

KATE SNYDER (MAYOR)
ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
TAE Y. CHONG (3)
ANDREW ZARRO (4)



MARK N. DION (5)
APRIL FOURNIER (A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY COUNCIL MEETING - JUNE 22, 2022 AT 5:00 PM

The Portland City Council will hold a City Council Meeting in Council Chambers. The Honorable Kate Snyder, 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).

REMOTE ACCESS INFORMATION:

The City Council will conduct this meeting from Council Chambers, located on the second floor of City Hall. The public may attend the meeting in person, however space in Council Chambers is limited. The public is therefore strongly encouraged to participate remotely via Zoom pursuant to the Remote Meeting Policy adopted by the Portland City Council. Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live either in person or via Zoom, a recording will be available in the [Agenda Center](#) following the meeting.

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

Please click the link below to join the webinar:

<https://portlandmaine-gov.zoom.us/j/81813936988?pwd=V0FJNk51cEtwNEs1ZTNMUUdGMG5adz09>

Passcode: 112769

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PLEDGE OF ALLEGIANCE:

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

ROLL CALL:

ANNOUNCEMENTS:

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Approval of the June 6, 2022 Draft City Council meeting minutes.

PROCLAMATIONS:

Proclamation 22-21/22 Recognizing June 19, 2022 as Juneteenth - Sponsored by Kate Snyder, Mayor

LICENSES:

Order 288-21/22 Granting Municipal Officers' Approval of Maine Hotel Holdings LLC, dba Cambria Old Port. Application for Class 1A Inn (41+ rooms) with Outdoor Dining on Private Property and Combined Entertainment at 25 Hancock Street- Sponsored by Danielle P. West, Interim City Manager

Application was filed on 5/31/22. New City and State applications. New owner of an existing establishment.

Five affirmative votes are required for passage after public comment

Order 289-21/22 Granting Municipal Officers' Approval of Riverton Station LLC, dba Riverton Station. Application for Class I FSE at 1569 Forest Avenue - Sponsored by Danielle P. West, Interim City Manager

Application was filed on 5/17/22. New City and State applications.

Five affirmative votes are required for passage after public comment

Order 290-21/22 Granting Municipal Officers' Approval of Richard and Young Inc, dba Keg and Kraken. Application for Class 1 FSE at 653 Congress Street - Sponsored by Danielle P. West, Interim City Manager

Application was filed on 6/6/22. New City and State applications. Location is currently Kushiya Benkay.

Five affirmative votes are required for passage after public comment

Order 291-21/22 Granting Municipal Officers' Approval of Experience Maine Market, LLC, dba Maker's Galley. Applications for Outdoor Dining on Public Property at 5 Commercial Street - Sponsored by Danielle P. West, Interim City Manager

Application was filed on 5/31/22. New City and State applications. Applicant currently holds Class 1 FSE.

Five affirmative votes are required for passage after public comment

COMMUNICATIONS:

Com 25-21/22 Flag Raising Policy - Sponsored by Danielle P. West, Interim City Manager

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

Com 26-21/22 2021 Revaluation Project Update - Sponsored by Danielle P. West, Interim City Manager

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

Com 27-21/22 Allocation Timeline for Second Tranche of American Rescue Plan Act Funding - Sponsored by Danielle P. West, Interim City Manager

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

RESOLVES

Resolve 15-21/22 Amending Council Rules for 2022 - Sponsored by Kate Snyder, Mayor

With the approval of Resolve 12-21/22 Adopting the City Council Code of Ethics on June 6, 2022, the City Council must establish a new Ethics Committee in its Rules of Procedure, Rules 34 and 36. This Resolve adds the new committee to the lists of Standing Committees in those two Rules.

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

UNFINISHED BUSINESS:

Order 259-21/22 Zoning Map Amendment for Riverton Park Campus from R-5 Residential to R-5a Residential and B-2 Community Business - Sponsored by The Portland Planning Board, Brandon Mazer, Vice-Chair

On April 12, 2022, the Planning Board unanimously voted 5-0 (Stanley, Barker recused) to find the proposed zoning map amendment to be consistent with the Comprehensive Plan for the City of Portland and recommends to the City Council adoption of the Zoning Map amendment.

Portland Housing Development Corporation and Portland Housing Authority seek a zoning map amendment to rezone the Riverton Park Campus at 2 Riverton Drive from R-5 Residential to R-5a Residential and B-2 Community Business. Additional parcels along Forest Avenue and Riverside Street are included in the proposed map amendment in order to create a contiguous R-5a and B-2 zone.

The zoning map amendment would increase density allowing for additional residential and commercial development, including affordable housing development in a transit accessible location.

This item must be read on two separate days. It received its first reading on May 16, 2022. At the June 6, 2022 Council Meeting, this item was postponed to June 22, 2022. Five affirmative votes are required for passage after public comment.

Written Public Comment on Order 259-21/22

Order 260-21/22 Amendment to the Portland City Code Chapter 14 Re: Permitted and Conditional Uses in Residential Zones and Allowing Places of Assembly as a Conditional Use in the R-5a zone - Sponsored by The Portland Planning Board, Brandon Mazer, Vice-Chair

On April 12, 2022, the Planning Board unanimously voted 5-0 (Stanley, Barker recused) to find that the proposed text amendment to Section 6, Table 6-A to allow Places of Assembly as a conditional use in the R-5a zone and Section 7, Table 7-A to add a minimum lot area requirement for Places of Assembly in the R-5a zone is consistent with

the Comprehensive Plan for the City of Portland and recommends to the City Council adoption of the text amendments.

This is a companion order to the Order above. Portland Housing Development Corporation and Portland Housing Authority seek a zoning text amendment to Section 6, Table 6-A, and Section 7, Table 7-A. The proposed text amendments would add Places of Assembly as a conditional use in R-5a zones with a minimum lot area requirement of one-half-acre for Places of Assembly of less than 10,000 square feet and a minimum lot size of one acre for Places of Assembly greater than 10,000 square feet. The proposed text amendments would facilitate the future development of a community center as part of the larger Portland Housing Authority renovation of the existing 141-unit Riverton Park campus.

This item must be read on two separate days. It received its first reading on May 16, 2022. At the June 6, 2022 Council Meeting, this item was postponed to June 22, 2022. Five affirmative votes are required for passage after public comment.

Order 261-21/22 Amendment to the Portland City Code Chapter 35 Re: Panic Alarms and Retail License Revisions - Sponsored by Jen Thompson, Acting Corporation Counsel

Proposed revisions to subpart (a) of Ch. 35-36 (Security Requirements) would remove the requirement to maintain a door and window burglary alarm system at all fixed locations for a marijuana business. The provision retains a requirement for an intrusion alarm system that includes a panic button that can transmit its signal via City of Portland AES system directly to the City Dispatch Center. These changes address problems with false alarms and unnecessary costs.

This item must be read on two separate days. It received its first reading on May 16, 2022. At the June 6, 2022 Council Meeting, this item was postponed to June 22, 2022. Five affirmative votes are required for passage after public comment.

Order 277-21/22 Approving the Purchase & Sale Agreement between Janet and Steve Berry and Portland for Redlon Woods Property - Sponsored by Danielle P. West, Interim City Manager

On February 9, 2022 the Land Bank Commission (LBC) voted (8-0) to recommend to the City Council the acquisition of parcels identified as 193 D 5 to 12 and 193 D 21-25, consisting of 1.60 acres owned by Janet and Steve Barry to be added to the existing Land Bank property at Redlon Woods.

This purchase, at a cost of \$99,000, would protect the local ecology, stormwater preservation and open space for Portland residents.

This item must be read on two separate days. It received its first reading on June 6, 2022. Five affirmative votes are required for passage after public comment.

Order 278-21/22 Approving the Purchase & Sale Agreement between Coastal Oaks, LLC and the City and Accepting and Appropriating a Donation toward the Redlon Woods Property - Sponsored by Danielle P. West, Interim City Manager

On April 9, 2022, the Land Bank Commission (LBC) voted (8-0) to recommend to the City Council the acquisition of parcels identified as 193 D 13 to 18, consisting of .69 acres, to be added to the existing Redlon Woods. On May 17, 2022, the Housing & Economic Development Committee voted unanimously to approve this purchase and sale agreement.

The Land Bank Commission is seeking approval for the Phase 2 June Street Purchase and Sale Agreement to acquire various parcels, approximately .69 acres in size, to be added to the city-owned Redlon Woods to protect the local ecology, stormwater preservation, and open space for Portland residents. A donation of half of the purchase price of \$225,000 should also be accepted and appropriated by this order.

This item must be read on two separate days. It received its first reading on June 6, 2022. Five affirmative votes are required for passage after public comment.

Order 279-21/22 Placing City-Owned Land at Redlon Woods into the Portland Land Bank - Sponsored by Danielle P. West, Interim City Manager

On April 9, 2022 the Land Bank Commission (LBC) voted (8-0) to recommend to the City Council that two parcels identified as 177 F 23 and 177F019, consisting of 0.25 acres, be added to the existing Redlon Woods and designated part of the Portland Land Bank.

On May 17, 2022, the Housing & Economic Development Committee voted unanimously to approve putting these two existing City-owned parcels into the Portland Land Bank.

Five affirmative votes are required for passage after public comment. At the June 6, 2022 Council Meeting, this item was postponed to June 22, 2022 to coincide with consideration of the two previous orders, for Redlon Woods properties Phases 1 and 2.

Written Public Comment on Orders 277-21/22, 278-21/22, and 279-21/22

Order 280-21/22 Adopting Development Program for Portland Downtown for Fiscal Year 2022-2023 - Sponsored by the Housing & Economic Development Committee, Councilor Pious Ali, Chair

The Portland Downtown (PD) District was originally established by the City Council on March 16, 1992. Since then, each year in June, for the following fiscal year starting July 1, City Council authorization of establishing the special assessment and approval of the documents is needed.

For FY2023, City Council authorization is needed for the continued operation of PD, which include: (1) Adopting the Development Program for the PD; (2) Assessing Maintenance and Implementation Assessments in the PD District; and, (3) authorizing the Agreement for work to be done by PD and work to be done by the City.

The budget for PD is funded largely from special assessments on all real estate in the current District. The revenue raised through the special assessment will fund the PD development program expenses for FY2023. The proposed mil rate to raise this assessment will be determined toward the end of May but is currently estimated to be approximately \$.66 per \$1,000 of property value in the current district in order to raise the PD Board approved budget of \$1,200,000.

Portland Downtown representatives provided a presentation to the Housing & Economic Development (HEDC) at its May 3, 2022, meeting. After review, the Committee voted 3-0 (Zarro absent) to forward these items to the City Council with a recommendation of approval.

This item must be read on two separate days. It received its first reading on June 6, 2022. Five affirmative votes are required for passage after public comment.

Order 281-21-22 Establishing Maintenance and Implementation Assessments for Portland Downtown for Fiscal Year 2022-2023 - Sponsored by the Housing & Economic Development Committee, Councilor Pious Ali, Chair

This is a companion order to the two Portland Downtown orders on the agenda.

This item must be read on two separate days. It received its first reading on June 6, 2022. Five affirmative votes are required for passage after public comment.

Order 282-21-22 Approving Agreement between the City of Portland and Portland Downtown for Fiscal Year 2022-2023 - Sponsored by the Housing & Economic Development Committee, Councilor Pious Ali, Chair

This is a companion order to the two Portland Downtown orders above.

This item must be read on two separate days. It received its first reading on June 6, 2022. Five affirmative votes are required for passage after public comment.

Order 283-21/22 Amendment to Portland Zoning Map to Repeal Munjoy Hill Neighborhood Conservation Overlay District - Sponsored by the Planning Board, Maggie Stanley, Chair

On February 15, 2022, the Planning Board voted (7-0) to find repeal of the Munjoy Hill Neighborhood Conservation Overlay consistent with the Comprehensive Plan for the City of Portland and recommended the City Council amend the Munjoy Hill Neighborhood Conservation Overlay from the City of Portland zoning map. The recommendation includes corresponding text amendment changes to the City's Land Use Code.

This item must be read on two separate days. It received its first reading on June 6, 2022. Five affirmative votes are required for passage after public comment.

Order 284-21/22 Amendment to Portland City Code Chapter 14 Re: Repeal of Munjoy Hill Neighborhood Conservation Overlay District - Sponsored by the Planning Board, Maggie Stanley, Chair

On February 15, 2022, the Planning Board voted (7-0) to find repeal of the Munjoy Hill Neighborhood Conservation Overlay consistent with the Comprehensive Plan for the City of Portland and recommended the City Council amend the Land Use Code to reflect this change, striking applicable text from Table 5-A, Table 7-A, and Sec. 8.7, as well as reference to it in the Table of Contents, from the City of Portland Land Use Code.

This item must be read on two separate days. It received its first reading on June 6, 2022. Five affirmative votes are required for passage after public comment.

Written Public Comment on Orders 283-21/22 and 284-21/22

Order 285-21/22 Amendment to Portland City Code Chapter 9 (Elections) Article I Re: Redistricting - Sponsored by Katherine L. Jones, City Clerk

This item addresses the State of Maine's redrawing of its Congressional, County Commission, and State House districts based on the 2020 Census results. New maps are ratified and sent to municipalities, which must change their districts in order to meet the within 10% requirement. Portland remains inside of the threshold in the 2020 Census. To alleviate long lines at some smaller polling places, this item will make a slight change to the district line between District 2 and District 3. This will change precinct lines to better balance voters both in the district and in polling places.

This item must be read on two separate days. It received its first reading on June 6, 2022. Five affirmative votes are required for passage after public comment.

Order 286-21/22 Traffic Schedule Amendment Re: Brighton Avenue and Deering Avenue Bikeway Projects - Sponsored by Danielle P. West, Interim City Manager

Better Bikeways Initiative work was presented to the Sustainability & Transportation Committee in October 2021. During the meeting, Committee members recommended that staff conduct additional public outreach in advance of the design and construction of enhanced bikeways in the summer/fall of 2022. As recommended by Committee Members, staff conducted two phases of outreach: a high-level questionnaire in January/February 2022 designed to gather input on the types and locations of new bikeways or enhanced bikeways desired by the public, and a project-focused questionnaire in April 2022 regarding pilot project priorities and bikeway treatment preferences. Through the April questionnaire, the public generally rated the sections of Brighton Avenue and Deering Avenue outlined below as the highest priorities for bike lane enhancements.

This item will adjust the Traffic Schedule to remove short stretches of on-street parking, approximately 21 spaces (totaling 263') from the east side of Brighton Avenue (William Street to Falmouth Street) and approximately 6 spaces (totaling 104') from the east side of Deering Avenue (Chamberlain Avenue to Washburn Avenue). It also proposes to repurpose two unrestricted parking spaces on the east side of Deering Avenue along the Deering Oaks Park frontage to create two additional drop-off/pick-up spaces opposite King Middle School (NO Parking, 7AM-4PM, School Days Only). These adjustments will allow the implementation of enhanced buffered bike lanes as part of the Better Bikeways Initiative. The project will use approved CIP funding.

This item must be read on two separate days. It received its first reading on June 6, 2022. Five affirmative votes are required for passage after public comment.

ADJOURNMENT: