

The provisions of Section 323.1.9, and not this section, shall be applicable to a mixed-use development, including the residential component, in a Regional Center Mixed-Use Development. (Art. 1, Fall S.T.M. #1, 10/18/05)

* Affordability Requirements: All development in a Highway Overlay District shall be subject to and consistent with the provisions of Section V-J unless a determination has been made satisfactory to the SPGA that living units of Assisted Living Residences and Elderly Family Residence do not affect the Town's Statutory Minima or the Town's Computation of Statutory Minima as defined and/or set forth in 760 CMR 56 as maintained by the Commonwealth of Massachusetts Department of Housing and Community Development (DHCD). (Art. 11, S.T.M.#2, 11/1/16) (Art. 52, F.T.M. 10/17/17) (Art. 32, Fall TM 10/16/18)

323.4 - Adult Uses

Adult Uses shall be allowed in the RC district only upon the grant of a special permit by the Planning Board acting as the Special Permit Granting Authority ("SPGA"), subject to the following limitations:

323.41 Land in the RC district in which the underlying zoning is Highway Mixed Use III (HM-III) is specifically excluded.

323.42 The underlying zoning district permits a retail store use, or a variance has been issued permitting such retail store use, in the premises in which the proposed adult use is to take place.

323.43 The premises in which the proposed adult use is to take place is located a distance of at least three hundred (300') feet from: the Town boundary line or a residential district zone boundary line; or from a church; or from: a public or private school, park, playground or day care facility.

323.44 No premises containing an adult use shall be located within five hundred (500') feet of any other premises containing an adult use.

323.45 No premises containing an adult use shall be located in any premises having a liquor license.

323.46 No special permit for an adult use shall be issued to any person convicted of violating the provisions of M.G.L., chapter 119, section 63, or of chapter 272, section 28.

323.47 The permitted adult uses described herein specifically excluded disseminating or offering to disseminate to minors materials which depict, describe or relate to nudity or sexual