

**Section 8. Downtown Business District (DB)**

**A. Purpose**

The purpose of the Downtown Business District is to provide for and enhance the central commercial area of Kennebunk, to allow a complementary mix of activities that support a vital, community retail center, and to help preserve the character of downtown as a walkable, livable, historic center.

**B. Permitted Uses**

The following uses are permitted in the Downtown Business District:

1. The following residential uses:
  - 1-1 Convalescent and rest homes
  - 1-2 Single family detached dwellings
  - 1-3 Multifamily dwellings
  - 1-4 Two-family dwellings
  - 1-5 Elderly congregate housing
  - 1-6 Accessory dwelling unit
  - 1-7 Multifamily lots
  - 1-8 Two-family detached dwelling (vacant land only)
  
2. The following institutional uses:
  - 2-1 Churches
  - 2-2 Community buildings
  - 2-3 Libraries
  - 2-4 Municipal uses
  - 2-5 Museums
  - 2-6 Public and private schools
  
3. The following commercial uses:
  - 3-1 Banks
  - 3-2 Business and professional offices
  - 3-3 Business services
  - 3-4 Commercial schools
  - 3-5 Day care centers
  - 3-6 Eating places, provided no service is furnished directly to customers in their motor vehicles
  - 3-7 Funeral homes
  - 3-8 Halls and theaters
  - 3-9 Hotels and motels
  - 3-10 Inns
  - 3-11 Personal services
  - 3-12 Rental of equipment, provided there is no outdoor storage
  - 3-13 Retail sales
  - 3-14 Studios of artisans
  - 3-15 Veterinary clinics
  - 3-16 Wholesale sales

- 4. The following recreation and marine uses:
  - 4-1 Outdoor recreation
  - 4-2 Fully enclosed places of recreation
  
- 5. The following industrial uses:
  - 5-1 Limited manufacturing, provided there is no outdoor storage
  - 5-2 Tradesmen's shops, provided there is no outdoor storage
  
- 6. The following utility uses:
  - 6-1 Essential services
  
- 7. The following accessory uses:
  - 7-1 Accessory buildings and uses
  - 7-2 Home occupations
  - 7-3 Renting of rooms

**C. Special Exceptions**

The following uses may be permitted only upon approval as special exceptions in accordance with Article 7 of this Ordinance:

- 1. The following industrial uses:
  - 1-1 Manufacturing
  - 1-2 Research and development
  
- 2. The following utility uses:
  - 2-1 Public utilities

**D. Prohibited Uses**

- 1. Uses not allowed as permitted uses or special exceptions are prohibited within this district.
  
- 2. Lots with two existing units, either a two family or single family with accessory dwelling unit, are not permitted to add an additional dwelling unit as of June 14, 2023

**E. Standards**

- (1) Space and Bulk Standards  
The following space and bulk standards shall apply in the Downtown Business District:

Minimum net lot area	2,500 sq. ft.
Minimum net lot area per dwelling unit	

In buildings on or eligible to be on the National Registry of Historic Places	None, provided any conversion reviewed by the Historic Preservation Commission per the standards of Article 12, Section 3
Other dwellings	1,500 sq. ft. provided that an accessory dwelling unit shall not require an increase in the minimum net lot area.
Multifamily Lots	1,500 sq. ft.
Minimum lot width	None
Minimum setbacks	
Front, side, and rear yards	None, provided that any off-street parking spaces that may be required or otherwise provided on the same lot as the building shall be set back at least 25 feet from the front property line; and the area between the front property line and a line that is parallel to the front property line and tangent to the wall of the building closest to this property line and running the full width of the lot shall not be used for parking, although this area may be crossed by a driveway.
Shoreland area	Per Article 8, Section 16
Maximum height	40 feet, provided that no wood frame or timber building existing on June 17, 1963, shall be increased in height, and the Board of Appeals shall not grant any appeal for any such increase in height.
Maximum lot coverage	None
Minimum width of green perimeter strip	None

(2) Performance Standards

Uses within the Downtown Business District shall conform to all applicable performance standards of this Ordinance, including but not limited to the following:

- (a) Mixed residential-and-commercial uses  
No first floor space fronting on Main Street north of the Mousam River, or Garden Street, shall be used for residential purposes. Mixed residential-and-commercial uses shall additionally comply with the standards of Article 10, Section 16.
- (b) Soils Article 10, Section 2
- (c) Private outdoor lighting Article 10, Section 6
- (d) Signs Article 10, Section 7
- (e) Off-street parking Article 10, Section 9

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|-----|--------------------------|------------------------|
| (f) | Multifamily dwellings    | Article 10, Section 10 |
| (g) | Elderly congregate       | Article 10, Section 11 |
| (h) | Home occupations         | Article 10, Section 14 |
| (i) | Accessory dwelling unit  | Article 10, Section 15 |
| (j) | Motels, hotels, and inns | Article 10, Section 17 |
| (k) | Affordable housing       | Article 10, Section 12 |
| (l) | Water and wastewater     | Article 10, Section 8  |

**F. Overlay Districts**

- (1) Any lot or use within the Shoreland Area Overlay District shall additionally comply with the provisions of Article 8, Section 16, and of Article 10, Section 3 of this Ordinance.
- (2) Any lot or use within the Historic Preservation Overlay District shall additionally comply with the provisions of Article 8, Section 17, and of Article 12 of this Ordinance.

**G. Flood Plains**

Any construction or development within a flood plain, as defined by the Kennebunk Flood Plain Management Ordinance, shall additionally comply with the terms of that ordinance.

**H. Site Plan Review**

Any proposals as described in Article 11 (Site Plan Review), Section 3 of this Ordinance shall be subject to site plan review and approval prior to receipt of a building permit or plumbing permit