

TOWN OF HOPKINTON
ZONING BYLAW

ARTICLE VII
Rural Business (BR) District
[Added 10-10-1984 STM, Art. 20]

§ 210-21. Development and design objectives.

The purpose of the Rural Business (BR) District is to provide for appropriate development of commercial areas outside the center of town. Their location and design should be such that commercial activities can be performed without impeding local travel, disturbing residential neighborhoods or detracting from the appearance of the town, especially at any principal entrance thereto.

§ 210-22. Dimensional requirements. [Amended 5-5-2003 ATM, Art. 27]

The following size and setback requirements shall apply:

- A. Minimum lot area: 45,000 square feet.
- B. Maximum lot coverage: 25%.
- C. Minimum lot frontage: 200 feet.
- D. Minimum setback from street line: 50 feet.
- E. Minimum side yard width: 10 feet except that the side yard depth shall be 25 feet from abutting property used partially or wholly for residential purposes at the time of application. **[Amended 5-2-2011 ATM, Art. 47]**
- F. Minimum rear yard depth: 20 feet except that the rear yard depth shall be 40 feet from residential district zoning boundaries. **[Amended 5-4-2009 ATM, Art. 25]**
- G. Maximum building height: 35 feet. **Added 5-5-2003 ATM, Art. 27]**

§ 210-23. Permitted uses. [Amended 5-4-2009 ATM, Art. 18]

The following land uses and building uses shall be permitted in a BR District. Any uses not so permitted are excluded unless otherwise permitted by law or the terms hereof.

- A. Restaurants where all customers are seated and where no live commercial entertainment is offered.
- B. Retail stores, provided that not more than six employees are on the premises.
- C. Business or professional offices and banks.
- D. Retail business: retail service or public utility uses involving manufacturing, clearly incidental and accessory to a retail use, on the same premises, and the product is customarily sold on the premises, provided that not more than six operators are employed in such manufacturing. **[Amended 4-8-1985 ATM, Art. 15]**
- E. **[Reserved] [Amended 5-4-2009 ATM, Art. 18]**
- F. On-site residence of owners or employees of a permitted use.

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ZONING BYLAW

G. Accessory uses. **[Amended 5-4-2009 ATM, Art. 25]**

§ 210-24. Uses allowed by special permit. [Amended 4-15-1988 ATM, Art. 53 and Art. 66; 5-2-1994 ATM, Art. 18; 5-2-2005 ATM, Art. 30; 5-4-2009 ATM, Art. 25, 5-3-2010 ATM, Art. 46]

The following uses shall be allowed in the BR District upon the granting of a special permit by the Board of Appeals:

- A. Filling station and routine automobile maintenance, but not including major repairs.
- B. Single-family residence.
- C. Live commercial entertainment and places of assembly.
- D. Veterinary clinic. **[Amended 4-15-1988 ATM, Art. 53]**
- E. Medical Centers and Continuing Care Retirement Community Facilities / Assisted Living Facilities / Nursing Home Facilities. **[Amended 4-15-1988 ATM, Art. 66, 5-3-201- ATM, Art. 46]**
- F. Drive-in, drive-through, or drive-up uses, but excluding the dispensing of food or drink, provided that: 1) an adequate dedicated area for at least four vehicles to queue shall be provided on the premises, 2) notification of the public hearing shall be mailed to the owners of all properties within 1,000 feet of the premises, and 3) the Board of Appeals shall grant the Special Permit only if it finds that the proposed use will not be detrimental to the surrounding neighborhood. **[Amended 5-2-2005 ATM, Art. 30]**

§ 210-25. Reserved. [Amended 5-6-1996 ATM, Art. 37, 5-4-2009 ATM, Art. 25]

§ 210-26. Design requirements. [Amended 5-6-1996 ATM, Art. 37, 5-4-2009 ATM, Art. 25, 5-2-2011 ATM, Art. 47]

- A. Loading zone: as for IA District, § 210-29.
- B. Outdoor storage or display of merchandise or equipment: as for IA District, § 210-30.
- C. Landscaping: A landscaped area 12 feet in depth shall be provided along the street frontage of a lot.
- D. Screening adjacent to residence districts. The minimum setback area adjacent to a lot in a Residence A, Residence B, Residence Lake Front or Agricultural district shall be maintained in a wooded state to provide effective year-round screening of abutting property. All outdoor activity in a BR District, including parking, shall be screened as viewed from the ground. Acceptable screening may be a band of dense natural woodland 20 or more feet wide, differences in elevation sufficient to shield the view as required, an opaque fence or wall or evergreens planted to form a dense hedge of the required height within three years.