

SECTION 760. DESIGNED BUSINESS ZONE (DB)
[Added/Amended 8/11/2019]

761. Background and Purposes

This zone is intended to allow, in appropriate locations, for secondary-level concentrations of business uses which help to address the needs of the community. Special measures have been established to protect and preserve the existing qualities and character of each area; to promote development compatible with surrounding residential districts; to allow existing non-conforming businesses to continue to improve their business; and to minimize traffic circulation, parking and related problems.

This zone may allow Assisted Living Facilities, Memory Care Facilities or a combination thereof via Special Permit if certain requirements and standards are met. Due to the nature of these types of facilities and the need for economies of scale, extra height and bulk shall be permitted for these types of businesses subject to the requirement that sufficient open space be set aside for the use of residents. ***[Amended 8/11/2019]***

762. Permitted Principal Uses

The following uses shall be permitted subject to approval of a Zoning Permit in accordance with Subsection 1102:

- a. All uses permitted in the R-1/2 Zone.
- b. Public and semi-public buildings and/or uses.
- c. Business and professional offices.
- d. Medical or dental offices.
- e. Maintenance, continuance and replacement of commercial sales and service facilities legally existing as of the effective date of these Regulations. Any reconstruction or reestablishment shall be limited in all respects to the size, nature and intensity previously approved and existing on the site. Establishment of new commercial sales and service facilities shall only be permitted by Special Permit in accordance with Section 763(a).
- f. Specialty Veterinary Medical Offices.

[Amended 8/11/2019; 5/10/2026]

763. Principal Uses Requiring Special Permits

The following uses may be permitted subject to approval of a Special Permit in accordance with Section 1000:

- a. Commercial sales and services which may include external storage or activity.
- b. Protected Town Landmarks.
- c. Indoor recreation facilities.
- d. Clubs or lodges.
- e. Assisted Living Facility Memory Care Facility or a combination thereof (see Section 768).
- f. Dwelling units located on upper floors. ***[Amended 12/18/2011]***
- g. Personal service businesses.
- h. Any single structure exceeding 8,000 square feet of gross floor area.

[Amended 8/11/2019]

764. Permitted Accessory Uses

The following uses shall be permitted subject to approval of a Zoning Permit in accordance with Subsection 1102:

- a. Signs, as permitted in Section 920.
- b. Any building or use customarily incidental to a permitted use.
- c. Off-street parking and loading facilities in accordance with Section 900.
- d. Accessory food service.

[Amended 8/11/2019]

765. Permitted Accessory Uses

The following accessory uses may be permitted subject to approval of a Special Permit in accordance with Section 1000.

- a. A drive-through window, drive-up window, drive-up ATM, or similar type of facility for a Financial Service use or other commercial sales or service use.

[Amended 8/11/2019]

766. Area and Bulk Requirements

The following requirements shall be deemed to be the minimum requirements in every instance of their application. Dimensions are in feet unless otherwise indicated.

1. Minimum Lot Area	None (See Note a)
2. Minimum Lot Width	60
3. Minimum Lot Frontage	60
4. Minimum Lot Depth	100
5. Minimum Front Yard	20 (See Note b)
6. Minimum Side Yard	4
7. Minimum Rear Yard	25 (See Note d)
8. Maximum Height in Stories	2
9. Maximum Height in Feet	28
10. Maximum Building Coverage	Determined by FAR
11. Minimum Front Landscape Depth.	20
12. Maximum Developed Site Area	80%
13. Minimum Setback from Any Residential or DO Zone	25
14. Maximum Floor Area Ratios (for lots of 0.6 acres in size or more) <i>[Amended 12/18/2011]</i>	0.40 of the first 10,000 s.f. of lot area plus 0.20 of all lot area over 10,000 s.f.
15. Maximum Building Coverage (for lots of less than 0.6 acres in size or more – for mixed-use and commercial projects on contiguous lots, coordinated development shall be treated as a single parcel for these properties). <i>[Amended 12/18/2011]</i>	25%

16. Maximum Floor Area of all Dwelling Units**1,250 sq. ft.**

Notes:

- a. Requirements for yards and buffers control lot sizes.
- b. As stated above, except no parking shall be permitted in front of any building unless the setback from the street line is at least 75 feet. On streets of less than 50 feet width the front yard setback shall be measured from the center line of the street and 25 feet shall be added to the required front yard setback. See Subsection 372 for requirements where setback of existing buildings is greater or less than minimum requirement. Where the lot is a corner lot, the front yard setback on a street which is not Boston Post Road may be reduced from twenty (20) feet to ten (10) feet by Special Permit.
[Amended 12/18/2011]
- c. As specified above, except that at least 25 feet shall be provided where the side yard furnishes vehicular access to the rear, and except that the Commission, in approving a site plan, may permit a building to abut a side line where it finds such creates a better plan.
- d. As specified above, except as follows:
 1. Where a rear yard abuts a Residential Zone, the rear yard requirement shall be at least equal to the rear yard requirement of the adjoining Residential Zone.
 2. Where the lot is a corner lot and its rear yard is not adjacent to land in any other zone, the rear yard requirement shall equal the side yard requirement.
 3. Where a building complies with the Inclusionary Zoning Regulations (Section 580 et. seq.) the Commission may reduce the rear yard setback to ten (10) feet, provided the Commission finds such reduction improves the functionality of the site redevelopment plan with no adverse impact on properties within 100 feet of the subject property.
[Amended 8/17/2025]
- e. If more than eight (8) dwelling units, then at least 30 percent of the total number of units shall be limited to one bedroom. The total number of dwelling units shall not exceed 6 dwelling units on any site of 20,000 square feet or less, and seven (7) dwelling units on any site greater than 20,000 square feet.
- f. For additions to existing Assisted Living Facilities and/or Memory Care Facilities, the following provisions shall apply in lieu of their respective requirements in the above table in Section 766:

1. Maximum Height in Stories	3
2. Maximum Height in Feet	32
3. Maximum Building Coverage	35% of total lot area
4. Maximum Developed Site Area	75%
5. Maximum Average Floor Area Ratios	Not applicable
6. Maximum Floor Area for each private residential unit	800 square feet

*[Amended 12/18/2011; 8/11/2019; 8/17/2025]***767. Special Controls**

- a. Special provisions may be applied for the protection and preservation of existing structures and features subject to the requirements of Section 1000, as follows:
 1. An existing lot and/or structure which is non-conforming with respect to any of the requirements set forth herein, may be altered, added to, or rebuilt on the same

site provided that such addition, alteration or reconstruction shall not increase the existing non-conforming status of the property and otherwise shall comply in all respects with these Regulations.

2. In order to permit the reasonable use of land and existing structures within this district, the Commission may modify access drive standards and/or requirements for layout and construction of parking areas, including their location on the site, subject to determining that no traffic or public safety hazards shall result and that the purposes of this district shall be met.

These provisions shall apply exclusively to the use and development of existing structures within the district which do not exceed 3,000 square feet in gross floor area.

- b. No off-street parking areas shall be permitted between the street line and the front of the building.
- c. Landscaping, screening and buffer areas shall be provided in accordance with Section 940.
- d. Display or storage of materials shall be in accordance with Subsection 373.
[Amended 12/18/2011]
- e. All uses shall be subject to Site Plan Approval in accordance with Section 1020. The following additional requirements shall apply:
 1. A colored rendering of the proposed structure(s) drawn from a perspective representing a view from street level and illustrating at least two facades of the building;
 2. Elevation drawings for each side of the building;
 3. Color photographs of existing development a minimum distance of 200 feet to either side of the subject site;
 4. Presentation of an architectural style which shall enhance and contribute to the historic and architectural character of the site and the surrounding area;
 5. Buildings designed to enhance and contribute to special design features of the area including the historic and public buildings and the natural environment.
 6. Samples of the finishing materials to be used on the exterior.
- f. Accessory structures shall be allowed, subject to the area and bulk requirements set forth in section 406 for the residential zone that abuts the site, provided that the Commission finds that the accessory structures do not unreasonably impact abutting residential properties. The minimum yard adjacent to single story parking garages, whether individual garage spaces or grouped, shall be a minimum of three feet, provided that the Commission finds that the parking garage and turning area will be appropriately screened from, and not unreasonably impact, adjacent residential properties.

[Added 12/18/2011; Amended 8/11/2019]

768. Assisted Living Facility (ALF) and Memory Care Facility (MCF)

- a. An ALF, MCF or combination thereof shall include common rooms for use by the occupants such as living rooms, laundry, entertainment facilities, dining areas, beauty parlor, library, and kitchen facilities. An ALF MCF or combination thereof shall also include administrative offices, service facilities, and areas for wellness, periodic medical examination, therapy, or similar uses.
- b. All Area and Bulk Requirements and Special Controls in Sections 766 and 767 shall control.
- c. The gross floor area of a private residential unit in an ALF, MCF or combination thereof shall be not less than 320 square feet.
- d. Each ALF, MCF or combination thereof shall be connected to public sanitary sewers and served by public water supply.
- e. At least 300 square feet of usable open space shall be provided for each private residential unit. The Planning and Zoning Commission may require that a conservation easement be conveyed for this required open space. Some or all of the open space may be located in an adjoining zone at the discretion of the Planning and Zoning Commission.
- f. To accommodate the parking needs of the residents, visitors, and staff providing services to the occupants, the following minimum off-street parking shall be provided: one space for each employee per maximum shift; plus 0.33 spaces for each ALF unit and 0.25 spaces for each MCF unit.
- g. Off-street parking design standards of Sections 226 and 900 shall be applicable.
- h. At least one off-street unloading facility shall be provided per Sections 909.1c and 909.2a-g.

[Added 6/26/2011; Amended 6/19/2016]