

Order 167-13/14  
Passage: 9-0

Effective 3/13/14

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

**CITY OF PORTLAND**  
**IN THE CITY COUNCIL**

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

**ORDER SETTING ELECTION DATE ON  
CITIZEN-INITIATED ORDINANCE ENTITLED:  
AMENDMENT TO CHAPTER 2 OF THE PORTLAND CITY CODE RE: ARTICLE III-  
A: PORTLAND LAND BANK COMMISSION**

**ORDERED**, that pursuant to Section 9-39 of the Portland City Code, the citizen-initiated ordinance entitled Amendment to Chapter 2 of the Portland City Code Re: Article III-A: Portland Land Bank Commission shall be submitted to the voters of the City on June 10, 2014 at the regularly scheduled election; and

**BE IT FURTHER ORDERED**, that the Portland City Clerk shall be authorized to provide a summary in substantially the form attached hereto of the proposed ordinance on the ballot.

Do you favor the change in the city ordinance(s) proposed by citizen petition as provided below?

## SUMMARY

OVERVIEW OF LAND BANK LAW. The Land Bank Commission has been in place since 1999. The current purpose of the Land Bank Commission is to protect natural and undeveloped properties owned by the City from sale or development. The key way in which these parcels are protected is by requiring the approval by both the Land Bank Commission and at least 6 members of the City Council. Currently, there are 25 City properties in the Land Bank.

The proposed ordinance amends the Land Bank Commission in three different ways.

NEW CATEGORY OF LAND BANK PROPERTY. First, it establishes a new category for Land Bank eligibility, called “urban open public spaces.” Examples of urban open public spaces are plazas and squares where people have the opportunity to recreate and hold events.

NEW LAND BANK PROPERTIES. Second, it designates 35 properties as Land Bank properties, in addition to those 25 Land Bank properties that already exist. The new properties to be designated are:

- |   |   |
|---|---|
| 1) Back Cove Park and Trail                                 | 25) Payson Park   |
| 2) Barrow’s Park/Baxter Sundial                             | 26) Peppermint Park   |
| 3) Bayside/Stone Street Park                                | 27) Pleasant Street Park  |
| 4) Baxter Pines   | 28) Post Office Park  |
| 5) Baxter Woods   | 29) Riverside Golf Course (except parking lot and existing buildings) |
| 6) Bell Buoy Park   | 30) Riverton Park   |
| 7) Belmeade Park  | 31) Stroudwater Park  |
| 8) Capisic Pond Park  | 32) Taylor Street Park  |
| 9) Clark Street Park  | 33) Tommy’s Park  |
| 10) Congress Square Park                                    | 34) University Park   |
| 11) Deering Oaks Park                                       | 35) Western Promenade Park  |
| 12) Dougherty Field   |   |
| 13) Eastern Promenade Park, East End Beach, Fort Allen Park |   |
| 14) Fessenden Park  |   |
| 15) Fort Gorges   |   |
| 16) Fort Sumner Park  |   |
| 17) Fox Field/Kennedy Park                                  |   |
| 18) Harbor View and Tate-Tyng Park                          |   |
| 19) Heseltine Park  |   |
| 20) Lincoln Park  |   |
| 21) Lobsterman Park   |   |
| 22) Longfellow Square                                       |   |
| 23) Monument Square   |   |
| 24) Munjoy South Playground                                 |   |

STRONGER PROTECTION FOR LAND BANK PROPERTIES. Third, the proposed ordinance would strengthen the protections for all Land Bank properties. Any conveyance of a Land Bank property would require Land Bank Commission approval, and either a 6-member vote by the City Council and voter approval in a municipal election, or an 8-member vote by the City Council. In addition, voter approval would not be required for conveyances to conservation organizations or transactions in which there is no net loss to the area of that particular Land Bank property. Similarly, any use by the City of a Land Bank property for non-Land Bank public purposes would require Land Bank Commission approval, and either a 6-member City Council vote and voter approval in a municipal election, or an 8-member council vote. However, if the City's non-Land Bank use was of a small area (less than 5,000 square feet or less than 10% of the Land Bank property, whichever is less), no voter approval would be required.