

Order 10-10/11  
Given first reading on 7/19/10  
Public Hearing & Passage 7-0 (Councilors Marshall and Waxman absent)

NICHOLAS M. MAVODONES (MAYOR)  
KEVIN J. DONOGHUE (1)  
DAVID A. MARSHALL (2)  
DANIEL S. SKOLNIK (3)  
CHERYL A. LEEMAN (4)

**CITY OF PORTLAND**  
IN THE CITY COUNCIL

JOHN R. COYNE (5)  
JOHN M. ANTON (A/L)  
DORY RICHARDS WAXMAN (A/L)  
JILL C. DUSON (A/L)

**AMENDMENT TO PORTLAND CITY CODE  
CHAPTER 14. LAND USE  
ARTICLE III. ZONING  
RE: SITE PLAN STANDARD APPLICABILITY**

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

*That sections 14-147, 14-162, 14-182, 14-183, 14-217,  
14-223, 14-229.11, and 14-230.11 of the Portland City Code  
are hereby amended to read as follows:*

**Sec. 14-147. Permitted uses.**

The following uses are permitted in the R-P district:

. . . .

(c) *Other:*

1. Utility substations, as defined in section 14-47, subject to the requirements of article V (site plan), sections 14-522 and 14-523 notwithstanding.

**Sec. 14-162. Permitted uses.**

(a) The following uses are permitted in the B-1 zone and on the ground floor level of buildings in the B-1b zone. For permitted uses in the upper stories of buildings in the B-1b zone, refer to subsection (5) below: in existence on November 15, 1993:

. . . .

(4) *Other:*

. . . .

b. Utility substations, as defined in section 14-47, subject to the standards of article V (site plan), sections 14-522 and 14-523 notwithstanding;

. . . .

e. Bed and breakfast, subject to the standards of article V (site plan), sections 14-522 and 14-523 notwithstanding;

(5) Uses permitted above the ground floor level of buildings in the B-1b zone:

. . . .

b. Bed and breakfast, subject to the standards of article V (site plan), sections 14-522 and 14-523 notwithstanding.

**Sec. 14-182. Permitted uses.**

The following uses are permitted in the B-2, B-2b and B-2c zones except that any use involving drive-throughs are prohibited in these zones unless otherwise provided in section 14-183:

. . . .

(d) *Other:*

. . . .

3. Utility substations, as defined in section 14-47, subject to the requirements of article V (site plan), sections 14-522 and 14-523 notwithstanding;

. . . .

5. Bed and breakfast, subject to the standards of article V (site plan), sections 14-522 and 14-523 notwithstanding. . .

**Sec. 14-183. Conditional uses.**

The following uses are permitted in the B-2, B-2b and B-2c zones as provided in section 14-474 (conditional uses), if they meet the following requirements:

(a) *Business.* Any of the following conditional uses, provided that, notwithstanding section 14-474(a) of this article or any other provision of this code, the Planning

Board shall be substituted for the Board of Appeal as the reviewing authority over conditional business uses:

- . . . .  
5. Automobile dealerships.

In addition to approval by the Planning Board with respect to the requirements of article V (site plan), sections 14-522 and 14-523 notwithstanding, these uses shall comply with the following conditions and standards in addition to the provisions of section 14-474:

. . . .

**Sec. 14-217. Permitted uses.**

(a) The following uses are permitted in the B-3 and B-3b zones:

. . . .

- (4) *Other:*

. . . .

- d. Bed and breakfast, subject to the standards of article V (site plan), sections 14-522 and 14-523 notwithstanding . . .

**Sec. 14-223. Permitted uses.**

The following uses are permitted in the B-B island business zone:

. . . .

- (i) Peaks Island only: Bed and breakfast, subject to the standards of article V (site plan), sections 14-522 and 14-523 notwithstanding.

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

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

. . . .

- (c) *Other:*

. . . .

7. utility substations, as defined in section 14-47, subject to the requirements of article V (site plan), sections 14-522 and 14-523 notwithstanding; and

**Sec. 14-230.11. Permitted uses.**

The following uses are permitted in the O-P zone:

. . . .

An Office Park Planned Unit Development (OPPUD) shall be subject to review and approval by the Planning Board with respect to the requirements of article V (site plan) and article IV (subdivisions) and the development standards of this chapter, article V sections 14-522 and 14-523 notwithstanding, and whether or not such development is a subdivision within the meaning of article IV of this chapter as now enacted or as hereafter amended. An Office Park Subdivision (OPS) shall be subject to review and approval by the Planning Board with respect to the requirements of article IV (subdivision) and article V (site plan), sections 14-522 and 14-523 notwithstanding, as each subdivided lot is developed. . .