

Order 142-06/07

Given first reading on 2/5/07.

Public Hearing & Passage: 2/21/07 7-0 (Duson, Carr absent)

NICHOLAS M. MAVODONES (MAYOR)

KEVIN J. DONOGHUE (1)

DAVID A. MARSHALL (2)

DONNA J. CARR (3)

CHERYL A. LEEMAN (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

JAMES I. COHEN (5)
JAMES F. CLOUTIER (A/L)
JILL C. DUSON (A/L)
EDWARD J. SUSLOVIC (A/L)

**ORDER AMENDING PORTLAND CITY CODE
CHAPTER 14 (LAND USE)
ARTICLE III, DIVISION 19.7
(Formula Businesses)**

AND

ESTABLISHING TASK FORCE ON BUSINESS DIVERSITY

**1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

That Division 19.7 Sections 14-330.1 through 14-330.5 enacted by Council Order 100-06/07 on November 20, 2006 is hereby repealed in its entirety; and

2. BE IT FURTHER ORDERED, that a Task Force on Business Diversity is hereby established to develop a strategy for preserving and enhancing the economic health of Portland's downtown business district related to its unique character, business diversity, economic vitality, and quality of life. As part of its charge, the Task Force shall undertake the following actions:

1. Study and report on the strengths and challenges of various regulatory tools used in other municipalities to maintain business diversity, including community impact review; formula business restrictions; local purchasing preferences; site plan review standards; Tax Increment Financing; and District Improvement Financing.
2. Consider the legality of the various regulatory tools noted in paragraph 1.
3. Consider the potential economic impact of the various regulatory tools noted in paragraph 1 on the downtown business district, including but not limited to consideration of measured impacts of the Formula Business Ordinance adopted in November of 2006; development patterns in and surrounding the downtown business district; review of lease rates and real estate values within the downtown business zone; and a review of openings and closings of establishments within the zone in the recent past.
4. Upon completion of its review, the Task Force will prepare a report summarizing its research and findings, including any recommendations needed to maintain the economic health of Portland's downtown business district. Such report shall be submitted to the Council and Planning Board for review and consideration.

BE IT FURTHER ORDERED, that the Task Force shall consist of 15 individuals appointed by the Mayor representing the following groups as noted below:

Portland City Council: Two City Councilors who shall be Co-chairs

One representative nominated by the Maine Real Estate and Developers Association

One representative nominated by the Portland Community Chamber of Commerce

One representative nominated by Portland Buy Local

One representative nominated by the Bayside Community Development Corporation

One representative nominated by the Portland Downtown District

One District One Resident

One District Two Resident

One District Three Resident

One District Four Resident

One District Five Resident

One Representative of Formula Businesses

One Representative of Small Independent Businesses

One Representative of Downtown Portland Property Owners