CERTIFIED MAIL
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MEMORANDUM

TO: - Chairs of Planning Commissions of Towns Abutting Bristol
(Middlebury, New Haven, Starksboro, Lincoln, Ripton and Monkton)

- Adam Lougee, Executive Director, Addison County Regional Planning Commission

- Vermont Department of Housing and Community Affairs

FROM: Bristol Planning Commission
Sue Kavanaugh, Chair

DATE: September 14, 2016

SUBJECT: Proposed Town Plan

Enclosed, per 24 V.S.A. § 4384(e), is a copy of the proposed Bristol Town Plan and the report prepared by the planning commission summarizing the changes made to the plan. We would appreciate any comments that you may have with respect to the compatibility of the regulations with local, regional or state agency plans.

For further information or to discuss the proposed changes, please call Eric Forand at the Zoning Office at 453-2410.

RECEIVED
SEP 22 2016
Agency of Commerce and Community Development

Town of Bristol
Holley Hall
P.O. Box 249
Bristol, VT 05443
(802) 453-2410 • Fax 453-5188

Town of Bristol, Vermont Notice of Public Hearing
On the proposed re-adoption of the Bristol Town Plan

The Bristol Planning Commission (PC) will hold a public hearing at 7:00 p.m. Tuesday, October 18, 2016 in the Town offices at Holley Hall to take public testimony on the re-adoption of the Bristol Town Plan.

Statement of Purpose

The Bristol Planning Commission (PC) proposes the re-adoption of the Bristol Town Plan approved by Town voters on November 5, 2012. Because the PC will simultaneously propose amendments to the Bristol Zoning Regulations that provide for a new Zoning Map, it will be necessary to make changes to the Town Plan now in order to reference the anticipated updated map. References to Bristol's Zoning Districts appear in Section 12 Land Use, sub-section C (page 51) of the Town Plan. This text, referencing the Zoning Districts and Map (in Figures 24, 25, and 26 and in Appendices B and C) will need to be adjusted. This will be the only change to the current Town Plan and represents only clarifying amendments, not substantive change in purpose or intention.

Respectfully submitted by,

Susan K. Kavanagh

Susan K. Kavanagh, chair
Bristol Planning Commission

by conservation easements and other restrictions. Land within the Rural Conservation Planning Area provides significant public benefits and recreational use, and is a source of forest products.

The lands in the Rural Conservation Planning Area are currently protected by the most restrictive municipal zoning in Bristol, which discourages dense development and promotes only uses that are compatible with the limitations or special features of this area. Residential development is presently permitted only with a density of 1 unit per 25 acres, or at a higher density, only as part of a planned unit development. It should be recognized, however, that the Rural Conservation Planning Area, while an area where development should be limited, is not a "Preservation Area" nor or all parts of it environmentally sensitive.

C. Zoning Districts and Map

Current Zoning. Figures 24, 25, and 26 and the maps in Appendices B and C present a description of the town's current zoning districts (as of 2011). It is understood that as a result of the recommendations of this plan the current zoning districts and map are anticipated to change. After the voters approve a new town plan, Bristol's adopted Zoning Regulations remain in force until revised zoning regulations are drafted and adopted.

Zoning Revisions. Because so many districts within Bristol's current zoning ordinance allow both commercial and residential development, substantial reliance is often placed on review by the Zoning Board of Adjustment, especially when either the commercial or residential use is allowed only as a conditional use. This case-by-case review has generally served the town well, but has placed a heavy burden on the Zoning Board of Adjustment.

Accordingly, although the basic principles described in the description of Planning Areas above should continue (Village Planning Area with residential, commercial and some mixed, Rural Agricultural Planning Area with residential, mixed, and agricultural uses, and Rural Conservation Planning area with very low density residential), the Planning Commission will be undertaking a complete review of all zoning districts to re-examine what uses should be permitted, not permitted, and conditional in each zone. Zoning district lines will also be comprehensively reviewed and scrutinized based on new geological maps when they become available. When possible, unnecessary districts, which in some cases have resulted from the town/village merger, will be considered for elimination.

D. Specific Land Use Issues

Resource Extraction. The appropriate use of Bristol's natural resources inventory, both renewable and non-renewable, presents real challenges for the community. Deposits of soil, sand, gravel and rock ("earth resources") many times closely adjoin pockets of substantial residential development, and commercial extraction of these resources is often not compatible with this residential development (See Appendix G).

Figure 24. Zoning Districts within Village Planning Area (as of 2016)

- Village Business (VB) The purpose of this district is to promote the economic vitality of Bristol's downtown business district, while maintaining its historic character, pedestrian scale and orientation, and small town atmosphere. This district is densely developed, largely with block commercial buildings, and is and planned to be Bristol's primary retail center. Use of existing storefronts on Main Street for non-retail purposes shall be strongly discouraged. Full utilization of existing buildings is encouraged in a manner that preserves their architectural integrity, and demolition of structurally sound historic structures shall be strongly discouraged.
- Residential/Office-Commercial (ROC). The purpose of this district is to maintain and enhance the historic look and character, quality of life and mixed-use environment extending outward from Bristol's Village Business District. This area already contains a mixture of historic homes, but also remains suitable for office and commercial development because of its proximity to the existing commercial core of Bristol. Commercial development in this area should complement and reinforce Bristol's village. It should retain the larger historic homes within the district. Accordingly, adaptive re-use of existing buildings is encouraged in a manner that preserves their architectural integrity, and demolition of structurally sound historic structures shall be strongly discouraged. The uses allowed should not greatly impact upon the area residences and therefore should have limited impacts stemming from traffic, noise, odor or safety hazards.
- Village Mixed (VM). This district shall promote opportunities for employment and housing within easy reach of the walkable core of the village. It promotes mixed use development intended to extend Bristol's village to the west and south and to offer a mix of residential, commercial and light manufacturing opportunities within the Village Planning Area. Its vision incorporates and expands the recent development opportunities created in the Pine Street area and seeks to encourage similar development in other areas within the district, including the Town owned property at Stoney Hill. Mixed use residential or commercial/office parks developed as Planned Unit Developments (PUDs) are encouraged. The district also incorporates a number of municipal uses, which it envisions expanding and/or otherwise changing to meet the needs of the community.
- Village Residential (VR) The purpose of this district is to promote the economic vitality of Bristol's downtown business district, while maintaining its historic character, pedestrian scale and orientation, and small town atmosphere. This district is densely developed, largely with block commercial buildings, and is and planned to be Bristol's primary retail center. Use of existing storefronts on Main Street for non-retail purposes shall be strongly discouraged. Full utilization of existing buildings is encouraged in a manner that preserves their architectural integrity, and demolition of structurally sound historic structures shall be strongly discouraged.
- High Density Residential (HDR). It is the purpose of this district to allow for continued, high-density residential and compatible small business uses within the neighborhoods extending north and east from downtown Bristol. This district is largely developed with single-family homes and it is the intent of these Regulations to protect the existing character and maintain the district's traditional settlement patterns and residents' quality of life.
- Village Residential (VR). It is the purpose of this district to create a transitional zone between the village core and the surrounding rural agricultural area. The district shall allow for increased residential density and compatible small business

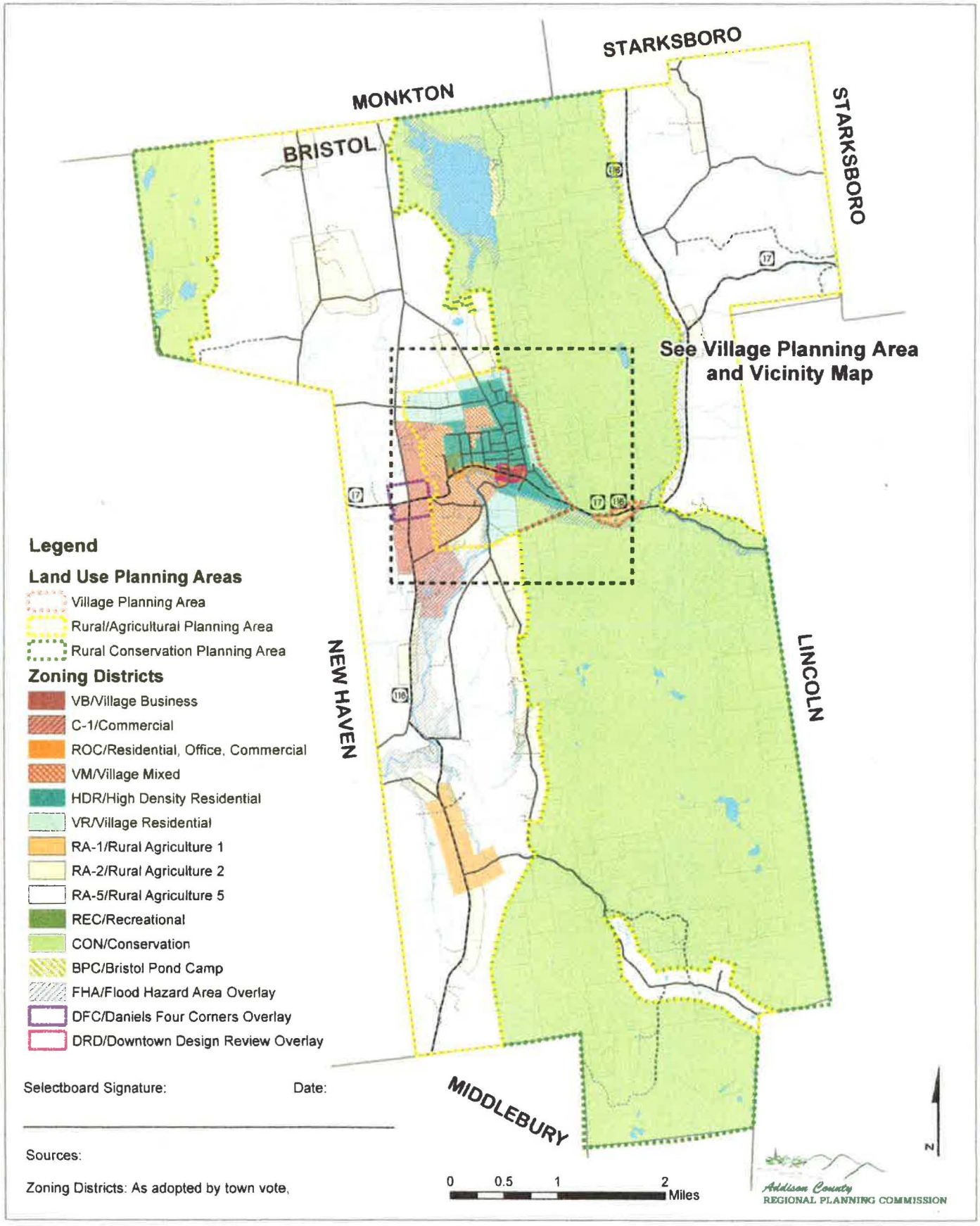
and civic uses in areas extending outward from Bristol village. The intent of this district is to extend the character of the village into adjoining areas that are currently less densely developed to provide opportunities for residential growth in proximity to downtown Bristol

❖ Commercial District (C-1). This district is located close to or within the Village Planning Area. The purpose of this district is to provide opportunities for both individual small-scale commercial and light industrial development and larger scale planned commercial and light industrial development. Existing residential uses will be allowed to continue. Retail Store, Class 3 development that competes with the downtown business district shall not be permitted.

❖

❖ Recreational District (REC). This district has been maintained and developed for public recreational uses and should continue to serve municipal and community needs for recreation. The district is comprised of property currently owned in part by the Town of Bristol and in part by the Bristol Recreation Club, Inc. The parcels should be treated as one cohesive unit as long as the ownership remains unchanged. The area is sometimes known as the Bristol Recreation Park and includes the Town's land at the so-called "riding ring" on Liberty Street.

Zoning Districts - Town of Bristol



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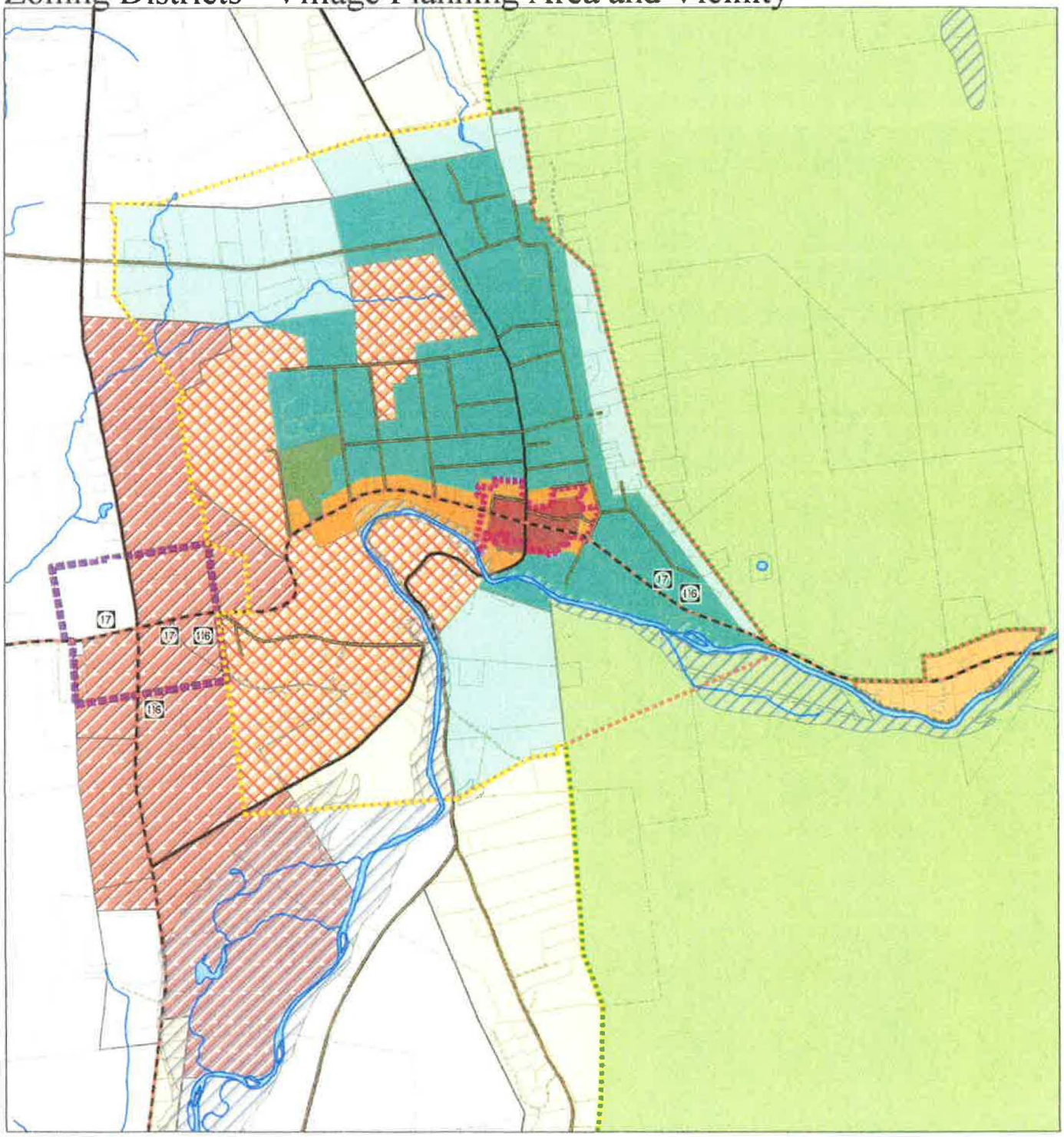
Zoning Districts - Village Planning Area and Vicinity



Legend

Land Use Planning Areas
- Village Planning Area
- Rural/Agricultural Planning Area
- Rural Conservation Planning Area

Zoning Districts
- VB/Village Business
- C-1/Commercial
- ROC/Residential, Office, Commercial
- VM/Village Mixed
- HDR/High Density Residential
- VR/Village Residential
- RA-1/Rural Agriculture 1
- RA-2/Rural Agriculture 2
- RA-5/Rural Agriculture 5
- REC/Recreational
- CON/Conservation
- BPC/Bristol Pond Camp
- FHA/Flood Hazard Area Overlay
- DFC/Daniels Four Corners Overlay
- DRD/Downtown Design Review Overlay

Selectboard Signature: Date:

Zoning Districts: As adopted by town vote,

0 0.25 0.5 Miles

Addison County REGIONAL PLANNING COMMISSION

N

ACRPC 2/2/2016

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

MEMORANDUM

TO: - Chairs of Planning Commissions of Towns Abutting Bristol
(Middlebury, New Haven, Starksboro, Lincoln, Ripton and Monkton)

- Adam Lougee, Executive Director, Addison County Regional Planning Commission
- Vermont Department of Housing and Community Affairs

FROM: Bristol Planning Commission
Sue Kavanaugh, Chair

DATE: September 14, 2016

SUBJECT: Proposed Bristol Zoning By-Laws and Regulations

Enclosed, per 24 V.S.A. § 4441(e), is a copy of the proposed Bristol Zoning By-Laws and Regulations revised to reflect and implement the Bristol Town Plan.
We would appreciate any comments that you may have with respect to the compatibility of the regulations with local or regional or state agency plans.

For further information or to discuss the proposed changes, please call Eric Forand Zoning Office, 453-2410.

Town of Bristol
Holley Hall
P.O. Box 249
Bristol, VT 05443
(802) 453-2410 • Fax 453-5188

Town of Bristol, Vermont Notice of Public Hearing
On the proposed amendments to the Town of Bristol Zoning Bylaws and Regulations

The Bristol Planning Commission (PC) will hold a public hearing at 7:00 p.m. Tuesday, October 4, 2016 in the Town offices at Holley Hall to take public testimony on the proposed amendments to the Town of Bristol Zoning Bylaws and Regulations.

Statement of Purpose

In bringing the Town's zoning regulations into conformity with the Town Plan approved in November 2012 and into compliance with Vermont State Statute, the PC's major focus has been to establish the opportunities for growth now mandated by the Town Plan. We took our lead from the Town Plan's emphasis on the importance of our compact village structure, with its blend of residential, retail/commercial, and municipal development. We thus looked for ways of supporting economic development that might also generate higher wages within walking distance of our Town center. At the same time, we worked to identify and preserve agricultural and natural resources development throughout the entire town.

Here are two broad outcomes within the PC's proposed update particularly related to zoning districts:

1) We seek to encourage and expand business, commercial, and light industry development by expanding areas where these types of uses will be allowed, through enhanced dimensional standards, and through increased types of uses in several zones throughout the town. We have slightly expanded the Commercial and Village Mixed zones and increased square footage allowances.

2) We seek to promote expanded residential development by allowing for increased density of housing at the north and south ends of the Village Planning Area (VPA) as outlined in the Town Plan. Such development would be contiguous to our current High Density Residential zone to the north and the Village Mixed zone to the south, and would not conflict with important mixed-use zoning districts which also exist within the VPA.

The PC acknowledges that much of Bristol's eastern portion will continue to be zoned Conservation, in part because of its mountainous topography. We have tried not only to build upon established residential development patterns in the north and south but also to expand certain zone boundaries and types of uses in the Rural/Agricultural Planning Area just to west of the Village Planning Area along Route 116 and Burpee Road.

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TOWN OF BRISTOL

ZONING REGULATIONS

DRAFT 9 6 16

INTRODUCTION TO THESE ZONING REGULATIONS

The Bristol Town Plan provides the vision for how Bristol should grow and develop. All Regulations governing land use in the Town of Bristol stem from the Bristol Town Plan and should serve to implement the visions contained in it. The Regulations should work in concert to provide a clear, fair and efficient administrative process to guide and control development.

These Zoning Regulations (these "Regulations") constitute the primary regulatory tool by which the Town of Bristol implements the vision in its Town Plan. They include the Flood Hazard Area Regulations and the Downtown Design Review criteria for the area encompassing Bristol's Downtown Designation. Bristol does not have subdivision Regulations. For any given application, only a portion of these Regulations will apply. These Regulations are intended to be comprehensive and are organized to clarify the review process before the Zoning Administrator, Planning Commission or Zoning Board of Adjustment.

HOW TO USE THESE REGULATIONS

This introduction is intended to help the applicant and the public understand how these Regulations function and to help an applicant and other parties interested in the application understand the development permit process in Bristol.

Article I of this document contains the general administrative framework for the Regulations. It is designed to provide general information regarding the purpose of the Regulations and how the Regulations function. It provides overall context, but is less important to individual applications than other SECTIONs.

Article II, which establishes the zoning districts, constitutes the functional heart of the document. It is generally the best place for anyone considering an application to start reviewing the Regulations. Article II and the zoning map establish a zoning district for each portion of town, the uses that will be allowed in each district and specific setback and other Regulations governing where uses may take place on a specific parcel. A copy of the zoning map, including a second page which enlarges the area in and around the village, is attached at the end of the document. Applicants should use the zoning map and text in Article II to determine in which zoning district their parcel lies. Once they have identified the district, they should review the Regulations to identify the types of uses or development allowed in the district, to determine whether their desired use or development is allowed in the district, and if so, what procedure they will need to follow to apply. Next they should determine the specific dimensional setbacks that govern where the use or development sits on the property. Lastly, they should look for references to other portions of these Regulations that apply to their proposed use.

Article III governs the permitting process an applicant will need to go through to develop or use their property in the manner proposed in their application. Article III starts by listing exempt uses or development not subject to these Regulations and therefore not requiring a permit. If the use or development an applicant plans is not exempt, it will require a permit. The applicant will need to read Article III, or speak with the Zoning Administrator to determine the process they need to follow to apply for a permit. These Regulations have two general review processes:

An administrative review process for uses listed as "Permitted Uses" within the district are specifically given to the Zoning Administrator to review; or
A more complicated review process for commercial uses or larger development proposals conducted by the Planning Commission or ZBA of Adjustment, bodies that act in deciding whether a permit application satisfies these Regulations.

In all cases, once an applicant has developed an idea of what they would like to do, where in Bristol they desire to do it and whether or not it is exempt from zoning, the best place for an applicant to start is with the Zoning Administrator. The Zoning Administrator serves as the front door for all zoning, subdivision or flood hazard area development or uses in the Town of Bristol. In addition to reviewing specific applications, the Zoning Administrator must also help applicants to understand and develop a proper application to request the type of use or development they are proposing and direct the applicant to the proper review process. Lastly, Article III also establishes the hearing requirements for all applications going before the Planning Commission or ZBA of Adjustment. Although applicants may apply for different development or uses, these Regulations are intended to ensure that each applicant, and all people interested in the application, receive consistent and fair treatment.

Article IV, Article V, Article VI and Article VII constitute required, general, specific and performance related zoning Regulations that govern types of uses and development or specified uses. Each may or may not apply to any given application. Applicants are encouraged to review them thoroughly or speak about them specifically with the Zoning Administrator.

Article VIII governs the application and review criteria for building within the Flood Hazard Zone within Bristol. Article IX provides definitions contained within these Regulations.

In drafting these Regulations, the Planning Commission sought to provide a consistent, fair and unified process to regulate land development. The Planning Commission sought to balance its respect for individual's property rights with Regulations intended to implement the community's desire for proper growth and development as envisioned in the Town Plan.

Thank you.
The Bristol Planning Commission

ARTICLE I: ENACTMENT, INTENT AND ORGANIZATION

SECTION 100: ENACTMENT

In accordance with the Vermont Municipal and Regional Planning and Development Act, 24 V.S.A., Chapter 117, hereinafter referred to as the "Act", there are hereby established Zoning Regulations for the Town of Bristol (the "Town") which are set forth in the text and map that constitute these Regulations. These Regulations shall be known and cited as the "Town of Bristol Zoning Regulations" and referred to herein as "these Regulations".

SECTION 110: INTENT

It is the intent of these Regulations to provide for orderly community growth and to further the purposes established in SECTION 4302 of The Act, and to implement the vision and objectives of the Bristol Town Plan.

SECTION 120: APPLICABILITY

All land development or development in the Town of Bristol must comply with these Regulations. As used herein, the term "land development" or "development" includes: the division of a parcel into two or more parcels or the use of existing parcels in a way which increases the number of housing units on such parcels; the construction, reconstruction, conversion, exterior structural alteration that does increase the footprint, relocation, or enlargement of any building or other structure; any mining, excavation or landfill; any change in the use of any building or other structure, or land or extension of use of land; any increase in the number of driveway intersection, either in number or in units served, when said intersection adjoins or enters into a town or state highway.

Any land development or development not in accordance with these Regulations shall be deemed prohibited.

SECTION 130: EFFECTIVE DATE

These Regulations or amendments thereto shall take effect when adopted by the Town of Bristol in accordance with the voting and other procedures contained in SECTION 4442 of the Act.

SECTION 140: REPEAL OF FORMER ZONING BYLAWS AND REGULATIONS

The Zoning Bylaws and Regulations, including the Zoning Map for the Town of Bristol in effect prior to the adoption of these Regulations, including the Map are hereby repealed as of the effective date of these Regulations and are replace by these Regulations.

SECTION 150: INTERPRETATION

In their interpretation and application, the provisions of these Regulations shall be held to be reasonable requirements adopted for the promotion of the public health, safety, comfort, convenience, and general welfare. Except where these Regulations specifically provided to the contrary, these Regulations are not intended to repeal, annul or in any way to impair any Regulations or permits previously adopted or issued. However, where these Regulations impose a greater restriction upon the use of a structure or land than are required by any other statutes,

ordinances, rule, regulation, permit, easement, or agreement, the provisions of these Regulations shall control.

SECTION 160: SEVERABILITY

If any provision of these Regulations or the application thereof to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of these Regulations which can be given effect without the invalid provision or application, and for this purpose the provisions of these Regulations are severable.

SECTION 170: AMENDMENTS

These Regulations may be amended according to the requirements and procedures established in 24 V.S.A. §§ 4441 and 4442.

ARTICLE II: ESTABLISHMENT OF ZONING DISTRICTS AND ZONING MAP

SECTION 200: ESTABLISHMENT OF ZONING DISTRICTS

Bristol is divided into zoning districts as shown on the official Zoning Map drafted by the Addison County Regional Planning Commission dated February 2, 2016 (The "Zoning Map").

District Name	District Abbreviation	District Name	District Abbreviation
Village Business	(VB) District	Rural Agricultural 2	(RA-2) District
Residential/Office-Commercial	(ROC) District	Rural Agricultural 5	(RA-5) District
Village Mixed	(VM) District	Conservation	(CON-25) District
Recreational	(REC) District	Bristol Pond Camp	(BP) District
Commercial	(C-I) District	Daniels Four Corners Overlay	(DFC) Overlay District
High Density Residential	(HDR) District	Downtown Design Review	(DDR) Overlay District
Village Residential	(VR) District	Flood Hazard Area	(FHA) Overlay District
Rural Agricultural 1	(RA-l) District		

SECTION 210: ZONING MAP

The location and boundaries of zoning districts are established as shown on the Zoning Map recorded in the Bristol Town Clerk's office. A non-official reproduction, including a second map enlarging the area in and around the village is included herein for convenience only. The Zoning Map is hereby made a part of these Regulations and a part of all future amendments to these Regulations.

SECTION 220: INTERPRETATION OF ZONING DISTRICT BOUNDARIES

If uncertainty exists with respect to the boundary of any zoning district on the Zoning Map, the Planning Commission shall determine the location of such boundary.

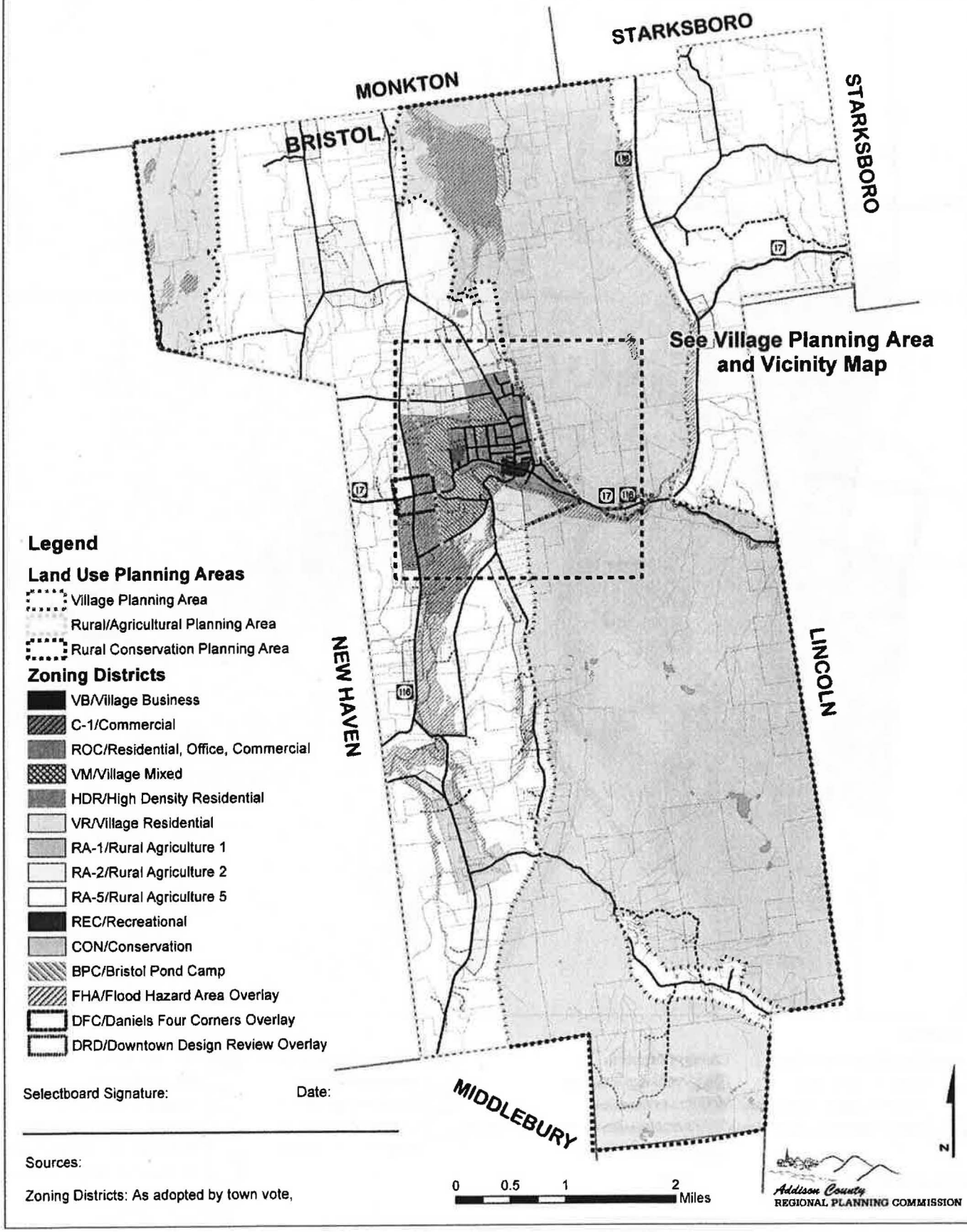
SECTION 230: ZONING DISTRICTS - GENERAL STANDARDS

This article describes the zoning districts within the Town of Bristol. Each district description is divided into three sub-sections. Sub-section A discusses objectives and guidelines describing the intent for each district, specifically how each district relates back to the Bristol Town Plan ("the Plan"). Sub-section B describes the uses permitted in each district. Uses include "by right uses", secured through a permit issued by the Town of Bristol Zoning Administrator, "by right uses" marked with an asterisk (*), which require Site Plan review by the appropriate municipal panel or "conditional uses," which are subject to more intensive review by the appropriate municipal panel. Sub-section C includes the specific Regulations for acreage, setbacks and other physical design elements imposed in each district. The Zoning Map delineates the boundaries for each zoning district.

In addition to the uses permitted in each district, certain uses are exempt from these Regulations, either by design of the Town of Bristol Planning Commission (the "Planning Commission") or

by state statute. Exempt uses are covered in SECTION 301 of these Regulations. For convenience, exempt uses are listed as a type of permitted use under subsection B describing uses in each zoning district.

Zoning Districts - Town of Bristol



ACRPC 2/2/2016

Zoning Districts - Village Planning Area and Vicinity

Legend

Land Use Planning Areas
- Village Planning Area
- Rural/Agricultural Planning Area
- Rural Conservation Planning Area

Zoning Districts
- VB/Village Business
- C-1/Commercial
- ROC/Residential, Office, Commercial
- VM/Village Mixed
- HDR/High Density Residential
- VR/Village Residential
- RA-1/Rural Agriculture 1
- RA-2/Rural Agriculture 2
- RA-5/Rural Agriculture 5
- REC/Recreational
- CON/Conservation
- BPC/Bristol Pond Camp
- FHA/Flood Hazard Area Overlay
- DFC/Daniels Four Corners Overlay
- DRD/Downtown Design Review Overlay

Selectboard Signature: Date:

Zoning Districts: As adopted by town vote,

0 0.25 0.5 Miles

Addison County
REGIONAL PLANNING COMMISSION

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ACRPC 2/2/2016

Town of Bristol's Zoning Districts and Uses

Schedule of Uses	VB Village Business (VB)	ROC Residential Office Commercial (ROC)	VM Village Mixed (VM)	REC Recreational (REC)	C-1 Commercial (C-1)	HDR High Density Residential (HDR)	VR Village Residential (VR)	RA1 Rural Agriculture 1 (RA1)	RA2 Rural Agriculture 2 (RA2)	RA5 Rural Agricuture 5 (RA5)	CON Conservation (Con)	BPC Bristol Pond Camp (BPC)
Household, Group Living, Healthcare and Daycare Uses												
Dwelling, Single Family	P	P	P			P	P	P	P	P	P	
Dwelling, Two-Family	P	P	P			P	P	C	C	C	C	
Dwelling, Multi-Family	SP		C			C	C	C	C	C	C	
Dwelling, Accessory	P	P	P			P	P	P	P	P	SP	
Dwelling, Seasonal Camp												P
Dwelling, Primitive Camp												P
Farm Worker Housing					P					C		
Home Occupation	P	P	P		P	P	P	P	P	P	P	
Home Business	SP	SP	SP		SP		C		SP	SP		
Group Home	P	P	C			P	P	P	P	P	SP	
Boarding House		SP	SP			C	C					
Residential Healthcare Facility		C	C				C					
Retirement Community		SP	C			C	C	C				
Family Childcare Home	P	P	P		C	P	P	P	P	P	SP	
Daycare Facility	SP	SP	SP		C	C	C					
Accessory Use or Building	SP	P	P		P	P	P	P	P	P	P	P
Civic, Cultural, Religious, Communications Uses												
Government Office	SP	SP	SP		SP	C						
Post Office	SP	SP			SP							
Emergency Services Facility	C	SP	SP		SP		C					
Police Station	C	SP	SP		SP							
Public Works Facility	C		SP		SP	C						
Educational Facility	C	C	SP		C	SP	C		C	C	C	
Place of Worship	SP	SP	SP		SP	SP	SP	SP	SP	SP		
Cemetery					C		C		C	C	C	
Cultural Facility	SP	SP	SP		SP	C	C				C	
Community Center	SP	SP	SP		C	SP	C		C	C		
Club	SP	SP			C	SP			C	C		
Communications Antenna	SP	SP	SP		SP	C	C			SP		
Communications Tower					C					C	C	
Office and Service Uses												
Office	SP	SP	SP		SP	C	C					
Personal Service	SP	SP	SP		SP							
Business Service	SP	SP	SP		SP		C					
Financial Service	SP	SP	SP		SP		C					
Media Studio	SP	SP	SP		SP	C	C					
Healthcare Clinic	SP	SP	SP		SP		C					
Food, Lodging and Entertainment Uses												
Restaurant	SP	C					C					
Snack Bar	C	C			C		C					
Bar	C	C					C					
Catering Service	C	C	SP		SP		C		C	C		
B&B	P	P	SP			P	C	C	C	C		
Inn/Guest Facility	SP	C	C		SP	SP	C		C	C		
Hotel	C		C		C							
Resort												

Key: P - Permitted, C - Conditional, SP - Site Plan, E - Exempt

Town of Bristol's Zoning Districts and Uses Cont.

Schedule of Uses	VB Village Business (VB)	ROC Residential Office Commercial (ROC)	VM Village Mixed (VM)	REC Recreational (REC)	C-1 Commercial (C-1)	HDR High Density Residential (HDR)	VR Village Residential (VR)	RA1 Rural Agriculture 1 (RA1)	RA2 Rural Agriculture 2 (RA2)	RA5 Rural Agricuture 5 (RA5)	CON Conservation (Con)	BP Bristol Pond Camp (BP)
Retreat Center	C								C	C		
Campground									C	C		
Recreation, Indoor		SP		SP	SP	C			C	C		
Recreation, Outdoor		SP		SP	SP		C	C	C	C	C	
Theater	SP	SP			C							
Sales Uses												
Retail Store, Class 1	SP	SP			SP							
Retail Store, Class 2	SP	C			C							
Retail Store, Class 3	C											
Lumberyard		C			C					C		
Open Air Market	SP	SP			C							
Grocery Store	SP	SP										
Wholesale Facility					SP							
Automotive Uses												
Vehicle Service Station		SP			C			C	C	C		
Service Station Convenience Store		C						C				
Car Wash		C	C		C							
Repair Shop		SP	C		C			C	C	C		
Vehicle Sales or Rental					C							
Industrial Uses												
Artist/Craftsperson Studio	SP	SP	SP		SP							
Light Industry, Class 1	SP	C	SP		SP							
Light Industry, Class 2			C		SP							
Light Industry, Class 3			C		C							
Warehousing and Distribution					SP							
Self-Storage					SP							
Business Yard					C							
Salvage Yard					C							
Landfill					C							
Agriculture-, Forestry- and Resource-Based Uses												
Agriculture	E	E			E	E	E	E	E	E	E	
Silviculture	E	E			E	E	E	E	E	E	E	
Nursery					SP			P				
Extraction					C				C	C		
Sawmill					SP					C		
Quarrying												
Farm Product Sales, Class 1	E	E/SP			E	E	E	E	E	E	E	
Farm Product Sales, Class 2		SP			SP							
Farm Enterprise					C							
Nature Preserve						P	C				SP	
Reservoir					C						P	
Kennel					C			C		C		
Veterinary Clinic		C				C						
Slaughterhouse					C							

Key: P - Permitted, C - Conditional, SP - Site Plan, E - Exempt

Village Business (VB)

A. Objectives and Guidelines

The purpose of this district is to promote the economic vitality of Bristol's downtown business district, while maintaining its historic character, pedestrian scale and orientation, and small town atmosphere. This district is densely developed, largely with block commercial buildings, and is and planned to be Bristol's primary retail center. Use of existing storefronts on Main Street for non-retail purposes shall be strongly discouraged. Full utilization of existing buildings is encouraged in a manner that preserves their architectural integrity, and demolition of structurally sound historic structures shall be strongly discouraged.

B. Allowed Uses[1]

Permitted (*Site Plan Review)

Exempt Uses (See SECTION 301)
Dwelling, single family
Dwelling, two-family
*Dwelling, multi-family
Dwelling, accessory
Home Occupation
*Home Business
Group Home
Family Childcare Home
*Daycare Facility
*Accessory Use or Building
*Government Office
*Post Office
*Place of Worship
*Cultural Facility
*Community Center
*Club
*Communications Antenna
*Office
*Personal Service
*Business Service
*Financial Service
*Media Studio
* Healthcare Clinic
*Restaurant
B&B
*Inn/Guest Facility
*Theater
*Retail Store, Class 1
*Retail Store, Class 2
*Open Air Market
*Grocery Store
*Artist/Craftsperson Studio
*Light Industry, Class 1

Conditional Use Review

Emergency Services Facility
Police Station
Public Works Facility
Educational Facility
Snack Bar
Bar
Catering Services
Hotel
Retreat Center
Retail Store, Class 3

C. Dimensional Standards

	Minimum	Maximum
Residential density	n/a	6 dwelling units per acre
Commercial density and lot size[2]	n/a	1 unit /acre
Residential lot size	10,000 sf	n/a
Lot frontage	50 ft.	n/a
Lot depth	50 ft.	n/a
Lot coverage	n/a	90%
Front-yard setback[3]	0 ft. principal / 20 ft. accessory	10 ft. principal
Side-yard/rear-yard setback	0 ft. principal / 5 ft. accessory	n/a
Building height	2 stories principal	35 ft.
Footprint/structure	n/a	30,000 sf principal / 10,000 sf accessory

[1] Within the Downtown Design Review Overlay District all development involving exterior modifications shall go to the Design Review Committee for review. The Committee shall pass their recommendations on to the appropriate municipal panel or ZA.

[2] In all districts, commercial lot sizes, but not commercial density, may be reduced to the minimum residential lot size but only as part of a planned unit development approved by the Planning Commission.

[3] The ZA shall measure front-yard setback in this district from the road ROW to allow structures to abut the road. The ZA shall measure front-yard setbacks in all other districts from the road centerline for ease of administration. The ZA shall measure front-yard setbacks for accessory structures from the principal building frontline.

Residential Office Commercial (ROC)

A. Objectives and Guidelines

The purpose of this district is to maintain and enhance the historic look and character, quality of life and mixed-use environment extending outward from Bristol's Village Business District. This area already contains a mixture of historic homes, but also remains suitable for office and commercial development because of its proximity to the existing commercial core of Bristol. Commercial development in this area should complement and reinforce Bristol's village. It should retain the larger historic homes within the district. Accordingly, adaptive re-use of existing buildings is encouraged in a manner that preserves their architectural integrity, and demolition of structurally sound historic structures shall be strongly discouraged. The uses allowed should not greatly impact upon the area residences and therefore should have limited impacts stemming from traffic, noise, odor or safety hazards.

B. Allowed Uses

Permitted (*Site Plan Review)[4]		**Conditional Use Review**
Exempt Uses (See SECTION 301)	*Office	Residential Healthcare Facility
Dwelling, single family	*Personal Service	
Dwelling, two-family	*Business Service	Educational Facility
Dwelling, accessory	*Financial Service	
Home Occupation	*Media Studio	Restaurant
*Home Business	* Healthcare Clinic	Snack Bar
Group Home	Bar	
*Boarding House	*Recreation, Indoor	Catering Service
* Retirement Community	*Recreation, Outdoor	
B&B		
Family Childcare Home	*Theater	Inn/Guest Facility
*Daycare Facility	*Retail Store, Class 1	
Accessory Use or Building	*Open Air Market	Retail Store, Class 2
*Government Office	*Grocery store	Lumberyard
*Post Office	*Vehicle Service Station	
*Emergency Services Facility	*Repair Shop	Service Station/Convenience Store
*Police Station	*Artist/Craftsperson Studio	Car Wash
*Place of Worship	*Farm Product Sales (Class 1)	
*Cultural Facility	(Class 2)	Light Industry, Class 1
*Community Center		Research and Development
*Club		
*Communications Antenna		Veterinary Clinic

C. Dimensional Standards

	Minimum	**Maximum**
Residential density	n/a	4 dwelling units per acre
Commercial density and lot size	n/a	1 unit /acre[5]
Residential lot size	10,000 sf	n/a
Lot frontage	50 ft.	n/a
Lot depth	50 ft.	n/a
Lot coverage	n/a	60%
Front-yard setback (measured from the road centerline)	35 ft. principal 45 ft. accessory	n/a
Side-yard/rear-yard setback	10 ft.	n/a
Building height	n/a	35 ft.
Footprint/structure	n/a	20,000 sf principal/ the lesser of 10,000 sf or 50% of the principal structure for accessory structures

[4] See footnote 1.

[5] See footnote 2.

Village Mixed (VM)

A. Objectives and Guidelines

This district shall promote opportunities for employment and housing within easy reach of the walkable core of the village. It promotes mixed use development intended to extend Bristol's village to the west and south and to offer a mix of residential, commercial and light manufacturing opportunities within the Village Planning Area. Its vision incorporates and expands the recent development opportunities created in the Pine Street area and seeks to encourage similar development in other areas within the district, including the Town owned property at Stoney Hill. Mixed use residential or commercial/office parks developed as Planned Unit Developments (PUDs) are encouraged. The district also incorporates a number of municipal uses, which it envisions expanding and/or otherwise changing to meet the needs of the community.

B. Allowed Uses

Permitted (*Site Plan Review)

Exempt Uses (See SECTION 301)
Dwelling, Single Family
Dwelling, Two-Family
Dwelling, Accessory
Home Occupation
*Home Business
*Boarding House
Family Childcare Home
*Daycare Facility
Accessory Use or Building
*Government Office
*Emergency Services Facility
*Police Station
*Public Works Facility
*Educational Facility
*Place of Worship
*Cultural Facility
*Community Center
*Communications Antenna
*Office
*Personal Service
*Business Service
*Financial Service
*Media Studio
* Healthcare Clinic
*Catering Facility
*B & B
*Artist Craftsperson Studio
*Light Industry, Class 1

Conditional Use Review

Dwelling, Multifamily
Educational Facility
Residential Healthcare Facility
Retirement community
Group Home
Inn/Guest Facility
Hotel
Car Wash
Repair Shop
Light Industry, Class 2
Light Industry, Class 3

C. Dimensional Standards

	Minimum	Maximum
Residential density	n/a	2 units/acre
Commercial density and lot size	n/a	1 unit/acre[6]
Residential lot size	15,000 sq. ft.	n/a
Lot frontage	75 ft.	n/a
Lot depth	100 ft.	n/a
Lot coverage	n/a	20% residential 40% commercial
Front yard setback (Measured from the road centerline)	40 ft.	n/a
Rear yard setback	25 ft.	n/a
Side yard setback	15 ft.	n/a
building height	n/a	35 ft.

[6] In all districts, commercial lot sizes, but not commercial density, may be reduced to the minimum residential lot size but only as part of a planned unit development approved by the Planning Commission.

Recreational (REC)

A. Objectives and Guidelines

This district has been maintained and developed for public recreational uses and should continue to serve municipal and community needs for recreation. The district is comprised of property currently owned in part by the Town of Bristol and in part by the Bristol Recreation Club, Inc. The parcels should be treated as one cohesive unit as long as the ownership remains unchanged. The area is sometimes known as the Bristol Recreation Park and includes the Town's land at the so-called "riding ring" on Liberty Street.

B. Allowed Uses

Permitted (*Site Plan Review)	**Conditional Use Review**
Exempt Uses (See SECTION 301)	None.
*Recreation, Indoor *Recreation, Outdoor	

C. Dimensional Standards

	Minimum	**Maximum**
Residential density	n/a	n/a
Commercial density	n/a	1 unit/acre
Lot Size	10 acres	n/a
Lot frontage	75 ft.	n/a
Lot depth	100 ft.	n/a
Lot coverage	n/a	n/a
Front yard setback (Measured from the road centerline)	40 ft.	n/a
Side-yard/ Rear-yard setback	40 ft.	n/a
Building height	n/a	45 ft.

Commercial (C-1)

A. Objectives and Guidelines

This district is located close to or within the Village Planning Area. The purpose of this district is to provide opportunities for both individual small-scale commercial and light industrial development and larger scale planned commercial and light industrial development. Existing residential uses will be allowed to continue. Retail Store, Class 3 development that competes with the downtown business district shall not be permitted.

B. Allowed Uses

Permitted (*Site Plan Review)

Exempt Uses (See SECTION301)
Farm Worker Housing
Home Occupation
*Home Business
Accessory Use or Building

*Government Office
*Post Office
*Emergency Services Facility
*Police Station
*Public Works Facility
*Place of Worship
*Cultural Facility
*Communications Antenna

*Office
*Personal Service
*Business Service
*Financial Service
*Media Studio
* Healthcare Clinic

*Catering Facility
*Inn/Guest Facility

*Recreation Indoor
*Recreation Outdoor

*Retail Store, Class 1
*Wholesale Facility

*Artist Craftsperson Studio
*Light Industry, Class 1
*Light Industry, Class 2
*Warehousing and Distribution
*Self-storage

*Nursery
*Sawmill
*Farm Product Sales, Class 2
*Artist Craftsperson Studio

Conditional Use Review

Family Childcare Home
Daycare Facility
Educational Facility
Cemetery
Community Center
Club
Communications Tower
Snack Bar
Hotel
Theatre
Retail Store, Class 2
Lumberyard
Open Air Market
Vehicle Service Station
Car Wash
Repair Shop
Vehicle Sales or Rental
Light Industry, Class 3
Business Yard
Salvage Yard
Landfill
Extraction
Farm Enterprise
Reservoir
Kennel
Slaughter House

C. Dimensional Standards

	Minimum	Maximum
Commercial density	n/a	1 unit/acre
Lot size	1 ac	n/a
Lot frontage	200 ft.	n/a
Lot coverage	n/a	40%
Front setback (measured from the road centerline)	40 ft. principal 20 ft. behind principal frontline accessory	n/a
Side-yard/rear-yard setback	50 ft. from residential lots/ 25 ft. from commercial lots	n/a
Building height	n/a	35 ft.[7]
Footprint/structure (principal)	n/a	30,000 sf 1-story / 60,000 sf multi-story
Footprint/structure (accessory)	n/a	15,000 sf

[7] Portions of commercial structures not intended for human occupation, like silos or towers, in this district may reach up to 60 feet if necessary for the operation of the proposed facility.

High Density Residential (HDR)

A. Objectives and Guidelines

It is the purpose of this district to allow for continued, high-density residential and compatible small business uses within the neighborhoods extending north and east from downtown Bristol. This district is largely developed with single-family homes and it is the intent of these Regulations to protect the existing character and maintain the district's traditional settlement patterns and residents' quality of life.

B. Allowed Uses

Permitted (*Site Plan Review)

Exempt Uses (See SECTION 301)
Dwelling, single family
Dwelling, two-family
Dwelling, accessory
Home Occupation
Group Home
Family Childcare Home
Accessory Use or Building

* Educational Facility
*Place of Worship
*Community Center
*Club

B&B
*Inn/Guest Facility

Nature Preserve

Conditional Use Review

Dwelling, multi-family

Boarding House
Retirement Community
Daycare Facility

Government Office
Public Works Facility
Cultural Facility
Communications Antenna

Office
Media Studio

Recreation, Indoor

Veterinary Clinic

C. Dimensional Standards

	Minimum	Maximum
Residential density	n/a	4 dwelling units /acre
Commercial density and lot size	n/a	1 unit/acre[8]
Residential lot size	10,000 sf	n/a
Lot frontage	75 ft.	n/a
Lot depth	75 ft.	n/a
Lot coverage	n/a	50%
Front-yard setback (measured from road centerline)	40 ft. - principal 20 ft. behind principal frontline - accessory	n/a
Side-yard/rear-yard setback	15 ft. - principal 10 ft. - accessory	n/a
Building height	n/a	35 ft.
Footprint/structure	n/a	5,000 sf - principal 1,000 sf - accessory

[8] In all districts, commercial lot sizes, but not commercial density, may be reduced to the minimum residential lot size but only as part of a planned unit development approved by the Planning Commission.

Village Residential (VR)

A. Objectives and Guidelines

It is the purpose of this district to create a transitional zone between the village core and the surrounding rural agricultural area. The district shall allow for increased residential density and compatible small business and civic uses in areas extending outward from Bristol village. The intent of this district is to extend the character of the village into adjoining areas that are currently less densely developed to provide opportunities for residential growth in proximity to downtown Bristol.

B. Allowed Uses

Permitted Uses (*Site Plan Review)

Exempt Uses (See SECTION 301)

Dwelling, single family
Dwelling, two-family
Dwelling, accessory
Home Occupation
Group Home
Family Childcare Home
Accessory Use or Building

*Place of Worship

Conditional Use Review

Dwelling, multi-family

Home Business
Boarding House
Residential Healthcare Facility
Retirement Community
Daycare Facility
Emergency Services Facility
Educational Facility
Cemetery
Cultural Facility
Community Center
Communications Antenna

Office
Business Service
Nature Preserve
Financial Service
Media Studio

Restaurant

Snack Bar
Bar
Catering Service
B & B
Inn/Guest Facility

Recreation, Outdoor
Healthcare Clinic

C. Dimensional Standards

	Minimum	Maximum
Residential density		2 dwelling units/acre
Commercial density and lot size	n/a	1 unit/acre[9]
Residential lot size	10,000 sf	n/a
Lot frontage	75 ft.	n/a
Lot coverage	n/a	30%
Front-yard setback (measured from the road centerline)	45 ft. - principal 20 ft. behind principal frontline - accessory	n/a
Side-yard/rear-yard setback	20 ft. – principal structure 10 ft. – accessory structure	n/a
Building height	n/a	35 ft.
Footprint/structure	n/a	5,000 sf - principal 1,000 sf - accessory

[9] In all districts, commercial lot sizes, but not commercial density, may be reduced to the minimum residential lot size but only as part of a planned unit development approved by the Planning Commission.

Rural Agricultural 1 (RA1)

A. Objectives and Guidelines

This district consists of areas in which the soils have good capability for handling on-site sewage disposal and where roads provide adequate access without requiring major improvements. The district is intended to provide opportunities for housing at a medium density outside the Village Planning Area at reasonable cost, while permitting and encouraging continued agricultural use. Planned Unit Development is permitted and encouraged in this district.

B. Allowed Uses

Permitted (*Site Plan Review)	**Conditional Use Review**
Exempt Uses (See SECTION 301)	Dwelling, two-family
	Dwelling, multifamily
Dwelling, single family	Retirement Community
Dwelling, accessory	
Home Occupation	B&B
Group Home	Recreation, Outdoor
Family Childcare Home	
Accessory Use or building	Vehicle Service Station
	Service-Station/Convenience Store
*Place of Worship	Repair Shop
	Kennel
Nursery	

C. Dimensional Standards

	Minimum	**Maximum**
Residential density	n/a	1 unit/acre
Commercial density and lot size	n/a	1 unit/acre[10]
Residential lot size	10,000 sf	n/a
Lot frontage	200 ft.	n/a
Lot depth	125 ft.	n/a
Lot coverage	n/a	20%
Front-yard setback (measured from the road centerline)	60 ft.	n/a
Side-yard and rear-yard setback	25 ft.	n/a
Building height	n/a	35 ft.
Footprint/structure	n/a	5,000 sf - principal 1,000 sf - accessory

[10] In all districts, commercial lot sizes, but not commercial density, may be reduced to the minimum residential lot size but only as part of a planned unit development approved by the Planning Commission.

Rural Agricultural 2 (RA2)

A. Objectives and Guidelines

This district includes lands generally well-suited for moderate-density residential development. It is the purpose of this district to allow for moderate-density, rural residential development and includes areas with historical residential development patterns while protecting the small-town atmosphere and quality of life enjoyed by district residents. Consideration should be given to maintaining open space and providing opportunities for outdoor recreation in order to preserve the rural character that makes this district an attractive and pleasant place to live. Planned Unit Development is permitted and encouraged in this district.

B. Allowed Uses

Permitted (*Site Plan Review)	**Conditional Use Review**	
Exempt Uses (See SECTION 301)	Dwelling, two-family	Vehicle Service Station
	Dwelling, multifamily	Repair Shop
Dwelling, single family		
Dwelling, accessory	Educational Facility	Extraction
Home Occupation	Cemetery	
*Home Business	Community Center	
Group Home	Club	
Family Childcare Home		
Accessory Use or building	Catering Service	
	B&B	
*Place of Worship	Inn/Guest Facility	
	Retreat Center	
	Campground	
	Recreation, Indoor	
	Recreation, Outdoor	

C. Dimensional Standards

	Minimum	**Maximum**
Residential density	n/a	1 unit/2-acres
Commercial density	n/a	1 unit/2-acres
Lot size	2 acres	n/a
Lot frontage	200 ft.	n/a
Lot depth	125 ft.	n/a
Lot coverage	n/a	15%
Front-yard setback (measured from the road centerline)	80 ft.	n/a
Side-yard/rear-yard setback	25 ft.	n/a
Building height	n/a	35 ft.
Footprint/structure	n/a	5,000 sf - principal 1,000 sf - accessory

Rural Agricultural 5 (RA5)

A. Objectives and Guidelines

This district includes most of Bristol's productive agricultural lands, in addition to woodlands. The purpose of this district is to allow for the maintenance of the town's working farmland, forestland and open spaces, while providing opportunities for low-density rural living and resource-based small businesses. The desired character of this district is that of rural countryside, where residential development is compatible with and surrounded by agricultural uses, forest uses and open space. Planned Unit Developments and density based zoning are permitted and encouraged in this district.

B. Allowed Uses

Permitted (*Site Plan Review)	**Conditional Use Review**	
Exempt Uses (See SECTION 301)	Dwelling, two-family	Catering service
Dwelling, single family	Dwelling, multifamily	B&B
Dwelling, accessory	Farm worker housing	Inn/Guest facility
Home occupation	Educational facility	Retreat center
*Home Business	Cemetery	Campground
Group home	Community center	Recreation, indoor
Family childcare home	Club	Recreation, outdoor
Accessory use or building	Communications Tower	Lumberyard
*Place of worship		Vehicle service station
*Communications antenna		Repair shop
		Extraction
		Sawmill
		Kennel

C. Dimensional Standards (Density Based Alternative)

	Minimum	**Maximum**
Residential density	n/a	1 unit/5-acres
Commercial density and lot size	n/a	1 unit/5-acres
Residential lot size	2 acres	n/a
Lot frontage	200 ft.	n/a
Lot depth	125 ft.	n/a
Lot coverage	n/a	15%
Front-yard setback (measured from the road centerline)	80 ft.	n/a
Side-yard/rear-yard setback	25 ft.	n/a
Building height	n/a	35 ft.
Footprint/structure	n/a	5,000 sf - principal 1,000 sf - accessory

Conservation (CON)

A. Objectives and Guidelines

This district is primarily composed of large blocks of contiguous forest, a large portion of which is managed for timber production. These Regulations recognize the important ecological and economic functions of Bristol's forestlands. This district includes lands poorly suited for development due to shallow soils, steep slopes, fragile or limited vegetation, inaccessibility and lack of infrastructure. The purpose of this district is to promote conservation and responsible management of the town's natural resources, while providing opportunities for low-density rural living, resource-based businesses and enjoyment of nature. Development and land use within this district should be planned to limit disturbance to the natural environment and to promote sustainable uses.

B. Allowed Uses

Permitted (*Site Plan Review)	**Conditional Use Review**
Exempt Uses (See SECTION 301)	Dwelling, Two-family
Dwelling, Single family	Dwelling, Multifamily
*Dwelling, Accessory	Educational Facility
Home Occupation	Cemetery
	Cultural Facility
*Group Home	Communications Tower
*Family Childcare Home	
Accessory Use or building	Recreation, Outdoor
*Nature Preserve	
Reservoir	

C. Dimensional Standards

	Minimum	**Maximum**
Residential density	n/a	1 unit/25- acres
Commercial density	n/a	1 unit/25-acres
Lot size	25 acres	n/a
Lot frontage	600 ft.	n/a
Lot depth	600 ft.	n/a
Lot coverage	n/a	15%
Front-yard setback (measured from the road centerline)	80 ft.	n/a
Property setback	50 ft.	n/a
Building height	n/a	35 ft.
Footprint/structure	n/a	5,000 sf - principal 1,000 sf - accessory

Bristol Pond Camp (BPC)

A. Objectives and Guidelines

Bristol Pond constitutes a unique physical feature within the Town of Bristol. It supports low density outdoor recreational uses including: fishing, hunting, birding and canoeing or kayaking. It hosts several species of rare and endangered plants and some of the oldest known archeological sites in the State of Vermont. Most of the pond is surrounded by open, undeveloped land that largely constitutes floodplain and marsh on which development is prohibited. The only portion of land adjacent to the pond that has any development currently consists of the 15 pre-existing, non-conforming small camp lots commonly known as the "Lake Winona Landowners Association". The primitive or seasonal camps or vacant lots that currently compose the district are small and many lack basic services like running water or functioning wastewater systems beyond an outhouse. The Bristol Pond Camp District constitutes a new district encompassing the 15 small lots that compose the Lake Winona Landowners Association and is surrounded by the Conservation District which encompasses the remainder of Bristol Pond. The Bristol Pond Camp District has two primary objectives. First, like the neighboring Conservation District, it is intended to protect the scenic, natural and historic qualities that make Bristol Pond unique. Second, it seeks to acknowledge the pre-existing primitive or seasonal camps and lots that exist on the Pond and to allow for very limited and appropriate improvements to those camps or lots.

In order to accomplish each of the objectives noted immediately above, the district offers the following guidelines controlling any new development in the district:

1. No further subdivision of any lot will be allowed within the district.
2. Only one single family dwelling unit will be allowed on each lot.
3. Year-round homes are prohibited in the district.
4. Primitive camps, with no interior plumbing consisting of more than a sink with water, will be allowed provided they are used for no more than 3 consecutive weeks per year, and no more than a total of 60 days per year. However, owners that can demonstrate that they use the camp more than the timeframe above and that the current level of use existed before January 1, 2007, will be allowed to continue using the camp at the level of use established prior to January 1, 2007. This date is significant as that use means that the camp is exempt from the permit requirements of the State Wastewater System and Potable Water Supply Rules under the "Clean State" exemption. The purpose of this guideline is to create a local permitting regime consistent with the state wastewater and potable water supply requirements and exemptions.
5. Seasonal camps, whether or not they have internal plumbing, that are used for 180 days per year or less will be allowed. Existing seasonal camps will be allowed to continue at the current level of use if the owner can demonstrate that the current level of use existed before January 1, 2007. This date is significant as that use means that the camp is exempt from the permit requirements of the State Wastewater System and Potable Water Supply Rules under the "Clean State" exemption. The purpose of this guideline is to create a local permitting regime consistent with the state wastewater and potable water supply requirements and exemptions.
6. Applicants applying for a zoning permit for any improvements or additions, like adding bedrooms, or making any other changes that would require a State Wastewater System and Potable Water Supply Permit, understand that that the Town of Bristol will condition the issuance of a final zoning permit upon the applicants' securing a State permit.
7. No new structures may be erected within 100 feet of the shoreline of Bristol Pond as measured from the mean high water mark. However, pre-existing camps closer to the pond than 100 feet

may add rooms or other improvements to the camp, but only if they propose the addition no closer to the pond and can meet the dimensional setback requirements for locating the addition on the side of the structure or on the portion of the structure furthest away from the pond.

8. Each lot shall maintain a native vegetative buffer of at least 100 feet from the mean high water mark along the majority of the shoreline of the pond that the lot encompasses. Native vegetative buffers, including trees, shrubs or other understory plants and a "duff" layer of leaf litter and woody debris, provide a number of environmental functions that benefit the pond and the wildlife that use the pond for drinking water and habitat. Trees and shrubs can help screen properties from the other users of the pond, preserving a pristine experience. They also provide cover for terrestrial species that use the pond for drinking water. Their root systems help bind the soil, slowing and filtering runoff, preventing erosion and maintaining water quality. The "duff" layer also serves too slow and filter runoff, improving water quality. Lastly, trees, shrubs and duff contribute woody debris, and associated insects and plants necessary to maintain the health of the near shore aquatic habitat, which supports the reproduction of many aquatic species. Accordingly, Bristol requires that each property owner along the pond serve as a steward of the pond's resources, both for themselves and for the general public. Maintaining a natural vegetative buffer within 100' feet of the pond for a majority of the lot frontage on the pond can look a number of different ways. Guidelines for implementing the buffer follow:

    a. The duff layer is most important and should be maintained in nearly all areas within 25 feet of the pond;
    b. Areas of trees and shrubs should be preserved, but may be thinned or limbed to provide viewsheds from the property to the pond, leaving the trees' upper stories intact to provide shade and screening;
    c. Grass or lawn areas should comprise a minority of the area of the shoreline, decreasing in size closer to the waterline;

9. Accessory uses/buildings will be permitted provided they meet all of the dimensional standards noted below.

B. Allowed Uses

Permitted (*Site Plan Review)	**Conditional Use Review**
Exempt Uses (See SECTION 301) Dwelling, Seasonal Camp Dwelling, Primitive Camp Accessory Use/Building	None.

C. Dimensional Standards

	Minimum	**Maximum**
Residential density	n/a	**1 dwelling unit per existing lot**
Lot size	Validly created pre-existing lots only; No subdivision will be allowed in this district	n/a
Pond setback	100ft	
Lot coverage	n/a	5%
Eastern setback (From original 200' property line)	15 ft.	n/a
Side-yard setback	35 ft.	n/a
Building height	n/a	25 ft.
Building Footprint	n/a	1,000 sf

Daniel's Four Corners Overlay (DFC)

A. Objectives and Guidelines

The Town of Bristol believes the area surrounding Daniel's Four Corners constitutes an area of special significance to Bristol. Daniel's Four Corners functions as a major entrance into Bristol's village area. In order to enhance this area's ability to serve as a gateway to attract residents and visitors to its village, Bristol hereby creates this special overlay district over the area immediately surrounding the Daniel's Four Corners intersection. The Zoning Map depicts the overlay districts dimensions. The overlay district contains special Regulations to be added to those of the underlying district. First, it requires development in the area to include positive characteristics that will connect the gateway overlay area to Bristol village. These include street trees, bicycle and pedestrian infrastructure, architectural design and site planning requirements. Second, it will prohibit those types of business uses otherwise allowed within the underlying districts most likely to pull business away from Bristol's downtown.

B. Allowed Uses

All uses included as "Permitted" or requiring only "Site Plan Review" in the underlying district shall be allowed in the overlay district. Uses deemed "Conditional Uses" in the underlying district will not be allowed within this overlay district.

C. Dimensional Standards

Dimensional Standards shall remain the same as in the underlying district.

D. Design Standards

All development in the Daniel's Four Corners Overlay District shall be designed to attract people to Bristol's village and as such shall meet the following design standards. These Design standards shall become part of the Site Plan Review performed by the Planning Commission for all development proposed within this overlay district.

Building Design

1. **Entryways.** Each principal building on a site shall have clearly defined and highly visible customer entrances. Entryway design elements and variations must have a street orientation and enhance the aesthetically pleasing character of the building.
2. **Facades and Exterior Walls**. All sides of the principal building shall include materials and color combinations that complement the front entryway. The front facade shall complement and be architecturally consistent with the entryway.
3. **Buildings Abutting Route 116, Route 17 and Burpee Road**. Buildings with side or rear walls abutting Route 116, Route 17 and Burpee Road shall contain adequate architectural and visual character to break the mass and scale of the wall and contribute to the visual quality of the street corridor. Applicants shall be given substantial creative latitude to achieve this requirement. For instance, sterile wall planes void of architectural interest can be avoided through the application of wall detail such as:
    a. Windows and their configuration
    b. Horizontal and vertical relief;
    c. Shadow lines;
    d. Color changes;

e. Visual depth; and
f. Differential roof heights and rooflines.

Lighting

1. **Exterior Lighting**. All exterior lighting fixtures, including those in parking areas and driveways, shall utilize cutoff shields or other measures to conceal the light source from adjoining uses and rights-of-way.
2. **Commercial Lighting**.
    a. Exterior building lighting shall be compatible with the architecture of the project and shall not detract from the visibility of surrounding buildings;
    b. Landscape and architectural lighting used to illuminate building facades, building entrances, and feature or courtyard spaces shall be directed and sized to only illuminate the intended feature;
    c. Pedestrian scale and brightness of night lighting must be provided for safety for all pedestrian walkways and where stairs, curbs, ramps, and crosswalks occur.

Landscaping

Landscape and buffering should contribute to visual quality and continuity within and between developments, provide screening and mitigation of potential conflicts between activity areas and site elements, enhance outdoor spaces and reduce erosion and storm water runoff.

1. **Compliance with other Conditions**. All landscaping shall comply with the provisions contained in SECTION 760 of these Regulations;
2. **Stormwater Infrastructure**. On-site storm water management facility ponds shall be landscaped. Fencing, where necessary, shall be dark-colored and vinyl-coated. Landscaping shall be installed in conjunction with fencing to break up the linear mass of the fencing.
3. **Lots abutting Route 116, Route 17 and Burpee Road**. All lots abutting Route 116, Route 17 and Burpee Road shall provide street trees along abutting boundary and a vegetative buffer sufficient to screen unsightly uses. Where fencing is erected, it shall be in conjunction with these vegetative requirements and contribute to an aesthetically pleasing appearance from the streets.
4. **Public Streets**. Landscaping shall be required within all setbacks fronting public streets.

Pedestrian Circulation

1. **Walkway** A well-marked, continuous and protected pedestrian walkway network, a minimum of five feet wide, must connect the principal entrance(s) of all commercial buildings to:
    a. Street crossings, public sidewalks.
    b. Other buildings on the site.
    c. Central features and community spaces.
    d. Pedestrian walkways of adjacent sites.
    e. On-site parking areas.
2. **Walkway landscaping** All lots abutting Route 116, Route 17 and Burpee Road Walkways must feature landscaped areas that include trees, shrubs, benches, flower beds, ground covers, or other such materials for no less than 50 percent of their length.
3. **Separation of Vehicles and Pedestrians**. To the maximum extent feasible, pedestrians and vehicles shall be separated through provisions of a walkway.
4. **Separation via Features**. Where complete separation of pedestrians and vehicles is not feasible, hazards shall be minimized by providing features separating vehicles and pedestrians, like changes in paving surface materials, the use of landscaping, bollards, lighting, signs and other means to clearly delineate pedestrian and crossing areas.

Downtown Design Review Overlay (DDR)

A. Objectives and Guidelines

The purpose of the Downtown Design Review Overlay District is to protect the historic mixed commercial/residential character and resources within the defined area of downtown, and to encourage new construction which will reinforce the best qualities of the existing character while allowing freedom of expression compatible with the flavor and spirit of the community. The dimensions of the district are depicted as the overlay area on the Zoning Map. The overlay district contains special Regulations to be added to those of the underlying district and does not affect the zoning Regulations governing the use of the properties within such district.

B. Allowed Uses

All uses included as "Permitted" or requiring only "Site Plan Review" in the underlying district shall be allowed in the overlay district.

C. Dimensional Standards

Dimensional Standards shall remain the same as in the underlying district.

D. Design Standards

All development in the Downtown Design Review Overlay District shall be designed to attract people to Bristol's village and, as such, shall meet the following design standards. These design standards shall be administered by the Design Review Committee ("DRC"). The DRC shall review a project to determine if the proposed development substantially conforms to the following standards and then make recommendations to the Zoning Administrator for projects involving permitted uses or to the appropriate municipal panel for approval as part of a project requiring Site Plan, Conditional Use Review or other reviews.

Building Design

1. **Scale:** The scale and massing of new buildings should be compatible and harmonious with surrounding structures
2. **Height:** The height of a building or alterations shall be considered in relation to the height of existing adjacent buildings and the building being constructed or altered.
3. **Setback:** The front, side and rear setbacks shall be considered in relation to the prevailing setback existing in the immediate area.
4. **Proportion:** The relationship between the width and height of the windows, doors and facades of adjacent buildings shall be considered in the construction or alterations of a building.
5. **Materials:** Materials should be selected to enhance streetscape and pedestrian view. Materials that are durable and attractive over time should be encouraged.
6. **Architectural Features:** Architectural features including but not limited to cornices, railings, windows, shutters, fanlights, and entablature prevailing in the immediate area should be considered- in the construction or alteration of a building. It is not intended that the details of old buildings be duplicated precisely, but they should be regarded as suggestive of the extent, nature and scale of details that would be appropriate on new buildings or alterations. The preservation of distinctive materials, features, and construction techniques or examples of craftsmanship that characterize a property is encouraged.
7. **Building façade:** Structural shape, placement of openings and architectural features give a predominantly vertical, horizontal or angular character to the building's front facade and should be considered in the construction or alteration of a building. Windows and doors should fit same

opening or original size, be consistent with other openings in the building, and be of similar style to the rest of the building and surrounding structures.

8. **Roof shape:** The similarity or compatibility of roof shapes in the immediate area should be considered in the construction or alteration of a building.
9. **Orientation:** New buildings should be oriented toward, and related both functionally and visually to, public streets and/or common greens, parks or plazas. Consideration shall be given to buildings serving special civic, social or cultural functions, including places of worship that may be designed to serve as prominent focal points within the district.
10. **Historic structures:** When a proposed project is to be located next to a recognized historic structure, the historic and architectural value of that structure should not be diminished. Specifically, no building adjacent to Holley Hall should obscure or detract from the structure's prominence.

Lighting, Signage, Utilities and Maintenance

1. **Lighting:** In addition to conforming with zoning (SECTION 752), lighting fixture design, when possible, should be compatible with and sensitive to the architectural style and period of the related buildings.
2. **Signage:** All signs should conform to existing zoning Regulations. In addition, while creative, vibrant and artistic signs are encouraged; the size, location, design, color, texture, lighting, and material of all exterior signs should be complimentary to buildings and structures on the site and surrounding properties. Proposed signs should not block existing signs when viewed down the sidewalk or from the street.
3. **Utilities**: Refuse containers and utilities (including satellite dishes) should be attractively screened or buried to block them from public view. Screening material should consist of plantings that will provide screening during all seasons; structures made of wood, brick or granite in keeping with the general design of the structure. Whenever possible, utility components (Central HVAC units) should be housed within or on the top of the proposed building. When not possible, the applicant should provide evidence as to why, and offer proper screening. Any application which proposes new structures, additional lot coverage, or installation of machinery or equipment which emits heat, vapor, fumes, or noise shall include in the application descriptions of efforts to minimize, insofar as practical, any adverse impact on light, air, and water or on noise levels of the immediate surroundings.
4. **Rain, Snow, Ice:** Applicants should be required to develop within their proposal how they will deal with rain, snow, and ice that may affect neighboring properties or public improvements.

Landscaping

1. **Landscaping:** If natural features and existing landscaping are to be removed, there should be plans to replace and maintain such features and landscaping. The restoration or reestablishment of landscaping should consider such features from the surrounding properties (e.g., plant types). Open spaces should add to the visual amenities of the vicinity and surrounding properties. If open space is intended for active use, it should be so designed as to maximize its accessibility for all, encouraging social interaction.
2. **Continuity:** Physical elements such as yards, fences, evergreen masses, or building facades may combine to form lines of continuity along a street. These elements shall be considered in the construction or alteration of a building.
3. **Fences:** Fences in the Design Review District should be a maximum height of four (4) feet, except when required for vehicular screening, when the maximum height can be five (5) feet. Fences should be compatible with the architectural style/period of building. The structural supports of the fence should face the interior of the lot and no chain link fences

should be allowed, unless other state guidelines supersede.

4. **Hardscaping:** Materials Should be chosen for their longevity/long term use as well as for their compatibility with the existing structure and adjacent properties. An appropriate mix of materials is encouraged. Large areas of poured concrete or cement should be discouraged.
5. **Less Visible Areas**: The design standards contained herein shall be reasonably applied to have a limited or no effect on rear yards and side yards that are not generally visible by the public.

Parking and Pedestrian Circulation

1. **Parking/Vehicle and Pedestrian Circulation:** New construction or renovations should not take up existing parking spaces. Applications should address pedestrian and vehicular circulation. Special attention should be given to the safe separation of vehicles and pedestrians, to the arrangement of parking areas, and to service and loading areas. Applications shall incorporate accessible routes and ramps for individuals with a disability.

ARTICLE III: ADMINISTRATION AND ENFORCEMENT

SECTION 300: APPLICATION OF REGULATIONS

The application of these Regulations is subject to 24 V.S.A. §§ 4411, 4412 and 4413 of the Act. Except as hereinafter provided, no land development shall occur unless it is in conformity with the Regulations herein specified for the district in which it is located or it is exempt per the Act or SECTION 301 of these Regulations.

Any use not permitted by these Regulations shall be deemed prohibited.

SECTION 301: EXEMPTIONS

In addition to the uses permitted in each district, certain uses are exempt from these Regulations, either by design of the Town of Bristol Planning Commission (the "Planning Commission") or by state statute. No zoning permit is required for the following:

1. Pursuant to 24 V.S.A. § 4413(b), public utility power generating plants or transmission facilities regulated under 30 V.S.A. §248.
2. All fixed solar panels on roofs adding less than 10 feet in height to the structure are exempt from these Regulations. (See SECTION 607 for Regulations governing ground mounted solar facilities not exempt pursuant to sub-SECTION 1 above.)
3. Telecommunications facilities regulated by the State of Vermont Public Service Board under 30 V.S.A. §248a, are exempt from local Regulations (See SECTION 608 of these Regulations for restrictions governing telecommunications facilities not exempt under 30 V.S.A. §248a).
4. Pursuant to 24 V.S.A. § 4413(d) farm structures, excluding dwellings, accepted agricultural practices and accepted silvicultural practices are exempt from local permitting requirements. However, farmers intending to erect a farm structure must complete a zoning application notifying the municipality of their intent to build a farm structure, and abide by setbacks contained within these Regulations, unless the farmer provides a letter approving lesser setbacks by the Secretary of the Agency of Agriculture, Food and Markets. The application/notification to the municipality must contain a letter from the Secretary of Agriculture explaining the exemption or a sketch of the proposed structure including the setback distances from adjoining property owners and the street right-of-way and other information sufficient to allow the Zoning Administrator to determine whether the activity or structure constitutes an exempt activity or structure. If the activity or structure is exempt, no fee shall be due. Additionally, all farm structures within the Flood Hazard Area regulated by Article VIII of these Regulations must comply with the National Flood Insurance Program. Lastly, the municipality may report violations of Accepted Agricultural Practices or accepted silvicultural practices to the appropriate state authorities for enforcement.
5. Pursuant to 24 V.S.A. § 4413(e), but subject to 24 V.S.A. § 2295, these Regulations shall not restrict hunting, fishing, trapping and other activities under SECTION 2295.
6. Fences, hedges, or walls, outside of the Downtown Design Review Overlay District, which do not interfere with corner visibility.

7. Doghouses, sheds, tree houses, or similar structures having less than 64 square feet in floor area and less than 8 feet in height, and which are at least 5 feet from all property lines.
8. Except as specified within the Downtown Design Review Overlay District, placement of an antennae or dish used to transmit and/or receive communication signals on that property owner's premises if the area of the largest face of the antenna is no more than 15 square feet and if the antennae or any mast support do not extend more than 12 feet above the roof of that portion of the building to which the mast is attached.
9. Telecommunication dishes or antennae attached to an existing structure for personal, non-commercial use by a single individual or family.
10. Any sign erected by the Town or State for directional information or traffic control purposes or exempt per SECTION 748 of these Regulations.
11. Garage sales, yard sales, auctions or similar events provided that they extend for a period of less than four consecutive days, or less than ten days in a calendar year, and are managed in a way not to cause traffic or parking problems or create other nuisances for neighbors.
12. Temporary roadside stands for the sale of agricultural products provided that, after application and review as contemplated in SECTION 301(4) above, the Zoning Administrator finds that:
    a. The proposed stand shall not be closer to any lot line than twenty feet;
    b. Off-street parking spaces shall be provided for at least two motor vehicles;
    c. Access to or egress from any stand shall not create a traffic hazard;
    d. The stand otherwise meets the definition of an agricultural structure noted above in SECTION 301(4).
13. Renovations to the interior of a building that do not alter or change its use.
14. Infrastructure integral to a permitted building or structure and located primarily underground, such as drainage, wells and water systems.
15. Certain government and community facilities, as described in SECTION 412 of these Regulations are exempt from the district Regulations prescribing where they may be located, but shall be regulated by Site Plan Review with respect to all aspects of the property within the parcel chosen to the maximum extent allowable under these Regulations.

SECTION 310: ZONING ADMINISTRATOR

The Zoning Administrator, hereinafter referred to as Z.A., shall be nominated by the Planning Commission and approved by the Bristol Selectboard (the "Selectboard") for a term of three years or when a vacancy exists to administer the Zoning Regulations, as provided for in 24 V.S.A. § 4448. The Z.A. may hold any other office in the Town of Bristol, except membership on the ZBA. Compensation of the Z.A., administration of the Zoning Bylaws and Regulations by the Z.A., appointments of acting Officers and of Assistant Zoning Administrators, authority between the Z.A. and the Assistant, and removal of same, shall all be carried out in accordance with par. (a), (b), (c) and (d) of said SECTION 4448.

The Z.A. shall administer these Regulations literally and shall not have the power to permit any land development that is not in conformance with these Regulations. The Z.A. shall inspect land developments, maintain records, and perform all other necessary tasks to carry out the provisions of these Regulations, including providing interested persons with forms and information necessary to obtain municipal permits and coordinating a unified effort on behalf of the municipality in administering its development review programs. A Z.A. may be removed for cause at any time by the Selectboard after consultation with the Planning Commission.

SECTION 320: ZONING PERMIT (SECTIONs 320-329)

Except as noted in SECTION 301 of these Regulations or as specifically exempted in the Act, no land development, building development (See definition of development) or change of uses may commence without a zoning permit issued by the Z.A., as provided for in 24 V.S.A. § 4449.

SECTION 321: FEES

The Selectboard shall establish all fees to be charged with respect to the administration of these Regulations, including those portions of these Regulations addressing the flood hazard area, with the intention of covering the costs of administering the same.

The appropriate municipal panel of the Town may require an applicant for approval of any proposed development to bear the costs incurred by the Town for any professional reviews and inspections which are reasonably required by the Town in connection with such application, or in connection with the ongoing development, including, but not limited to, fees and disbursements charged to the Town for engineering, legal or hydrological services rendered on behalf of the Town in connection with the development.

This regulation stems from the authority granted under 24 V.S.A. § 4440(d).

SECTION 322: APPLICATION FOR A ZONING PERMIT

Any person desiring to undertake any activity requiring a Zoning Permit, not exempt pursuant to SECTION 301 of these Regulations, shall complete an application for a Zoning Permit and submit it with all required information to the Z.A. The Z.A. shall not issue a Zoning Permit unless a complete application is filed with the Z.A. The application shall include the following information:

1. A permit fee.
2. A completed zoning application identifying the applicant, the owner(s), the location of the parcel to be improved, the parcel identification number, the book and page number of the deed and a description of the improvements and uses proposed. The application shall also include a drawing identifying the location of the parcel and accurately depicting the improvement proposed in relationship to the lot lines and other structures on the parcel. Any sheet of the drawing shall be not more than 24" wide x 36" long drawn to scale, with the scale clearly identified and large enough to depict the details clearly. An arrow should depict north. The drawing shall depict the shape, design, size and height of the proposed structure, plus the location of all infrastructure proposed to serve the structure, including driveways, parking areas, utilities, drainage and other proposed improvements.

3. Written approval by the Selectboard or their designated agent, regarding access plans to any Town road including the location of driveways, culverts, and, if required, drainage along Town roads.
4. Other Town or State permits necessary prior to construction of any proposed structure, including but not limited to State of Vermont Water Supply and Wastewater Permits or Stormwater Permits.

SECTION 323: ACTION BY THE ZA ON AN APPLICATION

Within 30 days after submission of a complete application, the Z.A. shall act with regard to the application for a permit presented and either pass it to the appropriate municipal panel for its review, or, if authorized, conduct a review of the project. If the Zoning Permit is approved, the Z.A. shall issue a permit with appropriate conditions, if any. If the application is denied, the Z.A. shall state such denial and the reasons therefore in writing and shall immediately mail notice of such denial to the applicant at the address indicated on the application. Failure to act on a complete permit application, which the Z.A. has the authority to review, for a period of greater than 30 days shall result in a permit's deemed approval.

SECTION 324: POSTING OF A ZONING PERMIT

Each permit issued under this SECTION shall contain a statement of the period of time within which an appeal may be taken. The applicant shall post a Notice of Permit on a form prescribed by the municipality within view from the public right-of-way most nearly adjacent to the subject property until the time for appeal (15 days) has passed.

SECTION 325: EFFECT OF ISSUANCE OF A PERMIT

No Permit issued pursuant to this SECTION shall take effect until the 15-day time for appeal authorized in 24 V.S.A. § 4465 has passed, or in the event that a notice of appeal is properly filed, no such Permit shall take effect until adjudication of that appeal by the appropriate municipal panel is complete and the time for taking an appeal to the Environmental Court has passed without an appeal being taken. If an appeal is taken to the Environmental Court, the permit shall not take effect until the Environmental Court rules in accordance with 10 V.S.A. § 8504 on whether to issue a stay, or until the expiration of 15 days, whichever comes first.

Once a zoning permit has taken effect, applicants shall have two years from the date it becomes effective to substantially complete the activities subject to the permit and to secure a certificate of compliance documenting the projects substantial completion. If the applicant fails to substantially complete the activity authorized within the two-year period, the Zoning Permit shall become null and void. The applicant will need to reapply to complete any activities.

SECTION 326: CERTIFICATE OF COMPLIANCE

Upon completion of any work or change in use requiring a permit under these Regulations and prior to its occupancy, the permittee shall request a Certificate of Compliance from the Z.A. Within seven days after notification that a building, structure, premises or part thereof is staked and about to have its footings poured and again when the building or structure is completed or ready for occupancy or use, the Z.A. shall make inspection of it. Upon determining that the structure conforms to the provisions of these Regulations the Z.A. shall issue a Certificate of Compliance. It shall be unlawful to use or occupy, or permit the occupancy of any land or

structure or part thereof until the ZA issues a Certificate of Compliance stating that the proposed use of the structure or land complies with the requirements of these Regulations.

SECTION 327: ABANDONMENT OF PERMIT

Permits for structures granted a certificate of compliance shall continue indefinitely, unless the structure becomes non-conforming with these Regulations and is abandoned for a period of two years.

Permits for uses shall continue for the term specified within the permit conditions. Use permits will automatically expire within two years after the cessation of use by any property owner subject to the permit.

Permits authorizing the subdivision of land or the creation of a planned unit development shall become effective upon the applicants recording a plat depicting the subdivision or Planned Unit Development with the Town Clerk pursuant to the requirements of 27 V.S.A. §1403 and shall not expire after they have been recorded, unless specifically requested by the landowner.

SECTION 328: PENALTIES

Violations of these Regulations shall be regulated as prescribed in 24 V.S.A. § 4451 and § 4452 of the Act, as they may be amended from time to time. Penalties may include fines up to the amount listed in the statute at the time of the offense (Currently up to $100 per day, per offense, doubled in the event of default), injunctive action or any other remedy the town may lawfully seek under the statute.

SECTION 329: ADMINSTRATIVE REVIEW BY ZA OF SPECIFIED STRUCTURES

In addition to granting "by right" permits pursuant to SECTION 323 above, these Regulations also grant the Z.A. the ability to conduct an administrative review, as authorized pursuant to 24 V.S.A. § 4464 (c), and grant permits which include new development or non-substantive changes to previously approved development that would otherwise require approval by the appropriate municipal panel. Applicants for these administrative changes shall be responsible for providing the Z.A. with a complete zoning application and a supplemental letter or plan containing information necessary for the Z.A. to make a decision. The Z.A. may require an accurate drawing of the property showing existing features, including structure locations, driveways, easements, traffic circulation, parking and loading spaces and pedestrian walks, and landscaping plans and other information pertinent to the issue and depicting proposed non-substantial change for which the permit is being sought.

The Z.A. may grant a permit including an administrative change for non-substantial changes to previously approved development or new development, which constitutes a by right use without requiring Site Plan approval, if the applicant can satisfy the following standards:

1. The amendment requested is for a temporary structure or a use permitted within the district in question as by right use (as opposed to a conditional use);

2. The amendment requested is in conformance with the Town Plan and the goals set forth in SECTION 4302 of the Act;
3. The amendment requested is designed to conform to the character of the land use area in which it lies as defined in the Town Plan and further designed to reasonably limit impact or the potential for impact upon ones' neighbors;
4. The amendment proposed incorporates design techniques (restricted height, lack of windows) screening (fencing or plantings) or other remedies to reasonably limit impact or the potential for impact upon ones' neighbors;
5. The amendment proposed does not result in any substantial impacts under any portion of these Regulations;
6. The amendment will not substantively alter any of the findings of fact or conditions imposed upon the applicant by the most recent permit approval.
7. The amendment requested accommodates structures providing for disability accessibility, fire safety and other requirements of land or energy conservation or renewable energy structures.

The Z.A. shall make a decision on the request for amendment by applying the facts presented in the application to the criteria, listed above, and incorporating all into a decision. In approving a project, the Z.A. shall act to ensure, and may impose conditions requiring that the amendment, if authorized, will represent the minimum amendment that will afford relief and will represent a non-substantive deviation possible from the previous approval and conforms to these Regulations and the Plan. The nature of any amendment and any conditions attached to it shall be entered on the face of the Zoning Permit, incorporated therein and shall be enforceable in the same manner as all other applicable requirements of these Regulations. The decision of the Z.A. regarding the permit, or the amendment, is appealable to the ZBA pursuant to criteria and procedure outlined in SECTIONs 360-365.

SECTION 330: APPROPRIATE MUNICIPAL PANEL AND ADVISORY COMMITTEES (SECTIONs 330-333)

Two bodies shall constitute appropriate municipal panels in Bristol:

1. the Planning Commission; and
2. the Zoning Board of Adjustment.

Each shall be responsible for conducting quasi-judicial reviews of specific types of applications as listed below. Rules of procedures, rules of ethics, public notice requirements, requirements regarding decisions, appeals and all other matters before either appropriate municipal panel shall be established as provided by the Act and as set forth in these Regulations.

Additionally, Bristol has also established a Design Review Committee to address development proposals solely within the Downtown Design Review Overlay District, associated with Bristol's Designated Downtown, The Downtown Design Review Committee serves as an advisory committee to the Zoning Administrator and each appropriate municipal panel.

SECTION 331: PLANNING COMMISSION

The Town of Bristol Planning Commission consists of nine members appointed by the Selectboard. The Planning Commission has the following functions:

1. Prepare and update the Bristol Town Plan every eight years and amend it as necessary.
2. As needed, prepare amendments to these Regulations and other Regulations as permitted by 24 V.S.A. § 4442.
3. Resolve any uncertainties regarding zoning district boundaries on the Zoning Map.
4. Nominate the Z.A. with approval of the Selectboard to administer these Regulations, as provided for in 24 V.S.A. § 4448(a).
5. Serve as the appropriate municipal panel for the purpose of hearing and granting or denying approval to modify district requirements under the Planned Unit Development provisions of these Regulations.
6. Serve as the appropriate municipal panel for the purpose of hearing and granting or conditioning approval of Site Plan applications pursuant to Subsections 390-396 of these Regulations, unless that review is included as a portion of a conditional use application, in which case the ZBA of Adjustment shall conduct the entire review. A portion of this review may also include review and action on the recommendations of the Design Review Commission, for proposals needing Site Plan approval within the Downtown Design Review Overlay District.
7. Review requests for rights of way, or other changes requested to plats of record.

SECTION 332: ZONING BOARD OF ADJUSTMENT

The Town of Bristol Zoning Board of Adjustment ("Zoning Board or ZBA") will consist of seven members and two alternates appointed by the Selectboard, a majority of which shall be legal residents of the Town of Bristol. Members of the ZBA shall be appointed by the Selectboard for 3 year terms, in a manner so that not more than 1/3 of the total 3 year terms run out in any one year. Any member of the ZBA may be removed for just cause by the Selectboard upon written charges and after a public hearing.

The ZBA has the following functions:

1. Hear and grant or deny appeals of actions of the Z.A.
2. Hear and grant or deny requests for Variances.
3. Hear and grant or deny requests for conditional use approval (The ZBA shall also conduct a Site Plan approval as part of this review. No additional Site Plan review shall be required by the Planning Commission) A portion of this review may also include review and action on the recommendations of the Downtown Design Review Commission, for proposals needing Conditional Use approval within the Design Review Overlay District.
4. Hear and grant or deny approval for expansions of non-conforming uses and non-complying structures pursuant to the criteria for conditional use approval (The ZBA shall also conduct a Site Plan approval as part of this review. No additional Site Plan review shall be required by the Planning Commission). A portion of this review may also include review and action on the recommendations of the Design Review Commission, for proposals needing conditional Use approval within the Downtown Design Review Overlay District.
5. Hear and grant or deny approval for activities in the Flood Hazard Area.
6. Hear and grant or deny requests for Waivers.

7. Any other form of land use request for which it is the appropriate panel as authorized by these Regulations and 24 V.S.A. § 4460.

If more than one review is required for a project, the reviews, to the extent feasible, shall be conducted concurrently.

SECTION 333: DESIGN REVIEW COMMISSION (DRC):

The DRC shall consist of not less than five (5) nor more than seven (7) members appointed by the Selectboard for renewable 3 year staggered terms. A quorum will be required to conduct business. All members of the DRC shall be residents of Bristol or business or property owners within the Design Review District. The DRC's sole responsibility is to review projects within the Downtown Design Review Overlay District. It meets when an applicant proposes a project that includes:

1. Construction of a building, outbuildings, fences or retaining walls;
2. Addition to or alteration of the exterior of a building which increases or decreases the square footage of the building whether enclosed or not
3. Any change to:
   a. The exterior wall of a building by creating openings (new windows or doors) or filling them in (removing window or doors, or changing their size in any way);
   b. The roofline or chimney; or
   c. Materials used on exterior walls, windows, railings, ballisters or roof.
4. Demolition of a structure.

Projects proposing the following shall not require design review by the DRC:

1. any interior alterations or changes that do not affect, change, or add to the exterior of the structure;
2. a change in use or type of occupancy;
3. routine maintenance or repair of any structure, as long as the maintenance or repair does not result in any change of design, type of material, or appearance of the structure.

SECTION 340: PUBLIC NOTICE AND REVIEW PROCEDURE

The applicant shall submit its application for review by delivering one (1) copy of those materials required by the appropriate SECTION of these Regulations governing the type of action requested: to the Town Clerk's office at least 25 days prior to the regular meeting of the appropriate municipal panel,

Conditional Use: See SECTION 350
Appeal: See SECTION 360
Variance: See SECTION 370
Waivers: See SECTION 380
Site Plan, Downtown Design Review and Other: See SECTION 390

1. **Notice procedures:** All development review applications or appeals before the appropriate municipal panel shall require notice for a warned public hearing as follows:
   a. Public Notice of hearings for conditional use review, variances, appeals of decisions of the Z.A., and final plat review for Planned Unit Development applications shall be given not less than 15 days prior to the date of the public hearing by all the following:

i. Publication of the date, place, and purpose of the hearing in a newspaper of general circulation in the municipality affected. The Z.A. or clerk or chair of the appropriate municipal panel shall place the notice in the paper.

ii. Posting of the same information in three or more public places within the municipality in conformance with location requirements of 1 V.S.A. § 312(c)(2), including posting within view from the public right-of-way most nearly adjacent to the property for which an application is made. The Z.A. or clerk or chair of the appropriate municipal panel shall post notices two places within town. The applicant shall be responsible for posting the property.

iii. Written notification to the applicant or appellant and to owners of all properties adjoining the property subject to development, without regard to any public right-of-way. The notification shall include a description of the proposed project and shall be accompanied by information that clearly informs the recipient where additional information may be obtained, and that participation in the local proceeding is a prerequisite to the right to take any subsequent appeal. The ZA shall be responsible for notifying all adjoining landowners and shall do so by a certificate of mailing or hand delivery. Prior to the first hearing, the ZA shall demonstrate compliance with this provision by producing a copy of the letter sent, a list of those it was sent to and the certificate of mailing demonstrating that the letters were sent (The ZA need only demonstrate that the letter was sent, not that it was received) or signed receipts if the letter was hand-delivered. If the ZA fails to reasonably demonstrate that they sent notice to the adjoiners and any other interested party, the appropriate municipal panel may postpone the hearing.

b. Public Notice of Hearings on **all other types of development review**, including site plan review shall be given not less than **7 days** prior to the date of the public hearing and shall include, at a minimum, all the following:

c.

i. Posting of the date, place, and purpose of the hearing in three or more public places within the municipality in compliance with the notice requirements for special meetings contained in 1 V.S.A. § 312(c)(2); The Z.A. or clerk or Chair of the Planning Commission shall post notices two places within Town. The Z.A. or clerk or Chair of the Planning Commission shall also be responsible for posting the property.

ii. Written notification to the applicant and to owners of all properties adjoining the property subject to development, without regard to any public right-of-way. The notification shall include a description of the proposed project and shall be accompanied by information that clearly informs the recipient where additional information may be obtained and that participation in the local proceeding is a prerequisite to the right to take any subsequent appeal. The ZA shall be responsible for notifying all adjoining landowners and shall do so by a certificate of mailing or hand delivery. Prior to the first hearing, the ZA shall demonstrate compliance with this provision by producing a copy of the letter sent, a list of those it was sent to and the certificate of mailing demonstrating that the letters were sent (The ZA need only demonstrate that the letter was sent, not that it was received) or signed receipts if the letter was hand-delivered.

2. **Review Procedures.** Pursuant to the requirements of 24 V.S.A. § 4461, for development review and § 4468 for appeals, the appropriate municipal panel shall set a date and place for a public

hearing of an application or an appeal under this chapter that shall be within 60 days of the filing of a complete application or the notice of appeal with the appropriate municipal panel. The appropriate municipal panel shall give public notice of the hearing pursuant to the procedure described in Subsection 1 of this SECTION and shall mail to the applicant, or in the case of appeals, the appellant, a copy of that notice at least 15 days prior to the hearing date. Any person or body empowered by SECTION 4465 of the Act to participate as an interested party or to take an appeal with respect to that property at issue may appear and be heard in person or be represented by an agent or attorney at the hearing. The appropriate municipal panel may adjourn the hearing from time to time provided, however, that the date and place of the adjourned hearing shall be announced at the hearing. All hearings shall be open to the public, and the rules of evidence applicable at these hearings shall be the same as the rules of evidence applicable in contested cases in hearings before administrative agencies as set forth in 3 V.S.A. § 810.

3. **Decisions.** The appropriate municipal panel shall issue a written decision, which shall include findings of fact, any conditions, and provisions for appeal within 45 days after completing the hearing and shall within that period send the applicant or appellant, by certified mail, a copy of the decision. Copies of the decision shall also be mailed to every interested person who appeared and was heard at the hearing. A copy of the decision shall be filed with the Z.A. and the Town Clerk who shall record the decision as a public record. If the appropriate municipal panel fails to make a decision within 45 days, on the 46th day the appropriate municipal panel shall be deemed to have rendered a decision in favor of the applicant or permittee in the case of an appeal.

SECTION 350: CONDITIONAL USES (SECTIONs 350-358)

SECTION 351: GENERAL STRUCTURE

The Z.A. shall not issue a Zoning Permit for any use or structure that requires conditional use approval or for the expansion or enlargement or a significant change in use of an existing conditional use until the ZBA grants such approval. Uses requiring conditional use approval are listed Article II in the sub-SECTIONs governing each zoning district. The ZBA shall make findings on general and specific standards, hold hearings and attach conditions, if any, as provided for in 24 V.S.A. § 4414(3) and all applicable SECTIONs of these Regulations. Per SECTION 4413 of the Act, in any district certain uses may be permitted only by approval of the ZBA, if the ZBA, after public notice and public hearing, determines that the proposed use will conform to general and specific standards contained in these Regulations.

SECTION 352: EXISTING CONDITIONAL USES

Uses listed as conditional uses which existed prior to the effective date of these Regulations shall conform to all requirements herein pertaining to conditional uses with respect to a change in use, expansion or contraction of land area, or alteration of structures.

SECTION 353: APPLICATION FOR CONDITIONAL USE APPROVAL

The applicant shall submit to the Z.A., by filing an application in the Town Clerk's office, at least 25 days prior to the regular meeting of the ZBA, one (1) copy of an application or letter summarizing the proposed conditional use which addresses all elements of this article, and all other information necessary to illustrate compliance with these Regulations and for the ZBA to make its decision including:

1. Property identification numbers of the property taken from the latest tax records; name and address of the owner of record and the owners of adjoining lands; name and address of person or firm preparing the map; scale of map of at least 1" = 200', north point, and date.
2. An accurate map of the property showing existing features, including contours, structures, large trees, streets, utility easements, rights-of-way, land use and deed restrictions.
3. Map, showing proposed structure locations and land use areas, streets, driveways, traffic circulation, parking and loading spaces and pedestrian walks, landscaping plans, including site grading, landscape design, and screening, including depicting distances from structures to property lines.
4. a narrative description of the project
5. Construction sequence and time schedule for completion of each phase for buildings, parking spaces, and landscaped areas of the entire development.
6. A description of energy utilization and conservation measures for each heated structure.
7. A description of the hours of operation.
8. A description of signs, lighting and steps taken to mitigate against noise created by the proposed use.
9. Other information as requested by the appropriate municipal panel.

Applications within the Downtown Review District shall also contain the following information:

1. photos and elevations of the existing building;
2. architectural elevations (all sides of the building), drawn to scale, of existing and proposed structures, including door and window types and other exterior details; and
3. description of exterior materials and finishes photographs and drawings of existing buildings on adjacent or nearby properties to illustrate the existing streetscape.

SECTION 354: PUBLIC NOTICE AND REVIEW PROCEDURE

The ZBA shall give public notice of hearing as specified in SECTION 340(1)(a) of these Regulations. The ZBA shall review this application pursuant to the review procedure established in SECTION 340(2) of these Regulations and pursuant to any rules of procedure it adopts.

SECTION 355: GENERAL CRITERIA FOR REVIEW

When determining the appropriateness of a proposed conditional use, the ZBA shall determine that the development or use will not result in an undue adverse impact on any of the following:

1. Capacity of Community Facilities. A conditional use shall not overburden or exhaust existing or planned municipal facilities or services.
2. Character of the Area. A conditional use may not, by its nature, scale, or conduct, cause an undue adverse change to the character of the area, as the area would exist if fully developed in accordance with the Town Plan. To that end, the conditional use shall meet, or where it is deemed appropriate by the ZBA, surpass the dimensional setback requirements for the district, the sign standards indicated in Article VII, and any other performance standards specified in these Regulations. The estimated traffic generated by a conditional use shall not exhaust or exceed the capacity of the road to accept increased traffic unless the applicant agrees to a condition requiring the applicant to upgrade the road.
3. Traffic Impacts. The estimated traffic generated by a conditional use shall not, in combination with other uses, exceed the capacity of the roads and highways in its vicinity, and the ZBA may require a traffic study to determine whether the capacity of the roads will be exceeded. Where the

capacity of the road to accept increased traffic is limited, the conditional use shall not exhaust or exceed the remaining capacity of the road.

4. Compliance with Regulations. A conditional use must comply with Regulations in effect at the time of submission of the application.
5. Renewable Energy Resources. A conditional use shall not excessively inhibit or restrict access to or the use of renewable natural resources (including, but not necessarily limited to, water and sunlight) for energy generation.

SECTION 356: SPECIFIC CRITERIA FOR REVIEW.

In addition to any conditions stemming from its review of the general criteria listed in SECTION 355, the ZBA may make such additional requirements as it deems necessary with respect to the specific standards regarding site plan review and Articles IV-VIII of these Regulations or as it deems reasonable and necessary to implement the purpose of the Act and these Regulations.

1. Applicant shall demonstrate that the circulation between the site and the street network is adequate to accommodate the traffic proposed. Parking and loading facilities should conform to the standards contained in Article VII, SECTIONs 710-720 of these Regulations. parking shall be located to the rear or interior side (side not fronting on a public road) of buildings, unless otherwise permitted by the appropriate municipal panel due to site conditions which would prevent the reasonable use of the property if this standard were strictly enforced. Large, uninterrupted expanses of parking shall be avoided.
2. Safe pedestrian connections to on-site parking areas, and to existing or planned pedestrian facilities located on adjacent properties and/or along public roads, shall be provided. Access points at property edges shall be coordinated with existing and planned development to provide pedestrian connections between uses.
3. Applicant shall demonstrate that they have incorporated landscaping features (trees, shrubs, fences, walls, gardens, open space or other features) into a design to reduce any impacts their use of the property might have on neighboring properties and that will enhance the appeal of the use proposed. Parcels shall incorporate street trees along the highway frontage to establish a canopy and provide traffic calming.
4. The outdoor storage of trash shall be screened or hidden from public view.
5. Building design. The applicant should demonstrate how the structure they are proposing fits within and adds to the character of the area in which it is proposed.
6. New construction should be compatible in design, scale, mass and height with the significant buildings within the immediate area.
7. For lots located within the Village Planning Area, buildings, and associated site design, shall reinforce, rather than destabilize, a defined streetscape. Buildings should be oriented to front upon the road. However, where the placement of a building along the front setback is not practical due to preexisting site conditions, the site plan should incorporate landscaping features, such as low walls and planting materials, along the setback line to create a transition between the public right-of-way and the site. Applicants should demonstrate that they incorporated reasonable energy conservation measures for commercial structures into the structures proposed.
8. Applicant shall demonstrate that they comply with all stormwater requirements of the State of Vermont and have adequately addressed drainage on the site so as not to create ponding on or off the site and that they have not rerouted the flow of storm or surface water so as to cause ponding or flooding problems for neighboring properties.
9. Exterior lighting should conform to the standards contained in SECTION 752 of these Regulations.
10. Noise should be regulated in accordance with SECTION 751 of these Regulations.
11. Signs should conform to the standards contained in SECTIONs 740-748 of these Regulations.

12. Hours of operation should conform to the standards contain in SECTION 754 of these Regulations.
13. Within Bristol's overlay districts, the appropriate municipal panel may also require the applicant to demonstrate compliance with additional criteria applied within that overlay district as described in SECTION 395.

SECTION 357: DECISION

Upon the close of the hearing, the ZBA shall issue its decision, and any conditions included therein, pursuant to the procedure outlined in SECTION 340(3) of these Regulations.

SECTION 358: PERFORMANCE BONDS

The ZBA may require the applicant to furnish the Town with a performance bond worth up to the value of the cost of the work/improvement to benefit the municipality. The bond shall assure the proper development of the improvements benefiting the municipality according to the conditions specified by the ZBA and restrictions set forth in these Regulations. The ZBA may determine the amount of the bond or certified check based upon the recommendations of a professional architect/engineer hired by the Town at the expense of the applicant pursuant to 24 V.S.A. § 4440(d).

SECTION 360: APPEALS TO THE ZBA (SECTIONs 360 – 365)

Appeals of any decision of the Z.A. shall be made to the ZBA. The ZBA shall conduct hearings on appeals pursuant to the authority derived from and the procedures contained in 24 V.S.A. §§ 4465, 4466, 4468, 4469 and 4470.

SECTION 361: DEADLINE FOR APPEAL

An appeal taken with respect to an act or decision of the Z.A. must be filed within 15 days of such act or decision.

SECTION 362: INTERESTED PERSONS

Only an "interested person" as defined in SECTION 1000 of these Regulations and by 24 V.S.A. §4465(b) may appeal the decision or action of the Z.A. under these Regulations.

SECTION 363: NOTICE OF APPEAL

The appellant shall file a notice of appeal in the Town Clerk's office with the Secretary or Chair of the ZBA or with the Town Clerk if no such Secretary or Chair has been elected. The following information shall be included as part of the submittal:

6. Name and address of the appellant;
7. Names and addresses of the applicant, co-applicant or any person party to the original application;
8. A brief description of the property from which the appeal is taken;
9. A reference to the regulatory provisions applicable to that appeal;
10. The relief requested;
11. The grounds as to why the relief requested is proper under the circumstances;

SECTION 364: PUBLIC NOTICE AND REVIEW PROCEDURE

Public notice of hearing shall be given as required by SECTION 340(1)(a) of these Regulations. The ZBA shall review all appeals pursuant to the procedure established in SECTION 340(2) of these Regulations.

SECTION 365: DECISIONS

Upon the close of the hearing, the ZBA shall issue its decision pursuant to the procedure outlined in SECTION 340(3) of these Regulations.

SECTION 370: VARIANCES (SECTIONs 370-375)

Requests for variances shall be made to the ZBA pursuant to the procedure outlined below.

SECTION 371: APPLICATION

The applicant shall submit to the Z.A., by filing an application in the Town Clerk's office at least 25 days prior to the meeting of the ZBA, one (1) copies of an application or letter summarizing the proposed variance which addresses all elements of this article, and all other information necessary to illustrate compliance with these Regulations and for the ZBA to make its decision, including property identification numbers of the property taken from the latest tax records; Name and address of the owner of record and those of adjoining lands; Name and address of person or firm preparing the map; Scale of Map, north point and date.
In addition to the information noted above, the ZBA may require the following:

1. An accurate map of the property showing existing features, including contours, structures, large trees, streets, utility easements, rights of way, land use and deed restrictions.
2. A scaled map, showing proposed structure locations and land use areas; streets, driveways, traffic circulation, parking and loading spaces and pedestrian walks; landscaping plans, including site grading, landscape design and screening.
3. Construction sequence and time schedule for completion of each phase for buildings, parking spaces and landscaped areas of the entire development.
4. A description of energy utilization and conservation measures for each heated structure.
5. Other information pertinent to the issue before the ZBA.

SECTION 372: PUBLIC NOTICE AND REVIEW PROCEDURE

Public notice of hearing shall be given as required by SECTION 340(1)(a) of these Regulations. The ZBA shall review this application pursuant to the review procedure established in SECTION 340(2) of these Regulations and pursuant to any rules of procedure it adopts.

SECTION 373: REVIEW CRITERIA

The ZBA shall review all variance requests to determine if they meet all of the following standards:

1. There are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of the lot or topography or other physical conditions on the property and that the hardship is due to these conditions and not the circumstances or provisions of the bylaw in the district in which the property is located;

2. Because of these conditions or circumstances, there is no possibility that the property can be developed in strict conformity with the bylaws and that therefore a variance is necessary to enable the reasonable use of the property;
3. Unnecessary hardship has not been created by the applicant;
4. The variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located; substantially or permanently impair the appropriate use or development of adjacent property; reduce access to renewable resources or be detrimental to the public welfare;
5. The variance will represent the minimum variance that will afford relief and will represent the least deviation possible from the Town Plan and these Regulations.

Please see 24 V.S.A. § 4469 for more information or for matters dealing with variances relating to renewable energy resource structures.

SECTION 374: DECISION

The ZBA shall make its decision on the request for variance by applying the facts presented in the application and at the hearing to the criteria, listed above, and incorporating all into its decision. Upon the close of the hearing, the ZBA shall issue its decision pursuant to the procedure outlined in SECTION 340(3) of these Regulations.

SECTION 375: CONDITIONS

In approving a project, the ZBA shall act to ensure, and may impose conditions requiring, that the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least deviation possible from these Regulations and from the Town Plan. The nature of any variance and any conditions attached to it shall be entered on the face of the Zoning Permit, incorporated therein and shall be enforceable in the same manner as all other applicable requirements of these Regulations.

SECTION 380: WAIVERS (SECTIONs 380-385)

As an alternative to the variance procedures noted above, applicants may apply for site waivers of dimensional requirements pursuant to the criteria below.

SECTION 381: APPLICATION

The applicant shall submit the information required to the Z.A. by filing one (1) copies of a letter summarizing the proposed waiver which addresses all elements of this article, and all other information necessary to illustrate compliance with these Regulations, at the Town Clerk's office, at least 25 days prior to the meeting of the ZBA. Information will include that which is necessary for the ZBA to make its decision, including property identification numbers of the property taken from the latest tax records; name and address of the owner of record and those of adjoining lands; name and address of person or firm preparing the map; scale of map, north point and date. In addition to the information noted above, the ZBA may require the following:

1. An accurate map of the property showing existing features, including contours, structures, large trees, streets, utility easements, rights of way, land use and deed restrictions.
2. A scaled plan, showing proposed structure locations and land use areas; streets, driveways, traffic circulation, parking and loading spaces and pedestrian walks; landscaping plans, including site grading, landscape design and screening.

3. Construction sequence and time schedule for completion of each phase for buildings, parking spaces and landscaped areas of the entire development.
4. A description of energy utilization and conservation measures for each heated structure.
5. Other information pertinent to the issue before the ZBA.

SECTION 382: PUBLIC NOTICE AND REVIEW PROCEDURE

Public notice of hearing shall be given as required by SECTION 340(1)(b) of these Regulations. The ZBA shall review this application pursuant to the review procedure established in SECTION 340(2) of these Regulations and pursuant to any rules of procedure it adopts.

SECTION 383: REVIEW CRITERIA

The ZBA may grant waivers to reduce dimensional requirements, if the applicant can satisfy the following standards:

1. The waiver requested is for a use permitted within the district in question as by right use (as opposed to a conditional use).
2. The waiver requested is in conformance with the Town Plan and the goals set forth in SECTION 4302 of the Act.
3. The waiver requested is designed to conform to the character of the land use area in which it lies as defined in the Plan and further designed to reasonably limit impact or the potential for impact upon one's neighbors.
4. The design used incorporates design techniques (restricted height, lack of windows) screening (fencing or plantings) or other remedies to reasonably limit impact or the potential for impact upon one's neighbors.
5. The waiver requested accommodates structures providing for disability accessibility, fire safety and other requirements of land or energy conservation or renewable energy structures.

SECTION 384: DECISION

The ZBA shall make its decision on the request for waiver by applying the facts presented in the application and at the hearing to the criteria, listed above, and incorporating all into its decision. Upon the close of the hearing, the ZBA shall issue its decision pursuant to the procedure outlined in SECTION 340(3) of these Regulations.

SECTION 385: CONDITIONS

In approving a project seeking a waiver the ZBA shall act to ensure, and may impose conditions requiring, that the waiver, if authorized, will represent the minimum waiver that will afford relief and will represent the least deviation possible from these Regulations and from the Town Plan. The nature of any waiver and any conditions attached to it shall be entered on the face of the Zoning Permit, incorporated therein and shall be enforceable in the same manner as all other applicable requirements of these Regulations.

SECTION 390: SITE PLAN REVIEW, PLANNED UNIT DEVELOPMENT REVIEW, DOWNTOWN DESIGN REVIEW AND OTHER APPLICATIONS (SECTIONs 390 – 396)

SECTION 391: GENERAL CONDITIONS

Any Site Plan review, Planned Unit Development Review or other applications or uses that require approval of an appropriate municipal panel, but are not specifically listed in SECTIONs 331 or 332 of these Regulations shall be reviewed under the procedure immediately below.

Site Plan approval by the Planning Commission shall be required for proposed uses allowed "by right" within any given zoning district, that are identified by an asterisk within the District Use standards in Article II, SECTION 230 of these Regulations. Unlike Conditional Use approval, Site Plan approval assumes that the use proposed is appropriate for the district in which it is located. As such, Site Plan review focuses solely on proper development within the site, not its compatibility or lack thereof with the surrounding area. Site Plan review cannot be used to deny a project in the same way that conditional use criteria would. However, the appropriate municipal panel may place conditions on any approval it gives to implement the objectives of the Town Plan as contemplated in the criteria below.

Development subject to Conditional Use review shall, also be subject to the Site Plan review criteria as part of the Conditional Use review. The ZBA shall apply the criteria and procedure cited below as the second portion of its Conditional Use review of the project and may impose appropriate conditions within any permit it chooses to grant under those reviews.

Planned Unit Development Review and other reviews shall be conducted by the Planning Commission pursuant to the criteria below.

SECTION 392: APPLICATION FOR SITE PLAN, PLANNED UNIT DEVELOPMENT OR OTHER APPROVALS

The owner shall submit one (1) sets of plan maps and supporting data to the appropriate municipal panel, by delivering the application to the Z.A. or filing the application at the Town Clerk's office. The application shall include the application requirements from SECTION 353 of these Regulations that specifically relate to the Site Plan Review criteria, and, for Planned Unit Developments, the application material contained in SECTION 608 of these Regulations.

SECTION 393: PUBLIC NOTICE AND REVIEW

Public notice of hearing shall be given as specified in SECTION 340(1)(b) of these Regulations if conducted independently or under SECTION 340(1)(a) if conducted as a portion of a Conditional Use review. The appropriate municipal panel shall review this application pursuant to the review procedure established in SECTION 340(2) of these Regulations and pursuant to any rules of procedure it adopts.

SECTION 394: SITE PLAN REVIEW CRITERIA

The appropriate municipal panel may impose appropriate conditions and safeguards only with respect to the adequacy of traffic access, circulation and parking for vehicles and pedestrians,

landscaping and screening, exterior lighting, signs, hours of operation, design criteria for the exterior of the building proposed and protecting the utilization of renewable energy resources as defined by the criteria below. The appropriate municipal panel shall review the site plan map and supporting data, taking into consideration the objectives listed in SECTION 356 of these Regulations which contains the Site Plan Review standards.

For Planned Unit Developments, the Planning Commission may also review the application pursuant to the additional criteria contained in SECTION 609 of these Regulations.

For other types of review, the Planning Commission may include other criteria specifically enabled within these Regulations.

SECTION 395: ADDITIONAL SITE APPROVAL CRITERIA IN OVERLAY DISTRICTS

Bristol has created three overlay districts: the Daniel's Four Corners Overlay District, the Downtown Design Review Overlay District and the Flood Hazard Overlay Area. The overlay districts impose additional site design standards on applicable projects within those districts. The appropriate municipal panel shall add the design review criteria from the Daniels Four Corners Overlay District contained in SECTION 230 of these Regulations and the Flood Hazard Overlay District contained in Article VIII of these Regulations as additional criteria for review and conditions of its decisions for projects within that overlay area.

Within the Downtown Design Review Overlay District, the DRC shall review all applicable projects pursuant to the design review criteria from the Downtown Design Review Overlay district. the DRC shall make recommendations to the ZA or appropriate municipal panel, responsible for permitting the applicant. The ZA shall incorporate the recommendations of the DRC into any permit they issue. The appropriate municipal panel shall review the recommendations of the DRC and may incorporate those recommendations it deem appropriate into its decision.

SECTION 396: DECISIONS

Upon the close of the hearing, the appropriate municipal panel shall issue its decision or pursuant to the procedure outlined in SECTION 340(3) of these Regulations. In approving a project with conditions, the appropriate municipal panel may require specific modifications to the design, scale, layout and/or design or configuration of the project.

SECTION 399: APPEALS TO THE ENVIRONMENTAL COURT

An "interested person" who has participated in a proceeding before the appropriate municipal panel (the ZBA or Planning Commission, depending upon the type of application) may appeal a decision rendered in that proceeding to the Environmental Court. Participation in a local regulatory proceeding shall consist of offering, through oral or written testimony, evidence or a statement of concern related to the subject of the proceeding. An appeal from a decision of the appropriate municipal panel shall be taken in such a manner as the Supreme Court may by rule provide for appeals from State agencies governed by 3 V.S.A. §§ 801 - 816. Notice of the appeal shall be filed by certified mailing, with fees, to the Environmental Court and by mailing a copy to the municipal clerk or the administrative officer, if so designated, who shall supply a list of

interested persons to the appellant within five working days. Upon receipt of the list of interested persons, the appellant shall, by certified mail, provide a copy of the notice of appeal to every interested person, and, if any one or more of those persons are not then parties to the appeal, upon motion they shall be granted leave by the court to intervene.

ARTICLE IV: REQUIRED REGULATIONS

SECTION 400: REQUIRED REGULATIONS

The uses permitted within each district as noted in Article II shall also be subject to such additions, modifications, or exceptions as provided by the following Regulations.

SECTION 401: PROMOTE AND PROTECT AFFORDABLE HOUSING

Except as provided in 24 V.S.A. § 4414(1)(E) and (F), nothing in these Regulations will treat mobile homes, modular housing or other forms of prefabricated housing differently from any other single-family dwelling type. Nothing in these Regulations will be construed to prevent the establishment of mobile home parks pursuant to 10 V.S.A. Chapter 153. Nothing in these Regulations will have the effect of excluding affordable housing to meet the needs of the low and moderate income citizens as determined by studies described in 24 V.S.A. § 4382(c).

SECTION 402: MOBILE, MANUFACTURED OR PREFABRICATED HOMES

Mobile, manufactured or prefabricated homes shall be considered the same as conventional homes except in a mobile home park.

SECTION 403: MOBILE HOME PARKS

Mobile homes are permitted in approved mobile home parks subject to the requirements of this SECTION and State law. Existing Mobile Home Parks shall be considered pre-existing non-conforming uses, unless they specifically comply with all provisions of these Regulations. Nothing in these Regulations shall prohibit the replacement or improvement of homes on lots in existing parks. New Mobile Home Parks shall be allowed under the PUD provisions of these Regulations on the same terms and conditions as Bristol may allow any other type of housing in a specific area as governed by these Regulations.

SECTION 404: ACCESSORY DWELLING UNIT

An accessory dwelling unit that is located within or appurtenant to an owner-occupied one-family dwelling shall be a permitted use. An accessory dwelling unit shall be defined as an efficiency or one-bedroom apartment, located within or appurtenant to an owner-occupied single-family dwelling, that is clearly subordinate to a one-family dwelling, and has facilities and provisions for independent living, including sleeping, food preparation, and sanitation, provided there is compliance with all the following:

1. The owner occupies either the primary dwelling or accessory dwelling.
2. The property has sufficient wastewater capacity.
3. The accessory unit does not exceed the greater of 30 percent of the total habitable floor area of the single-family dwelling or 1,000 sq. ft.
4. Applicable setback, coverage, and parking requirements specified in these Regulations are met.

Any accessory dwelling unit, new or existing, that meets the above conditions is a permitted use in all districts. However, any new accessory dwelling unit, or revision to an existing accessory dwelling unit, requires a conditional use permit if it results in:

- A violation of any of the above conditions or,
- A new accessory structure or,
- An increase in the height or floor area of the existing dwelling or,
- An increase in the dimensions of the parking areas,
- Neither unit is owner-occupied.

SECTION 405: EXISTING SMALL LOTS

Any lot in individual and separate and non-affiliated ownership from surrounding properties in existence on November 30, 1983 may be developed for the purposes permitted in the district in which it is located, even though not conforming to minimum lot size requirements, if such lot is not less than one-eight acre in area with a minimum width or depth dimension of forty feet.

Any pre-existing small lots that were or came into contiguous ownership as of May 27, 1998 or thereafter and were deemed automatically merged, may be re-subdivided along the pre-existing lines. Applicants shall demonstrate that they possessed legally created, separate lots prior to the automatic merger. The Planning Commission shall evaluate the material presented by the applicant applying the procedures and criteria contained in SECTIONs 390-396 of these Regulations applicable to "Other Permits".

SECTION 406: RESIDENTIAL CARE HOME OR GROUP HOME

A residential care home or group home to be operated under state licensing or registration, serving not more than 8 persons who have a disability as defined in 9 V.S.A. 4501 shall be considered by right to constitute a permitted single family residential use of property, except that no such home shall be so considered if it is located within a thousand feet of another existing or permitted such home.

SECTION 407: REQUIRED FRONTAGE

No land development may be permitted on lots which do not have either frontage on a public road or, access to such a road by a permanent easement or right-of-way at least 35 feet in width for permitted uses and 50 feet in width for conditional uses. Any proposed right of way must be approved by the Planning Commission. See SECTION 720 of these Regulations governing access for additional access requirements.

SECTION 408: PROTECTION OF HOME OCCUPATIONS (See also SECTION 606 Regarding Home Business).

Home occupations are permitted, by right, in all districts in which single-family residences are allowed. No regulation herein is intended to infringe upon the right of any resident to use a minor portion of a dwelling for an occupation which is customary in residential or rural areas and which does not have an undue adverse impact on the character of the residential area. A Zoning Permit application shall be submitted to the Z.A. so that a determination can be made as to whether the proposed use is, in fact, a home occupation as defined by these Regulations.

The ZA shall use the following criteria to determine whether a proposed use is a home occupation:

1. The business shall be operated by a resident in the principal building.
2. The business shall be operated wholly within the principal building and no goods,

materials, or products shall be publicly displayed on the premises.
3. Not more than two persons other than the residents shall be employed or conduct business from the premises.
4. There shall be no exterior storage of materials, and no other exterior indication of the home occupation, except signs are permitted as specified in ARTICLE VII;
5. The use shall not attract excessive vehicular traffic and shall satisfy the parking and access requirements contained in SECTIONs 710-720 of these Regulations.
6. The use shall not violate the Performance Standards contained in SECTION 750 and 751 of these Regulations governing odors, fumes, or noises; and
7. Retail operations are allowed as a portion of the Home Occupation but should be secondary to the Home Occupation's primary function.

SECTION 409: CHILDCARE HOME

Various types of "family childcare homes or facilities" are defined in SECTION 900 of these Regulations. As per the definition, family childcare homes serving 6 or fewer children shall be considered to constitute a permitted single-family residential use and shall be allowed in all districts on the same basis as a single-family residential use. A family child care home serving no more than six full-time children and four part-time children, as defined in 33 V.S.A. § 4902(3)(A), shall be considered to constitute a permitted use of property but will require site plan approval. A family childcare facility serving more than six full-time and four part-time children shall be reviewed as per the uses allowed in Article II in the district in which it is located.

SECTION 410: HEIGHT OF CERTAIN STRUCTURES

No structure shall exceed the maximum district height requirements except for specified exempt structures listed below or those as allowed hereunder:

1. Farm structures, including silos and barns, in accordance with SECTION 301, Exemptions;
2. Church steeples, spires, belltowers and belfries;
3. Water towers and other industrial uses in the Commercial zone as specified in SECTION of these Regulations;
4. Utility structures regulated by the Vermont Public Service Board pursuant to Title 30 V.S.A. SECTION 248;
5. Utilities not regulated by the Vermont Public Service Board, including wind generation towers and equipment reviewed under SECTION 607;
6. Telecommunication Facilities reviewed under SECTION 608
7. The following accessory uses provided they do not exceed the district maximum height by more than 10 feet:
   a. HAMM radio antennas;
   b. Flag poles; and
   c. Chimneys and weathervanes.

SECTION 411: NON-CONFORMITIES

A non-conformity includes non-conforming uses, structures, lots or parcels. Definitions of each of these types of "non-conformities" are contained within the "Definitions" in Article IX,

SECTION 900 of these Regulations. The following provisions shall apply to all buildings and uses existing on the effective date of these Regulations which do not conform to the requirements set forth in these Regulations and to all buildings and uses that in the future do not conform by reason of any subsequent amendment to these Regulations.

Any non-conforming use of structures or land except those specified below, may be continued indefinitely, but:

1. Shall not be moved, enlarged, altered, extended, reconstructed or restored (except as provided below), nor shall any external evidence of such use be increased by any means whatsoever, without approval by the ZBA, and then only after a public hearing carried out pursuant to the provisions governing a conditional use review in SECTIONs 350-358 in a manner, which, in the opinion of the ZBA does not enlarge the nature of the non-conformance.
2. Shall not be changed to another non-conforming use without approval by the ZBA, and then only after a public hearing carried out pursuant to the provisions governing a conditional use review in SECTIONs 350-358 and only to a use, which, in the opinion of the ZBA is of the same or of a more restricted nature.
3. Shall not be re-established if such use has discontinued for a period of one year or has been changed to, or replaced by, a conforming use without approval by the ZBA, unless after a public hearing carried out pursuant to the provisions governing a conditional use review in SECTIONs 350-358 it changes to a use, which, in the opinion of the Board, is of the same or of a more restricted nature. Intent to resume a non-conforming use shall not confer the right to do so.
4. Shall not be restored for other than a conforming use after damage from any cause unless the non-conforming use is reinstated by the commencement of construction within one year of such damage and the completion of construction and restoration of such building within two years; otherwise, the non-conforming use of such building shall be deemed to have been discontinued, unless such non-conforming use is carried on uninterrupted in the damaged part of the building.
5. Nothing in this section shall be deemed to prevent normal maintenance and repair of a non-conforming building provided that such action does not increase the degree of non-conformance.

SECTION 412: SPECIAL PUBLIC USE EXCEPTIONS

Pursuant to 24 V.S.A. § 4413, Bristol shall regulate the following uses only with respect to location, size, height, building bulk, yards, courts, setbacks, density of buildings, off-street parking, loading facilities, traffic, noise, lighting, landscaping or screening requirements and only to the extent that these Regulations do not have the effect of interfering with the intended functional use:

1. State or community owned and operated institutions and facilities.
2. Public and private schools and other educational institutions certified by the Vermont Department of Education.
3. Churches, and other places of worship, convents and parish houses.
4. Public and private hospitals.

5. Regional Solid Waste Management Facilities certified under 10 V.S.A. Chapter 159.
6. Hazardous Waste Management Facilities for which a notice of intent to construct has been received under SECTION 6606(a) of Title 10.

Except for state owned and operated institutions and facilities, each of the structures and uses listed above shall comply with the National Flood Insurance Program and comply with the applicable provisions of Article VIII of these Regulations governing development in the Flood Hazard Area, which Regulations shall not have the effect of interfering with the intended functional use. It is the intent of these Regulations to regulate these facilities to the maximum extent allowable under law. The uses noted above shall be subject to review by the Planning Commission pursuant to the applicable procedure and criteria governing Site Plan Review under Article III of these Regulations and any other portion of these Regulations that pertain to aspects of the project that may be regulated.

ARTICLE V: GENERAL REGULATIONS

SECTION 501: INTERIOR LOTS

Lots with no frontage on public roads or waters are allowed as interior lots in all districts provided that they are served by a right of way previously approved by the planning commission meeting the dimensions contained in SECTION 405 and other access requirements contained in SECTION 407 or any access permit required.

The Zoning Administrator will determine whether interior lots served by a private right-of-way (ROW) satisfies the frontage requirements contained within each Zoning District by measuring the lot line closest to and parallel to the closest public road, or by measuring the lot line parallel with and closest to the ROW as the "frontage" required by the district Regulations.
For a lot at the end of the ROW, the ROW need not extend up the entire lot in order to satisfy the frontage requirement.

SECTION 502: LOTS IN TWO ZONING DISTRICTS

Where a district boundary line divides a lot of record at the time such line is adopted, the Regulations for the less restricted part of such lot shall extend not more than thirty feet into the more restricted part.

SECTION 503: BUILDING ON LOTS

There shall be no more than one residential principal building on a lot except for Planned Unit Developments, as authorized by SECTION 4417 of the Act and SECTION 609 of these Regulations. The minimum lot area requirements of a district shall respectively and separately apply to and be required for each principal building on a lot.

SECTION 504: CONSTRUCTION APPROVED PRIOR TO ADOPTION OF OR AMENDMENT TO REGULATIONS

No permit shall be required for any structure upon which construction had begun prior to the adoption of these Regulations, provided such construction is completed within one year from the date of such adoption. The Town shall not require any change in the plans for, or construction of, a structure or use for which a zoning permit has been issued and which has subsequently been made non-complying or non-conforming by an amendment to these Regulations if the activities authorized by the zoning permit are completed while the permit is valid.

SECTION 505: ABANDONMENT OF STRUCTURES

Within one year after work on an excavation for a structure has begun or within one year after a permanent or temporary structure has been destroyed, demolished or abandoned, all structural materials shall be removed from the site, and the excavation thus remaining shall be covered over or filled to the normal grade and, to prevent erosion and improve aesthetics, the owner shall establish permanent vegetative cover.

ARTICLE VI: CONDITIONS ATTACHING TO SPECIFIC USES

Certain uses have the potential for greater impact on surrounding properties than other. These Regulations require that the specific uses listed within this section meet the following additional requirements governing their application procedure, operations, use or closure.

SECTION 601: FACILITIES REQUIRING THE STORAGE OF FLAMMABLE LIQUIDS

The storage of any highly flammable liquid in tanks above ground with unit capacity greater than five hundred and fifty gallons shall be prohibited, unless such tanks up to and including ten-thousand-gallon capacity are placed not less than eighty feet from all property lines, and unless all such tanks of more than ten-thousand-gallon capacity are placed not less than two hundred feet from all property lines.

All tanks having a capacity greater than five hundred and fifty gallons shall be properly retained with dikes having a capacity not less than one and one-half times the capacity of the tanks surrounded.

SECTION 602: VEHICLE SERVICE STATION AND SERVICE STATION CONVENIENCE STORES

In any district where Vehicle Service Stations or Service Station Convenience Stores are allowed as a conditional use, they must also comply with the following:

1. A motor vehicle service facility lot shall not be located within three hundred feet of the boundary of any lot occupied by a school, hospital, library, or religious institution.
2. Lot size shall be at least one acre.
3. Lot frontage shall be at least 200 feet.
4. Lot depth shall be at least 150 feet.
5. Pumps, lubricating and service devices shall be located at least 75 feet from the road line and 50 feet from the side and rear lot lines.
6. All fuel and oil shall be stored at least thirty-five feet from any property line.
7. All automobile parts and dismantled vehicles are to be stored within a building, unless the Planning Commission determines that they are adequately screened from public view.
8. No signs shall extend beyond the pumps, nor exceed fifteen feet in height.
9. There shall be no more than two access driveways from the road. The maximum width of each driveway shall be forty feet.
10. A suitably landscaped area shall be maintained at least five feet in depth along all road frontage not used as driveway.

SECTION 603: CAMPERS

It shall be unlawful for any person to park a camper except:

1. In an approved campground;
2. In an approved camper sales lot; or

3. The owner of a camper may park it on his own property in the rear or side yards, providing that the camper is parked behind the front face of the principal building, if any, and in any case no closer than six feet to any lot line. A camper so parked shall not be used as living quarters and shall not be hooked up to any water or sewer utilities.
4. Invitees may also park campers in the same manner as required of any owner on his/her own property for a period of time not to exceed thirty days.

SECTION 604: CAMPGROUNDS

Campgrounds shall be considered conditional uses in all districts in which they are allowed. In addition to all other application criteria, applications for campgrounds shall be accompanied with a site plan and drawings showing the property lines and area of the campground, a contour map showing the proposed grading of the area, a layout of the roads, walkways, campsites, parking areas, garbage collection stations, electrical distribution, water lines, sanitary sewer facilities and storm sewer drainage facilities and landscaping plan.

1. A campground shall have not less than three acres.
2. A campground shall provide for individual registered vehicles, access driveways, and parking.
3. Each campsite shall have at least 2500 square feet with each dimension at least 25 feet long.
4. All access driveways within a campground must be at least thirty feet in width and have a compacted gravel surface (or other type of all-weather road) at least twenty feet in width.
5. Each campsite shall have a water supply available within 100 feet. The water supply source must be approved by the State Agency of Environmental Conservation or another appropriate agency.
6. Each campsite shall have provisions for public toilets and sewage disposal. The method of sewage disposal must be in compliance with State Agency of Environmental Conservation Regulations.
7. A strip of land at least twenty-five feet in width shall be maintained as a landscaped area abutting all public roads and property lines. 8. No vehicle or tent shall be located closer than twenty-five feet to a property line.
8. The campground shall be closed to the public for a period of not less than thirty consecutive days each year, during which time no occupancy of campers shall be allowed.

SECTION 605: EXTRACTION OF SOIL, SAND, OR GRAVEL

The removal of sand or gravel for sale, except when incidental to construction of a structure on the same premises, is prohibited within any portion of any District lying within the Village Planning Area as specified within the Bristol Town Plan. The Village Planning Area is depicted for reference on the Town of Bristol Zoning Map by thick dashed lines. Otherwise, extraction of soil, sand or gravel is permitted as specified by Districts within Article II of these Regulations, but only after conditional use review and approval by the ZBA. The Zoning Administrator may issue a Zoning Permit only after having received written notification of the ZBA approval of the proposed project. In all districts, the following provisions shall apply:

1. Before approval of any new sand or gravel operation, or extension thereof, a performance bond may be secured from the applicant sufficient to ensure that upon completion of the extraction operations the abandoned site will be left in a safe, attractive and useful condition in the interest of public safety and general welfare. The owner shall submit a plan of proposed improvements to accomplish this end. If the ZBA of Adjustment requires a bond, the bond shall be sufficient to cover the cost of the restoration plan.
2. The removal of material shall be conducted so as to result in the improvement of the land, having due regard to the contours in the vicinity such as leveling slopes and removing hills. The digging or creating of pits or steep slopes shall not be permitted, unless provision is made to refill such pit.
3. The excavation sites shall be graded smooth and left in a neat condition. Cut slopes and spoil banks shall not be allowed to remain. The operation site shall be fertilized, mulched and reseeded so as to establish a firm cover of grass or other vegetation sufficient to prevent erosion under the supervision and to the satisfaction of the Zoning Administrator.
4. All surface drainage affected by excavation operations shall be controlled by the owner to prevent erosion debris and other loose materials from filling any drainage course, road, or private property. All provisions to control natural drainage water shall meet with the approval of the Zoning Administrator.
5. No excavation, blasting, or stockpiling of materials shall be located within two hundred feet of any road or other property line.
6. No power-activated sorting machinery or equipment shall be located within three hundred feet of any road or other property line, and all such machinery shall be equipped with satisfactory dust elimination devices.
7. All excavation slopes in excess of one to two shall be adequately fenced as determined by the Zoning Administrator.
8. Extension of an existing non-conforming operation shall not be permitted.
9. Stripping of topsoil for sale or for use on other premises, except as may be incidental to a construction project, shall be prohibited.
10. The ZBA may attach any additional conditions as it may find necessary for the safety and general welfare of the public.

SECTION 606: HOME BUSINESS (See also SECTION 408 concerning Home Occupations)

Bristol desires to provide residents with reasonable economic opportunity by encouraging local enterprises of suitable size and scale for their location. Home Businesses as a category are designed to allow Bristol residents' flexibility above the statutory floor set by home occupations, while protecting the rights of neighboring property owners from substantial undue impacts through the conditional use review process.

1. Home Businesses are subject to the following:
2. A member or members of the family residing in the principal building shall operate the business with no more than two additional, non-resident full time equivalent employees.
3. The business shall be operated within the principal building or an existing accessory building. The adaptive re-use of existing agricultural buildings is encouraged.

4. Any exterior storage of material shall be in keeping with the character of the residential neighborhood. The ZBA may prohibit or require screening for the outdoor storage of materials.
5. A person using a dwelling for a Home Business shall meet the parking spaces required for the dwelling and meet the parking requirements in SECTIONs 710-714 of these Regulations for the type of business operated.
6. The above Regulations are intended to expand upon the minimum statutory requirements for home occupations and shall not be construed to infringe upon the right of any person to use "a minor portion of their dwelling for an occupation which is customary in residential areas and does not have an undue adverse impact on the character of the residential area" as provided in 24 V.S.A. § 4412(4).
7. Retail operations are allowed as a portion of the Home Business's but should be secondary to the Home Business's primary function.
8. Limited personal services are allowed as Home Businesses.
9. The following heavy industrial activities, and all others not meeting the conditions noted above, will not constitute Home Businesses:

    a. Smelters or blast furnaces;
    b. Slaughterhouses, rendering plants, hide tanning or curing plants;
    c. Manufacture or processing of fertilizer, bone, rubber, asphalt, ammonia and/or chlorine;
    d. Manufacture or refining of petroleum, gas, or explosives;
    e. Bulk storage of wholesale fuel oil, butane, propane or gasoline;
    f. Junkyards, machinery wrecking yards; and
    g. Unenclosed manufacturing or processing of goods.

SECTION 607: SOLAR, WIND OR OTHER ENERGY SYSTEMS

1. Ground mounted solar energy systems, that are not otherwise exempt from these Regulations constitute a permitted accessory use within all districts, subject only to meeting the Dimensional Standards (Subsection C) within each zoning district. (See SECTION 301, Subsections (1) and (2) exempting certain solar projects from municipal review).
2. Wind energy conversion systems, not exempt pursuant to SECTION 301, sub-section 1 of these Regulations are Conditional Uses in all districts, with the ZBA considering the following criteria in addition to those specified in SECTIONS 355 and 356 of these Regulations:
    a. Climbing access to the tower shall be restricted;
    b. For rotors 20 feet in diameter or less, a setback from any lot line shall be 275 feet minus 11 feet for each foot of rotor diameter less than 20 feet; for rotors larger than 20 feet in diameter, a setback from any lot line shall be 275 feet plus 6 feet for each foot of rotor diameter greater than 20 feet; and
3. Other energy generation systems, not otherwise exempt pursuant to SECTION 301 of these Regulations constitute a permitted accessory use within all districts, subject to Site Plan Review and to meeting the Dimensional Standards (Subsection C) within each

zoning district.

SECTION 608: TELECOMMUNICATION FACILITIES

SECTION 301, subsection (3) of these Regulations exempt certain telecommunications facilities subject to jurisdiction of the Public Service Board from the jurisdiction of these Regulations. (See Title 30, SECTION 248a of the Vermont Statutes Annotated, 30 V.S.A. §248a). This sub-section governs all telecommunications facilities, including antennas and towers that are not exempt. Telecommunications facilities subject to these Regulations shall comply with the following conditions:

1. All telecommunications facilities in the Downtown Design Review District shall be subject to the review of the Design Review Committee administered through the Zoning Administrator as outlined in SECTION 395 of these Regulations.
2. Commercial telecommunication towers shall be allowed as conditional uses in the Commercial 1, Rural Agricultural 5 and Conservation District or restricted to the two existing sites in Bristol (i.e. the Coffin and Estey sites). Modifications to those towers shall be considered a conditional use and shall be subject to the standards of SECTIONs 350-359 of these Regulations, unless the Zoning Administrator determines that the modifications constitute "De minimis modifications" as defined in 30 V.S.A.248a, in which case the Zoning Administrator shall review them as a permitted use.
3. A permit condition shall require that all telecommunications facilities shall be removed promptly upon abandonment in accordance with SECTION 505 herein.

SECTION 609: PLANNED UNIT DEVELOPMENTS

In accordance with the provisions set forth SECTION 4417 of the Act, the modification of the district Regulations by the Planning Commission is permitted in all districts simultaneously with approval of a site plan under the following procedures:

1. Purpose: The purpose of the planned unit development (PUD) provisions is to encourage flexibility of design and development of land in such a manner as to promote the most appropriate use of land, to facilitate the adequate and economic provision of streets and utilities, to preserve the natural and scenic qualities of open land, to provide for a mixture and variety of housing types at different densities, and to provide for the development of existing lots which because of physical, topographic or geological conditions could not otherwise be developed.
2. Application Procedure: A site plan shall be submitted to the Planning Commission showing the locations, height, and spacing of buildings, open spaces and their landscaping, roads, driveways, and off-road parking spaces, water systems and sewage disposal plans, unique natural or man-made features, and physical conditions of the site, accompanied by a statement setting forth the nature of all proposed modifications, changes or supplementation of existing zoning Regulations. Copies of any appropriate or restrictive covenants shall be included.
3. Public Hearing: The public hearing requirements shall be the same as those described in SECTION 340 of these Regulations.).

4. General Standards: The following general standards shall be met in order for the Planning Commission to approve the application:

    a. The PUD is consistent with the Town Plan.
    b. The overall density of the project does not exceed the number of dwelling and /or commercial units which could be permitted mathematically, if the land were subdivided into lots in accordance with the district Regulations governing density. If the parcel(s) proposed to be developed lie within more than one zoning district, the Planning Commission shall calculate the density allowed on the acreage within each zone, then add the zones together to calculate the total number of units allowed on the entire parcel.
    c. The uses proposed for the project are permitted or conditional uses for the district in which the project is proposed.
    d. The PUD is an effective and unified treatment of the development possibilities of the project site, and the development plan makes appropriate provisions for preservation of streams, stream banks, steep slopes, wet areas, and unique natural man-made features.
    e. The development is proposed at a reasonable scale and over a reasonable period of time in order that adequate town facilities and services may be provided.
    f. Any modification of the zoning Regulations approved under this section shall be specifically set forth in terms of standards and criteria for design, bulk, and spacing of buildings and the sizes of lots and open spaces which shall be noted or appended to the application.
    g. The proposal must provide for economy, efficiency and safety of road and utility installation, construction, and maintenance.

5. Specific Standards for Review: the following specific standards shall be met in order for the Planning Commission to approve the application:

    a. District Regulations on height and spacing between main buildings shall be met unless waived by the Planning Commission.
    b. To ensure adequate privacy for existing and proposed uses adjacent to the PUD, structures on the perimeter of the PUD shall be set back at least equal to the setback required within the District in which the PUD is proposed.
    c. Adequate water supply and sewage disposal facilities shall be provided.
    d. Specific requirements of these Regulations relating to parking, access, landscaping, signs shall be maintained within the PUD.
    e. All buildings and parking areas within the PUD must be constructed within the building envelopes depicted on the site plan. Conformance with the building envelope ensures that each building constructed will meet the internal setback requirements established by the Planning Commission. Proposed building, driveway and parking footprints depicted on the site plan within the building envelope are for representative purposes only and may be slightly altered within the envelope to accommodate actual site and sub-surface conditions.

ARTICLE VII: DESIGN AND PERFORMANCE STANDARDS

SECTION 700: Overview

Article VII contains elements of Bristol's zoning that relates to the design and performance of uses and structures proposed within the Town of Bristol.

SECTION 710: PARKING (SECTIONs 710- 715)

Purpose: This SECTION requires new development to provide adequate off street parking and loading areas. It also recognizes that large expanses of excessive parking can create an unwelcoming pedestrian environment, additional unnecessary expenses and problems, like storm water runoff. Therefore, it gives developers and the appropriate municipal panel a significant amount of flexibility to design parking and loading spaces in a manner that serves the needs of residences and businesses, tenants, employees or customers and the general Bristol community.

SECTION 711: PARKING SPACE REQUIREMENTS

Any applicant proposing new development or expanding or changing a use of an existing structure shall demonstrate that their proposed plans provide adequate parking to support the intended use. Assumptions regarding the parking requirements for each use category in Bristol are listed below (Please note the use categories correspond to the Schedule of Uses Table contained on pages 14 and 15 of these Regulations).

USE	PARKING SPACE REQUIREMENT
Household Uses	1 per dwelling unit; 1 per employee and .5 per client for care facilities; 1 per dwelling unit, plus 1 per employee for home occupations and businesses
Civic Uses	1 per employee; plus 1 per 4 seats in gathering places
Office and Service Uses	1 per 600 sq. ft. of gross floor area
Food, Lodging and Entertainment Uses	1 per 3 seats; 1 per room rented
Sales Uses	1 per employee, plus 1 for every 450 sq. ft. of gross floor area
Automotive Uses	See Sales Uses, plus spaces to accommodate sales or servicing of vehicles
Industrial Uses	1 per 1.25 employees based upon highest average employee occupancy
Agriculture, forestry and Resource- Based uses	1 per employee, plus one per facility vehicle

Applicants may request to increase or decrease the standards noted above based upon the criteria noted below:

1. Applicants with shifts of workers may request to modify parking requirements to reflect the number of workers on the premises during the largest shift;
2. Applicants may demonstrate that they will share parking with another facility located within 500 feet of the applicant's main entrance. Demonstration of shared parking will require that the applicant provide the appropriate municipal panel with a signed lease for at least 10 years in duration. Upon expiration of the lease, the applicant shall need to demonstrate other parking arrangements exist. The sharing of parking facilities is encouraged;

3. Applicants may request to lower the parking requirements by providing alternative transportation facilities at their property or by demonstrating that the facility's main entrance lies within 1/4 mile of a public transit stop;
4. Applicants may request lower parking requirements by demonstrating that other public parking, whether on-street or off street is available consistently for the use of applicant's employees, customers or guests.

In all cases the decision whether to grant lesser or greater parking requirements shall rest with the appropriate municipal panel overseeing the application. The appropriate municipal panel shall manage its parking allocations fairly and consistently based on the usage patterns on evidence in Bristol at the time and in the vicinity of the proposed development. The appropriate municipal panel may include permit conditions requiring the applicant to seek additional parking review based upon significant increases numbers of employees or square footage.

SECTION 712: Parking Space Dimensions:

A parking space shall consist of a space adequate for parking an automobile with room for opening doors on both sides, together with access to a proper street or drive and room to maneuver. For Site plan purposes, a parking space is at least 9 feet wide and 18 feet long.

SECTION 713: Parking Lots

Off street parking areas for more than three vehicles shall have the individual spaces marked and shall be designed and maintained so that each space has access to a public street or drive without moving another car. Parking lots shall also demonstrate that they provide adequate aisles or turn around space to meet this requirement. Parking lots accommodating more than 20 vehicles shall be broken into smaller units separated by buildings, landscaping, storm water improvements and/or walkways to provide safe access, diminish storm water impacts and provide a visual break to the open parking expanse.

SECTION 714: Loading Areas

An applicant for a use that will regularly receive deliveries or generate shipments of goods by truck shall provide adequate space for loading or unloading those trucks without interfering with traffic circulation, access or parking.

1. Loading areas for single unit trucks must have an overhead clearance of at least 10 feet be at least 10 feet wide and 20 feet long, with additional space as necessary for access and maneuvering.
2. Loading areas for trailer trucks must have an overhead clearance of at least 14 feet be at least 12 feet wide and 50 feet long, with additional space as necessary for access and maneuvering.

SECTION 715: Design and Maintenance of Lots and Loading Areas:

Parking lots and loading areas must provide a firm level surface appropriate for the anticipated manner of use in all seasons. Each shall be designed, constructed and maintained to properly dispose of the storm water they create. Each shall be maintained to keep access and circulation moving freely and shall provide an onsite area for the clearing of snow.

SECTION 720: ACCESS APPROVAL

Driveway approval shall be carried out in accordance with 19 V.S.A. SECTION 1111. However, any activity for which a zoning permit is required and which involves the construction or modification of a driveway intersection with a public right of way shall require, as part of the zoning permit, approval of such construction or modification from the Selectboard. In order to ensure safety, provide access by emergency vehicles, to minimize traffic difficulties, and to mitigate and/or anticipate drainage problems, the following standards shall apply:

1. Minimum entrance width will be sixteen (16) feet.
2. If applicable - a minimum of 15-inch diameter asphalt coated corrugated steel culvert (or equivalent) will be installed and will be maintained in a working condition by the owner. The Road Foreman may require larger culverts where he deems them necessary to adequately address storm water flow within the town road ditches.
3. Entrance access will be constructed level (less than 2% slope) with the town road for a minimum of thirty-six (36) feet from the center line of the town road.
4. All Access Roads should enter perpendicular (between 80 and 90 degrees) to the existing roads, and should be perpendicular to the road for a minimum of 36 feet, from the centerline of the town road.
5. Safety of traffic on the town road as well as existing access traffic is the #1 criteria for establishing where an access will be permitted on town roads.
6. 6. Minimum sight distances measured from a point on the drive 15 feet from the edge of the traveled portion of the roadway and measured from height 3.5 feet on the drive in both directions on the town road to a minimum sight distance point at a height of 4.25 feet on the roadway shall be as follows:

Posted Speed in MPH-------	Minimum Sight Distance in feet-------
a. 20	220
b. 25	275
c. 30	330
d. 35	385
e. 40	440
f. 45	495
g. 50	550

8. Following a review by the Selectboard the application of the above requirements to accesses serving only one single family home may be modified; but only as they conform to item #8 below.
9. Notwithstanding the above, access standards and requirements established by the Selectboard shall supplement the above requirements. Any zoning permit must include final approval by the Selectboard when pertaining to driveway access to public highways, and in no case shall any part of these Bylaws take precedence over the statutory provisions of Title 19 V.S.A. SECTION 1111. However, if the above standards conflict with any such standards set by the Selectboard or as modified by the Planning Commission, the more stringent standards shall prevail.
10. Non-residential, and residential access roads serving four or more lots, may be required by the Selectboard to meet the Agency of Transportation's B- 71 standard or the Vermont State Standards for the Design of Transportation Construction Reconstruction and Rehabilitation on Freeways, Roads and Streets dated July 1, 1997 as amended from time to time.
11. No existing driveway may be used to increase the number of dwelling units served until all provisions of this SECTION are met.
12. Any dead end public or private road shall have a means of vehicle turnaround for, but not limited to, emergency vehicles.

13. Also see SECTION 502 for required frontage on, or access to, public roads.

SECTION 730: STORAGE OF VEHICLES IN DISTRICTS WITHIN THE VILLAGE PLANNING AREA

In any residential district within the Village Planning Area including, High Density Residential, Village Residential, Residential/Office/Commercial and Village Mixed Districts, both vans and trucks of more than 2 1/2 ton carrying capacity, unlicensed motor vehicles, and cars used for drag or stock car racing must be stored in an enclosed garage.

SECTION 740: SIGNS (SECTIONs 740 – 748)

Signs shall meet the following criteria:

1. Be in the public interest and not to the detriment of the public safety or welfare;
2. Be of a character, size, and location that will be in harmony with the orderly development of the district.
3. All signs shall be maintained in good and legible condition.
4. Signs on the valance of "roll-up" fabric awnings, sidewalk umbrellas, sandwich board signs, and advertising signs in windows are exempt from these Regulations. However, sandwich board signs shall not exceed six square feet on each side.
5. The Planning Commission by this sign regulation may determine that an existing sign be designated as a landmark sign, and waive any dimensional or other requirements set forth herein. However, in that case, a permit is required for any change in wording or physical appearance.

SECTION 741: OFF-PREMISES SIGNS

Any sign located elsewhere than upon the lot containing the subject of the sign shall conform to State statute and regulation. All signs located off-premise shall have approval of the property owner(s) and the Selectboard.

SECTION 742: SIGNS IN PRIMARILY RESIDENTIAL DISTRICTS (CON, HDR, VR, RA1, RA2, RA5, BPC)

The following signs are permitted when located on the immediate property:

1. One professional or home occupation sign, not exceeding 6 square feet.
2. One temporary real estate sign, not exceeding six square feet.
3. One sign not exceeding a total of twelve square feet at each entrance to and identifying a residential development.
4. Signs identifying or directing to (entrance, exit, shipping, office, rest rooms, etc.) and not relating to specific products or services shall be considered as directional or information signs. These signs shall be in letters no more than four inches in height and not greater than two square feet each and are not to be included when calculating the total sign area or number of signs.
5. Directional or information signs, not exceeding four square feet.
6. Signs necessary for public safety or welfare.

SECTION 743: SIGNS IN PRIMARILY COMMERCIAL, INDUSTRIAL AND MIXED DISTRICTS: (C-I, VM, REC, VB, ROC)

The following signs are permitted when located on the immediate property:

1. All signs permitted under SECTION 740.
2. Two business signs, not larger than one square foot for each lineal foot of frontage

occupied by the establishment, but not to exceed forty square feet in total.

3. If more than one business is located within the principal building(s), one directory sign not exceeding ten square feet. A business that is identified on a directory sign can have one other business sign that shall be included in the size requirements in item 2.

SECTION 744: WALL, PROJECTING, GROUND, AND ROOF SIGNS

Every wall sign shall:

1. Not exceed the highest point of the building's roof.
2. Not exceed 40 square feet in C-1, REC, VB; Not exceed 20 square feet in VM and ROC.

Every projecting sign shall:

1. Not extend to within 10 feet of the traveled portion of the roadway.
2. Not extend more than four feet from the building wall.
3. Not be less than ten feet above the surface of a public walkway area.
4. Not exceed sixteen square feet.

Every ground sign shall:

1. Not exceed twenty feet in height above the finished grade in commercial districts, and not exceed ten feet in height above finished grade in residential districts.
2. Be set back at least 40 feet from the road centerline and at least ten feet from any other lot line.

Roof signs shall not be permitted in any zoning district.

SECTION 745: COMPUTATION OF PERMISSIBLE SIGN AREA

When computing the total permissible sign area for any use:

1. Existing signs shall be included.
2. The total area of all signs shall not exceed the requirements as set forth in these Regulations.
3. Signs consisting of freestanding letters, numerals, or other devices should include any intervening spaces between them.
4. Only the larger faced area of a double-faced sign shall be used.
5. Back-to-back signs may be counted as one sign.

SECTION 746: TRAFFIC, HAZARD, SAFETY, AND OBSTRUCTION

Every sign shall be designed and located in such as manner as to:

1. Not impair public safety.
2. Not restrict clear vision between a sidewalk and road.
3. Not be confused with any traffic sign or signal.
4. Not prevent free access to any door, window or fire escape.
5. Withstand a wind pressure load of at least thirty pounds per square foot.

SECTION 747: ILLUMINATED AND FLASHING SIGNS

1. Signs may be illuminated by a steady light provided that such lighting will not illuminate or reflect onto other properties.
2. Flashing, oscillating, or revolving signs shall not be permitted, unless necessary for public safety or welfare.
3. Signs of a commercial nature in any district shall not be illuminated past the close of normal business hours. Shall not be illuminated past 10 p.m. in the ROC, HDR, VR, and VM Districts.
4. Requires approval by the Board of Adjustment.

SECTION 748: TEMPORARY SIGNS

In addition to signs permitted in the SECTIONs above, the following signs are permitted:

1. Temporary signs. A person may display, without obtaining a Zoning Permit, one temporary sign linked to a specific topic, action or event that has a limited duration. Without regard to content, examples of temporary signs include signs for yard sales, auctions, special events, construction in progress, real estate sales and /or political elections.
    a. signs will be no larger than eight square feet and shall be located on the premises.
    b. Off premise directional signs shall be no larger than four square feet.
    c. All temporary signs must be removed within 5 days of the close of the event, action or topic to which they pertain. Residents are encouraged to limit the duration of their signs to a reasonable period associated with the action, event or topic to which they correspond.
    d. No temporary signs shall be on display for greater than 6 months in any given calendar year. Signs on display for greater than 6 months in any given calendar year shall
    e. constitute permanent signs requiring a permit and subject to these Regulations.
2. Street banners are also allowed in addition to the temporary signs advertising events sponsored by civic organizations~~.~~. Such banners may be displayed without obtaining a zoning permit (They do require permission from the Bristol Town Administrator to string the banner across the street) for up to 30 days prior to the event and must be removed within five days after completion of the event.

SECTION 750: PERFORMANCE STANDARDS (SECTIONs 750- 754)

No land or building in any zoning district shall be used or occupied in any manner so as to create dangerous, injurious, noxious or otherwise objectionable conditions in such a manner or in such amount as to adversely affect the reasonable use of the surrounding area of adjoining properties. The following specific standards are set forth to implement this purpose. The burden of proof that the following standards are met shall be on the applicant.

SECTION 751: NOISE

No noise which is excessive at the property line and represents a significant increase in noise levels in the vicinity of the development so as to be incompatible with the reasonable use of the surrounding area shall be permitted.

Additionally, within primarily residential districts within the Town of Bristol (HDR, VR):

1. All equipment used within (manufacturing equipment) or associated with a structure (exhaust fans, transformers, other operating fixtures) shall not increase the average decibel level, when the equipment is operating, at the property line by greater than 5 decibels. Sustained nighttime noise should not increase above 50 decibels at the property line.
2. Facilities shall be designed to reduce the need for truck back-up signals;
3. Trucks shall not be allowed to idle after 7:00p.m. or before 7:00 a.m. for extended periods of time.

4. Outdoor equipment shall not be operated for extensive periods of time after 7:00p.m. or before 7:00 a.m.
5. These standards shall not apply to exempt uses, like agricultural or forestry uses.

SECTION 752: GLARE, LIGHTS, AND REFLECTION

1. Applicants shall protect dark skies at night and ridgelines by limiting the number and brightness of exterior lights and limiting obtrusive glare by implementing the following measures:
2. Installing, constructing and maintaining all outdoor lighting and illuminated signs to minimize the intrusion of light across property lines, eliminate upward illumination and reduce glare and to maximize the effectiveness of site lighting by limiting light to a target area;
3. Installing any pole lights to be lower than the building whose area they illuminate or not greater than 15 feet tall, whichever is less; Except where the applicant can demonstrate the need for taller lighting, like athletic facilities.
4. Requiring internal illuminated or externally lit commercial signs to be fully down-shielded or lit from the top down;
5. Requiring all building lighting for security or aesthetics to be down-shielded and targeted;
6. Prohibiting exterior unshielded wall pack lights.

Other optional measures applicants may consider include:

1. Using exterior motion detectors to limit use;
2. Using non-reflective material for roofs or siding;
3. Limiting excessive windows to limit impacts from interior lighting;
4. Turning lighting off after the close of business, unless needed for safety or security, in which case the lighting shall be down-shielded and minimized;

These Regulations shall not apply to solar or other energy generating structures.

SECTION 753: FIRE, EXPLOSIVE, AND SAFETY HAZARDS

No fire, explosive or safety hazard shall be permitted which significantly endangers other property owners or which results in a significantly increased burden on town properties. All storage for flammable liquids shall comply with applicable State and Federal Regulations.

SECTION 754: HOURS OF OPERATION

Hours of operation should be limited to standards for similar enterprises. Hours of operation are generally encouraged to not begin earlier than 6:00 a.m. and end by 9:00 p.m. The appropriate municipal panel may expand these hours to accommodate specific types of businesses and to allow for additional shifts within the Village Mix or Commercial Districts.

SECTION 760: LANDSCAPING

Bristol shall require non-residential development to install landscaping to blend a project into its surroundings pursuant to the following standards:

1. Where any nonresidential uses in a district abuts any residential use in a district, a strip of land at least twenty-five feet in width shall be maintained as a landscaped area in the front, side, or rear yards which abut the residential district.

2. The outdoor storage of trash shall be screened or hidden from public view and the view of persons in rural agricultural districts. In industrial districts such storage shall be screened and located to the rear of the buildings.
3. Landscaping required by these Regulations shall consist, at a minimum, of trees, shrubs, and protective ground cover. One tree at least ten feet in height shall be planted no nearer than five feet to any lot line for each three hundred square feet of required landscaped area, and shall be located to minimize potential shading of south facing surfaces of adjacent residences. One shrub shall be planted for each two hundred square feet of required landscaped area. Protective ground cover is required for the entire landscaped area.

ARTICLE VIII: FLOOD HAZARD AREA REGULATIONS

SECTION 801: STATUTORY AUTHORIZATION

To affect the purposes of 10 V.S.A. Chapter 32, and in accord with the Vermont Planning and Development Act, 24 V.S.A., Chapter 117, SECTIONs 4424, 4411, 4414, there are hereby established zoning Regulations for areas of special flood hazard in the Town of Bristol.

SECTION 802: STATEMENT OF PURPOSE

It is the purpose of these Regulations to promote the public health, safety, and general welfare, to prevent increases in flooding caused by the uncontrolled development of lands in areas of special flood hazard, and to minimize losses due to floods by:

1. restricting or prohibiting uses that are dangerous to health, safety, or property in times of flood or cause excessive increase in flood heights or velocities;
2. requiring that uses vulnerable to floods, including public facilities that serve such uses, shall be protected against flood damage at the time of initial construction;
3. protecting individuals from buying lands that are unsuited for their intended purposes because of flood hazard.

SECTION 803: LANDS TO WHICH THESE REGULATIONS APPLY

These Regulations shall apply to all lands in the Town of Bristol identified as areas of special flood hazard on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM), dated August 5, 1986, and any revisions thereto.

SECTION 804: OFFICIAL FLOOD HAZARD AREA MAP

The Official Flood Hazard Area Map shall consist of the FEMA Flood Insurance Study, including the Flood Insurance Rate Maps (FIRM), and Flood Boundary and Floodway Maps. The official Flood Hazard Area Map, together with all explanatory matter thereon and attached thereto, is hereby adopted by reference and declared to be part of these Regulations. The Official Flood Hazard Area Map may be altered with appropriate approval if adequate field data is developed which would show actual conditions in more detail.

SECTION 805: INTERPRETATION OF DISTRICT BOUNDARIES

The Zoning Administrator shall determine the boundaries of any designated area of special flood hazard by utilizing the base flood elevation data contained in the Flood Insurance Study, or in the

absence of such data, by obtaining, reviewing, and reasonably utilizing any base flood elevation data available from a federal or state agency. Appeals with respect to a boundary interpretation shall be made by filing a notice with the Secretary of the ZBA within fifteen days of the decision or act.

SECTION 806: PERMITTED USES

Upon issuance of a permit by the Zoning Administrator, the following open space uses shall be permitted within the area of special flood hazard to the extent that they are not prohibited by any other ordinance and provided that they do not require the erection of structures or storage of materials and equipment, the borrowing of fill from outside the flood hazard area, or channel modification or relocation, and do not obstruct flood flows, affect the water-carrying capacity of the regulatory floodway or channel, or increase off site flood damage-potential:

1. Agricultural uses, such as general farming, pasture, orchard, grazing, outdoor plant nurseries, truck farming, and forestry.
2. Recreation uses, such as parks, picnic grounds, tennis courts, golf courses, golf driving ranges, archery and shooting ranges, hiking and riding trails, hunting and fishing areas, game farms, fish hatcheries, wildlife sanctuaries, nature preserves, swimming areas, and boat launching sites.
3. Accessory residential uses, such as lawns, gardens, parking areas, and play areas.

SECTION 807: CONDITIONAL USES

All new construction, substantial improvement, and development uses prescribed by the Town of Bristol zoning ordinance that do not meet the requirements of SECTION 806 and fall within the designated area of special flood hazard are permitted only upon the granting of a conditional use permit by the ZBA in accordance with the procedures and requirements of SECTIONs 810, 811, and 812 of these Regulations.

SECTION 808: PERMIT REQUIREMENTS AND APPLICATION PROCEDURES

Permits are required for all proposed new construction, substantial improvements, and other development as defined by this Article, including the placement of mobile homes, within all lands to which these Regulations apply.

All zoning permit applications shall be submitted to the Zoning Administrator, on forms furnished by him, who shall determine, on application, whether or not the proposed development is located within the area of special flood hazard by the procedures established in SECTION 805 of these Regulations.

If the proposed use will be located in the areas of special flood hazard and meets the requirements of SECTION 806 of these Regulations, the Zoning Administrator shall issue a permit. If the proposed use does not meet the requirements of SECTION 806, the Zoning Administrator shall refer all applicants to the ZBA.

SECTION 809: RECORDS

The Zoning Administrator shall maintain a record of:

1. the elevation, in relation to mean sea level, of the lowest habitable floor, including the basement,

of all new construction or substantial improvement of structures and whether or not such structures contain a basement; and
2. the elevation, in relation to mean sea level, to which such structures have been flood proofed.
3. all permits issued under Article VIII of these Regulations

SECTION 810: CONDITIONAL USE REVIEW PROCEDURES

Upon receiving an application for conditional use permit under these Regulations, the ZBA shall, prior to holding a hearing and rendering a decision thereon, obtain from the applicant:

1. base flood elevation data for all subdivisions and other proposed new development greater than 50 lots or 5-acres, whichever is the smaller;
2. the elevation, in relation to mean sea level, of the lowest habitable floor, including basement, of all new construction or substantial improvement of structures:
3. where flood proofing is proposed in lieu of elevation, the elevation, in relation to mean sea level, to which any structure or substantial improvement will be flood proofed;
4. certification from a registered professional engineer or architect that the designed and proposed method of construction of buildings to be flood proofed are in accordance with accepted standards of practice meeting the flood proofing criteria of SECTION 812 of these Regulations.
5. a description of the extent to which any watercourse will be altered or relocated as a result of the proposed development and that its capacity to carry floodwaters has not been compromised.

In addition, the ZBA shall require such of the following information as it deems necessary for determining the suitability of the particular site for the proposed use:

1. Plans drawn to scale, showing the location, dimensions, contours, and elevations of the lot; the size and location on the site of existing or proposed structures, fill or storage of materials; the location and elevations of streets, water supply, and sanitary facilities; and the relation of the above to the location of the channel, floodway, and base flood elevation.
2. A typical valley cross-section showing the channel of the stream, elevation of land areas adjoining each side of the channel, and cross-sectional areas to be occupied by the proposed development.
3. A profile showing the slope of the bottom of the channel or flow line of the stream.
4. Specifications for building construction and materials, flood proofing, mining, dredging, filling, grading, paving, excavating, or drilling, channel improvement, storage of materials, water supply, and sanitary facilities.

In unnumbered A zones, the ZBA shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state, or other source as criteria for approval of all land development under SECTION 812.

The ZBA shall notify adjacent communities and the Vermont Department of Environmental Conservation River Management Program (DEC/RMP) prior to approval of an alteration or relocation of a watercourse and shall submit copies of such notifications to the FEMA Administrator.

The ZBA shall transmit one copy of the information required by subsections 810(1) and 810(2) to the Vermont DEC.RMP in accordance with 24 V.S.A., SECTION §4424).

In reviewing each application, the ZBA shall consider the evaluation of the Vermont Department of Water Resources and shall determine the proposed use will conform to the development standards of SECTION 812 of these Regulations.

In accordance with 24 V.S.A., SECTION §4424 no permit may be granted for new construction or the development of land in any area designated as a flood plain by the Vermont DEC/RMP prior to the expiration of a period of 30 days following the submission of a report to the Vermont DEC/RMP under SECTION 810(5) above.

SECTION 811: CONSIDERATIONS BY THE ZBA

In reviewing each application, the ZBA shall consider:

1. the danger to life and property due to increased flood heights or velocities caused by encroachments;
2. the danger that materials may be swept onto other lands or downstream to the injury of others;
3. the proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions under conditions of flooding;
4. the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners;
5. the importance of the services provided by the proposed facility to the community;
6. the necessity to the facility of a waterfront location;
7. the availability of alternative locations not subject to flooding for the proposed use;
8. the compatibility of the proposed use to with existing development and development anticipated in the foreseeable future;
9. the relationship of the proposed use to the proposed comprehensive plan, insofar as it has been developed;
10. the safety of access to the property in times of flood for ordinary and emergency vehicles;
11. the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site;
12. the costs of providing governmental and public facilities and services during and after flooding;
13. such other factors as are relevant to the purposes of this ordinance.

SECTION 812: CONDITIONS ATTACHED TO CONDITIONAL USE APPROVAL

As a condition of approval, the ZBA shall specifically require that:

1. All new construction or substantial improvement of any residential structure have the first floor and basement floor elevated to or above the base flood elevation, unless the Town of Bristol has been granted an exception by the Administrator for the allowance of basements flood proofed below the base flood level;
2. All new construction or substantial improvement of nonresidential structures have the lowest floor, including basement, elevated to or above the base flood elevation, or be flood proofed below the base flood level in accordance with subsection (3) of this section;
3. The lowest floor, including basement, and attendant utility and sanitary facilities of all new construction or substantial improvement below the base floor elevation be flood proofed so that the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy;

4. Structures shall be:

    a. designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure during the occurrence of the base flood,
    b. be constructed with materials resistant to flood damage,
    c. be constructed by methods and practices that minimize flood damage, and
    d. be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

5. Development within the floodway is prohibited unless a registered professional engineer certifies that the proposed development will not result in any increase in flood levels during the occurrence of the base flood;
6. On-site waste disposal systems be located to avoid impairment to them or contamination from them during flooding;
7. New and replacement manufactured homes shall be elevated on properly compacted fill such that the top of the fill (the pad) under the entire manufactured home is above the base flood elevation;
8. All necessary permits be obtained from those governmental agencies from which approval is required by federal or state law;
9. All land development be reasonably safe from flooding and that:

    a. all public utilities and facilities serving subdivisions, such as sewer, gas, electrical, and water systems, be located and constructed to minimize or eliminate flood damage, and
    b. adequate drainage be provided within subdivisions to reduce exposure to flood hazards.
    c. Upon consideration of those factors in SECTION 911, and the purposes of these Regulations, the ZBA shall attach such additional conditions to the granting of a permit as are necessary to meet the purposes and flood hazard area management requirements of these zoning Regulations.

SECTION 813: TIME FOR ACTING ON APPLICATION

The ZBA shall hold a properly warned hearing within 30 days of receiving an application, and shall act on such application in a manner described in SECTIONs 811 and 812 of these Regulations within (30) days of the final hearing, subject to the limitation of SECTION 810 (6) of these Regulations. A copy of the public notice shall be mailed to the applicant at least 15 days prior to the hearing date.

SECTION 814: ISSUANCE AND TRANSMISSION OF PERMITS

Upon granting a permit, the ZBA shall send to the applicant, by certified mail, a copy of the decision. Copies of the decision shall also be mailed to every person appearing and having been heard at the hearing, to the Zoning Administrator, who shall forthwith issue a permit, and to the Town Clerk as a part of the public records.

SECTION 815: EFFECTIVE DATE

A permitted use permit shall take effect 15 days from the date of issuance.
Conditional use permits shall take effect upon adjudication by the ZBA.

SECTION 816: APPEALS

An interested person, as defined in 24 V.S.A., SECTION 4464(b), may appeal a decision of the ZBA to the Superior Court in accordance with the provisions of 24 V.S.A., SECTION 4471.

SECTION 817: VARIANCES

Variances shall be granted by the ZBA only:

1. in accordance with the provisions of 24 V.S.A., SECTION §4469, 4424(E) and 44CFR SECTION 60.6;
2. upon a determination that during the base flood discharge the variance will not result in increased flood levels in the designated regulatory floodway, threats to public safety, extraordinary public expense, or create nuisances, cause fraud nor victimization of the public, or conflict with existing local laws or ordinances.
3. The ZBA shall notify the applicant that the issuance of a variance to construct a structure below the base flood level:
    a. will result in increased premium rates for flood insurance commensurate with the resulting increase in risk up to amounts as high as $25 for $100 of insurance coverage.
    b. increase risks to life and property.

4. The ZBA shall:

    a. maintain a record of all variance actions, including justification for their issuance, and
    b. report such variances issued to the Administrator upon request.

SECTION 818: FEES

The Selectboard shall establish such fees as may be necessary for the filing of notices and the processing of hearings and action thereon. All such fees shall be paid to the Town of Bristol upon application for a conditional use permit under these Regulations.

SECTION 819: WARNING OF DISCLAIMER OF LIABILITY

These Regulations do not imply that land outside the areas of special flood hazard or land uses permitted within such districts will be free from flooding or flood damages. These Regulations shall not create liability on the part of the Town of Bristol or any town official or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made there under.

SECTION 820: PRECEDENCE OF REGULATIONS

The provisions of these Regulations shall take precedence over any conflicting and less restrictive local laws.

SECTION 821: ANNUAL REPORT TO FEDERAL EMERGENCY MANAGEMENT AGENCY

1. The Zoning Administrator shall, to the extent possible, submit to the Administrator the information required by the FEMA annual report form with respect to the administration and enforcement of these flood hazards area bylaws.
2. A copy of the annual report shall be submitted to the state coordinating agency.

SECTION 822: DEFINITIONS

These definitions apply only to Article 8 concerning the Flood Hazard Area. All other definitions are contained in Article 9.

ADMINSTRATOR: The Federal Emergency Management Administration

AREA OF SPECIAL FLOOD HAZARD: The land in the flood plain within a community subject to one percent or greater chance of flooding in a given year. The area includes all A zone designations on the FIRM, or, in the absence of the FIRM, on the FHBM. It does not include Zones Band C.

BASEFLOOD: The flood having a one percent chance of being equaled or exceeded in any given year.

DEVELOPMENT: The division of a parcel into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocations, or enlargement of any building or other structure, or of any mining, excavation, filling, paving, drilling, driving of piles, dredging land clearing, grading or permanent storage of materials and/or equipment, and any change in the use of any building or other structure, on land, or extension of use of land. Development includes any man-made change to improved or unimproved real estate including activities conducted by government agencies including roads and bridges.

FEMA: Federal Emergency Management Agency

FHBM: Flood Hazard Boundary Map; An official map of a community, on which the administrator has delineated both the areas of special flood hazard and the risk premium zones applicable to the community. A FHBM is issued before the FEMA has conducted a flood study of the community.

FIRM: Flood Insurance Rate Map; An official map of a community, on which the Administrator had delineated both the areas of special flood hazard and the risk premium zones applicable to the community. A FIRM is issued after FEMA has completed a flood study of the community.

FLOODPROOFED OR FLOOD PROOFING: Any combination of structural and nonstructural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOODWAY: The channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

MANUFACTURED HOME: A structure, transportable in one or more SECTIONs, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreation vehicles or travel trailers.

Manufactured Home Park or Manufactured Home Subdivision: A parcel of land divided into two or more manufactured home lots for rent or sale.

NEW CONSTRUCTION: Structures commenced on or after the effective date of this ordinance.

STRUCTURE: An assembly of materials for occupancy or use, including but not limited to, a building, mobile home or trailer, billboard, sign, wall or fence, except a wall or fence on an operating farm.

START OF CONSTRUCTION: See FEMA definition in SECTION 1909.1 of the current National Flood Insurance program rules and Regulations.

SUBSTANTIAL IMPROVEMENTS: Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceed 50 percent of the market value of the structure either, (a) before the improvement or repair is started, or (b) if the structure has been damaged, and is being restored, before damage has occurred. The term does not, however, include either (1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or (2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

ARTICLE IX: DEFINTIONS

SECTION 900: DEFINITIONS

Except where specifically defined herein, all words used in these Regulations shall carry their customary meanings. Words used in the present tense include the future, and the singular includes the plural; the word "lot" includes "plot"; the word "shall" is mandatory; "occupied" or "used" shall be considered as though followed by "or intended, arranged, or designed to be used or occupied"; "person" includes individual, partnership, association, corporation, company, or organization; and the word "street" is synonymous with "road." The definitions addressing issues in the Flood Hazard Area contained in Article VIII, SECTION 822 are also incorporated in this set of definitions. Doubt as to the precise meaning of any word used in these Regulations shall be clarified by the Planning Commission. Within this document the terms "bylaws" and "Regulations" are used interchangeably.

ACCESSORY DWELLING UNIT: See SECTION 404 herein.

ACCESSORY BUILDING OR USE: A building or use incidental, subordinate and reasonably necessary to the conduct of the principal structure or use. Accessory building or use does not include any building or portion thereof used for living purposes.

AGRICULTURE: The cultivation, clearing or other use of land for growing food, fiber other than wood, Christmas trees, maple sap, or horticultural and orchard crops; the raising, feeding, or management of livestock, poultry, fish, or bees; the operation of greenhouses; the production of maple syrup; the on-site storage, preparation and sale of agricultural products principally produced on the farm; the on-site production of fuel or power from agricultural products or wastes produced on the farm; the raising, feeding, or management of four or more equines owned or boarded by the farmer, including training, showing, and providing instruction and lessons in riding, training, and the management of equines.

AGRICULTURAL USE: Land or structure used for raising livestock, growing agricultural or forest products, storing agricultural equipment, or, as an accessory use, selling agricultural products raised on the property.

ALTERATION: Structural changes, rearrangement, change of location or addition to a building.

ARTIST/CRAFTSPERSON STUDIO: An establishment occupying less than 10,000 sq. ft. for the creation, preparation, assembly, display and/or sale of individually crafted artwork, jewelry, furniture, sculpture, pottery, cabinetry, leather craft, hand-woven articles, woodcrafts and other related items. Studios larger than 10,000 square feet shall be treated as Class 2 or Class 3 light industrial manufacturing facilities depending upon the facility's size.

AUTO REPAIR SHOP: See " Vehicle Service Station" or "Repair Shop".

BAR: An establishment whose principal business is the serving of alcoholic beverages at retail for consumption on the premises, which may also offer patrons food for consumption on the premises.

BASEMENT: Story partly underground. A basement shall be counted as an above ground story if the vertical distance between the basement ceiling and the average grade level of the adjoining ground is more than six feet.

BED AND BREAKFAST (B&B): A place of lodging located on owner-occupied single-family residential property, which provides not more than 6 rooms for occupancy by transient guests for compensation and which serves meals only to overnight guests and not to the general public.

BOARDING HOUSE: An owner occupied single family dwelling with one common kitchen facility that provides lodging for not more than 6 people on a long-term non-transient basis for compensation and where meals may be provided to boarders, but not other guests.

BUILDING: Structure having a roof supported by columns or walls and intended for the shelter or enclosure of persons, animals, or personal property. Includes any carport, porch, terrace and deck, but excludes steps.

BUILDING AREA: Total of areas taken on a horizontal plane at the main finished grade level of the principal building and all accessory buildings, including carports, porches, terraces, and decks. Any solar collection device or related apparatus not included on floor area of a building not included. All dimensions shall be measured between exterior faces of walls.

BUILDING FRONT LINE: Line parallel to the road line transecting that point in the building face, which is closest to the road line.

BUILDING HEIGHT: Vertical distance measured from the average elevation of the proposed or actual finished grade of the building to the highest point of the roof.

BUILDING REAR LINE: Line parallel to the road line transecting that point in the building face, which is farthest from the road line.

BUILDING SIDE LINE: Line parallel to the nearest side lot line transecting that point of the building face, which is nearest the side lot line.

BUSINESS SERVICES: Establishments primarily engaged in providing services to other businesses on a fee or contract basis (e.g., advertising, mailing, building maintenance, consulting services, equipment leasing, copying and printing, etc.) and which does not include the on-site retail sale of goods except as incidental to principal activity occurring on the premises.

BUSINESS YARD: A site used primarily to store and maintain construction, landscaping or similar heavy equipment and other materials and facilities customarily required by a contractor in the building, landscaping, or construction-related trades or similar businesses, and where the majority of business activity takes place off-site. May include associated office space and/or enclosed areas for vehicle or equipment repair or maintenance. Does not include regular or ongoing sale of equipment.

CAMP, PRIMITIVE: Primitive camps, with no interior plumbing consisting of more than a sink with water, will be allowed provided they are used for no more than 3 consecutive weeks per

year, and no more than a total of 60 days per year. However, owners that can demonstrate that they use the camp more than the timeframe above and that the current level of use existed before January 1, 2007, will be allowed to continue using the camp at the level of use established prior to January 1, 2007. This date is significant as that use means that the camp is exempt from the permit requirements of the State Wastewater System and Potable Water Supply Rules under the "Clean State" exemption. The purpose of this guideline is to create a local permitting regime consistent with the state wastewater and potable water supply requirements and exemptions.

CAMP, SEASONAL: Seasonal camps, whether or not they have internal plumbing, that are used for 180 days per year or less will be allowed. Existing seasonal camps will be allowed to continue at the current level of use if the owner can demonstrate that the current level of use existed before January 1, 2007. This date is significant as that use means that the camp is exempt from the permit requirements of the State Wastewater System and Potable Water Supply Rules under the "Clean State" exemption. The purpose of this guideline is to create a local permitting regime consistent with the state wastewater and potable water supply requirements and exemptions.

CAMPER: Any vehicle mounted on wheels and used as sleeping, camping, or living quarters. This includes a camper body mounted on a truck, and excludes mobile homes.

CAMPGROUND: A site in common ownership offering short-term or seasonal lodging to the general public or members in tents, recreational vehicles, camps or cottages, whether these exist on the site and are rented out to lodgers, or are brought onto the site by the lodgers. May include personal service, recreational, and food preparation and dining facilities available for use by lodgers as accessory uses.

CAR WASH: A facility designed for the washing and cleaning of vehicles, which offers automatic and/or manual washing bays that contain or recycle the washing liquid according to accepted industry standards.

CATERING SERVICE: An establishment where food and drink are prepared before being transported and served at a remote location.

CEMETERY: A place used for interment of human or animal remains or cremated remains, including a burial park for earth interments a mausoleum for vault or crypt interments and/or a columbarium for cinerary interments.

CERTIFICATE OF COMPLIANCE: It shall be unlawful to use or occupy or permit the use or occupancy of any land or structure, or part thereof, created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure, unless a Certificate of Compliance has been issued therefore by the Zoning Administrator stating that the proposed use of the land or structure conforms to the provisions of these Regulations. In the case of a structure, the Zoning Administrator shall inspect the site prior to pouring the footings and again when the structure is completed and deemed by the owner to be ready for occupancy before issuing a Certificate of Compliance.

CHILD CARE CENTER OR HOME: See "Daycare Facility" or "Family Childcare Home".

CLINIC: A Non-residential office building used by members of the medical professions for the diagnosis and out-patient treatment of human ailments. See also Healthcare clinic.

CLUB: A building, site or complex operated for a social, educational or recreational purpose to which membership or invitation is required for participation or use of the premises.

COMMERCIAL USE: The business of providing goods, services or facilities for sale or distribution, on a profit or nonprofit basis, except for light or heavy industry, home occupations, forestry or agricultural uses, public utility facilities and lines, roads and outdoor recreation.

COMMUNICATIONS ANTENNA: An exterior apparatus designed for telephonic, radio, data, internet, television or other communications through the sending or receiving of electromagnetic waves, including equipment used to provide personal wireless services. This definition specifically excludes towers or other structures upon which antennas may be mounted.

COMMUNICATIONS FACILITY: A place hosting communications equipment including both towers and antenna.

COMMUNICATIONS TOWER: Any ground-mounted pole, spire, structure, or combination thereof, including supporting lines, cables, wires, braces, masts, intended primarily for mounting a communications antenna above ground.

COMMUNITY FACILITY: Any meeting hall, place of assembly, museum, art gallery, library, school, church, or other similar type of establishment that is not operated primarily for profit, excluding government facility. Also includes non-profit daycare facility, rescue squad building or fire department building.

COMMUNITY CENTER: A building, site or complex used as a place of meeting, recreation or social activity, which is generally open to the public and not operated for profit.

CONDITIONAL USE: Use which may be permitted only by approval of the ZBA after public notice and public hearing to determine whether the proposed use will conform to general and specific standards as set forth or referred to in these Regulations and pursuant to SECTION 4414(3) of the Act. Or other uses (e.g. light commercial, retail, etc.) upon the finding by the ZBA that such uses are of the same general character as those permitted in the district and which will not adversely impact other uses in the district or adjoining districts.

CONDOMINIUM: See "Dwelling - Multiple Family".

CONFORMITY: A lot, parcel, structure (or part of a structure), or use of land, that conforms to these Regulations.

CREMATORIUM: A building built solely for the purpose of cremation and complying with State licensing requirements.

CULTURAL FACILITY: An institution providing for the documentation, display, performance or enjoyment of heritage, culture, history, science or the arts such as a library, museum, interpretative site or performance venue, which is owned or operated by a public or non-profit entity.

DAYCARE FACILITY: A facility providing care for eleven or more children, the elderly, or individuals with disabilities in a protective setting for a portion of a 24-hour day.

DEVELOPMENT: See SECTION 822 above.

DRIVEWAY: A roadway or passageway intended for vehicular use, which provides access to and from a public highway. Said use affects the rights of way of public highways as the affect pertains to Title 19 VSA Paragraph 1111. This definition includes the term "curb cut".

DWELLING, ACCESSORY: A secondary dwelling established in conjunction with and clearly subordinate to a primary dwelling, whether a part of the same structure as the primary dwelling or within an accessory structure on the same lot. (See SECTION 404 of these Regulations.)

DWELLING, MULTI-FAMILY. A building, or portion thereof, designed exclusively for occupancy by three or more families or households living independently of each other in individual dwelling units; or a portion of a mixed-use building designed for use as one or more rental dwellings.

DWELLING, SINGLE-FAMILY: A building or portion thereof, designed exclusively for occupancy by one family or household living independently in an individual dwelling unit.

DWELLING, TWO-FAMILY: A building or portion thereof, designed exclusively for occupancy by two families or households living independently of each other in individual dwelling units. Also known as a duplex.

DWELLING UNIT: Building or part thereof used as living quarters for one family. The terms "dwelling," "single-family dwelling," "two-family dwelling," or " multiple-family dwelling" shall not include a boarding house or motor lodge. Dwellings include primitive or seasonal camps.

EDUCATION FACILITY: An institution providing instruction to students that is operated under state licensing and/or professional accreditation, and including accessory structures and uses traditionally associated with a program of study.

EMERGENCY SERVICES FACILITY: A building, or part thereof, that is operated by a governmental or non-profit agency to provide emergency response services, which may include administrative offices, meeting and training facilities, emergency shelter, equipment and vehicle storage, and/or associated accessory uses and facilities.

EXTRACTION: The commercial taking, by digging, of sand, gravel, soil or other loose material from an embankment or pit, usually open to the sky.

FAMILY: One or more persons living, sleeping, cooking, & eating on the same premises as a single housekeeping unit.

FAMILY CHILDCARE HOME: Provision of-childcare services for children within a dwelling in accordance with SECTION 409 of these Regulations and all applicable state laws.

FARM ENTERPRISE: A business operated on a farm that produces and/or sells value-added farm products, that offers contractual agricultural services, that engages in agri-tourism, that generates energy from crops or by-products, that processes, stores and/or ships farm products, or that engages in similar agriculturally-oriented income-producing activities. If the business involves on-site retail sales, a minimum of 50% of the gross sales shall be generated from products or materials grown or harvested on land farmed by the business operator.

FARM PRODUCT SALES: A structure or site for the seasonal or periodic sales of locally produced farm products, including value-added products.

CLASS 1. A farm product sales use that is operated not more than 270 days in any calendar year, and which sells only farm products grown or produced by the operator or property owner.
CLASS 2. All other farm product sales.

FARM-WORKER HOUSING: Any living quarters, dwelling, boarding house, bunkhouse, or other housing accommodations, maintained exclusively for the occupancy of farm employees and their families in connection with a farm or place where farming is undertaken.

FENCE: Structure or vegetation used primarily for enclosing or screening.

FINANCIAL SERVICES: A use that provides financial and banking services to consumers or clients such as banks, savings and loans associations, credit unions, lending establishments and automatic teller machines.

FINISHED GRADE: Completed surfaces of ground, lawn, walks, paved areas and roads brought to grade as shown on plans relating thereto.

FLOOR AREA: Sum of the gross horizontal area of the floors of a building, excluding basement floor areas. All dimensions shall be measured between interior faces of walls.

FRONT YARD SETBACK: Is the distance from the building front line to the center of the roadway.

GOVERNMENT OFFICE: A building, complex or site publicly owned, operated and/or occupied that is used for administering and conducting the affairs of government. This definition specifically excludes emergency services facilities.

GROCERY STORE: A retail store primarily selling prepackaged and perishable food, but which may also stock other convenience, personal care and household goods.

GROUP HOME: A single-family dwelling operated under state licensing or registration, serving as a residence for not more than 8 individuals who have a handicap or disability in accordance with SECTION 406 of these Regulations.

HEALTHCARE FACILITY: See Residential Healthcare Facility.

HOME BUSINESS: The accessory use of residential property for an occupation, profession, business or industry carried on for gain by at least one resident of the property that complies with the requirements of SECTION 606 of these Regulations.

HOME OCCUPATION: The accessory use of a minor portion of a dwelling for an occupation, profession, business or industry carried on for gain by one or more residents of the dwelling that complies with the requirements of SECTION 408 of these Regulations.

HORTICULTURE: The science and art of growing fruits, vegetables, flowers, or ornamental plants.

HOSPICE: A residential facility where help is available for those who can no longer benefit from treatment to die as comfortably as possible, sharing among neighbors and friends, and where there is help to support and prepare their families for the period of bereavement.

HOTEL; A building or complex of greater than 12 lodging rooms in which lodging is provided and offered to transient guests for compensation, and which also may provide incidental services including meals and recreation to paying guests. A hotel shall not include a restaurant open to the public unless approved as a mixed use.

IMPERVIOUS SURFACE COVERAGE: That percentage of the lot area covered by building area and asphalt or concrete paving or compacted gravel surfaces.

INDUSTRY, HEAVY: Heavy industrial uses engage in the large-scale (>25,000 sq. ft.) storage or manufacturing of products or processes that are harmful to the environment or pose significant risks to our residents. No heavy industrial uses shall be permitted in Bristol, including but not limited to heavy industrial uses whose processes rely on or produce: explosives, radioactive materials, petroleum refining, steel and iron manufacturing (Does not include the fabrication or welding of pre-existing metals), cement production, or paper, pulp or pulp/mash/slurry manufacturing.

INDUSTRY, LIGHT: The processing, assembly, distribution or packaging, of natural or man-made products where such activity results in no substantial off-site impacts and all such activity and storage of raw or finished products is enclosed in a building or is screened from abutting properties and public right-of-way. Such uses include but are not limited to the following: cabinet or furniture manufacturing; food processing; electronics manufacturing or assembly; machine shop; monument or stone works; sewing; printing; warehousing; wholesale trade; (or) research and testing laboratory; and other similar uses not of a commercial or retail nature with minimal need of customer traffic to facility. All light industrial uses may use up to 20% of their total structural space for retail sales of the products produced in that facility. Light industrial uses shall be classified as follows:

CLASS 1: A light industrial use that occurs entirely within an enclosed structure, occupies less than 10,000 square feet and does not process or produce flammable, explosive or hazardous materials.
CLASS 2: A light industrial use that either occurs entirely within an enclosed structure and/or has outdoor material storage that is fully screened year-round from adjoining properties and public rights-of-way, occupies less than 25,000 square feet and does not process or produce flammable, explosive or hazardous materials.
CLASS 3; Class III light industrial uses include industrial uses with a greater potential impact on either the community or neighboring properties because they include uses with a total square footage of more than 25,000 sq. ft. of storage (whether indoor or outdoor) or production area,

INN/GUEST FACILITY: A building or site that contains a dwelling unit occupied by an owner or resident manager from which not more than 12 lodging rooms are offered to transient guests for compensation, and from which meals may be served to guests and the general public.

KENNEL: An establishment, in which 3 or more mature domesticated animals are housed, boarded, cared for, groomed, bred, trained or sold for fee or compensation.

LAND DEVELOPMENT: See "Development" SECTION 822 of these Regulations.

LANDFILL; A site operated under state permits for disposal of waste in an engineered land burial facility.

LOADING SPACE: Off-street space, which is at least twelve feet wide, forty feet long, and fourteen feet high, not including access driveway, and having direct access to a road used for the temporary location of one licensed motor vehicle.

LOT: Land and premises, with or without buildings, having not less than the minimum area, width, and depth required for a lot in the district in which such land is situated, and having frontage on a road or other means of access as may be required elsewhere in these Regulations. See SECTIONs 405 and 407.

LOT AREA: Total area within the property lines excluding any part thereof lying within the boundaries of a public road or proposed public road.

LOT, CORNER: Lot which has an interior angle of less than 135 degrees at the intersection of two roads.

LOT COVERAGE: That percentage of the lot area covered by the building area.

LOT DEPTH: Mean horizontal distance from the road line of the lot to its opposite rear line measured at right angles to the road line.

LOT FRONTAGE: Distance measured across the width of the lot at the road.

LOT LINE: Property lines bounding a lot.

LOT LINE, REAR: The lot line opposite and most distant from the street line.

LOT WIDTH: Width measured at right angles to its lot depth, at the proposed or existing building front line.

LUMBER YARD: An establishment where lumber, other building materials and incidental building supplies, tools, equipment and wood products are sold at retail and wholesale.

MANUFACTURING. See INDUSTRY, "HEAVY" or "LIGHT"

MEDIA STUDIO; An establishment containing one or more broadcasting studios for over-the-air, cable, satellite or internet delivery of performances or programs; or studios for the recording or filming of audio and/or visual performances or programs. This definition specifically excludes communication antennas and towers.

MOBILE HOME: A prefabricated dwelling unit which is designed for long-term and continuous residential occupancy, is designed to be moved on wheels, and is ready for occupancy upon arrival at the site except for incidental unpacking, connections with utilities, and placement upon supports or foundations.

MOBILE HOME PARK: Any parcel of land under single or common ownership or control which contains, or is designed, laid out, or adapted to accommodate, two or more mobile homes.

MOTOR VEHICLE SERVICE FACILITY: See Vehicle Service Station.

NATURE PRESERVE; Areas intended to remain in a predominately natural or undeveloped state to provide resource protection, which may include limited facilities for passive recreation and environmental education.

NONCONFORMING LOTS OR PARCELS: Lots or parcels that do not conform to the present bylaws covering dimensional requirements but were in conformance with all applicable laws, ordinances and Regulations prior to the enactment of the present bylaws, including a lot or parcel improperly authorized as a result of error by the administrative officer.

NONCONFORMING STRUCTURE: a structure or part of a structure that does not conform to the present bylaws but was in conformance with all applicable laws, ordinances, and Regulations prior to the enactment of the present bylaws, including a structure improperly authorized as a result of error by the administrative officer.

NONCONFORMING USE: use of land that does not conform to the present bylaws but did conform to all applicable laws, ordinances, and Regulations prior to the enactment of the present bylaws, including a use improperly authorized as a result of error by the administrative officer.

NONCONFORMITY: a nonconforming use, structure, lot or parcel.

NURSERY: The direct-to-customer or mail-order retail or wholesale sales of any article, substance or commodity related to the planting, maintenance or harvesting of garden plants, shrubs, trees, packaged fertilizers, soils, chemicals, or other nursery goods and related products.

NURSING HOME: A building for the care of convalescent or aged people.

OFFICE: A room, group of rooms or building used for conducting the affairs of a business, profession, organization or service industry, and which does not include the on-site retail sale of goods except as incidental to principal activity occurring on the premises

OPEN AIR MARKET: A retail establishment operated primarily outside an enclosed building, which may be open on a seasonal or periodic basis. This definition specifically excludes motor vehicle, RV or modular home sales, lumberyards, and farm equipment sales.

PARKING SPACE: Off-road space used for the temporary location of one licensed motor vehicle, such space being at least nine feet wide and twenty-two feet long not including access driveway, and having direct access to a road.

PERMITTED USE: Use specifically allowed in the district, excluding illegal uses and non-conforming uses.

PERSON; As used herein, the word "person" includes individual, group of individuals, partnership, association, corporation, company or organization.

PERSONAL SERVICE: An establishment engaged primarily in providing services direct to consumers involving the care of a person or of personal goods (e.g., laundry, dry cleaning, beauty and barber shops, shoe repair and tailoring, funeral services, photographic studios, domestic services, etc.) other than healthcare or daycare uses, and which does not include the on-site retail sale of goods except as incidental to principal activity occurring on the premises. These are businesses which are limited in nature and do not greatly impact community facilities such as streets, water and sewage capacities.

PLACE OF WORSHIP: A site, building or complex used for regular organized religious assembly, ceremonies or purposes. May include associated facilities such as a rectory, convent, daycare, school, meeting hall, administrative offices or cemetery.

PLANNED UNIT DEVELOPMENT (PUD): Means one or more lots, tracts, or parcels of land to be developed as a single entity, the plan for which may propose any authorized combination of density or intensity transfers or increases, as well as the mixing of land uses. This plan, as authorized, may deviate from regulation requirements that are otherwise applicable to the area in which it is located with respect to lot size, bulk, or type of dwelling or building, use, density, intensity, lot coverage, parking, required common open space, or other standards.

PLAT: A plan, map or chart record describing a plot of land.

POLICE STATION; A building, or part thereof, that is operated by a governmental or non-profit agency to provide law enforcement services, which may include administrative offices, meeting

and training facilities, equipment and vehicle storage, temporary detention facilities, and/or associated accessory uses and facilities.

POST OFFICE: A building or part thereof, that operates primarily to provide U.S. Postal mail service to the general public including facilities for sending and receiving packages and letters.

PROFESSIONAL OFFICE: Professional office including architect, accountant, dentist, doctor, lawyer, engineer, psychologist, or other similar occupation.

PUBLIC WORKS FACILITY: A publicly operated facility for the storage and maintenance of vehicles, equipment and materials used for highway and similar infrastructure maintenance and construction; the collection, distribution, treatment and/or storage of potable water, wastewater or stormwater; or for the collection, processing and short-term storage of solid waste, recyclables and similar refuse.

QUARRYING: The commercial taking, by cutting or blasting, of rock, building stone, slate, marble or the like, from an embankment or pit, usually open to the sky.

RECREATION, INDOOR: A recreational use operated entirely within an enclosed building (e.g., arcade, arena, bowling alley, pool hall, health club, etc.).

RECREATION, OUTDOOR: A recreational use conducted primarily in the open or in partially enclosed or screened facilities (e.g., athletic fields, sports courts, tracks, trails, etc., excludes shooting and motorized sports).

RECREATIONAL VEHICLE: See Camper. Also includes all-terrain vehicles, snowmobile, etc.

REPAIR SHOP: An enclosed facility for the service or repair of household appliances, small engines, recreational vehicles and similar types of equipment. Does not include repair or service of any vehicle that can legally be driven on a public road.

RESERVOIR: A pond, lake, tank or basin, whether natural or built, used for the storage, regulation and control of water for recreation, power generation, flood control, drinking or similar use.

RESIDENTIAL HEALTHCARE FACILITY: An institution operated under state licensing that provides primary health services, medical, surgical, nursing or hospice care, primarily on an in-patient basis. This definition specifically excludes hospitals.

RESORT: An establishment or development that provides accommodations and related services transient guests, seasonal renters and/or dwelling unit owners for compensation, and where the primary attraction is recreational facilities or activities. May include facilities and services that are open to the public.

RESIDENTIAL USE: Single family dwelling, two-family dwelling, or multiple-family dwelling.

RESTAURANT: An establishment where food and drink are prepared, served and consumed, which offers indoor seating for patrons. A minimum of 60% of gross sales must be generated by

the sale of food.

RETAIL STORE: An enclosed building housing an establishment offering a specified line of goods or services for retail sale direct to walk-in customers. Retail uses shall be classified as follows:

RETAIL STORE, CLASS 1: A retail, non-franchise or -chain store, without drive-through service, which occupies less than 5,000 square feet.

RETAIL STORE, CLASS 2: A store, other than Class 1 Retail, which occupies less than 10,000 square feet.

RETAIL STORE, CLASS 3: A store that occupies 10,000 square feet or more.

RETIREMENT COMMUNITY: Residences for senior citizens or people with disabilities that provide rooms, meals, personal care and/or supervision of self-administered medication. Other services such as recreation, financial services and transportation may also be provided. May include private dwelling units, apartments and/or congregate housing.

RETREAT CENTER: A facility used for professional, educational, health, spiritual or religious conclaves, meetings, conferences, seminars, training or care that may provide meals, housing and recreation for participants during the period of the retreat or program. This definition specifically excludes offering meals or overnight accommodations to the general public.

RIGHT -OF- WAY (ROW): Boundary line of a road as described by deed or proper instrument of record. The Right-of-Way boundary line of a road as described by a deed or other proper instrument of record, where the width of the road is not established, the road side line shall be considered to be twenty-five feet from the center line of the road.

ROAD: Public way for vehicular traffic which affords the principal means of access to abutting properties.

ROADLINE: The centerline of the existing roadway.

ROOMING HOUSE: See "Boarding House".

SALVAGE YARD: A site used for storing, selling, dismantling, shredding, compressing or salvaging scrap or discarded materials, vehicles or equipment, including a junkyard as defined in state law.

SANITARY LANDFILL: Land used for the disposal by abandonment, dumping, burial, burning, or any other means and for whatever purpose, of garbage, sewage, trash, refuse, junk, discarded machinery or vehicles or parts thereof.

SAWMILL: An operation, facility, equipment or machine that has as its primary purpose, the sawing, planing refining or processing of logs, trees or rough timber into rough slabs, firewood, lumber, chipping, pellet manufacturing, flooring, paneling or similar value-added wood product manufacturing. Sawmills include storage of raw materials and finished products.

SELF-STORAGE: A building, part of a building, or complex of buildings containing separate, individual and self-contained storage compartments available for lease or rent for the storage of personal property.

SETBACK: Distance between buildings and property lines or road centerline or, in the case of public waters, the distance from the normal high water mark.

SERVICE AREA: A designated space used for waste storage or pickup, utility areas, or for the delivery of goods and services to any building or land use.

SERVICE STATION/CONVENIENCE STORE: Any structure or area of land used for the retail sale of automobile fuels, along with oils and/or accessories. May include accessory uses such as: retail sales of convenience items; deli or take-out food; retail sales of propane, kerosene or similar fuels; automotive repair or service; and/or carwash.

SIGN: Any lettering, graphics, or device, including flags, affixed or applied to any structure, building, or land for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public. Governmental flags in all districts or decorative flags on residential units are not included in this definition.

SILVICULTURE: The growing and harvesting of trees or timber under forest management for purposes other than their fruit. For the purposes of these Regulations, the term "forestry" shall also include the use of temporary processing equipment such as chippers and portable sawmills, which are used in association with harvesting operations, not exceeding a maximum of one year, and are removed from the site once harvesting operations are complete. This definition specifically excludes permanent sawmills, lumberyards and other similar facilities used for the processing, manufacturing and/or storage of wood and wood products. Temporary on-site portable sawmills are part of harvesting.

SLAUGHTERHOUSE: A building or site for the slaughtering and processing of livestock and the refining of their byproducts, which may include packing, treating, smoking, curing, storage or sale of meat or other animal-derived products on the premises.

SNACK BAR: An establishment where food and drink are prepared, served and consumed, which does not offer indoor seating for patrons and does not serve alcoholic beverages.

SOLAR COLLECTOR: A device or combination of devices, structure, or part of a device or structure that transforms direct solar energy into thermal, chemical, or electrical energy and that contributes to a structure's energy supply.

SOLAR ENERGY SYSTEM: A complete design or assembly consisting of a solar energy collector, an energy storage facility, where used, and components for the distribution of transformed energy, to the extent they are not required to be used jointly with a conventional energy system. Passive solar energy systems, those which use natural or architectural components to collect and store solar energy without using external mechanical power, are included in this definition.

STABLE, PRIVATE: A facility where horses are kept for private use, not for remuneration, hire or sale.

STABLE, PUBLIC: A facility where horses are kept for public hire or the sale of horses is a principal activity of the facility.

STORY: That portion of a building included between a floor and the floor or roof next above it.

STREET: See "ROAD"

STREET LINE. See "ROAD LINE"

STRUCTURE: Anything constructed or erected, the use of which requires location on the ground, or attachment to something located on the ground, except steps, or a fence on an operating farm.

THEATER: A site, building or complex used for the development, rehearsal, production and presentation of theatrical, dance, musical, comedy or other live performances, or showing of motion pictures.

TOWNHOUSE: See "Dwelling - Multi-Family".

TRAILER: Any vehicle which is customarily towed by a motor vehicle and not used as a living quarters.

VARIANCE: A departure from the zoning bylaws which is granted or denied by the Board of Adjustment. The conditions specified in SECTION 4469 of the Act must exist in order for a variance to be granted.

VEHICLE SALES OR RENTAL: A facility for the sales or rental of motor vehicles or recreational vehicles.

VEHICLE SERVICE STATION: A facility for the service or repair of motor vehicles or recreational vehicles that can legally be driven on a public road.

VETERINARY CLINIC: A facility maintained by or for the use of a licensed veterinarian in the diagnosis, treatment or prevention of animal diseases and injuries, which may include boarding of patients and other non-patient domesticated animals.

VILLAGE: In these Regulations Village may refer generally to the area of Bristol encompassed by the Village Planning Area as defined in the Town Plan. Under these zoning Regulations the Village Planning Area includes VB, ROC, HDR, VR, VM, REC zoning districts and small portions along the perimeter of the C-1, CON and RA-2 zoning districts.

WAREHOUSING AND DISTRIBUTION: A facility for the regular and on-going enclosed storage, transport, shipping and/or distribution of goods, materials, products, parts, supplies, vehicles or equipment. Does not include repair of vehicles or equipment on site.

WIND ENERGY CONVERSION SYSTEM: A device that converts wind energy to other forms of energy.

WHOLESALE FACILITY: An establishment primarily engaged in selling or distributing merchandise to retailer, industrial, commercial, institutional, professional or other wholesale customers rather than directly to the public or end consumer.

YARD: Space on a lot not occupied with a building or structure.

YARD, FRONT: Yard between the road line and the building front line.

YARD, REAR: Yard between the rear lot line and the building rear line.

YARD, SIDE: Yard between a side lot line and a building sideline.