



Town of Bristol, Rhode Island

Department of Community Development

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March 13, 2024

TO: Technical Review Committee Members
FROM: Diane M. Williamson, Director
RE: **Special Use Permit Reviews for
317 Hope Street and 259 Wood Street**

Review

The TRC will be meeting to review the above Special Use Permit applications and make recommendations to the Zoning Board. The application for 317 Hope Street is for a Formula Business Use in the Historic District. The Standards for same are attached for your review.

The application for 259 Wood Street is for a restaurant with liquor sales in the Limited Business Zone. The Special Use Permit Standards were adopted in December of 2023 and are: **Section 28-150 (dd) Special Use Permit Standards for Restaurant, café or deli with or without liquor sales**

1. When adjacent to a residential use, the following conditions must be met:
 - A minimum of 25 feet of landscape buffer from adjacent residential; or a Minimum of 15 feet of landscape buffer with a 6-foot-fence.
 - All building signage must face the right-of-way or an internal parking lot. Building signage cannot face any adjacent residential property. If the residential property is across a public right-of-way, building signage facing the property is allowed.
 - Operating hours are limited to 7:00 a.m. to 10:00 p.m., unless otherwise approved by special use permit.
 - Outdoor lighting must be fully shielded, hooded and cannot trespass onto any adjacent property

- (3) Owners must maintain an active EPA ID# with the RIDEM as a hazardous waste generator and comply with all reporting requirements for same.
- (4) All work areas must be on a hard, solid floor that is totally impermeable, is surrounded by curbing and does not have any holes or cracks.
- (5) The operator or supervisor of employees must have a certificate of training approved by the state.
- (6) Outdoor storage of disassembled vehicles, parts or chemicals must be conducted only in a screened area as shown on site plan.
- (7) All outdoor work and storage areas must be screened by an opaque fence six feet high with a row of evergreens outside the fence.

(g) Special use standards for propane tanks.

- (1) Propane tanks must be located 200 feet from any residential zone or any residential use.
- (2) Propane tanks may not be located in the front yard.
- (3) Propane tanks are prohibited in an AE or V floodplain.

(h) Special use standards for a formula business in the historic district zone.

- (1) In addition to the standards set forth in subsection 28-409(c)(2), and in addition to any and all conditions imposed by the Bristol Historic District Commission in granting a certificate of appropriateness; in considering a special use permit to a formula business in the historic district zone, the board shall require that all of the following standards be met:

- a. Approval of the formula business establishment will not alter the identity of the historic district zone in a way which detracts from its uniqueness or contributes to a nationwide trend of standardized downtown offerings;

- b. Approval of the formula business establishment will contribute to a diverse and appropriate blend of businesses in the historic district zone;

- c. Approval of the formula business establishment will complement those businesses already in the historic district zone and help promote and foster the local economic base as a whole.

- d. The formula business establishment will be compatible with existing surrounding uses; has been designed and will be operated in a non-obtrusive manner to preserve the community's character and ambience; and the proposed intensity of uses on the site is appropriate given the uses permitted on the site and on adjoining sites, including, but not limited to, the following:

- 1. The size of any individual formula business shall not exceed 2,500 square feet of gross floor area.
- 2. The street frontage of any individual formula business shall not exceed 65 feet in width.
- 3. No drive thru windows shall be permitted.
- 4. The applicant shall submit a plan indicating the provision for rubbish removal, including the dumpster location with proper screening and buffering so that there are not any substantial impacts to abutting properties.
- 5. There shall not be a substantial impact to the public safety from increased traffic. At the discretion of the zoning board, the applicant may be required to submit a traffic study, prepared

by a RI Registered Professional Engineer, approved by the board.

6. There shall not be any impacts to the roadway or abutting properties from the loading area.
7. Advertising, or anything with the corporate logo, may be forbidden to be displayed in the windows.
8. No signs which are internally illuminated shall be allowed.

- (2) Approval of the formula business establishment will be consistent with the policies and standards of the comprehensive plan and the historic preservation requirements contained in chapter 14 of the Town Code.

(i) Special use standards for prefabricated relocatable steel buildings, box trailers or shipping or cargo containers (hereafter 'storage containers'). The long-term use of storage containers is discouraged, and the zoning board shall only approve a special use permit for a clearly demonstrated hardship. A storage container special use permit shall expire two years from the date of issuance and may only be extended after reapplication to the zoning board. Containers, whether permitted as temporary structures or permitted by special use permit, shall be subject to the following standards:

- (1) Containers must be located no closer than 25 feet from a lot line abutting a residentially zoned property or residential use.
- (2) Containers may not be located in the front yard of any property.
- (3) Containers may not reduce the amount of off-street parking required for the principal use of the property.
- (4) Containers maintained on a property for more than 60 days must be screened by fence or hedge from public view from the road, unless the zoning board authorizes exception due to the industrial character of the area.

(j) Special use standards for marine trade industries in W, GB and MMU zones.

- (1) *Purpose.* It is the purpose of this section to promote and preserve Bristol's boat building heritage and marine trade industries, by allowing certain defined uses, "marine trade industries", in certain zones (W, GB, and MMU) outside of the traditional manufacturing (M) zone, pursuant to special use permit. Other than wooden boat building, which is a separately listed use code, actual boat building is not permitted. However, "lighter" industrial uses involving the marine trades, such as the design, fabrication, construction, maintenance, transport, and storage of other marine products, equipment, systems and parts, and the retail and wholesale sale of boats, are permitted with a special use permit. It is the further intent that marine trade industries uses in these zones shall not unreasonably interfere with existing or permitted residential uses.

- (2) *Retail sales.* Retail sale only (without repair, service, storage, etc.) of marine related products and equipment is permitted as of right where other retail sales are permitted, while retail or wholesale sale of boats themselves (with or without repair, service, storage, etc.) in the W, GB and MMU zones requires a special use permit.

- (3) *Performance standards.* The applicant for a special use permit shall be required to demonstrate, in advance, plans for conformance with section 28-155 (below) and the noise ordinance (chapter 10 of the Bristol Town Code), and in order to safeguard neighboring property uses, the zoning board may impose stricter standards than are set forth therein.

- (4) *Outdoor uses.* The applicant shall specify on a plan the location and nature of any proposed outdoor uses, including the seasonal storage of boats and the display of boats for sale, and the zoning board