

B1H

LEGAL NOTICE  
TOWN OF BRISTOL  
ADOPTED ORDINANCE NO. 2008-16

Notice is hereby given that at a special meeting of the Bristol Town Council held on Thursday evening, July 31, 2008, the following ordinance was adopted:

AN ORDINANCE IN AMENDMENT TO  
ZONING MAP AND ZONING ORDINANCE  
OF THE TOWN OF BRISTOL

CHAPTER 28  
ZONING

ARTICLE III  
PERMITTED USES

Sec. 28-82. Use Regulations.

TABLE A. Permitted Use Table

+ "In the W (Waterfront) Zone, other than for single, two-family, three-family, or four-family dwellings or in an Urban Rehab Land Development Project; RETAIL BUSINESS uses and/or RESTAURANTS, CAFES, AND DELIS are required on the first floor within 50 feet of the front lot line."

ARTICLE V  
SUPPLEMENTARY REGULATIONS

Sec. 28-284. Same--Urban rehab land development project.

(a) Purpose. The rehabilitation of deteriorated, under-utilized and inefficient historic and/or nonconforming structures of conservation concern is of primary importance to the health, safety and welfare of town residents. It is vitally important for the economic well-being of town that these resources be rehabilitated for long term reuse.

(b) Zones where mandatory and optional.

(1) Mandatory. A rehab LDP shall be mandatory for any development in the rehab LDP overlay zone.

(2) Optional. A rehab LDP shall be permitted in the M zone or the W zone, but only on a parcel that contains an existing building formerly used for



commercial or manufacturing use, of at least 20,000 square feet GFA. New construction may take place in addition to the existing building, provided that the existing building is rehabilitated and used as part of the LDP.

(c) Permitted uses. The following uses shall be permitted in a rehab land development project, subject to the planning board's determination that such uses as proposed form a harmonious mixture for the subject site:

(1) Residential: Multi-household dwelling, ~~dormitory~~, nursing home,<sup>1</sup> congregate care facility, hotel, community residence.

(2) Institutional and governmental services: Medical clinic, hospital<sup>2</sup>, ~~drug and alcohol rehabilitation facility~~, family day care home with six or less persons, day care facility with more than six persons, church, synagogue or religious educational building, civic/convention center and assembly hall, library, museum, fire station, government office building, schools: K-12, ~~college/university, specialty school~~ commercial or technical trade school.

(3) Office uses: Office of a professional or business agent, or political, labor or service association including the following: insurance agent, insurance adjuster, investment agent, bonding agent, finance agent, accountant, advertising agent, architect, artist, dentist, chiropractor, engineer, government, landscape architect, lawyer, massage therapist, office business machine agent, physician, optician, optometrist, realtor, employment agent, travel agent, veterinarian or bank.

(4) Service business: Restaurant, cafe, or deli without liquor sales, restaurant, cafe, or deli with liquor sales, tavern/bar/nightclub, catering, sign painting, laundry, self-service, drycleaning without on-site plant, appliance repair, mechanical equipment repair, printing, blueprinting and photocopying, photographic development, hairdresser/barber.

(5) Retail business: Antique store, appliance store, auto parts sales--new, bait shop, bakery, book store, book store/cafe, clothing sales, convenience store, florist, furniture store, general merchandise store, gift shop, grocery store, liquor store, mechanical equipment sales, newsstand, pharmacy, shopping center (>2 stores), variety store, video rental and sales.

(6) Wholesale business: Wholesale trade within enclosed structure, warehouse/distribution facility.

---

<sup>1</sup> A nursing home is not permitted in a V or A zone floodplain.

<sup>2</sup> A hospital is not permitted in a V or A zone floodplain.

(7) Industrial: Food and kindred products-manufacturing including canning or packaging, processing of bakery products, textile mill products and apparel manufacturing, lumber and wood products, furniture and fixtures manufacturing, rubber and miscellaneous plastic products manufacturing, stone, clay, and glass products manufacturing, pottery products manufacturing, fabricated metal products manufacturing, boat building and repairs, instruments and scientific equipment manufacturing, jewelry, silverware, plated ware, costume jewelry manufacturing, manual assembly of jewelry parts and crafts, lighting manufacturing.

(8) Recreation: Bowling alley, skating/rolling rink, pool room, health club, theater, playground/park, open space, nonprofit community center, boat yard, marina, yacht club/marina.

(9) Marine Trade Industries. – the design, fabrication, construction, maintenance, transport, storage, and retail and wholesale sale of boats and other marine products, equipment, systems and parts.

(d) Density. The density for a urban rehab land development project shall be as follows:

(1) *Residential density.* Density shall be generally guided by the existing residential density of the surrounding neighborhood, but may be further defined by the comprehensive plan, including any site specific reuse plan or neighborhood plan adopted by the town for inclusion in the comprehensive plan. Residential density for projects with an underlying "W" zone shall be based on the requirements of dimensional table C in this chapter. Other factors to be considered in determining density will be the ability of infrastructure, town services and the environment to accommodate such density. Even in a predominantly residential development, the developer will be required to use at least 25 percent of the site for commercial, institutional, and/or public use.

(2) Residential Density for Historical Buildings Greater Than 100,000 Square Feet in the W Zone. Contributing buildings on the National Historical Register located in the W Zone that are in excess of 100,000 square feet of gross floor area shall have a minimum GFA/DU (gross floor area per dwelling unit) of 2,250 square feet per dwelling unit. In such buildings, in lieu of required retail and restaurant uses on the first floor within 50' of the front lot line (see footnote to Section 28-82 Table A in the W Zone), the Planning Board may allow the provision of otherwise allowed non-residential uses in alternate locations within the building. The Planning Board may also reduce the gross floor area of such required non-residential uses by up to 20%.

(32) *Nonresidential density.* Number and type of manufacturing, commercial, institutional and public uses shall be guided by the ability of the site and the surrounding area to accommodate parking, projected traffic levels, noise, sewer, water and storm drains. In a predominantly commercial development, the developer will be strongly encouraged, but not required, to use at least 25 percent of the site for residential use.

Formatted: Font: (Default) Tahoma, Italic

(e) Objectives. These land development projects are designed to encourage the rehabilitation of urban waterfront and industrial areas of historic and/or conservation concern by pursuing the following objectives:

(1) Minimizing traffic congestion and maximizing energy savings by reducing the number and length of automobile trips and by encouraging design friendly to pedestrians;

(2) Promoting greater independence for the elderly, the young and physically or mentally handicapped individuals by providing greater accessibility and by bringing needs for daily life within walking distance of neighborhoods;

(3) Enriching community identity by providing the opportunity for a broad range of housing types and work places consistent with traditional town character;

(4) Protecting aspects of the built and natural environment and character which impart a sense of place to the community while allowing beneficial new uses and rejuvenation;

(5) Safeguarding the physical fabric of the community from neglect and decay and preventing incongruous development and redevelopment;

(6) Ensuring that changes of use, where they are allowed to occur, are appropriate and compatible with the architecture of the buildings on-site and the surrounding neighborhood;

(7) Protecting the character of the area by encouraging development or redevelopment that does not generate excessive vehicular activity, noise or other nuisances, and which may jeopardize the continuing occupation and use of the neighboring properties.

(8) For those rehab land development projects within the waterfront zone, maintaining and enhancing public access to the waterfront.

(f) Minimum requirements. These land development projects are designed for mixed use which encourages the reuse of older structures or older areas within

designated areas in town. Each rehab land development project shall be guided by the mix of uses of the surrounding area or district. The developer shall demonstrate to the satisfaction of the planning board the availability and adequacy of public and/or private circulation systems, services and utilities. The planning board may approve a phasing plan for the development based upon the availability of such services. The entire tract of land may either be one lot or a series of lots. If buildings straddle lot lines, the developer shall be encouraged to reconfigure the lots so that buildings do not straddle lot lines. Each lot must have access to a public street or publicly accessible area.

(g) Public or institutional use. At least ten percent of the land area must be allocated for public or institutional use including, but not limited to, publicly accessible parks, squares, green spaces, waterfront access, interior spaces, public view corridors and buffer areas. The purpose for this public space is to promote and enhance the vitality of the project and the neighborhood, while also achieving public health, safety and welfare standards.

(Amend. of 9-20-01)

By Order of the Town Council  
Louis P. Cirillo, CMC  
COUNCIL CLERK  
August 7, 2008