



158.04(H) Bristol Development Overlay District

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158.04(H) Bristol Overlay District

(1) Purpose and Applicability

The Bristol Overlay and Development Standards shall apply to all property located within the Town of Bristol limits and its overlay areas, as amended, to reflect the unique characteristics and goals of the Town of Bristol. These additional standards are to be supplemental to those outlined in this Elkhart County Development Ordinance. Notwithstanding any provisions elsewhere in the Elkhart County Zoning Ordinance to the contrary, any new development or improvements to an existing development within the corporate limits of the Town of Bristol shall be subject to the following regulations of this section.

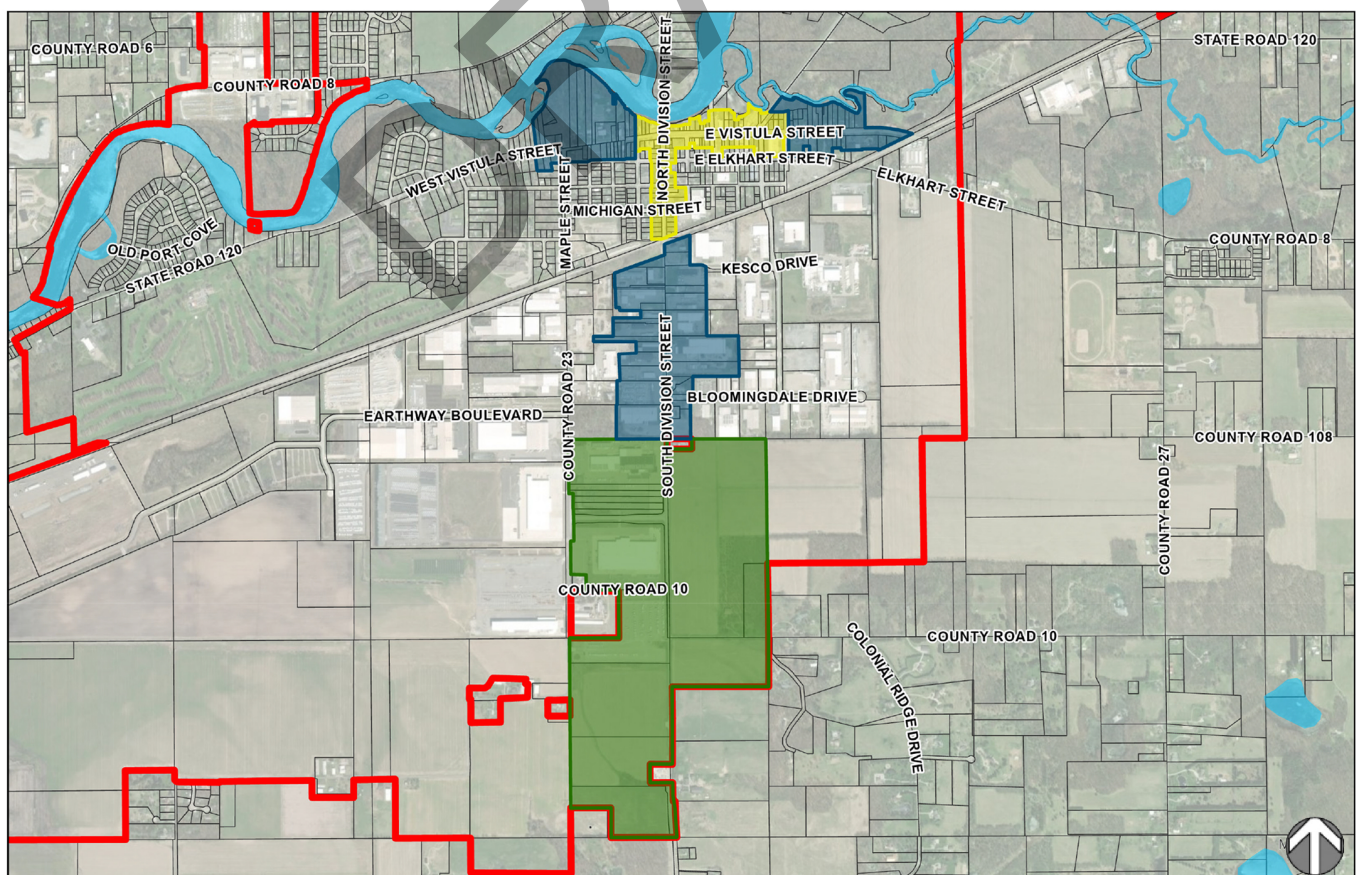
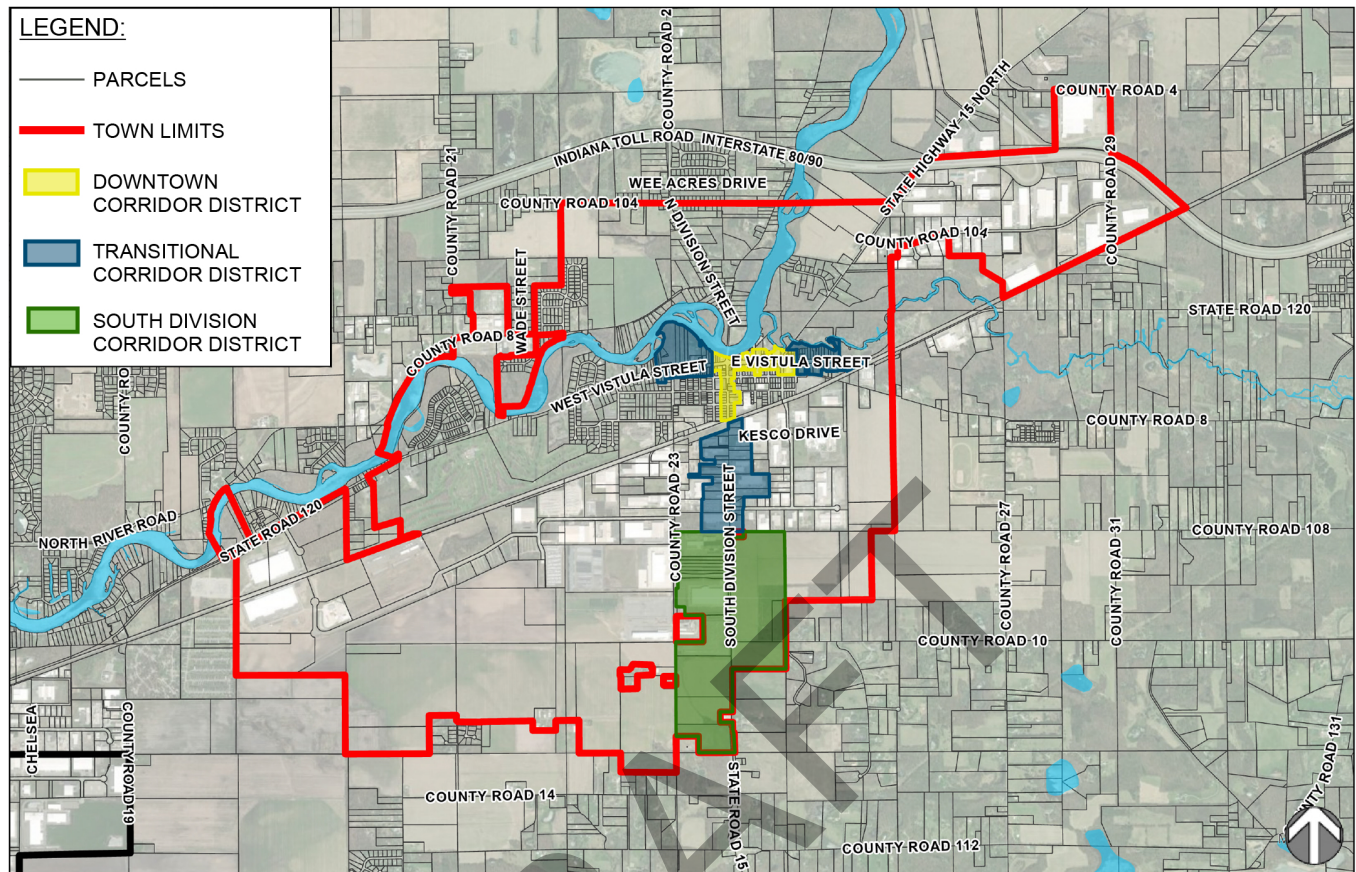
The Bristol Overlay District is divided into four (4) sub-districts. The boundary for each sub-district is outlined below and shown in the following diagram.

- (a) **Bristol Downtown Corridor District**
Properties generally located along Vistula Street from Illinois Street east to Chaptoula Street; and Properties along Division Street from the St. Joseph River south to the Railroad Crossing.
- (b) **Bristol Transitional Corridor District**
Properties generally located along Vistula Street from the west edge of the Bristol Downtown Corridor District (Illinois Street) to the west line of the property located at 505 W. Vistula Street (Library); and Properties located along Vistula Street from the east edge of the Bristol Downtown Corridor District (Chaptoula Street) to the Railroad Crossing.
- (c) **Bristol South Division Corridor District**
Properties generally located along Division Street from the south edge of the Bristol Transitional Corridor District (Railroad Tracks) to the south Town limit.
- (d) **Bristol Town Limits**
Any property within the Town of Bristol which is not included in one of the other sub-districts outlined above.

Any standard included in this Overlay that does not reference a specific sub-district shall be interpreted to apply to all sub-districts.

Wherever there is or appears to be a conflict between the regulations of this section and other sections of this chapter (as applied to a particular development), the requirements specifically set forth in this section shall prevail unless otherwise specified. Anything not addressed by this section shall defer to the development standards of the underlying zoning district.

SPECIAL PURPOSE & OVERLAY DISTRICTS
BRISTOL DEVELOPMENT OVERLAY



(2) Uses

In addition to the provisions of 158.05 (Uses), the following restrictions shall apply:

- (a) **Agricultural Uses** as listed in Section 158.05 (3) shall only be permitted in the M-1 or M-2 Districts. In all other districts, existing Agricultural Uses shall be considered a legal nonconforming use which shall terminate if the use is not maintained for at least any three (3) year period in a five (5) year period as established by Indiana Code 36-7-4-616. Properties zoned A-1 at the time of adoption of this Ordinance shall be allowed to continue, however, no new A-1 property should be annexed into the Town without a rezoning to an appropriate district.
- (b) **Tattoo Parlors** shall be prohibited within the Bristol Downtown Corridor District and Bristol Transitional Corridor District. These shall be defined as a facility that provides services deliberately scarring, burning, or pricking the skin so as to leave a mark or a color that cannot be removed without a surgical procedure. Includes such services as tattooing, permanent coloring, scarifying, and bringing, and the piercing of the human body to create a permanent hole. Microblading shall not be included in this definition.
- (c) **Smoke Shops** shall be prohibited within the Bristol Downtown Corridor District and Bristol Transitional Corridor District. These shall be defined as an establishment whose primary business, in terms of gross floor area or sales, is related to the sale of tobacco products or related accessories, hookah products or related accessories, other smoking products or related accessories, or electric nicotine deliver systems of related accessories for on- or off-premise use.

(3) Building Placement & Form**Front Setbacks**

Subdistrict	Minimum-Front Set-back*	Maximum Front Setback From Corridor Street*
Bristol Downtown Corridor	0'	10'
Bristol Transitional Corridor	0'	25' on Vistula 80' on Division
Bristol South Division Corridor	--	100'
Bristol Town Limits	--	--

-- As established for the appropriate zoning district.

See [Sec. 158.02\(C\)](#) for Measurements & Special Cases.

- (a) In the Bristol Downtown Corridor District and Bristol Transitional Corridor, no building shall exceed 30 feet in height.

(4) General Standards

RESERVED

(5) Accessory Uses & Structures

Except for properties located within the Bristol Town Limits District, a detached accessory building may not be located in the Front Yard, as defined by this Ordinance.

(6) Access, Parking & Loading

- (a) In the Bristol Downtown Corridor District, there shall be no minimum parking requirements.
- (b) In the Bristol Downtown Corridor District and Bristol Transitional Corridor District, parking is not permitted in the Front Yard, as defined by this Ordinance. Parking located in the Side Yard and defined by this Ordinance shall have a minimum front setback of 5 Feet from the right-of-way.
- (c) In the Bristol South Division Corridor District, the front parking setback may be reduced to 10 feet from the right-of-way line for all parking, provided no more than a double row of parking is provided in the Front Yard as defined by this Ordinance.

(7) Buffering & Screening

- (a) **General**
 - i. **Plant Size:** All plant material required by this Ordinance shall comply with the following minimum sizes at the time of planting:

Deciduous Shade Tree	2.5" Caliper (6" above ground)
Deciduous Ornamental Tree	1.5" Caliper (6" above ground)
Evergreen Tree	6' high
Hedge Plants/Shrubs	24" high


- (b) **Streetscape Landscaping**
All new development, other than single-family detached dwellings, shall install streetscape landscaping at a rate of 1 deciduous shade tree for every 40 feet of frontage, or 1 deciduous ornamental tree for every 25 feet of frontage. The Zoning Administrator may approve grouping of landscaping. For properties with building setback less than 10' from the right-of-way line, Streetscape Landscape landscaping may be waived by the Zoning Administrator.

(7) Buffering & Screening (Cont.)

(d) Fences and Walls

The construction of any new fence or replacement of 50% or more of an existing fence shall require a permit from the Town of Bristol Town Clerk, and shall comply with the following:


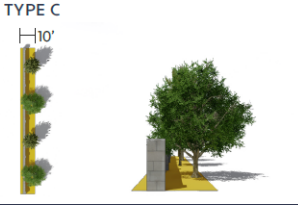
- i. Any fence located in the Front Yard shall have a maximum height of 4 feet.
- ii. In the Bristol Town Limits District, properties zoned M-1 or M-2 District may increase the fence height in the Front Yard to 6 feet provided a Class 1, Type B buffer is installed between the fence and the street.

CLASS 1			
TYPE B			
			
Width	Trees	Shrubs	Barrier
15'	2 per 100'	16 per 100'	Non-Opaque Fence

- iii. In the Bristol Downtown Corridor District and Bristol Transitional Corridor District chain link fence shall be prohibited, except when located behind the front facade of the primary building.
- iv. Except as required for public utilities, no barbed wire or security wire shall be permitted in the Front Yard.

(e) Outside Storage

- i. For all properties located in the Bristol Development Overlay, Outside storage regulations shall include all finished recreational vehicles, automobiles, portable buildings, boats, trailers, manufactured homes, and other similar vehicles or equipment produced or sold by a permitted use on-site.
- ii. In the Bristol Downtown Corridor District, Bristol Transitional Corridor, and Bristol South Division Corridor, no outside storage shall be permitted in the Front Yard fronting along Vistula or S. Division Street.
- iii. Outside storage areas shall be screened from view from residential properties or public rights-of-way by Class 3, Type B or Type C buffering.

CLASS 3			
TYPE B		TYPE C	
			
Width	Trees	Shrubs	Barrier
15'	4 per 100'	12 per 100'	Opaque Fence
Width	Trees	Shrubs	Barrier
10'	4 per 100'	0 per 100'	Wall

(f) Lighting

A lighting plan, approved by the Town Engineer, shall be required for all new development or redevelopment in which new lighting is proposed or existing lighting fixtures are being replaced. In addition to the Lighting standards established in Section 158.08(F), all lighting shall comply with the following regulations:

- i. All lighting shall be directed downward in a vertical vector directly beneath the fixture (opposite to zenith).
- ii. All light fixtures shall be designed or shielded in such a manner that no light is emitted, either directly or indirectly, at or above a horizontal plane running or traveling into a particular adjacent area, angle, or region.
- iii. Unless otherwise specified in this ordinance, Luminaires emitting more than 1,000 Lumens (foot candles) shall be Fully Shielded and shall emit no more than 5% of their total Lumen output above 80 degrees from the point directly below the fixture. Exceptions are:
 - iv. Festoon string lighting where no individual lamp emits more than 50 lumens, and the lumen density of the string is no greater than 25 lumens per foot.
 - v. Directional lights used for façade illumination which are shielded and aimed to hit their target such that the light is contained by architectural elements.
- vi. Lights may not have a color temperature of more than 3,000 Kelvin.

(8) Signs**(a) Prohibited Signs**

- i. Any rotating beam, beacon, intermittent light, lights of changing colors, or degree of intensity, or flashing illumination in connection with any sign surface, except as part of an electronic message board in compliance with this Section.
- ii. Signs or devices motivated by wind, thermal changes, or other devices, such as spinners, pinwheels, unsecured banners, pennants, streamers, air-inflated signs, flag banners, feather banners, or other wind-blown devices designed to inform or attract attention.
- iii. Signs on portable trailer frames; and signs attached to or painted on a vehicle parked and visible from the public right-of-way, provided, however, a vehicle which is used in the normal day-to-day operation of a business use shall not be considered a portable sign if the vehicle is parked beside or behind the building in which the use is located.
- iv. Signs attached to trees, street lights, or utility poles.
- v. Signs that bear or contain statements, words, or pictures of an obscene or pornographic nature.

(b) Temporary Signs

All temporary signs within the Town of Bristol shall require a permit from the Town Clerk prior to installation. Temporary signs shall be subject to the following regulations:

- i. Construction signs located on a site with an active building permit, subject to the following: No more than 2 signs per street frontage with a maximum sign area of 64 square feet each and height not to exceed 8 feet in height. Construction signs shall be removed within 30 days of issuance of a certificate of occupancy or expiration of a building permit.
- ii. Temporary signs on non-residential properties, subject to the following: no more than 2 signs per street frontage with a maximum sign area of 32 square feet each and height not to exceed 6 feet. The permit shall be limited to a period of not more than 30 days, with a frequency of no more than 4 times per calendar year.
- iii. Temporary signs on residential properties, subject to the following: no more than 2 signs per street frontage with a maximum of sign area of 6 square feet and height not to exceed 4 feet in height. The permit shall be limited to a period of not more than 30 days, with a frequency of no more than 2 times per calendar year.

(c) Exempt Signs

- i. Temporary signs located on a property for sale or lease, limited to 1 per street frontage and a maximum of 6 square feet on a property with a detached residential dwelling or 32 square feet for all other properties.
- ii. Display of Political signs as under IC 32-21-13

(d) Illumination

- i. The changeable copy portion of a sign shall not exceed 40% of the sign surface area of the permitted sign.
- ii. A sign which does not change more than 2 times per 24 hour period shall not be considered a changeable copy sign.
- iii. All Electronic Message Boards (EMB) shall have automatic dimming controls, either by photocell or via software settings, to limit maximum luminance level to 750 nits.
- iv. All messages shall be static and displayed for a minimum of 8 seconds. No blinking, flashing, scrolling or other animation shall be permitted.

(e) Permitted Signs

Permitted Sign Types*					
	Wall	Projecting	Monument	Portable	Freestanding
Bristol Downtown Corridor					
Bristol Transitional Corridor					
Bristol South Division Corridor					
Bristol Town Limits					

* Where a sign type listed above is not permitted by Section 158.08(F), the stricter regulation shall apply.

(f) Additional Development Standards

- i. The Maximum Combined Area for all Wall Signs shall not exceed 10% of the facade to which it is attached.
- ii. Monument Signs shall be limited as follows:

Monument Sign Standards*		
	Maximum Height	Maximum Number
Bristol Downtown Corridor	Special Use Required	
Bristol Transitional Corridor	6'	1 per driveway
Bristol South Division Corridor	8'	1 per driveway

- iii. The Maximum Area Per Sign, regardless of sign type, shall comply with the regulations outlined below.

Maximum Sign Sizes Per Sign*	
Bristol Downtown Corridor	32 sq.ft.
Bristol Transitional Corridor	32 sq.ft.
Bristol South Division Corridor	64 sq.ft.
Bristol Town Limits	120 sq.ft.

* For zoning districts where the maximum sign size established in Section 158.08(F) is more restrictive, the smaller of the 2 shall apply.

(9) Non-conforming Structures**(a) Nonconforming Signs**

Legally established nonconforming signs may receive normal and routine repair and maintenance subject to the following;

- i. The removal of a sign structure, sign cabinet, or any structural element necessary for the support of the sign graphics shall be deemed definitive evidence that said sign requires work beyond normal and routine maintenance, and such sign shall not be repaired, maintained, or reconstructed except in conformity with the provisions of this Overlay.
- ii. The conversion of a static message sign to an electronic changeable copy sign is not considered normal repair or maintenance, and such change shall only be done in conformance with the provisions of this Overlay.
- iii. In the event that the nonconforming sign is damaged or destroyed by any means to the extent that the repair exceed 50% the cost of the construction of the entire sign, said sign shall not be reconstructed except in conformity with the provisions of this Overlay.

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