

Falmouth

2.16 Auto Repair Service Garage: A business establishment engaged in general repair, engine

rebuilding, parts replacement, rebuilding or reconditioning of motor vehicles, body, frame or

fender straightening and repair, painting and undercoating, and mechanized washing of automobiles but where no engine fuels are sold at retail. [Adopted 4/27/87]

2.17 Auto Service Station: A business establishment engaged in the sale of engine fuel (stored

only in underground tanks), kerosene, motor oil and lubricants, directly to the public, and minor repair of automobile body, frame, or fender straightening and repair. Convenience stores with fuel pumps as an accessory use are not classified as auto service stations.

[Adopted, 4/27/87]

2.115 Neighborhood Variety/Convenience Store: A store with up to 3,000 square feet of gross

floor space intended to serve a residential neighborhood with a limited variety of foods, beverages and dry goods, including, but not limited to, newspapers, emergency home repair articles and other household items. It may also include the sale of prepared foods, for consumption on or off-site, provided that such sale is accessory to the principal use and does not use drive-through. [Adopted 8/28/06]

2.143 Restaurant: An establishment where food and drink is prepared and served to or consumed by the public.

2.144 Restaurant - Carry-out: A restaurant which by design of physical facilities or by service or packaging procedures permits as a principal use the purchase of prepared, ready-to-eat food intended to be consumed off the premises. [Adopted, 4/27/87]

2.145 Restaurant - Drive-Through: A restaurant which may contain indoor and/or outdoor

seating and has a drive-through facility which permits customers to obtain food and drink while remaining in their vehicles. [Adopted, 4/27/87]

Freeport

Auto Repair Service Garage: A place where the following services may be carried out: general repair, engine rebuilding, parts replacement, rebuilding or reconditioning of motor vehicles, collision service such as body, frame or fender straightening and repair, overall painting and undercoating and mechanized washing of automobiles but where no engine fuels are sold at retail.

Auto Service Station: A place where gasoline, or any other vehicular engine fuel (stored only in underground tanks), kerosene, or motor oil and lubricants or grease (for operation of motor vehicles) are retailed directly to the public on the premises; including the sale of minor accessories and the servicing and minor repair of automobiles, not including storage of unlicensed vehicles and not including body,

frame, or fender straightening and repair. Convenience stores with fuel pumps as an accessory use are not classified as auto service stations.

Convenience Store: A retail establishment which accommodates neighborhood needs for groceries and sundries and which may sell, as accessory uses, prepared food for carry-out.

Convenience Store With Gas Pumps: A convenience store which sells, as an accessory use, gasoline at the pump(s).

Restaurant: A commercial establishment where food and drink are prepared, served and consumed primarily within the principal building. Outdoor seating is permitted and drive-up facilities are prohibited.

Restaurant - Carry-out: A restaurant which by design of physical facilities or by service or packaging procedures permits as a principal use the purchase of prepared, ready-to-eat food primarily intended to be consumed off the premises.

Restaurant - Drive-up: A restaurant which permits customers to obtain food and drink while remaining in their vehicles. A drive-up restaurant must contain a minimum of seventy-five (75) indoor seats. In the C-I district a drive-up restaurant may contain fewer than seventy-five indoor seats provided the following criteria are met: the drive-up restaurant contains a minimum of twenty-four (24) indoor seats, and the drive-up restaurant is part of a building with a minimum of 6,500 square feet of gross floor area that contains or has the ability to contain, a permitted use other than a drive-up restaurant. In addition, a drive-up restaurant may contain outdoor seating.

Village Café: a place where food and beverages are prepared, served, and consumed Carry-out service is permitted as either the primary or accessory use. Village cafes are prohibited from the use of deep fat fryers requiring mechanical ventilation.

Scarborough

Restaurant:

A business the principal activity of which is serving food to the public. (11/16/94)

Portland

Drinking establishment: Means and includes any establishment required to be licensed to sell alcoholic beverages for on-premises consumption, which is not regularly used for the purpose of providing full-course meals, as defined in Title 28-A of the Maine Revised Statutes, on the premises.

Major auto service station: A business selling gasoline, diesel or propane fuel, with more than two (2) pump islands or with a capacity to fuel more than eight (8) vehicles

simultaneously or providing repair services including, but not limited to, tuneups, engine repair, brake work, muffler replacement, tire repair or similar activities.

Minor auto service stations: A business selling gasoline, diesel or propane fuel with not more than two (2) pump islands, provided that no more than a total of eight (8) vehicles may be fueled simultaneously. Repair services including but not limited to tune-ups, engine repair, brake work, muffler replacement, tire repair or similar activities shall be permitted provided that there shall be no more than two (2) service bays. Such businesses shall not include car washes or vacuums.

Restaurant: Any food service establishment, as defined by section 11-16 of this Code, with indoor seating capacity for ten (10) or more patrons.

DIVISION 10. B-2 AND B-2b COMMUNITY BUSINESS ZONES*

***Editor's note**—Ord. No. 293-88, adopted Apr. 4, 1988, with an effective date of July 1, 1988, repealed §§ 14-181-14-187 of Div. 10, B-2 Business Zone, of this article and enacted in lieu thereof similar new provisions as set out in §§ 14-181-14-187. Formerly, such sections derived from §§ 602.9.A-602.9.G of the city's 1968 Code and from Ord. No. 74-72, adopted Mar. 6, 1972; Ord. No. 499-74, § 4, adopted Aug. 19, 1974; Ord. No. 334-76, § 6, adopted July 7, 1976; and Ord. No. 274-77, adopted May 16, 1977.

Sec. 14-181. Purpose. City of Portland Land Use Code of Ordinances Chapter 14 Sec. 14-180 Rev.3-4-08 14-217

(a) B-2 Community Business Zone

The purpose of the B-2 community business zone is:

(1) To provide appropriate locations for the development and operation of community centers offering a mixture of commercial uses and services serving the adjoining neighborhoods and the larger community.

(2) The variety, sites and intensity of the permitted commercial uses in the B-2 zone are intended to be greater than those permitted in the B-1 neighborhood business zone.

(3) The B-2 zone will provide a broad range of goods and services and general businesses with a mixture of large and small buildings such as grocery stores, shops and services located in major shopping centers and along arterial streets. Such establishments should be readily accessible by automobile and by pedestrians. Development in the B-2 zone should relate to the surrounding neighborhoods by design, orientation, and circulation patterns.

(b) B-2b Community Business Zone

B-2b zone is intended to provide neighborhood and community retail, business and service establishments that are oriented to and built close to the street. The B-2b zone is appropriate in areas where a more compact urban development pattern exists on-peninsula or in areas where a neighborhood compatible commercial district is established off-peninsula and each area exhibits a pedestrian scale and character. Such locations may include the peninsula and other arterials and intersections with an existing urban or neighborhood oriented building pattern. Building additions are encouraged but not required to meet the maximum setbacks of 14-185I.

(c) B-2c Community Business Zone

To protect and enhance the quiet enjoyment of adjoining residential neighborhoods from the impacts of businesses that serve liquor and from other uses that are incompatible with adjoining

neighborhoods due to noise.

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:

(a) *Residential*:

1. Any residential use permitted in the residential zone abutting the lot. If there is no abutting residential zone, the nearest residential zone to the lot. In the case of two (2) or more abutting residential zones, the most restrictive such zone; and
2. In any structure with commercial uses in the first floor, multi-family dwellings are permitted above the first floor.

(b) *Business*:

1. General, business and professional offices, as defined in section 14-47;
2. Personal services, as defined in section 14-47;
3. Offices of building tradesmen;
4. Retail establishments;
5. Restaurants, except that restaurants shall close for all purposes including the service of alcohol

no later than 11:00 p.m.;

6. Drinking establishments, except that drinking establishment as defined in section 14-47, and bars as defined in section 14-217.5 (a)(1), shall not be permitted in the B-2c zone;