

MICHAEL F. BRENNAN (MAYOR)
KEVIN J. DONOGHUE (1)
DAVID A. MARSHALL (2)
EDWARD J. SUSLOVIC (3)
CHERYL A. LEEMAN (4)

JOHN R. COYNE (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

AGENDA
SPECIAL CITY COUNCIL MEETING
APRIL 28, 2014

The Portland City Council will hold a Special City Council Meeting at 7:00 p.m. in City Council Chambers, City Hall. The Honorable Michael F. Brennan, Mayor, will preside.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

RECOGNITIONS:

**State Representative Richard Campbell Will Present a Legislative
Special Sentiment to Lieutenant Janine Roberts.**

APPROVAL OF MINUTES OF PREVIOUS MEETING:

(Tab 1) April 7, 2014 Special City Council Meeting
 April 7, 2014 Regular City Council Meeting
 April 14, 2014 Special City Council Meeting

PROCLAMATIONS:

**Proc 28-13/14 Proclamation Honoring Richard (“Dick”) Aronson, Owner of Century
(Tab 2) Tire on Marginal Way – Sponsored by Mayor Michael F. Brennan.**

**Proc 29-13/14 Proclamation Honoring Vernon Cox, Aviation & Transportation
(Tab 3) Department, as Employee of the Month for April, 2014 – Sponsored by
Mayor Michael F. Brennan, Mayor.**

**Proc 30-13/14 Proclamation Honoring Detective Lisa Sweatt as Officer of the Month
(Tab 4) for April, 2014 – Sponsored by Mayor Michael F. Brennan, Mayor.**

APPOINTMENTS:

CONSENT ITEMS:

**Order 205-13/14
(Tab 5)**

Order Declaring “Portland Reggae Fest” as a Festival – Sponsored by Mark H. Rees, City Manager.

This order declares Portland Reggae Fest as a festival to be held Sunday, August 10, 2014. The festival will feature both local and national touring reggae artists.

Green Drinks of Maine, Bangor and Portland are the main beneficiary for the “Portland Reggae Fest”, and will be signing operating agreements along with Waterfront Concerts for usage of the Maine State Pier with the City of Portland’s Public Assembly Facilities Division. Rental Fee and all expenses for City services will be reimbursed by the organizers.

Waterfront Concerts, a Maine limited liability company, will be organizing and producing the “Portland Reggae Fest”. Waterfront Concerts is an experienced concert presenter which currently presents events at Darling’s Waterfront Pavilion and the Cross Insurance Center in Bangor. They also present events at the Androscoggin Bank Colisee in Lewiston, and Merrill Auditorium in Portland.

Live music will be performed by bands from 12:30pm – 9:00pm from a stage set-up on the southeast waterside portion of the pier, oriented northwest towards Franklin Street. Any and all public announcement (PA) and other speakers or amplifiers used to amplify music or other sound shall be maintained at a reasonable level and be configured by Waterfront Concerts’ and/or Green Drinks’ contractor and the City to focus volume on the pier and its immediate environment, limiting any sound impacts in residential areas. While the bulk of the Maine State Pier would be open only to ticket holders that day, access to the schooners that operate from MSP would be preserved all day as would access to, and egress from, the adjacent Casco Bay Lines Terminal and garage.

Beer will be available in a restricted “Beer Garden” area of the pier, to which access would be limited to those twenty one (21) and over. Green Drinks Maine, Bangor and Portland, and Waterfront Concerts shall be responsible for ensuring that all vendors at the Festival have complied with appropriate license requirements, including food service, sale of alcohol and concert licenses. All Security for the event (including the Beer Garden area) will be provided by Public Assembly Facilities Management Staff.

**Order 205A-13/14
(Tab 6A)**

Order Granting Amended License to Redfern LWS LLC Allowing Foundation Footings in Public Right-of-Way - Sponsored by Mark H. Rees, City Manager.

The Department of Planning and Urban Development is bringing forward the request from Paul Peck of Redfern LWS, LCC to the City Council to grant an amended license to Redfern LWS, LLC (owner of West End Place) in order to allow footings to extend into the public right-of-way. On April

7, 2014, the City Council approved a revocable license to allow projecting window bays along Pine and Brackett Streets. As Redfern LWS, LCC prepared the foundation plans, it was determined that the footings for the building extended into the right-of-way. Thus, the applicant is requesting the City Council's approval for an amended revocable license that contains the language previously approved and adds language and a footings plan to the proposed license.

The foundation footings for the West End Place project at 44 Pine Street are roughly 4 feet below grade and extend a depth of seven inches into the Brackett Street right-of-way at five locations (see Exhibit B of proposed license). The length of the footings along Brackett Street varies as follows: 4 feet 2 1/8 inches near Pine Street; 26 feet 10 1/8 inches; 21 feet 10 1/4 inches; 21 feet 10 1/4 inches; and 11 feet 11 inches. Along Pine Street there are two extension that have the following width and depth: width of 6 5/8 inches for a length of 1 foot 7 inches; and a width of 8 1/2 inches for a length of 6 5/8 inches; 5 feet 6 inches; and 8 1/2 inches.

Five affirmative votes are required for passage of the Consent Calendar.

LICENSES:

Order 206-13/14 (Tab 6) Order Granting Municipal Officers' Approval of Tao Restaurant LLC d/b/a BaoBao Dumpling House at 133 Spring St. Application for a Class I FSE License – Sponsored by Katherine L. Jones, City Clerk.

Application filed 3/28/14. New City and State applications. Former location of West End Deli.

Five affirmative votes are required for passage after public comment.

Order 207-13/14 (Tab 7) Order Granting Municipal Officers' Approval of Lazzari, LLC d/b/a Lazzari at 618 Congress St. Application for a Class XI Restaurant/Lounge License – Sponsored by Katherine L. Jones, City Clerk.

Application filed 3/28/14. New City and State applications. Former location of Mesa Verde.

Five affirmative votes are required for passage after public comment.

Order 208-13/14 (Tab 8) Order Granting Municipal Officers' Approval of Nova Star Cruises d/b/a Nova Star. Application for a Class I Vessel License – Sponsored by Katherine L. Jones, City Clerk.

Application filed 3/14/14. New City and State applications.

Five affirmative votes are required for passage after public comment.

**Order 209-13/14
(Tab 9)**

Order Granting Municipal Officers' Approval of Sol Food Group, LLC d/b/a El Rayo Taqueria at 101 York St. Application to expand existing alcohol service area for event on May 3 & 4, 2014 –Sponsored by Katherine L. Jones, City Manager.

Application filed 3/27/14. Applicant currently holds a Class I FSE Liquor License with Entertainment without Dance and Outdoor Dining on Private Property. This is for a separate Cinco de Mayo celebration.

Five affirmative votes are required for passage after public comment.

**Order 210-13/14
(Tab 10)**

Order Granting Municipal Officer's Approval of Portland Hunt & Alpine Club, LLC d/b/a Portland Hunt & Alpine Club at 75 Market St. Application to Add Outdoor Dining on Public Property – Sponsored by Katherine L. Jones, City Clerk.

Application filed 4/4/14. Applicant currently holds a Class A Lounge License.

Five affirmative votes are required for passage after public comment.

FY 15 BUDGET ITEMS: PUBLIC HEARING:

PUBLIC COMMENT WILL BE TAKEN AT THIS COUNCIL MEETING ON ALL SCHOOL BUDGET ORDERS. COUNCIL ACTION ON THE SCHOOL BUDGET WILL TAKE PLACE ON MAY 5, 2014, AT 7:00 P.M. THE PUBLIC REFERENDUM ON THE SCHOOL BUDGET WILL BE HELD ON TUESDAY, MAY 13, 2014.

**Order 211-13/14
(Tab 11)**

Order Approving State/Local EPS Funding Allocation for Public Education from Kindergarten to Grade 12 for Portland Schools for FY 2015 – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair.

Orders 211-13/14 to 216-13/14 are orders required by State law 20-A M.R.S.A. §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 \$77,617,317 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 requires the city to raise \$61,606,170 as the city's contribution to the total cost of funding public education from K-12 as described in the EPS law. The City's Tax levy for the total for school budget programs of \$101,592,669 will be \$77,469,011.

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

**Order 212-13/14
(Tab 12)**

Order Approving Non-State Funded School Construction Debt Service for Portland Schools for FY 2015 – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair.

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 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 \$301,352 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 \$301,352 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 213-13/14
(Tab 13)**

Order Raising and Appropriating Additional Local Funds for Portland Schools for FY 2015 – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair.

This order appropriates \$14,522,152 in additional city funds over and above regional EPS amount and the non-state funded debt service amount.

This exceeds the EPS funding model by \$12,664,988 and funds the cost of city schools, Kindergarten-12, which are not covered by the state funding model established by the Essential Programs and Services Funding Act.

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

**Order 214-13/14
(Tab 14)**

Order Approving Total School Operating Budget for Portland Schools for FY 2015 – Sponsored by the Finance Committee, Nicholas M. Mavodones, Jr., Chair.

This order is required by 20-A M.R.S.A. §15690(4)(A). It sets the School Budget required by state law. The total amount recommended for that budget is \$96,309,988.

That is the amount in the budget that under state law will be sent to the voters for approval at a citywide Referendum Election on May 13, 2014. \$76,429,674 of the \$96,309,988 would come from property taxes, \$16,011,147 from state subsidy, and \$3,869,167 from other revenues.

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

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

**Order 215-13/14
(Tab 15)**

Order Appropriating and Raising Funds for Adult Education for FY 2015 as Required by the Maine Revised Statutes, Title 20-A M.R.S.A. §8603-A(1) – Sponsored by the Finance Committee, Nicholas M. Mavodones, Jr., Chair.

This order raises \$838,660 to support the Adult Education program and appropriates a budget for that program of 1,543,595. The budgets for the Adult Education Program and for the Food Service Program in the next Order (\$3,739,086) are in addition to the \$96,309,988 proposed for the General Fund School Budget. Under the City Charter, the Council must act on this school funding order and the food service order, which are not part of the General Fund budget.

When the amounts for the Adult Education Program (\$1,543,595) and the Food Service Program (\$3,739,086) are added to the proposed General Fund School Budget that must be submitted to the voters (\$96,309,988) it leads to a total for school budget programs of \$101,592,669.

The total school budget (\$101,592,669) will come before the Council for approval as part of the annual Appropriation Resolve on May 19th, if the voters approve the General Fund School Budget submitted to them on May 13th.

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

**Order 216-13/14
(Tab 16)**

Order to Raise Local Funds for Food Service in the Portland Public Schools for FY 2015 – Sponsored by the Finance Committee, Nicholas M. Mavodones, Jr., Chair.

This order raises \$200,677 to support the Food Service Budget. The total proposed Food Service Program is \$3,739,086, which is in addition to the General Fund School Budget.

Under the City Charter, the Council must act on this school funding order and the Adult Education order, which are not part of the General Fund budget.

When the amounts for the Adult Education Program (\$1,543,595) and the Food Service Program (\$3,739,086) are added to the proposed General Fund School Budget that must be submitted to the voters (\$96,309,988) it leads to a total for school budget programs of \$101,592,669. The total school budget will come before the Council for approval as part of the annual Appropriation Resolve on May 19th, if the voters approve the General Fund School Budget submitted to them on May 13th.

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

COMMUNICATIONS:

**Com 11-13/14
(Tab 17)**

Communication Re: Appointment of Project Advisory Committee (PAC) for the State and High Street Two-Conversion Study - Sponsored by Mayor Michael F. Brennan.

The State and High Street two-way conversion study is starting at this time. TY Lin Associates was selected as project manager/designer of this project. The anticipated schedule is included in the agenda backup.

Staff is recommending the appointment of a Project Advisory Committee (PAC) to assist with the overall project development evaluation and recommendations to our City Council.

The listing of recommended appointees was reviewed with Councilor David Marshall and reflects representative agencies, associations and businesses that were identified in the original RFP – scope of services.

The following individuals are recommended for appointment:

Parkside Neighborhood Association – Emma Holder or Designee
West End Neighborhood Association – Rosanne Graef or Designee
Bayside Neighborhood Association – Steve Hershon or Designee
Friends of Deering Oaks – Anne Pringle or Designee
Friends of Congress Square Park – Frank Turek or Designee
Mercy Hospital – Michael Connolly, Director of Facilities or Designee
Eastland Hotel – Bruce Wennerstrom, General Manager or Designee
Portland Museum of Art – Kristen Levesque or Designee
100 State Street – Anne Thaxter or Designee
Greater Portland Landmarks – Hillary Bassett or Designee
State Theatre – Reached out to Lauren Wayne or Designee
GPCOG/PACTS – Carl Eppich, Senior Transportation Planner or Designee

MaineDOT – Commissioner Dave Bernhardt or Designee
Councilor David Marshall, Co-Chair
Councilor Kevin Donoghue, Co-Chair

Community Advisors

Portland Bicycle and Pedestrian Advisory Committee – Reached out to Jennifer Claster
AAA – Reached out to AAA for contact name
Greater Portland Convention & Visitors Bureau – Reached out to Lynn Tillotson
Portland Downtown District – Reached out to Steve Hewins
Portland Chamber of Commerce – Reached out to Chris Hall
METRO/Greater Portland Transit District – Gregory Jordan/Glenn Fenton

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

RESOLUTIONS:

UNFINISHED BUSINESS:

Order 200-13/14 (Tab 18) Order Authorizing Maine DOT Two-Party Agreement Modification for Traffic Signal Improvements on Congress Street and Skyway Drive - Sponsored by Mark H. Rees, City Manager.

A modification to the existing agreement for MaineDOT to perform traffic signal improvements is necessary due to higher than anticipated design costs, updated construction estimates since the 2011 initial agreement, and the need to extend the project timeline beyond July 2014.

The resulting cost increase requires an additional \$13,000 commitment from the City for the city's local match, bringing the City's total share to almost 25%. MaineDOT intends to put the contract out for bid in May 2014 in order to perform the construction in non-winter conditions.

This project is the third and final portion of a Regional Traffic Signal Coordination effort funded in large part by a Dept. of Energy grant program.

Two corridors have previously been achieved, Brighton Ave and Forest Avenue. This project will upgrade and coordinate seven (7) intersections along outer Congress St. (Routes 9 & 22) and Skyway Drive and is expected to result in a 30% reduction in crashes.

This agreement modification will require an additional \$13,000 for a grand total of \$41,817 as the City's local match towards this \$168,000 project.

Already approved FY10 and FY14 CIP monies, and existing Infrastructure Accounts will provide the necessary local match.

The Department of Public Services recommends approval of this agreement modification in order to upgrade and coordinate the traffic signalization along a heavily used roadway system tied directly to the region's highway system.

This item must be read on two separate days. It was given a first reading on April 7th. Five affirmative votes are required for passage after public comment.

**Order 201-13/14
(Tab 19)**

**Amendment to Portland City Code Chapter 20. Police, Article IV.
Additional Authority Section 20-36 Re: Statewide Arrest Powers –
Sponsored by the Public Safety Health & Human Services Committee,
Councilor Edward J. Suslovic, Chair.**

This order amends City Code Section 20-36 to allow Portland Police Officers to exercise their legal authority to make warrantless arrests beyond the City's jurisdictional limits.

Maine places statutory limits on a police officer's authority to make an arrest outside of the jurisdictional limits of the municipality in which an officer serves.

The Maine legislature has, however, given municipalities the option of granting to police officers statewide arrest powers in any case in which the officer has legal authority to make a warrantless arrest. See 30-A M.R.S.A. 2671 (2-A).

The granting of this statewide arrest power will allow the police department to compete with the increased mobility of criminals while also allowing the police department to investigate and file charges in mobile incidents encompassing multiple crimes and jurisdictions. This amendment will also allow the police department to further enhance collaborative efforts with other local, state, and federal law enforcement partners.

The Public Safety, Health & Human Services Committee met on March 18th and voted unanimously (3-0) to forward this item to the City Council with a recommendation for approval.

This item must be read on two separate days. It was given a first reading on April 7th. Five affirmative votes are required for passage after public comment.

**Order 202-13/14
(Tab 20)**

Amendment to Portland City Code Chapter 14. Land Use Article III. Zoning, Division 25, - Space and Bulk Regulations and Exceptions, Section 14-433 Re: Allowing Accessory Structures in R-3 and R-5 Zones to be Converted to Dwelling Units without Meeting Setback Requirements – Sponsored by the Planning Board, Stuart O’Brien, Chair.

The Planning Board is unanimously recommending a minor zoning text amendment to add the R-3 and R-5 zones to existing text in 14-433 lots of record and accessory structure setbacks for existing buildings that allows pre-1940 carriage houses in the R-4 and R-6 zones to be used as a dwelling unit without meeting the zone setback requirements (but meeting all other zone standards). The amendment also adds some qualifying text to clarify that the conditional use requirements of the R-3 and R-5 zones remain applicable and to ensure that the density objectives of those zones would not be altered.

The existing text in section 4-433 allows for the conversion of carriage houses in the R-4 and R-6 zones and waives the setback requirements of the zone.

The applicant, Mr. Tim Keiter, of 140 William Street, has requested that the existing text be amended to apply to the R-3 zone, where he owns a single family home and would like to have an in-law apartment in an existing 1905 carriage house that does not meet the zone setback requirements.

The Planning Board requested that the R-5 zone also be added to the existing text as some carriage houses are also located in that residential zone.

This item must be read on two separate days. It was given a first reading on April 7th. Five affirmative votes are required for passage after public comment.

**Order 203-13/14
(Tab 21)**

Amendment to City Code Chapter 18 (Parks, Recreation and Public Buildings and Grounds) Re: Dedication and Protection of City Parks – Sponsored by Mayor and City Councilors.

For the past month, the City Council has held workshops (including, but not limited to, a recent workshop with the City Land Bank and Parks Commissions) in an effort to work through the details and specific language of the proposed Parks Ordinance.

As a result of this process, and the prior discussions regarding the Friends of Congress Square citizen initiated referendum, the City Council has recommended that the City's Parks Ordinance be amended to include a list of dedicated and inalienable parks and public grounds, to require the Parks Commission review and advise the City Council with regard to the sale of those parks and public grounds and to require seven (7) votes of the Council to sell a park or public ground.

This item must be read on two separate days. It was given a first reading on April 7th. Five affirmative votes are required for passage after public comment.

**Order 204-13/14
(Tab 22)**

**Amendment to City Code Chapter 2 (Administration) Article III-A
Re: Land Bank Commission Amendments – Sponsored by Mayor and
City Councilors.**

This is a companion order to Order 203-13/14 above. As part of its review and creation of the Parks Ordinance, the City Council has also requested that the Land Bank Ordinance be amended to ensure that its review process is consistent with the proposed Parks Commission review process [outlined above] and to require seven (7) votes (as opposed to the currently required six (6) votes) of the City Council for the removal, sale or disposition of a Land Bank property.

This item must be read on two separate days. It was given a first reading on April 7, 2014. Five affirmative votes are required for passage after public comment.

ORDERS:

**Order 217-13/14
(Tab 23)**

**Order Accepting 2013 Annual Report of the Land Bank Commission –
Sponsored by the Land Bank Commission, Councilor Cheryl A.
Leeman and Thomas Jewel, Co-Chairs.**

The Annual Report is a requirement of the ordinance establishing the Land Bank Commission. Staff has prepared the Annual Report with feedback from Land Bank Commission members and the Co-Chairs. The report includes a summary of activity over the past year, provides an annual budget, a registry of current properties already designated as Land Banks status and recommends 3 parcels identified as University Park, Wooded area North of Riverside Golf Course, and Land along Canco Road from Canco Woods to Tamerlane as designated Land Bank status. The Report was approved by the Land Bank Commission at their April 3 meeting.

Five affirmative votes are required for passage after public comment.

**Order 218-13/14
(Tab 24)**

**Order Approving Sangillos Liquor License Denial Written Decision –
Sponsored by the Danielle West-Chuhta, Corporation Council.**

On April 7, 2014, the City Council voted 5 to 4 (Coyne, Duson, Leeman and Mavodones opposed) to deny renewal of Sangillo’s Liquor License. This order approves the record and written decision (both of which are included in the backup materials) with regard to the Council’s denial.

Five affirmative votes are required for passage after public comment.

**Order 219-13/14
(Tab 25)**

**Order Approving Contract with the Animal Refuge League of
Westbrook – Sponsored by Mark H. Rees, City Manager.**

The City of Portland contracts annually with the Animal Refuge League (ARL) of Westbrook to meet the state-mandated obligation to provide an animal shelter for the disposition of stray animals or those that are surrendered by their owners.

The annual fee charged by the shelter is based on a per capita charge. In 2013 it was \$1.32 per person based on a population of 66,194 (according to the July 2010 estimated census) for a total charge of \$87,376.08. That charge remains the same for 2014.

In calendar year 2013 through December 31st, the ARL processed 1081 animals from Portland.

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

AMENDMENTS:

**Order 220-13/14
(Tab 26)**

**Amendment to Zoning Map Re: Bramhall, Boothby, Congress,
Longfellow, and Monument Squares; Lobsterman Plaza; and Lincoln,
Tommy’s, Post Office, and Bell Buoy Parks – Sponsored by the
Planning Board, Stuart O’Brien, Chair.**

On March 17, 2014, the City Council unanimously voted (8-0, Coyne absent) to request that the Planning Board review and prepare a recommendation on rezoning Portland’s Urban Squares from the current underlying zoning to the Recreation Open Space (ROS) zone.

Green Spaces, Blue Edges, the City's most recent open space plan, calls for an integrated system that serves all residents throughout the city and includes implementation recommendations for physical improvements for the urban parks and plazas.

Downtown Vision , the City's plan for the future of downtown Portland, addressed the range of urban open spaces that provide both passive and active recreation opportunities and the importance of the pedestrian links in the system for an integrated park system throughout Portland. The open spaces are defined as urban parks, plazas, pocket parks, and linear parks.

All of the sites recommended to be rezoned are included within the recommendations for open space in Downtown Vision and the sites are all owned by the City of Portland.

The Planning Board held a workshop on the zoning map revisions to the Recreation and Open Space (ROS) Zone on March 25, 2014 and held a public hearing on the proposed amendments on April 8, 2014. The Planning Board voted (5-1, O'Brien opposed, Boepple absent) to recommend to City Council the adoption of the proposed map amendments to rezone Bramhall, Boothby, Congress, Longfellow, and Monument Squares; Lobsterman Plaza; and Lincoln, Tommy's, Post Office, and Bell Buoy Parks to the Recreation and Open Space.

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

**Order 221-13/14
(Tab 27)**

Amendment to Portland City Code Chapter 14. Land Use Article III. Zoning, Division 8.5 R-OS Recreation and Open Space, Sections 14-153, 14-154, 14-157, and 14-158 Re: Revising the Recreation and Open Space Standards - Sponsored by the Planning Board, Stuart O'Brien, Chair.

This is a companion order to Order 220-13/14 above.

The proposed text amendments to the Recreation and Open Space zone eliminate the 2-acre minimum lot size, so the provisions of the zone are applicable to the smaller public open spaces located throughout the city and the purpose statement is revised to reflect the open space goal contained in Downtown Vision. The Planning Board found the proposed changes to be consistent with the Comprehensive Plan and that it is good land use policy to include the urban open spaces in the ROS zone for the city's stewardship. Stuart O'Brien voted against the proposed motions based upon his statement that he suggests a more comprehensive analysis of all of the City's open spaces is required before recommending zoning map and text amendments.

The Planning Board voted (5-1, O'Brien opposed, Boepple absent) to recommend the proposed text amendments to the Land Use Code, Division 8.5. R-OS Recreation and Open Space Zone, which revise the purpose statement, dimensional requirements, and development standards.

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

**Order 222-13/14
(Tab 28)**

**Amendment to Portland City Code Chapter 14. Land Use Article III.
Zoning, Division 28. Jurisdiction of Board of Appeals, Section 14-474
Re: Conditional Use Permit Standards – Sponsored by the Planning
Board, Stuart O’Brien, Chair.**

The Section 14-474 ordinance change is intended to strengthen the City’s conditional use standard and provide guidance with respect to evaluating the impact that a proposed use may have on surrounding properties. Changes to the proposal were made to address Planning Board questions and concerns. Additionally, the Zoning Board of Appeals, which also applies this standard in its work, has been consulted and its suggestions incorporated in this new draft.

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