

Order 97-06/07  
Given first reading on 11/6/06  
Public Hearing & Passage: 11/20/06 9-0

JAMES I. COHEN (MAYOR)(5)  
WILLIAM R. GORHAM (1)  
KAREN A. GERAGHTY (2)  
DONNA J. CARR (3)  
CHERYL A. LEEMAN (4)

CITY OF PORTLAND  
IN THE CITY COUNCIL

JAMES F. CLOUTIER (A/L)  
JILL C. DUSON (A/L)  
NICHOLAS M. MAVODONES (A/L)  
EDWARD J. SUSLOVIC (A/L)

**AMENDMENT TO PORTLAND CITY CODE**  
**CHAPTER 14 (LAND USE), SECTIONS 229.11 (B-4 COMMERCIAL**  
**CORRIDOR ZONE, PERMITTED USES), 247 (I-M, I-Ma and I-Mb**  
**INDUSTRIAL ZONES, PERMITTED USES) AND 262 (I-H and I-Hb**  
**INDUSTRIAL ZONES, PERMITTED AND USES); AND**  
**CHAPTER 28 (TRAFFIC), DIVISION 6 (TOWING AND IMMOBILIZATION**  
**OF VEHICLES), SECTION 101 (APPLICABILITY)**  
**RE: TOW LOTS PERMITTED IN B-4, I-M and I-H ZONES; TO BE**  
**LOCATED WITHIN CITY LIMITS OR 5 MILES OF CITY HALL**

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

*1. That Chapter 14 (Land Use), Section 14-229.11 (B-4 Commercial Corridor Zone, Permitted uses), is hereby amended to read as follows:*

**Sec. 14-229.11. Permitted uses.**

The following uses are permitted in the B-4 zone:

. . .

(c) *Other:*

. . .

9. Studios for artists and craftspeople; ~~and~~
10. Accessory uses, as provided in section 14-404- ; and
11. Storage lots for towed or impounded vehicles, provided that such lots are located at least 300 feet from any residential zone or existing conforming residential use. For the purposes of this section, "existing conforming residential use" does not include a legally nonconforming residential use as described in Division 23 of this chapter.

2. That Chapter 14 (Land Use), Section 14-247 (I-M, I-Ma and I-Mb Industrial Zones, Permitted uses), is hereby amended to read as follows:

**Sec. 14-247. Permitted uses.**

The following uses are permitted whether provided by private or public entities in the I-M moderate impact industrial zone, the I-Ma and the I-Mb zone:

. . . .

(u) Storage lots for towed or impounded vehicles, provided that such lots are located at least 300 feet from any residential zone or existing conforming residential use. For the purposes of this section, "existing conforming residential use" does not include a legally nonconforming residential use as described in Division 23 of this chapter.

3. That Chapter 14 (Land Use), Section 14-262 (I-H and I-Hb Industrial Zones, Permitted uses), is hereby amended to read as follows:

**Sec. 14-262. Permitted uses.**

The following uses are permitted whether provided by private or public entities in the high impact industrial zone and the I-Hb zone:

. . . .

(s) Storage lots for towed or impounded vehicles.

4. That Chapter 28 (Traffic), Division 6 (Towing and Immobilization of Vehicles), Section 1-101(a) (Applicability), is hereby amended to read as follows:

**Sec. 28-101. Applicability.**

(a) *In general.* Any vehicle of any kind or description parked upon a public street of the city at any place, in any manner, or for any length of time prohibited by this Code, or during any emergency parking ban declared by the city manager as provided in

this chapter, may be removed by, or under the direction of or at the request of, any police officer of the city to a garage, storage place, or to city property within the limits of the city or within a radius of five (5) miles from Portland City Hall and impounded therein until the towing and storage fees established by article IV of this chapter are paid, and, until the requirements of this division are met. Such police officer may use such force as may be necessary to enter the vehicle and cause the same to be placed in a condition to be moved and may summon a licensed tow operator pursuant to the provisions of article IV of this chapter for such purpose.

O:\OFFICE\amend\14-247 tow lots zoning 3-27-06.doc