 5-17-82; Ord. No. 510-84, § 1, 4-2-84; Ord. No. 591, 5-21-84; Ord. No. 658-84, 5-30-84; Ord. No. 431-85, § 3, 2-20-85; Ord. No. 554-85, 5-14-85; Ord. No. 212-85, §§ 1, 2, 10-21-85; Ord. No. 116-86, § 1, 3-3-86; Ord. No. 551-86, 5-12-86; Ord. No. 189-87, § 2, 12-7-87; Ord. No. 386-88, 5-16-88; Ord. No. 425-89, 5-15-89; Ord. No. 29-89, 6-19-89; Ord. No. 258-90, 2-21-90; Ord. No.

351-90, 5-21-90; Ord. No. 264-91, 3-4-91; Ord. No. 358-91, 5-20-91; Ord. No. 183-91, 12-2-91; Ord. No. 175-92, 3-16-92; Ord. No. 245-93, 3-22-93; Ord. No. 83-93, § 1, 9-8-93; Ord. No. 94-93, 9-20-93; Ord. No. 221-94, § 2, 2-23-94; Ord. No. 314-94, 5-16-94; Ord. No. 229-95, 4-3-95; Ord. No. 34-95, 7-5-95; Ord. No. 264-96, § 1, 5-20-96; Ord. No. 128-98, 10-19-98; Ord. No. 282-99, §2, 5-17-99; Ord. No. 228-00, §1, 5-15-00; Ord. No. 276-01, 5-21-01; Ord. No. 277-01, 5-21-01; Ord. No. 119-01/02, § 6, 12-3-01; Ord. No. 258-01/02, 5-20-02; Ord. No. 260-01/02, 5-20-02; Ord. No. 246-02/03, 5-19-03; Ord. No. 248-02/03, 5-19-03; Ord. No. 180-03/04, 4-7-04; Ord. No. 217-03/04, 5-17-04; Ord. No. 68-04/05, 10-4-04; Ord. No. 247-04/05, 5-16-05; Ord. No. 245-05/06, 5-15-06; Ord. No. 227-06/07, 5-21-07; Ord. No. 196-07/08, 4-28-08; Ord. No. 246, 07-08, 5-19-08; Ord. No. 224-09/10, 5-17-10; Ord. No. 229-12/13, 5-20-13; Ord. No. 159-12/13, 4-22-13; Ord. 52-14/15, 9-15-2014;)Ord. 246-14/15, 6-24-2015; Ord. 109-15/16, 11-16-2015; Ord. 181-15/16, 3-21-2016; Ord. 180-15/16, 3-21-2016; Ord. 18-17/18, 8-21-2017; Ord. No. 111-17/18, 11-20-2017; Ord. No. 218-17/18, 5-21-2018; Ord. No. 244, 5-20-2019; Ord. No. 285-19/20, 7-15-2019; Ord. No. 25-19/20, 8-12-2019; Ord. No. 166-19/20, 5-18-2020; Ord. No. 152-19/20, 10-5-2020; Ord. No. 74-21/22, on 10-18-2021, retroactive to 9/13/2021)

Sec. 15-12.1. Waiver of fees.

The city council may, in its discretion, waive or reduce any fee required of any nonprofit organization where the council determines that the purpose of the licensed activity or the funds to be raised by the activity are of direct benefit to the citizens of the city. Additionally, the Permitting and Inspections Department may waive or reduce the fee required of the nonprofit organization for a temporary food service establishment license when the organization demonstrates that it will retain 100 percent of the proceeds of the temporary sale of food.

(Ord. No. 527-82, 5-3-82; Ord. No. 230-12/13, 5-20-13; Ord. No. 165-15/16, 3-7-2016; Ord. 18-17/18, 8-21-2017)

Editor's note--Ord. No. 527-82, adopted May 3, 1982, added a new § 901.12A to the 1968 Code, which provisions, at the discretion of the editor, have been codified as § 15-12.1 of this Code.

Sec. 15-13. Supplementation of applications.

Whenever a license is in effect, the licensee shall be responsible for notifying the Permitting and Inspections Department in writing of any material change in facts set forth in the application for any license held from the city within seven (7) days thereafter. Failure to comply with this requirement shall be a violation of this chapter.

(Code 1968, § 901.13; Ord. No. 231-80, 12-22-80; Ord. No. 165-15/16, 3-7-2016; Ord. 18-17/18, 8-21-2017)

Sec. 15-14. Violations.

In addition to any action which may be taken by the Permitting and Inspections Department or the city council with respect to the suspension or revocation of a license:

(a) Violation of this chapter, or of any licensing provisions of the city governed by this chapter, or of any rule made pursuant thereto shall be a civil violation subject to the penalties of section 1-15; and

(b) The Permitting and Inspections Department is authorized to institute, or cause to be instituted by the corporation counsel, in the name of the city, any and all actions, legal or equitable, that may be appropriate or necessary for the enforcement of the provisions of this article.

(Code 1968, § 901.14; Ord. No. 231-80, 12-22-80; Ord. No. 165-15/16, 3-7-2016; Ord. 18-17/18, 8-21-2017)

Sec. 15-14.5. Inspections.

(a) A licensee must allow any city official who is on duty access to the licensed premises at the same times and in the same manner as access is allowed to the public except that no entry fee may be charged.

(b) A licensee must also allow access to the licensed premises to any city official authorized to determine compliance with federal, state or city law at any reasonable time, including any time that access is allowed to the public.

(c) A violation of this section is grounds for license nonrenewal, suspension, or revocation, in addition to any other penalties authorized by this Code.

(Ord. No. 27-96, 7-15-96)

Editor's note--Ord. No. 27-96, passed Jul. 15, 1996, amended this Code by adding provisions to be included as § 15-15. Such provisions have been redesignated as § 15-14.5 at the discretion of the editor, inasmuch as other provisions were previously codified as § 15-15.

ARTICLE II. RESERVED*

***Editor's note**--Ord. No. 129-98, adopted Oct. 19, 1998, repealed Art. II, Divs. 1 and 2, §§ 15-15--15-20, relative to moratorium on liquor licenses, which derived from Ord. No. 325-92, §§ 1--3, adopted Apr. 23, 1992; Ord. No. 116-92, adopted Oct. 5, 1992; Ord. No. 103-95, adopted Nov. 6, 1995; and Ord.

No. 222-96, adopted May 6, 1996.

Sec. 15-15. Reserved.
Sec. 15-16. Reserved.
Sec. 15-17. Reserved.
Sec. 15-18. Reserved.
Sec. 15-19. Reserved.
Sec. 15-20. Reserved.

ARTICLE III. STATE LIQUOR LICENSES AND SPECIAL ENTERTAINMENT LICENSES

DIVISION 1. RENEWALS.

Sec. 15-21. Renewal hearings for state liquor licenses or name changes.

The City License Administrator is authorized to approve the renewal of State liquor licenses, name changes, or any changes in license classification other than a change allowing the sale of spirituous alcohol, without holding a hearing, unless the License Administrator determines that hearing is necessary, or has received a request from a member of the City Council or a City official for a hearing on a specific application. Hearings shall be held by the City Council.

(Ord. No. 146-96, 1-17-96; Ord. No. 98-03/04, 11-17-03; Ord. No. 285-19/20, 7-15-2019)

Sec. 15-22. Reserved.
Sec. 15-23. Reserved.
Sec. 15-24. Reserved.
Sec. 15-25. Reserved.
Sec. 15-26. Reserved.
Sec. 15-27. Reserved.
Sec. 15-28. Reserved.
Sec. 15-29. Reserved.
Sec. 15-30. Reserved.

***Editor's note-** Pursuant to Council Order 81-09/10, passed on October 19, 2009 repealed Article IV in its entirety and was replaced with Division 2 (Site restriction) and Division 3 (Training requirements).

DIVISION 2. SITE RESTRICTION.

Sec. 15-31. Site restrictions.

The City License Examiner shall not accept an application for a State liquor license of any type for a business that will be located on premises that are the same, or substantially the same, as premises that held a business for which a liquor license of any type was not renewed, for a period of one hundred and eighty (180) days following the later of the date of the non-renewal, or the date of a final decision in any appeal of the non-renewal. Any premises containing some but not all of the original premises shall be considered substantially the same as the original premises.

(Ord. No. 152-03/04, 2-23-04; Ord. No. 81-09/10, 10-19-09)

Sec. 15-32. Reserved.

Sec. 15-33. Reserved.

Sec. 15-34. Reserved.

Sec. 15-35. Reserved.

Sec. 15-36. Reserved.

Sec. 15-37. Reserved.

Sec. 15-38. Reserved.

Sec. 15-39. Reserved.

Sec. 15-40. Reserved.

DIVISION 3. TRAINING REQUIREMENTS

Sec. 15-41. Training requirements for individuals who serve alcohol.

Individuals who serve alcoholic beverages pursuant to a liquor license that allows the service of alcohol for consumption on the premises must complete a server training program certified by the state bureau of liquor enforcement no later than September 1, 2010, or within ninety (90) days of the commencement of his or her employment with a licensee if said employment begins within ninety (90) days of September 1, 2010 or thereafter.

(Ord. No. 81-09/10, 10-19-09)

Sec. 15-42. Record keeping.

Liquor licensees whose license allows the service of alcohol for consumption on the premises shall maintain on the licensed premises, or in the case of a caterer at the principle place of

business, written records of the server training programs completed by individuals who serve alcohol and shall produce those records upon request by the city license administrator, a member of the Portland police department, or an agent of the state bureau of liquor enforcement.
(Ord. No. 81-09/10, 10-19-09)

Sec. 15-43. Failure to meet training requirements.

Failure to meet the training requirement imposed by section 15-41 may result in the denial of a liquor license pursuant to 28-A M.R.S.A. §653(2)(G).
(Ord. NO. 81-09/10, 10-19-09)

CHAPTER 35.

CHAPTER 35. MARIJUANA BUSINESSES.

- Art. I. Temporary Adult Use Marijuana Testing Licenses, §35-1**
- Art. II. Administrative Provisions, §35-2 - 35-7**
- Art. III. Regulation of Marijuana Businesses**
 - Div. 1. Applicability §35-8 - 35-11**
 - Div. 2. General License Requirements, §35-12 - 35-23**
 - Div. 3. Specific License Requirements, §35-24 - 35-31**
 - Div. 4. Performance Standards, §35-32 - 35-46**

ARTICLE I. TEMPORARY ADULT USE MARIJUANA TESTING LICENSES

35-1. Temporary Adult Use Marijuana Testing License.

(a) An adult use marijuana testing facility may apply for a temporary license to conduct business so long as all of the following criteria are met:

1. The applicant has received a conditional license from the State of Maine;
2. The testing facility has received site plan approval and/or a building permit for either an adult use or medical marijuana testing facility;
3. The applicant has designated an emergency contact who is available to respond to all emergency contacts by the City within one hour and to non-emergency contact by the City within 24 hours;
4. The facility will have security features sufficient to prevent the diversion of marijuana and marijuana products, and to protect the health and safety of owner, patrons, City officials, and the public;
5. The facility will have waste disposal measures sufficient to prevent diversion of marijuana or marijuana product, and to prevent contamination of land, water, and sewer;

6. The facility will mitigate odor in such a manner so as to eliminate the smell of marijuana at the property boundary or at any adjoining use of the property, whichever is closer;
7. The applicant has provided a floor plan for the facility;
8. The applicant has provided an operations plan for the facility; and
9. The applicant has disclosed all chemicals, solvents, and similar substances to be used in the facility.

(b) Except as otherwise provided in this section, the provisions of Chapter 15 shall apply to all licenses applied for and issued under this Section.

(c) Any temporary license granted under this section will expire six months after the effective date of an ordinance that provides for full licensing of adult use marijuana testing facilities. After the expiration of any temporary license, a testing facility must cease operations unless and until it obtains a full license under the relevant ordinance. The granting of a temporary license under this section shall not automatically entitle an adult use marijuana testing facility to a full license, and an adult use marijuana testing facility must meet all requirements of the relevant ordinance.

(d) Applicants for a temporary license shall pay a \$500 application fee. If the applicant subsequently applies for a full license within the same twelve-month period, the application fee for the full license shall be waived, but the applicant shall be required to pay the licensing fee. Any full license will be dated back to the initial date of the temporary license.

(e) This section will expire six months after the effective date of an ordinance that provides for licensing of adult use marijuana testing facilities.

(Ord. No. 162-19/20, 4-27-2020)

ARTICLE II. ADMINISTRATIVE PROVISIONS

35-2. Definitions.

Except as otherwise specified, the definitions in Chapter 14 shall apply to this Chapter.

Disqualifying conviction shall mean any of the following: (1) any felony conviction where the conviction or completion of any sentence, whichever is more recent, has been completed within the last ten years; or (2) any conviction for a drug related crime other than a felony, but not including convictions for marijuana related crimes, where the conviction or completion of any sentence, whichever is more recent, has been completed within the last five years.

Disqualifying violation shall mean, within the previous five years, the non-payment or late payment greater than 30 days of any tax or fee on more than one occasion; any citation for licensing, land use, life safety, building, fire, health, or similar violation that was not corrected within the timeframe required by the City; any suspension, revocation, or denial of any license or permit; any false statement on a City form or application; and any other significant failure to comply with City ordinances. Disqualifying violations shall not include parking tickets. Disqualifying violations shall not include late payments greater than 30 days of any taxes or fees that occurred during the period of the COVID-19 pandemic between March 30, 2020 and September 30, 2020 provided that all outstanding balances have been paid in full by October 16, 2020.

Manual processing shall include the extraction, processing, or manufacturing of marijuana using only mechanical methods that do not involve the use of chemicals or solvents other than water or ice; and the infusion of marijuana in typical cooking fats and food additives.

Marijuana means the leaves, stems, flowers and seeds of a marijuana plant, whether growing or not. "Marijuana" includes marijuana concentrate but does not include hemp as defined in 7 M.R.S. §2231(1), or a marijuana product.

Marijuana business shall mean any individual or entity cultivating, harvesting, manufacturing, processing, testing, selling or transferring, delivering, or otherwise engaging in any activity with respect to marijuana for profit within the City.

This shall include registered dispensaries, but shall not include (1) individuals cultivating and processing marijuana for their personal consumption; or (2) caregivers who are not required to be registered pursuant to 22 M.R.S. Chapter 558-C.

Mobile sales shall include sales directly from motor vehicles or vessels, tours, catering, or temporary off-site sales (including but not limited to "pop-up" events, farmer's markets, fairs, festivals, concerts, trade shows, or similar). Mobile sales shall not mean authorized deliveries from licensed businesses.

(Ord. No. 166-19/20, 5-18-2020; Ord. No. 108-20/21, effective 7-1-2020; Ord. No. 44-23/24, 10-16-2023)

35-3. Enforcement.

(a) This Chapter shall be enforced by the City Manager and his/her designee(s).

(b) Each day that a violation of this Chapter exists shall be a civil violation subject to the following:

1. *Civil penalties.* Each violation of this Chapter shall be subject to civil penalties in the minimum amount of \$100 and the maximum amount of \$2,500 per day that the violation has existed. However, the maximum amount of civil penalties may be increased where:
 - a. There has been a previous violation or judgment against the same party within the past two years for a violation of this Article, except that the maximum civil penalties may not exceed \$25,000 per day; or
 - b. The economic benefit resulting from the violation exceeds the applicable penalties, except that the maximum civil penalty may not exceed an amount equal to twice the economic benefit resulting from the violation.
2. *Posting against occupancy.* In addition to any other remedies provided by this Code, the City may take all necessary steps to immediately shut down any marijuana business and post the business and the space that it occupies against occupancy for any of the following violations:
 - a. Operating a marijuana business without a valid City and state license;

- b. Failure to allow entrance and inspection to any City official on official business after a reasonable request;
- c. Allowing the use or consumption of marijuana or marijuana products on the premises of the marijuana business; and
- d. Any other violation that the City determines has the potential to threaten the health and/or safety of the public, including significant fire and life safety violations.

(c) The City Manager or his/her designee is authorized to cause to be instituted by the corporation counsel, in the name of the City, any and all actions, legal or equitable, that may be appropriate or necessary for the enforcement of the provisions of this Chapter.

(d) If the City is the prevailing party in any legal action to enforce this chapter, the municipality must be awarded reasonable attorney fees, expert witness fees and costs, unless the court finds that special circumstances make the award of these fees and costs unjust.

(Ord. No. 166-19/20, 5-18-2020)

35-4. Appeals.

Appeals of decisions made pursuant to this Chapter shall be as follows:

(a) An appeal from a decision to issue, issue with conditions, deny, or revoke a license pursuant to Article III may be appealed to Superior Court pursuant to M.R. Civ. P. 80B by a party with standing.

(b) An appeal from any notice of violation, suspension, revocation, or similar enforcement action under this Chapter may be appealed to the City Manager or his/her designee by a party with standing within ten business days of the written decision taking such action. An appeal from any decision of the City Manager may be appealed to Superior Court pursuant to M.R. Civ. P. 80B.

(Ord. No. 166-19/20, 5-18-2020)

35-5. Reserved.

35-6. Reserved.

35-7. Reserved.

(Ord. No. 166-19/20, 5-18-2020)

ARTICLE III. REGULATION OF MARIJUANA BUSINESSES

DIVISION 1. APPLICABILITY

35-8. Applicability.

This Article will apply to the operation of any marijuana business, as defined, within the City.

(Ord. No. 166-19/20, 5-18-2020)

35-9. Reserved.

35-10. Reserved.

35-11. Reserved.

(Ord. No. 166-19/20, 5-18-2020)

DIVISION 2. GENERAL LICENSE REQUIREMENTS

35-12. Licensing Requirements.

(a) Chapter 15 to apply. Except as otherwise provided in this Article, the provisions of Chapter 15 shall apply to all licenses applied for and issued under this Article.

(b) Operating without a license prohibited. No individual or entity may operate a marijuana business within the City without first obtaining a license from the City.

(c) Burden of proof. The applicant for any license under this Article bears the burden of proving that all qualifications for licensure have been satisfied.

(d) Current information. Any applicant or licensee must keep all information disclosed in their application current and must notify the City of any change in information within ten business days of any such change.

(e) No vested rights. No person shall have any entitlement or vested right to a license under this Article, and operating a marijuana business is a privilege and not a right in the City.

(f) Licenses not transferable. Licenses issued pursuant to this Article are not transferable. However, retail and dispensary licenses shall be transferable in accordance with Sec. 35-43 until the effective date of federal legislation allowing federally regulated financial institutions to serve marijuana businesses, or

the removal of the cap on marijuana retail stores and dispensaries in Sec. 35-43(i).

(g) Multiple licenses. An individual or entity may hold multiple licenses under this Article, except that an individual or entity may not hold more than one retail and/or dispensary license, or have an interest in an entity that holds more than one retail and/or dispensary license, until after January 1, 2025.

(Ord. No. 166-19/20, 5-18-2020)

35-13. License Types.

The City has established the following license types for marijuana businesses:

(a) Cultivation - Tier 1. A tier 1 marijuana cultivation license shall allow the license holder to cultivate up to 500 sq. ft. of marijuana plant canopy, and to sell harvested, unprocessed marijuana, marijuana plants, or seedlings at wholesale.

(b) Cultivation - Tier 2. A tier 2 marijuana cultivation license shall allow the license holder to cultivate up to 2,000 sq. ft. of marijuana plant canopy, and to sell harvested, unprocessed marijuana, marijuana plants, or seedlings at wholesale.

(c) Cultivation - Tier 3. A tier 3 marijuana cultivation license shall allow the license holder to cultivate more than 2,000 sq. ft. of marijuana plant canopy, and to sell harvested, unprocessed marijuana, marijuana plants, or seedlings at wholesale.

(d) Dispensary. A dispensary license shall allow a registered dispensary to sell marijuana in accordance with Title 22, Chapter 558-C of the Maine Revised Statute.

(e) Manufacturing - Manual. A manual manufacturing license shall allow the license holder to manufacture marijuana using manual processing only.

(f) Manufacturing - High Hazard. A high hazard manufacturing license shall allow the license holder to manufacture marijuana using chemicals and solvents in addition to manual processing methods.

(g) Retail - Medical. A medical marijuana retail license shall allow a registered caregiver to sell marijuana in accordance with Title 22, Chapter 558-C of the Maine Revised Statutes.

(h) Retail - Adult Use. An adult use marijuana retail license shall allow the license holder to sell adult use marijuana in accordance with Title 28-B of the Maine Revised Statutes.

(i) Small Scale Caregiver. A small scale caregiver license shall allow a registered caregiver to engage in the business of a small scale caregiver, as defined in Chapter 14, including cultivation, manual processing, and limited sales to patients, as defined.

(j) Testing. A marijuana testing license shall allow the license holder to engage in the business of testing medical and/or adult use marijuana for third parties.

(Ord. No. 166-19/20, 5-18-2020)

35-14. Licensing Procedure.

(a) Applications submission. All applications for licenses under this Article shall be submitted to the Business Licensing Office on forms provided by the City, and shall include all required information, attachments, and fees. No application will be considered unless and until it is complete, as determined by the Business Licensing Office.

(b) Review and recommendation by City departments. The following City departments shall review all applications and recommend whether to issue, issue with conditions, or deny the permits applied for.

1. The Permitting and Inspections Department shall review all applications for compliance with this Article, Chapters 6, 14, 10, and 15 of this Code, as applicable, and all other matters within its purview.
2. The Police Department shall review the security plans submitted by each applicant, as well as any disqualifying convictions of the applicant and associated individuals, and all other matters within its purview.
3. The Fire Department shall review all applications as to compliance with Chapter 10 of this Code, other fire and life safety concerns, and all other matters within its purview.
4. Other City staff or departments shall review and provide recommendations on applications as necessary to adequately evaluate the applications.

(c) Hiring of third party professionals. Where the City determines that it is necessary for an applicant to hire a third party professional to complete any portion of the application, the City may require an applicant to hire a professional with qualifications sufficient to satisfy the City.

(d) City consultation with third party experts. Where the City determines that it is necessary for the City to consult with a third party expert on an application or portion of an application, it may do so and charge the costs of that third party expert consultation to the applicant. Before doing so, however, the City shall give notice to the applicant of its determination of need, including the basis for that determination; the third-party that the City proposes to engage; and the estimated fee for the third-party consultation. The applicant shall have the opportunity to provide feedback to the City on its determination before the City engages the third party.

(e) Licensing decisions. Applications for any license shall be granted, granted with conditions, or denied by the City Manager or his/her designee. Conditions may be imposed on any license issued pursuant to this Article, as necessary to protect the health, safety, and welfare of the public.

(f) Allocation of retail licenses. Retail licenses shall be considered as follows:

1. The City Manager shall establish an opening date and a closing date for applications in the initial year in which licenses become available. This shall be considered the First Round of applications for retail licenses.
2. Upon submission of an application for a given round of licensing, the City will perform a completeness review and establish that the applicant has a complete application and meets the minimum qualifications.
 - a. If the application is complete and the applicant meets the minimum qualifications, the City will assign the application a numerical score based on the criteria outlined in subsection (f)(3) below.
 - b. If the application is incomplete, the applicant will be notified of the incompleteness and given one week to correct any incompleteness. If the application is still incomplete after that time,

the City will reject the application. The applicant may reapply, but any second or subsequent application will be treated as a new application.

3. Notwithstanding the cap in Sec. 35-43(i), and the dispersal requirements in Sec. 35-43(h), all qualified applicants who submit a complete application in the First Round of licensing shall be awarded tentative approval for a marijuana retail license. After the First Round, no additional licenses shall be awarded until the number of licensees falls below the cap, and all new licensees must meet the dispersal requirements and all other requirements of this Code.
4. Applicants with the highest point totals shall be chosen first for tentative approval for a license. Where two or more applicants cannot be awarded tentative approval due to either the 100' dispersal requirement, or other limitations in this ordinance, tentative approval will be awarded, as between those two or more applicants, based on a lottery.
5. If the application is tentatively approved, the applicant will have one year from tentative approval to open the retail business, including obtaining all final state and local approvals, building permits and approvals, certificates of occupancy, and any other local approvals or permits necessary to operate. If the applicant fails to meet the one-year deadline, it forfeits its tentative approval. The applicant may reapply, but any second or subsequent application will be treated as a new application. This paragraph shall not be construed to require a licensee to make retail sales.
6. A licensee who has its license revoked, or who fails to timely renew its license, shall forfeit its right to renew its retail license. The licensee may reapply, but any second or subsequent application will be treated as a new application.
7. Licensees who have a medical marijuana retail license may convert to an adult use retail license, so long as they meet the requirements for such license and pay the licensing fees. Licensees who have an adult use retail license may convert to a medical marijuana retail license, so long as they meet the requirements for such

license and pay the licensing fees. A licensee who chooses to convert its license will be treated as a renewal license, and not a new applicant for purposes of the dispersal requirement. Applicants with a pending application for a medical marijuana retail license may convert to an adult use retail application. Applicants with a pending application for an adult use retail license may convert to an application for a medical marijuana retail application. An applicant who chooses to convert its application will not be treated as a new applicant for purposes of the dispersal requirement outlined in Sec. 35-43.

8. Following the First Round of applications, the City Manager shall accept future applications on a first-come-first-served basis and may maintain a wait list for up to one year. However, if there are two or more applications that are submitted on the same business day and that cannot all be granted due to some limitation in this Chapter, any available license shall be awarded by lottery.

(Ord. No. 166-19/20, 5-18-2020; Ord. No. 105-20/21, 11-9-2020; By Referendum, 11-3-2020; Ord. No. 261-21/22, 8-8-2022)

35-15. License Application.

Applications for all licenses under this Article shall be on forms provided by the City. In addition to any other information deemed necessary by the City, applicants shall provide the following information:

(a) *General application.*

1. The name, mailing address, physical address, and phone number of the business, as well as any other available contact information, including email address, fax number, website, etc.
2. The name, mailing address, phone number, and email address of the following:
 - a. The individual or corporate owner of the marijuana business;
 - b. A community relations liaison, as described in Sec. 35-33;

- c. A person with a physical address in the City who is authorized to accept service of process on behalf of the marijuana business; and
 - d. An emergency contact, as described in Sec. 35-33.
- 2. A general description of the business, including hours of operation, type of business, etc.
 - 3. The license being applied for.

(b) *Corporate entity supplement.* Where the marijuana business is a corporate entity, the applicant must disclose the name, mailing address, phone number, and email address of each and every individual or corporate owner, officers, directors, managers, general partners, shareholders, and/or other parties responsible for the marijuana business.

(c) *Background check information and consent.* Where a background check of any kind is required by this Code, the applicant must provide all relevant information sufficient to conduct the background check, as well as any necessary consents.

(d) *Landlord permission.* Notarized, written permission from the owner of the property where the marijuana business proposes to operate for the applicant to operate the marijuana business for which the applicant is applying, or a copy of a fully executed lease agreement specifically allowing the use of the leased space to be used as they type of marijuana business applied for.

(e) *State authorizations.* Applicants must provide evidence of all required state authorizations, including evidence of a caregiver registration in good standing, a conditional license pursuant to Title 28-B, food license, and any other required state authorizations.

(f) *Security plan.* A security plan, which shall be kept confidential, and which shall be sufficient to prevent the diversion of marijuana and marijuana products, and to protect the health and safety of owner, patrons, City officials, and the public.

- 1. The security plan shall, at a minimum, address all of the security requirements included in Sec. 35-36.
- 2. The City may require any reasonable modifications to the security plan that it deems necessary to prevent diversion and protect the public safety.

3. A copy of the approved security plan shall be maintained at the licensee's site at all times and shall be made available to any City representative upon request. Any modifications to the security plan before or after licensing must be reviewed by the Police Department.

(g) *Waste disposal plan.* A waste disposal plan, which shall be sufficient to prevent diversion of marijuana or marijuana product, and shall be sufficient to prevent contamination of land, water, and sewer; and

1. The waste disposal plan shall, at a minimum, address all of the waste disposal requirements included in Sec. 35-39, and all waste disposal requirements otherwise included in this Code, including, but not limited to, Chapters 24 and 32.
2. The City may require any reasonable modifications to the waste disposal plan that it deems necessary.

3. A copy of the approved waste disposal plan shall be maintained at the licensee's site at all times and shall be made available to any City representative upon request. Any modifications to the waste disposal plan before or after licensing must be reviewed and approved by the City.

(h) *Odor mitigation plan.* An odor mitigation plan, which shall be sufficient to eliminate the smell of marijuana at the property boundary or at any adjoining use of the property, whichever is closer.

1. The odor mitigation plan shall at a minimum, address all of the odor mitigation requirements included in Sec. 35-40.
2. The City may require any reasonable modifications to the odor mitigation plan that it deems necessary, including requiring that the plan be designed by a qualified, licensed professional engineer.
3. A copy of the approved odor mitigation plan shall be maintained at the licensee's site at all times and shall be made available to any City representative upon request. Any modifications to the odor mitigation plan before or after licensing must be reviewed and approved by the City.

(i) *License specific requirements.* A licensee must provide the additional information specific to the license being applied for, as described in Sec. 35-24 through 35-28.

(j) Any other information that the City Manager decides is necessary to evaluate an application under this Article.

(Ord. No. 166-19/20, 5-18-2020)

35-16. Performance Guarantee Required.

(a) For all marijuana businesses, other than small scale caregivers and marijuana testing facilities, a performance guarantee shall be required in the amount of the cost of winding down the marijuana business, including proper disposal of all marijuana, marijuana plants, and marijuana product; disposal of chemicals and solvents; disposal of specialized equipment; and resolution of any outstanding compliance issues.

(b) The performance guarantee shall be supplied before the issuance of the final license.

(c) This requirement may be satisfied by surety bond, letter of credit, escrow account, or by evidence, acceptable to the City, of the financial and technical ability and commitment of the applicant or its agents to wind down the business in full compliance with all federal, state, and local requirements.

(d) At the sole discretion of the City Manager or his/her designee, the marijuana business may be released from its obligation to maintain the performance guarantee after three years of successful and responsible operation of the marijuana business in a manner acceptable to the City.

(Ord. No. 166-19/20, 5-18-2020)

35-17. Fees and Costs.

(a) The initial application fee, annual licensing fee, and expiration date for licenses issued under this Article shall be as listed in Chapter 15 of this Code. Application fees shall be due only for the initial application, or any time that the applicant makes substantial changes to the licensed business and requires re-approval.

(b) Applicants shall also be responsible for paying the City's reasonable expenses associated with the review of an application, including:

1. Any required criminal background checks;

2. Any costs of notification; and
3. The cost of any independent, third-party review, where the City determines it is necessary to effectively evaluate an application.

(c) Application fees and any expenses charged pursuant to this section shall be non-refundable.

(d) Upon request of the applicant, the annual licensing fee may be refunded if the applicant 1) withdraws its application prior to the granting of the license; 2) is denied a marijuana business license; or 3) notifies the City that it is abandoning its license prior to opening the marijuana business. Refunds must be requested within 60 days of withdrawal, denial, or abandonment.

(Ord. No. 166-19/20, 5-18-2020)

35-18. Minimum Qualifications for Individual Applicants.

All natural persons who apply for a license under this Article shall meet all of the following requirements:

- (a) Be at least 21 years of age;
- (b) Not have any disqualifying convictions or currently be subject to prosecution for any disqualifying conviction;
- (c) Not have any disqualifying violations;
- (d) Not have been an owner, officer, director, manager, general partner, shareholder, or other responsible party in any corporate entity with disqualifying violations within the past two years;
- (e) Not have any revocation or suspension of a marijuana-related license, permit, certificate, or registration;
- (f) Not be employed by any state agency or City department with regulatory authority over the marijuana business, including the City Executive Department, Police Department, Permitting and Inspections Department, Planning Department, Fire Department, and Corporation Counsel's Office; and
- (g) Not be a law enforcement officer.

(Ord. No. 166-19/20, 5-18-2020)

35-19. Minimum Qualifications for Corporate Applicants.

All corporate or other entities who apply for a license under this Article shall meet all of the following requirements:

- (a) Be formed or organized under the laws of the State of Maine;
- (b) Be in good standing with the Maine Secretary of State;
- (c) Not have any disqualifying violations within the past two years; and
- (d) Have all officers, directors, managers, and general partners be natural persons who meet the minimum requirements for an individual applicant in 35-18 above.

(Ord. No. 166-19/20, 5-18-2020)

35-20. Suspension and Revocation.

(a) Grounds for suspension. In addition to the grounds for suspension enumerated in Chapter 15, the following shall be grounds for suspension of a license pursuant to this Article:

1. Any event or condition that would have disqualified an applicant from obtaining an original license, until that disqualification is resolved to the satisfaction of the City;
2. The licensee has failed to timely supplement its license information, as required;
3. The licensee has failed to file any required reports or furnish any information, as required; and
4. The licensee has knowingly permitted, encouraged, failed to prevent, or failed to remedy a violation of this Article.

(b) Length of suspension. Any first suspension pursuant to this Article may not exceed six months after the resolution of the condition that formed the grounds for suspension. Any second and subsequent suspensions may not exceed one year after the resolution of the condition that formed the grounds for suspension.

(c) Grounds for revocation. In addition to the grounds for revocation enumerated in Chapter 15, the following shall be grounds for revocation of a license pursuant to this Article:

1. Failing to timely remedy any condition in (a) above;

2. Repeated significant violations of this Article; and
3. Any event that would have disqualified the license from initially obtaining a license.

(d) Length of revocation. Any license revocation shall prohibit the licensee from being an owner, officer, director, manager, general partner, shareholder, and/or otherwise responsible for any marijuana business for one year after the resolution of the condition that formed the grounds for revocation.

(e) Procedures for suspension or revocation. Suspension or revocation proceedings shall be conducted by the Permitting and Inspections Department pursuant to the following procedures:

1. Prior to suspension or revocation, a licensee shall be given notice of the reasons that the City is considering the action and an opportunity to be heard.
2. Where the reason for suspension or revocation could reasonably threaten health, safety, and/or welfare, a license may be suspended without notice and hearing, so long as notice and an opportunity to be heard is provided as soon as practicable.
3. Suspensions or revocations will be issued in writing.

(Ord. No. 166-19/20, 5-18-2020)

35-21. Reserved.

35-22. Reserved.

35-23. Reserved.

(Ord. No. 166-19/20, 5-18-2020)

DIVISION 3. SPECIFIC LICENSE REQUIREMENTS

35-24. Cultivation Licenses.

In addition to the requirements provided elsewhere in this Article, an applicant for any tier of cultivation license must also provide the following:

- (a) The amount of plant canopy to be grown;
- (b) Floor plans, including the location of mature, immature, and seedling plants, storage areas, office areas, etc.;

(c) Operations plan, including growing and fertilizing methodology, inventory control, transportation, overview of policies and procedures, and similar information;

(d) Quality control plan detailing the testing protocols and schedules to ensure the safety of the marijuana being cultivated;

(e) Disclosure of chemicals, fertilizer, pesticides, and similar substances - whether organic or synthetic - to be used in the cultivation process, the quantities of such substances, and the Safety Data Sheets for any covered products to be used in the operation;

(f) Written certification by a qualified engineer that the cultivation facility, equipment, and operation meet all requirements of Chapter 38 of NFPA 1, as adopted by Chapter 10 of this Code;

(g) Written certification by a Maine certified Master Electrician that the cultivation facility and operation meets all electrical standards adopted by the State of Maine and/or the City; and

(h) If the applicant intends to offer mobile delivery (if permissible under their State license), applicant must complete a mobile security form available through Permitting and Inspections, and must provide proof of the following:

1. Copy of Current registration and motor vehicle insurance for any vehicle which could be used for any mobile operations of the marijuana business;
2. Copy of valid driver's license for all listed employees who could potentially be conducting mobile operations.

(Ord. No. 166-19/20, 5-18-2020; Ord. No. 44-23/24, 10-16-2023)

35-25. Manufacturing Licenses.

In addition to the requirements provided elsewhere in this Article, an applicant for a manufacturing license must also provide the following:

(a) Description of manufacturing processes to be used, including extraction methods;

(b) Floor plans, including the location of processing equipment, storage areas for marijuana, chemicals and solvents, and other items; office areas, etc.;

(c) Operations plan, including intake and inventory control, transportation, overview of policies and procedures, and similar information;

(d) Quality control plan detailing the testing protocols and schedules to ensure the safety of the products being manufactured;

(e) Disclosure of chemicals, solvents, and similar substances to be used in the cultivation process, the quantities of such substances, and the Safety Data Sheets for any covered products to be used in the operation;

(f) Written certification by a certified professional engineer, licensed by the State of Maine, that the manufacturing facility, equipment, and operation meet all requirements of Chapter 38 of NFPA 1, as adopted by Chapter 10 of this Code;

(g) Written certification by a Maine certified Master Electrician that the manufacturing facility and operation meets all electrical standards adopted by the State of Maine and/or the City;

(h) Where a licensee will manufacture food or food products, the licensee must also provide proof of licensing pursuant to the Maine Food Code and Chapter 11 of this Code; and

(i) If the applicant intends to offer mobile delivery (if permissible under their State license), applicant must complete a mobile security form available through Permitting and Inspections, and must provide proof of the following:

1. Copy of Current registration and motor vehicle insurance for any vehicle which could be used for any mobile operations of the marijuana business;

2. Copy of valid driver's license for all listed employees who could potentially be conducting mobile operations.

(Ord. No. 166-19/20, 5-18-2020; Ord. No. 44-23/24, 10-16-2023)

35-26. Retail and Dispensary Licenses.

In addition to the requirements provided elsewhere in this Article, an applicant for a retail license must also provide the following:

(a) Total square footage of the facility under the control of the applicant and dedicated to the retail facility or dispensary and ancillary activities;

(b) Floor plans, including the location of retail space, storage areas for marijuana products, areas dedicated to the sale of non-marijuana products, office areas, etc.;

(c) Operations plan, including overview of policies and procedures, including policies and procedures to prevent sales to minors, and similar information;

(d) Documentation that the marijuana retail facility or dispensary meets the dispersal requirements of Sec. 35-43; and

(e) If the applicant intends to offer mobile delivery (if permissible under their State license), applicant must complete a mobile security form available through Permitting and Inspections, and must provide proof of the following:

1. Copy of Current registration and motor vehicle insurance for any vehicle which could be used for any mobile operations of the marijuana business;

2. Copy of valid driver's license for all listed employees who could potentially be conducting mobile operations.

(Ord. No. 166-19/20, 5-18-2020; Ord. No. 44-23/24, 10-16-2023)

35-27. Small Scale Caregiver License.

In addition to the requirements provided elsewhere in this Article, an applicant for a small scale caregiver license must also provide the following:

(a) Total square footage dedicated to the small scale caregiver use;

(b) Total plant canopy;

(c) Floor plans, including the location of mature, immature, and seedling plants, storage areas, office areas, etc.;

(d) Quality control plan detailing the testing protocols and schedules to ensure the safety of the products being manufactured;

(e) Operations plan, including overview of policies and procedures, including policies and procedures to prevent sales to minors and to ensure that the small scale caregiver operation does

not exceed the five patients in one calendar month, and similar information; and

(f) If the applicant intends to offer mobile delivery (if permissible under their State license), applicant must complete a mobile security form available through Permitting and Inspections, and must provide proof of the following:

1. Copy of Current registration and motor vehicle insurance for any vehicle which could be used for any mobile operations of the marijuana business;
2. Copy of valid driver's license for all listed employees who could potentially be conducting mobile operations.

(Ord. No. 166-19/20, 5-18-2020; Ord. No. 44-23/24, 10-16-2023)

35-28. Marijuana Testing License

In addition to the requirements provided elsewhere in this Article, an applicant for a retail license must also provide the following:

(a) Floor plans, including the location of testing equipment; storage areas for marijuana samples, chemicals and solvents, and other items; office areas, etc.;

(b) Operations plan, including intake and inventory control, transportation, overview of policies and procedures, and similar information; and

(c) Disclosure of chemicals, solvents, and similar substances to be used in the testing process, the quantities of such substances, and the Safety Data Sheets for any covered products to be used in the operation.

(Ord. No. 166-19/20, 5-18-2020)

35-29. Reserved.

35-30. Reserved.

35-31. Reserved.

(Ord. No. 166-19/20, 5-18-2020)

DIVISION 4. PERFORMANCE STANDARDS.

35-32. Applicability.

Except where otherwise indicated, the performance standards in this Division shall apply to all marijuana businesses.

(Ord. No. 166-19/20, 5-18-2020)

35-33. Cooperation with municipal officials.

(a) The City Manager's designees shall be permitted to enter any marijuana business during regular business hours for the purpose of making inspections, and examining and copying records.

(b) Each and every person responsible for the management or control of the marijuana business must afford free access to every part of such establishment and to render all aid and assistance necessary to enable the City to make a full, thorough and complete examination thereof to determine compliance with this Article.

(c) Each marijuana business shall designate a community relations liaison, who shall be responsible for receiving and responding to inquiries from, and reasonably addressing concerns raised by, members of the public and other individuals.

(d) Each marijuana business shall designate an emergency contact who shall respond to all non-emergency contacts by the City within 72 hours of contact, and to any emergency contact by the City within two hours of contact.

(Ord. No. 166-19/20, 5-18-2020)

35-34. Record retention Requirements.

In addition to those records required to be kept and maintained by the State of Maine, all marijuana business licensee shall also keep the following records:

(a) Invoices of all purchases for the previous two years demonstrating the source of those purchases;

(b) Receipts of all sales for the previous two years;

(c) Testing results, if any, for the previous two years;

(d) A copy of all current state and local licenses; and

(e) Information about each concern addressed to the community relations liaison, including the date and time of the contact; the substance of the concern raised; the contact information of the originator of that contact; the date and time of the licensee's response; and the substance of the response.

(Ord. No. 166-19/20, 5-18-2020)

35-35. Compliance with Approvals.

All licensees under this Article shall comply with their approved plans, including security plans, waste disposal plans, operating plans, odor mitigation plans, and any other plans that are submitted to and approved by the City.

(Ord. No. 166-19/20, 5-18-2020)

35-36. Security Requirements.

All marijuana businesses must implement the following minimum security requirements, which shall also be incorporated into a security plan.

(a) Building security. All fixed locations for a marijuana business shall have the following:

1. Exterior lighting sufficient to deter nuisance activity and facilitate surveillance but not disturb neighbors.
2. A new or existing intrusion alarm system that is professionally monitored by a third party monitoring company and maintained in good working condition. The intrusion alarm system must include a panic button(s) that has the capability of transmitting its signal via City of Portland AES system directly to the City Dispatch Center.
3. Interior electronic monitoring and video cameras. Electronic monitoring and video camera recording records must be maintained for at least 14 days and must be made available to an authorized representative of the City upon request.
4. Exterior electronic monitoring and video cameras. Electronic monitoring and video camera recording records must be maintained for at least 14 days and must be made available to an authorized representative of the City upon request.
5. Consistent and systematic prevention of loitering.
6. Facilities approved by the Police Department or its third party designee for securing cash and all marijuana product packaged for sale as further detailed in regulations to be promulgated by the City Manager.

Regulations shall require facilities sufficient to provide for the safety of employees and the public, and to prevent employee and third party theft and diversion.

7. Any other security features that the Police Department deems necessary to ensure public safety and prevent theft and illegal transfer of marijuana.

(b) Mobile security. All mobile operations of a marijuana business, including pick-ups and deliveries of samples for testing, wholesale products, authorized deliveries, and similar functions shall have the following security:

1. The vehicle may not have identifying marks associating the vehicle with a marijuana business; and
2. The vehicle must have video cameras showing the interior of the vehicle, as well as the exterior of the vehicle, and recordings must be maintained for at least 14 days and must be made available to an authorized representative of the City upon request.

(Ord. No. 166-19/20, 5-18-2020; Ord. No. 261-21/22, 8-8-2022; Ord. No. 44-23/24, 10-16-2023)

35-37. Responsibility for Employees, Guests, and Customers.

(a) A marijuana business shall be responsible for all individuals on their premises.

(b) A marijuana business shall not sell any marijuana product to, or allow an individual to enter or to remain on their premises, who is

1. Disorderly;
2. Intoxicated;
3. A threat to safety; or
4. Has consumed or attempted to consume marijuana on the premises.

(Ord. No. 166-19/20, 5-18-2020)

35-38. Information disclosure requirements.

(a) A copy of the business license issued pursuant to this Article must be prominently displayed at each location of the marijuana business.

(b) The business license number issued to each marijuana business must be clearly disclosed in all written advertising, marketing, and promotional materials.

(c) Each marijuana business must disclose the telephone number of its community relations liaison, after the statement, "For questions or concerns contact [number]" in all written advertising, marketing, and promotional materials; and must be prominently displayed at each location of the marijuana business.

(d) A sign, prominently displayed near the entrance to the marijuana business stating the minimum age to enter the business and, if a retail store, the minimum age to purchase products from the retail store.

(Ord. No. 166-19/20, 5-18-2020)

35-39. Waste Disposal Requirements.

(a) No marijuana, marijuana products, marijuana plants, or other marijuana waste may be stored outside, other than in secured, locked containers.

(b) No marijuana, marijuana products, marijuana plants, or other marijuana waste may be disposed of unless and until it has been modified such that it is not useable.

(c) All waste and wastewater from any marijuana facility must be treated such that it will not create excessive odors, contamination, or pollution.

(d) No waste from a marijuana business may be disposed of in residential trash.

(Ord. No. 166-19/20, 5-18-2020)

35-40. Odor Mitigation Requirements.

The smell of marijuana shall not be detectable at the property boundary and/or at any adjoining use of the same property. A marijuana business licensee is responsible for taking any and all measures necessary to ensure that this standard is met.

(Ord. No. 166-19/20, 5-18-2020)

35-41. Labeling.

Any marijuana business that sells marijuana or marijuana products at retail, must label all products as follows:

(a) All marijuana must be in labeled containers meeting the requirements of this section.

(b) All required statements must be in a font and size that is readily legible to the average person.

(c) Where applicable, the label must contain the following:

1. A statement that the marijuana or marijuana product contains THC;
2. If the marijuana or marijuana product has been tested for quality, purity, or potency, and any such representations are made about the marijuana or marijuana product, the following must be disclosed in close proximity to that representation:
 - a. The name, location, and license number of the testing facility
3. If the marijuana or marijuana product has not been tested for quality, purity, and/or potency by an independent third party, a statement that the product has not been tested for quality, purity, and/or potency.

(Ord. No. 166-19/20, 5-18-2020)

35-42. Limitations on the Production and Sale of Marijuana Food Products.

The following limitations apply to the manufacture and sale at wholesale or retail of food or beverage products containing marijuana:

(a) Marijuana products may not be manufactured or sold in a shape or design that is intended to appeal to minors;

(b) Marijuana or marijuana derivatives may not be added to commercially available products that do not otherwise contain marijuana; and

(c) Marijuana food and beverage products may not be manufactured, processed, or packaged in the same kitchen or room, or using the same equipment, as non-marijuana food and beverage products.

(Ord. No. 166-19/20, 5-18-2020)

35-43. Additional Retail Store and Dispensary Requirements.

Marijuana businesses licensed pursuant to this Article must also meet the following performance standards:

(a) Hours of operation. Marijuana retail stores and dispensaries may only be open to the public between the hours of

7:00 a.m. and 10:00 p.m. daily, and no sale or other distribution of marijuana may occur on the premises outside of those hours.

(b) Age restrictions.

1. A medical marijuana retail store may not allow any individual under the age of 18 to enter their premises, including as an employee.
2. An adult use marijuana retail store may not allow any individual under the age of 21 to enter their premises, including as an employee.
3. Any delivery made under this Article must be to an adult 21 years of age or older or to a qualifying medical patient under Maine law.

(c) On-premises consumption of any marijuana products is not permitted.

(d) Other uses prohibited. Marijuana retail stores and dispensaries may only not have the following uses ~~other than marijuana retail or other retail~~ on the premises:

1. Licensed marijuana retail sales and licensed marijuana dispensary sales; , including entertainment or restaurant uses, except that the
2. Sales of pre-packaged, ready-to-eat foods that are not prepared on site, subject to a FSE (food service establishment) - "No food preparation on premises" license;
3. Sales and of ready-to-drink non-alcoholic beverages, shall be allowed provided the applicant has an subject to a FSE - "No food preparation on premises" license; appropriate food service license.
4. Sales of non-alcoholic beverages prepared on site subject to a FSE - "With preparation limited to non-alcoholic beverages only" license.

(e) Education requirements.

1. Marijuana retail stores and dispensaries must have a sign, prominently displayed by the point of sale, informing customers of:
 - a. The dangers of over consumption;

- b. The impact that marijuana has on brain development;
 - c. That consumption of marijuana is illegal at the federal level and that consuming marijuana could impact employment, immigration status, the right to own firearms, the right to a commercial driver's license, and other rights;
 - d. That consumption of marijuana and marijuana products in public is illegal; and
 - e. Additional information as required by rules promulgated by the Department of Health and Human Services.
2. The City shall draft acceptable language for the signs required by this subsection. Any marijuana retail store or dispensary wishing to use alternative language must receive prior approval from the City's Department of Health and Human Services.

(f) Fixed location sales and delivery.

- 1. Mobile sales are specifically prohibited.
- 2. Mail order, telephone, internet or similar remote sales are specifically prohibited.
- 3. Notwithstanding the provisions of this section, a small scale caregiver, medical marijuana retail store, and/or dispensary may make deliveries of marijuana products to a qualifying patient whose medical certificate has been verified in person.

(g) Drive through windows. A marijuana retail store or dispensary may not use a drive through window, or any other outdoor space to sell marijuana or marijuana products.

(h) Dispersal requirement. A marijuana retail facility or dispensary may not be located within one hundred (100) feet of any other marijuana retail facility or marijuana dispensary, as measured along or across public ways, in a straight line, from any entrance that is accessible to the public.

This distance restriction shall not apply to one adult use and one medical marijuana retail facility or dispensary that 1) share the same or immediately adjoining space; 2) have common ownership; 3) have consistent naming and branding; and 4) are permitted by the state to share such space.

The distance restriction shall also not apply to an existing dispensary or medical marijuana retail store operating with a City business license, a change of use permit, certificate of occupancy, and/or a site plan approval prior to September 1, 2019, so long as that dispensary or medical marijuana retail store does not apply to convert to an adult use retail store.

(i) [Repealed by referendum, 11-3-2020.]

(j) Annual training. Each manager of any marijuana retail store or dispensary, and all front line staff of each marijuana retail store or dispensary and any staff conducting mobile retail deliveries must attend a City-approved training within ninety days of beginning in that position and then annually thereafter. Employing a manager or front line staff that does not have the required training may be grounds for suspension. If the training program is provided by the Department of Health and Human Services, the Department shall charge a fee for the cost of this class.

1. Retail stores must submit a list of employees annually with their license renewal, along with verification that they have successfully completed a City-approved training program.

(k) Transfer of retail and dispensary licenses. The ownership of a retail or dispensary licensee may only be transferred subject to the following limitations:

1. No more than 25% of the ownership interests in a licensee may be transferred in any five-year period.
2. Any transfers of interest in a retail or dispensary license occurring before January 1, 2025 must not impact any of the licensee's points calculated under Sec. 35-14(f) (3).
3. Any new owners must meet all requirements of this Chapter and be approved by the State of Maine.

(Ord. No. 166-19/20, 5-18-2020; By Referendum, 11-3-2020; Ord. No. 44-23/24, 10-16-2023)

35-44. Signs.

In addition to the sign regulations contained in Chapter 14 of this Code, all signage in connection with a marijuana business, whether adult use or medical, shall comply with the requirements for signs under Title 28-B of the Maine Revised Statutes, and any regulations adopted thereunder.

(Ord. No. 166-19/20, 5-18-2020)

35-45. Other Prohibitions.

(a) On-premises consumption. Consumption of marijuana on the premises of any marijuana business is prohibited.

(b) Outdoor growing. Marijuana plants may not be grown outdoors and may only be grown within a fully enclosed and secured structure.

(c) Indoor air quality. A marijuana business may not use any chemical, process, or methodology that would result in compromised indoor air quality, including the use of technology such as sulfur pots.

(d) Giveaways and samples prohibited. Marijuana businesses may not distribute marijuana or marijuana products free of charge.

(Ord. No. 166-19/20, 5-18-2020)

35-46. Insurance and Indemnification.

(a) Each marijuana business, other than a small scale caregiver, shall procure and maintain occurrence based commercial general liability coverage in the minimum amount of \$1,000,000.00 per occurrence for bodily injury, death, and property damage.

(b) Each small scale caregiver shall procure and maintain occurrence based commercial general liability coverage in the minimum amount of \$500,000.00 per occurrence for bodily injury, death, and property damage.

(c) Evidence of insurance required herein shall be a condition of the issuance of any license under this article, and shall be submitted to the City prior to obtaining the final license. Certificates shall guarantee ten days' notice to the City of termination of insurance from the insurance provider or agent. The City's acceptance or lack of acceptance of such evidence shall not be construed as a waiver of the applicant's obligation to obtain and maintain such insurance as required by this article.

(d) By accepting a license from the City for a marijuana business, the licensee knowingly and voluntarily waives, releases and discharges the City from all claims, causes of action and

demands, both known and unknown, which it has ever had, or may have against the City, or any of its officers, agents, employees, representatives, insurers, successors and assigns for 1) any injuries, damages, or liabilities resulting from the arrest, prosecution, or other consequence of the marijuana business or its parties of control for a violation of local, state, or federal laws, rules, or regulations; and 2) any claim by a third party against the marijuana business.

(e) To the fullest extent permitted by law, the licensee shall defend, indemnify and hold harmless the City, its officers and employees, from and against all claims, damages, losses, and expenses, just or unjust, including, but not limited to, the costs of defense and attorney's fees arising out of, resulting from, or relating to the performance of any license issued to licensee under this Article or the operation of the licensee's marijuana business. Such obligation of indemnification shall not be construed to negate or abridge any other obligation of indemnification running to the City which otherwise exists. The extent of the indemnification provision shall survive termination of any license issued to a licensee under this Article and shall not be limited by the provision for insurance in this Article.

(f) This article shall not be construed as imposing upon the City or any official, agent, or employee of the City, any liability or responsibility for damages to any person resulting from or in relation to the performance of this license, nor shall the City or any official, agent or employee of the City be deemed to have assumed any such liability or responsibility by reason of inspections authorized herein, or the issuance of any license.
(Ord. No. 166-19/20, 5-18-2020)