TOWN OF BRISTOL

ZONING BYLAWS

&

REGULATIONS

General revisions adopted March 7, 2006. C-1 District amendment March 4, 2008 and Bristol Pond District amendment March 4, 2014.

TOWN OF BRISTOL ZONING REGULATIONS

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TOWN OF BRISTOL
ZONING REGULATIONS

ARTICLE I: ENACTMENT, INTENT, REPEAL OF FORMER ZONING BY LAWS, AND DEFINITIONS.

Section 110: ENACTMENT

In accordance with the Vermont Municipal and Regional Planning and Development Act, Title 24 V.S.A., Chapter 117, hereinafter referred to as the "Act," and in accordance with Subchapter 6 thereof there are hereby established Zoning Regulations for the Town of Bristol, Vermont 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."

Section 120: INTENT

It is the intent of these Zoning Regulations to provide for orderly community growth and to further the purposes established in Section 4302 of The Act, and the statement of objectives of the Town Plan.

Section 123: APPLICABILITY

1. All land development or development in the Town of Bristol must comply with these regulations. As used herein, the term "land development" or development include: 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 intersections, either in number or in units served, when said intersection adjoins or enters into a town or state highway.

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

Section 125: REPEAL OF FORMER ZONING BYLAWS

The Zoning Bylaws and Zoning Map for the Town of Bristol and the Village of Bristol in effect prior to the adoption of these Bylaws and Map are hereby repealed as of the effective date of these Bylaws and Map.

Section 130: 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."

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 594 herein.

ACCESSORY USE OR BUILDING: A building or use incidental, subordinate and reasonably necessary to the conduct of the principal building or use. Accessory use or building does not include any building or portion thereof used for living purposes. See Section 1014.

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.

AUTO REPAIR SHOP: See "Motor Vehicle Repair Station" or "Repair Shop"

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: A single family dwelling unit in which the resident owner or occupant provides short-term lodging to paying guests. The dwelling shall contain no more than eight guest rooms. If meals are to be served, they can only be served to overnight guests.

BOARDING OR ROOMING HOUSE: Dwelling where more than two rooms (but not more than six), without independent facilities for meal preparation, are offered for hire to not more than 6 persons. Hotels, motor lodges and/or multiple family dwellings shall not be considered boarding or rooming houses.

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: Any mercantile or service activity, pursuit, occupation or employment conducted for compensation, including wholesale sales, but not including retail sales.

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: 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 campsites. A campsite is an area designed for the camping use by one family.

CAR WASH: A structure that offers automatic or manual washing bays that contain or recycle the washing liquid according to accepted industry standards. Must conform to all zoning specifications of that district.

CERTIFICATE OF COMPLIANCE & OCCUPANCY: 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 Occupancy 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 must inspect the site at the time the footings are in place and again when the structure is completed and deemed by the owner to be ready for occupancy before issuing a Certificate of Occupancy.

CHILD CARE CENTER OR HOME: See "Day Care Center" or "Day Care Home".

CLINIC: a Non-residential office building used by members of the medical professions for the diagnosis and out-patient treatment of human ailments.

CLUB: Building or use catering exclusively to club members and their guests.

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.

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.

CONDITIONAL USE: Use which may be permitted only by approval of the Board of Adjustment 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 Board of Adjustment 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 the present bylaws.

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

DAY CARE CENTER: State licensed and or state registered building providing day care for eleven or more children.

DAY CARE HOME: State licensed and/or state registered building providing day care for ten or fewer children.

DEVELOPMENT: See Section 123 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, MULTIPLE-FAMILY: Building used as living quarters by three or more families living independently of each other. Includes Condominium or Town House.

DWELLING, ONE-FAMILY: Detached building used as living quarters by one family.

DWELLING, TWO-FAMILY: Building used as living quarters by two families living independently of each other.

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

EXTRACTION: See Quarrying

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

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

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 FACILITY: Any building held, used, or controlled exclusively for public purposes by any department or branch of government, without reference to the ownership of the building or the realty upon which it is situated.

HEAVY MANUFACTURING OR INDUSTRY: The processing, assembly, distribution, or packaging of natural or man-man products where such activity results in substantial off-site impacts or all such activity and storage of raw or finished products is not enclosed inside a building or screened from the abutting properties and public rights-of-way. Such uses include but are not limited to the following: paper, pulp, or lumber mills; truck terminals; contractor's yards; concrete, asphalt, or brick plants; quarries; bulk fuel storage; slaughter houses, rendering, hide tanning, or curing plants; diesel engine, truck, tractor, or heavy equipment storage, sales, or repair; manufacturing or processing of fertilizer, bone, rubber, ammonia, chlorine, petroleum products, gas, or explosives; and other similar uses.

HOME OCCUPATION: Use of an accessory building or minor portion of a dwelling for an occupation which is customary in residential areas, and which does not change the character thereof, including but not limited to: dressmaking, home cooking, teaching, tourist or rooming house (no more than two roomers at anyone time), photo studio, child care or baby-sitting service (for either, no more than six children at any one time), attorney, architect, accountant, real estate broker, insurance agent, furniture making, repair or refinishing, cabinet making, bicycle repair, barber shop, beauty parlor, fix-it-shop, print shop shoe making or repair, and any and all other home occupation uses customary in residential areas and which do not change the character thereof. Home occupation does not include: the sale of property at retail, unless as a minor or subordinate part of a permitted home occupation; commercial stable or kennel; restaurant; tea room; musical or dance instruction to groups; garage or shop for the repair of motor vehicles; machine shop; mortuary; antique shop; gift shop; or uses similar to the foregoing. Also see Section 503 herein.

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: See "Motor Lodge".

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

INDUSTRY: See "HEAVY" OR "LIGHT"

JUNK YARD: land or building used for the collecting, storage or sale of waste paper, rags, scrap metal, or discarded material; or for the collecting, wrecking, dismantling, storage, salvaging or sale of machinery parts or vehicle parts (not in running condition).

KENNEL: Any lot or premise on which four or more dogs, at least four or more months of age, are kept. Except in the village district where the limit shall not exceed 2 dogs.

LAND DEVELOPMENT: See Section 123 above.

LIGHT MANUFACTURING OR INDUSTRY: 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 the abutting properties and public right-of-way. Such uses include but are not limited to the following: foundry; cabinet or furniture manufacturing; 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.

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 Section 501.

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.

MANUFACTURING: See "HEAVY" or "LIGHT"

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.

MOTEL: See;" Motor Lodge".

MOTOR LODGE: A building or group of buildings in which the rooms are used for the purpose of providing overnight lodging facilities to the public for compensation, with or without meals. Includes motel and hotel. Does not include boarding house or Bed & Breakfast.

MOTOR VEHICLE REPAIR STATION: Any lot or area of land, including the building or buildings thereon, which has commercial facilities for lubricating, washing, painting, or servicing motor vehicles.

MOTOR VEHICLE SERVICE FACILITY: Any lot or area of land, including the building or buildings thereon, which is used for the sale of fuel, lubricant or accessories for motor vehicles.

MOTOR VEHICLES SALES FACILITY: A retail establishment for the display and sale of motor vehicles, including but not limited to cars, trucks, vans, campers, boats, motorcycles, and snowmobiles.

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: A place of business where trees, shrubbery, and other plants are grown and/or sold.

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

OFFICE: Any office other than a home occupation where major use is a business office, as opposed to retail, warehouse, residential or manufacturing use, including a professional office.

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.

PERMITIED 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: Barber, beauty parlor, shoe repair, photographic studio, and other businesses providing similar personal services, except for medical services. These are businesses which are limited in nature and do not greatly impact community facilities such as streets, water and sewage capacities.

PIT: see Quarrying.

PLANNED RESIDENTIAL DEVELOPMENT (PRD): An area of land developed or to be

developed as a single entity for a number of dwelling units, the plan for which does not conform to the zoning regulations established for the district in which it is proposed to be located. The permitted number of dwelling units shall not exceed the number which could be permitted if the land were subdivided into lots in conformance with the zoning regulations. Dwelling units may be clustered to take advantage of site locations best suited for development and to preserve open space values. See Section 4417 of the Act for a more complete description of PRD's.

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 bylaw 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.

PRIMATIVE CAMP: Primitive camps are dwellings with no interior plumbing consisting of more than a sink with water. Primitive camps may only be 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 definition is to create a local permitting regime consistent with the state wastewater and potable water supply requirements and exemptions.

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

QUARRYING: Marble, granite, or other stone extraction operations and any land development incidental thereto. Quarrying includes extraction of soil, sand or gravel and, the enlargement of any existing quarrying excavations.

RECREATION FACILITY: A place where athletics, leisure time activities and customary and usual recreational activities are permitted but not including activities involving motor sports or firearms.

RECREATION, INDOOR: Bowling alley, theater, table tennis, pool hall, arcade, skating rink, riding stable, gymnasium, swimming pool, and other similar places of indoor recreation.

RECREATION, OUTDOOR: Golf courses, hunting preserve, skating rink, park, beach, tennis court, swimming pool, skiing facility, playground, ball field, or similar places of outdoor recreation. Does not include campground.

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

REPAIR SHOP: A business wherein small appliances or small engines are repaired. Also repair of off-road vehicles. Does not include repair or service of any vehicle that can legally be driven on a public road.

RESIDENTIAL HEALTH CARE FACILITY: Any residential facility for the diagnosis or treatment of human ailments, including but not limited to hospital, sanitarium, nursing home, and convalescent home.

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

RESTAURANT: A public eating establishment in which the primary function is the preparation and serving of food.

RETAIL STORE: Any enclosed business concerned primarily with the sale of produce, products, goods, equipment or commodities; and shall exclude any drive-in facility, free-standing retail stand, gasoline or motor vehicle service station, motor vehicles sales facility, restaurant or junk yard.

RETIREMENT FACILITY: An establishment providing residential care for persons who by reason of advanced age wish to have such care provided for themselves, but who do not

need continuous medical or nursing treatment.

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".

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.

SEAONAL CAMP: Seasonal camps, whether or not they have internal plumbing, are dwellings that are used for 180 days per year or less. 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 regulation is to create a local permitting regime consistent with the state wastewater and potable water supply requirements and exemptions.

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.

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: A branch of forestry dealing with the development and care of forests.

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.

TOWNHOUSE - See "Dwelling -Multiple 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.

VETERINARY CLINIC/ANIMAL HOSPITAL: A building or premises for the medical or surgical treatment of animals or pets, including dogs and cats.

VILLAGE: A term referring to former incorporated Village of Bristol. Under these zoning regulations the former village area is now incorporated into HDR, LDR, MIX, NC, and ROC districts. See Section 210.

WAREHOUSE: A structure or part of a structure for storing goods, wares, and merchandise.

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

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.

ARTICLE II: ESTABLISHMENT OF ZONING DISTRICTS AND ZONING MAP

Section 210: ESTABLISHMENT OF ZONING DISTRICTS

The Town of Bristol is hereby divided into the following zoning districts as shown on the "Zoning Map."

* Block Commercial	(BC) District
Commercial	(C-I) District
Conservation	(CON-25) District
* Downtown Design Review	(DDR) District
Flood Hazard Area	(FHA) District
* High Density Residential	(HDR) District
* Low Density Residential	(LDR) District
* Mixed Use	(MIX) District
Municipal	(MUN) District
* Neighborhood Commercial	(NC) District
*Recreational	(REC) District
* Residential/Office-Commercial	(ROC) District
Residential Commercial	(RC-I) District
Rural Agricultural 1	(RA-l) District
Rural Agricultural 2	(RA-2) District
Rural Agricultural 5	(RA-5) District

* Denotes former village (considered to be village district)

Section 220: ZONING MAP

1. The location and boundaries of zoning districts are established as shown on the Zoning Maps. There are two official maps; one for the entire town and one showing only the former village area. Those official, large-scale, maps are on file at the Town Hall. Those maps are hereby made a part of these regulations and all future amendments to those regulations. Smaller versions of these maps are enclosed herein for reference purposes only.

2. In those cases where the zoning map may not conform to actual town lines, the zoning district lines (and zoning "corridor lines" along roads) shall be considered to extend to the actual town line.

Section 230: 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.

ARTICLE III ADMINISTRATION AND ENFORCEMENT

Section 310: ZONING ADMINISTRATOR

The Zoning Administrator, hereinafter referred to as Z.A., shall be nominated by the Planning Commission and appointed by the Selectboard for a term of three years or when a vacancy exists, as provided for in 24 V.S.A. 4448. The Z.A. may hold any other office in the town of Bristol, except membership in the Board of Adjustment. 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 the Zoning Bylaws and Regulations literally and shall not have the power to permit any land development that is not in conformance with the Zoning Bylaws and Regulations. A Z.A. may be removed for cause at any time by the Bristol Selectboard after consultation with the Planning Commission.

Section 320: ZONING PERMIT, CERTIFICATE OF OCCUPANCY, AND/OR MUNICIPAL LAND USE PERMIT

1. Zoning Permit

A. No land development may commence within the Town of Bristol without a permit issued by the Z.A. [Unless exempted under Sub par. 8. below, and with the limitations outlined under Subsection 9. below.] No permit may be issued by the Z.A. except in conformance with these Zoning Bylaws and Regulations.

B. Application. Along with the permit fee and all other approvals required by these and other Town bylaws, an application for a zoning permit must contain the following:

(1) The name and address of the applicant or legal representative.

(2) The location of the area affected by the pertinent Zoning Bylaw (use of the municipal tax assessment map is permitted) along with a sketch or plan indicating the shape, size, height and location in reasonable relation to all property lines and to road lines of any structure to be erected, altered, extended, or moved, and of any structure already on the affected parcel and/or indicating the location of any proposed new boundary or easement line on the affected parcel or on adjoining parcels.

(3) The existing and intended use of all such structures on and of the land.

(4) Other information as may be required by the Z.A. to insure that the provisions of the Zoning Bylaws and Regulations are being followed.

C. An application shall not be complete nor shall the Z.A. act with regard to the application until the required submittals have been made.

D. If the Z.A. fails to act with regard to a complete application for a permit within 30 days, whether by issuing a decision or by making a referral to the appropriate municipal panel, a permit shall be deemed issued on the 31st day.

2. Certificate of Occupancy

A. 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 in part altered or enlarged in its use or structure, within the area affected by these Zoning Bylaws and Regulations, until a Certificate of Occupancy is issued by the Z.A. stating that the proposed use of the land or structure conforms to the requirements of said Bylaws and Regulations.

B. No permit issued pursuant to this section shall take effect until the time for appeal under Section 320, Par. 4 of these Bylaws and Regulations has passed.

Within 3 days after notification from the applicant that a building or structure or premises or part thereof is ready for occupancy or use, it shall be the duty of the Z.A. to make a final inspection thereof and to issue a Certificate of Occupancy if the land, building, structure, or part thereof, is found to conform with the provisions of said Regulations and Bylaws as originally

approved under a valid zoning permit.

3. Permits

A. Each permit issued under this section shall contain a statement of the period of time within which an appeal may be taken and shall require posting by the applicant of a Notice of Permit on a form prescribed by the Z.A. within view from the public right-of-way most nearly adjacent to the subject property until the time for appeal in 24 V.S.A. 4465 has passed.

B. Within 3 days following the issuance of a permit, the Z.A. shall:

(1) Deliver a copy of the permit to the Listers of the Town of Bristol;

(2) Post a copy of the permit in at least one public place in the Town until the expiration of 15 days from the date of issuance of the permit.

C. Within 30 days after a permit has been issued or within 30 days of the issuance of any notice of violation, the appropriate Town official shall:

(1) Deliver the original or a legible copy of the permit or of the notice of violation to the Town Clerk for recording as provided in 24 V.S.A. 1154(a);

(2) File a copy of the permit in the offices of the Town in the file where all land use permits are kept.

D. All recording fees generated by the requirements of this section shall be charged to the Applicant. These fees shall be in addition to those fees prescribed in 7 below.

4. Appeals of the Zoning Administrator; Effective Dates

A. Appeals

(1) An Interested Person as defined herein may appeal any decision or act by the Z.A. by filing a Notice of Appeal with the secretary of the Board of Adjustment or with the Town Clerk if no secretary has been elected. This Notice of Appeal must be filed within 15 days of the date of that decision or act, and a copy of the Notice of Appeal shall be filed with the Z.A.
An Interested Person under this section means the following:

(a) A person owning title to property, or a municipality or solid waste management district empowered to condemn it or an interest in it, affected by these Regulations and Bylaws, who alleges that the Bylaw/Regulation imposes on the property unreasonable or inappropriate restrictions of present or potential use under the particular circumstances of the case.

(b) The Town of Bristol or its representative(s), or any municipality that adjoins the Town of Bristol.

(c) A person owning or occupying property in the immediate neighborhood of a property that is the subject of a decision taken under this chapter; who can demonstrate a physical or environmental impact on the person's interest under the criteria reviewed, and who alleges that the decision or act, if confirmed, will not be in accord with the policies, purposes, or terms of these Regulations and Bylaws, or of the Bristol Town Plan.

(d) Any ten persons who may be any combination of voters or real property owners within a municipality named in Sub Par. (b) above who, by signed petition to the appropriate municipal panel of the Town of Bristol, allege that any relief requested by an interested person under this section, if granted, will not be in accord with the policies, purposes, or terms of these Regulations & Bylaws, or of the Bristol Town Plan. This petition must designate one person to serve as the representative of the petitioners regarding all matters related to the appeal.

(e) Any department and administrative subdivision of the State of Vermont owning property or any interest in property within the Town of Bristol; including the Agency of Commerce and Community Development.

(2) In the exercise of its functions, the Board of Adjustment shall have the following powers, in addition to those specified elsewhere in these Regulations and Bylaws:

(a) To hear and decide appeals taken under this section including, without limitation, where it is alleged that an error has been committed in any order, requirement, decision, or determination made by the Z. A. under this section in connection with the administration or enforcement of these Regulations and Bylaws.

(b) To hear and grant or deny a request for a variance under Section 342 of these Regulations and Bylaws.

(3) Notice of Appeal

A notice of appeal shall be in writing and shall include the name and address of the appellant, a brief description of the property with respect to which the appeal is taken, a reference to the regulatory provisions applicable to that appeal, the relief requested by the appellant, and the alleged grounds why the requested relief is believed proper under the circumstances.

B. Effective Date. No permit issued pursuant to this section shall take effect until the time for appeal 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 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.

5. Hearings on Appeal

A. In the consideration of any appeal under this Article, the appropriate municipal panel shall carry out its responsibilities in accordance with 24 V.S.A. 4468 and with Section 350 of these Bylaws and Regulations.

B. The requirements under A. above regarding hearings may be foregone, and the municipal panel may reject an appeal or request for reconsideration, and may render a decision so long as it includes findings of fact, within 10 days of the filing of the notice of appeal, if said municipal panel considers that the issues raised by the appellant have been decided in an earlier appeal or involve substantially or materially the same facts by or on behalf of that appellant. Except for the need for hearings, all other procedures required by 24 V.S.A. 4464(b) (3) shall be followed. A decision under this subparagraph shall be considered sufficient for the purpose of appeal to the Environmental Court under 24 V.S.A. 4471.

6. Appeals to Environmental Court

A. An interested person as defined in Subsection 4 (1) (a) above who has participated in a municipal regulatory proceeding under 24 V.S.A. may appeal a decision rendered by an appropriate municipal panel including the Planning Commission, the Board of Adjustment and the Selectboard, in that proceeding. This appeal is to be made to the Environmental Court in accordance with, and the appellant is entitled to all rights as set forth in, the procedures and requirements set forth in 24 V.S.A. 4471 (a) and (c), and in 24 V.S.A. 4472.

B. The Selectboard may determine (or having been instructed by voters) to act under 24 V.S.A. 4471(b).

C. Notice of appeals shall be filed by certified mailing, with fees, to Environmental Court and by mailing a copy to the Z. A., who shall supply a list of interested persons to the appellant within five working days. Upon receipt of the said list, the appellant shall, by certified mail, provide a copy of the notice of appeal to every interested person, and, if anyone or more of those persons are not then parties to the appeal, upon motion they shall be granted leave by the court to intervene.

D. No appeal may be taken under this section, pertaining to decisions with respect to local Act 250 review of municipal impacts.

7. Fees and Fines

Except for those established by Vermont law or regulations, or as limited by same, the Selectboard shall set fees and fines from time to time, to be codified in a Master Fee and Fine schedule, or such other name that the Selectboard may choose.

8. Exceptions

No zoning permit or certificate of occupancy is required nor are setbacks applicable for the following.

A. Fences, hedges, or walls along a property line which do not interfere with highway visibility or solar access.

B. Doghouses, sheds, tree houses, or similar structures with a floor area of not more than 64 square feet and a height of not more than 8 feet which may be no closer than 5 feet from any rear and side yard line.

C. Any sign erected by the Town or State for directional information, traffic control purposes or "welcome to the community" signs.

D. Uncovered terraces, steps, or decks not over 3 feet above the level of the floor of the ground story, but no closer than 10 feet to any property line.

E. Residential; windows, dormer, awnings and bay windows.

F. Interior renovations.

9. Limitations on By-Laws

A. The following uses may be regulated only with respect to location, size, height, building bulk, yards, courts, setbacks, density of buildings, off-street parking, loading facilities, traffic, noise, lighting, landscaping and screening, and only to the extent that the regulations do not have the effect of interfering with the intended functional use:

(1) State or municipal owned and operated institutions and facilities.

(2) Public and private schools and other educational facilities as long as they are certified by the Vt. Dept. of Education.

(3) Churches and other places of worship, convents and parish houses.

(4) Public and private hospitals.

(5) Solid waste management facilities certified under 10 V.S.A. Chap. 159.

(6) Hazardous waste management facilities for which a notice of intent to construct has been received under 10 .S.A. 6606 (a).

B. Public utility power generating plants and transmission facilities regulated under 30 V.S.A. 248 shall not be regulated by these By-Laws.

C. Except as provided for in this Section 320, and by 10 V.S.A. 1976, if any parts of these Zoning By-Laws and Regulations as they exist or as they are enacted with respect to land development are also subject to regulation under Vermont statutes, the more stringent or restrictive regulation that is applicable shall apply.

D. Agricultural and Silviculture practices.

These By-Laws and Regulations shall not regulate accepted agricultural and silviculture practices, including farm structures, as they are defined by the Secretary of Agriculture, Food and Markets, or by the Commissioner of Forests, Parks and Recreation, under 6 V.S.A. 4810 and 10 V.S.A. 1021 (f) and 1259(f). No municipal permit under these By-Laws and Regulations shall be required for the construction of a farm structure.

(1) "farm structure" means a building, enclosure, or fence for housing livestock, raising horticultural or fanning plants, or carrying out other practices associated with accepted agricultural or farming practices, including a silo, as "farming" is defined in 10 V.S.A. 6001(22). A dwelling for human habitation is excluded from these limitations.

(2) A person shall notify the Town of Bristol of the intent to build a farm structure and shall abide by setbacks as approved by the Secretary of Agriculture, Food and Markets.

(3) These By-Laws and Regulations shall be allowed to impose changes on land that is enrolled in the Use Value Appraisal Program pursuant to 32 V.S.A. Chap. 124, only to the extent that such changes result in new forest management plans that are silviculturally sound, as determined by the Commissioner of Forests, Parks & Recreation, and that they protect specific natural, conservation, aesthetic, or wildlife features. Such features must be within properly designated zoning districts. Such changes also must be compatible with 32 V.S.A. 3755.

E. These By-Laws shall be subject to restrictions and limitations on the power to regulate hunting, fishing, trapping and other activities specified under 24 V.S.A. 2295.

Section 330: ENFORCEMENT; PENALTIES

1. Violations.

Any person who violates these Bylaws and Regulations or who violates a comparable ordinance or regulation adopted under prior laws shall be fined not more than $100.00 for each offense. No action may be brought under this section unless the alleged offender has had at least 7 days warning by certified mail. An action may be brought without the 7 day notice and opportunity to cure if the alleged offender repeats the violation of the bylaw after the 7 day notice period and within the next succeeding 12 months. The 7 day warning notice shall state:

A. that a violation exists,

B. that the alleged offender has an opportunity to cure the violation within the 7 days, and

C. that the alleged offender will not be entitled to an additional warning notice for a violation occurring after the 7 days.

2. Default. Continuation of Violation.

In default of payment of the fine, the individual, or all members of a partnership, or all principal officers of a corporation shall each pay double the amount of the fine. Each day that a violation is continued shall constitute a separate offense.

3. Fines

All fines collected for violation s of these Zoning Bylaws and Regulations shall be paid to Town of Bristol.

4. Remedies.

If any street, building, structure, or land is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained, or used, in violation of these Bylaws and Regulations, the Z.A. shall institute in the name of the Town of Bristol any appropriate action, injunction, or other proceeding to prevent, restrain, correct, or abate that construction or use, or to prevent any act, conduct, business, or use constituting a violation. A court action may be initiated in Environmental Court.

5. Limitations.

A. An action taken under this Section against an alleged offender may be instituted within 15 years from the date the alleged violation first occurred and not thereafter. The burden of proof on when the alleged violation first occurred shall be on the person against whom the enforcement action is instituted.

B. No action or enforcement proceeding may be instituted for an alleged violation of a land use permit that had received final approval from the applicable board or officer after July 1, 1998, unless the permit or a notice of the permit generally provided for under 24 V.S.A. 1154(c) was recorded in the Town of Bristol Land Records as required by Section 320 of this Bylaw.

C. Remedies and limitations established by this Section do not prevent any action, injunction, or other enforcement proceeding instituted by Town of Bristol under other authorities than the herein Article III.

D. If the Vt. Attorney General or a designee, upon investigations determines that a violation relating to equal treatment of housing and adequate provision of affordable housing has occurred under these Bylaws, or under their administration, and an action has been filed in the environmental court as a challenge to the Bylaw's validity, the burden of proof that the Bylaw does not violate provisions of Subdivision 4412(1) of V.S.A. 24 shall be on the Town of Bristol.

Section 340: BOARD OF ADJUSTMENT; ZONING BOARD

1. Establishment.

There is hereby established a Board of Adjustment (sometimes referred to as "Zoning Board") whose members may consist of members of the Planning Commission. This board shall consist of not less than three nor more than nine members, a majority of which shall be legal residents of the Town of Bristol.

2. Appointment.

Members of the Board of Adjustment 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.

3. Duties and Functions.

The Board of Adjustment shall meet, elect officers, adopt rules of procedure and of ethics, and otherwise carry out its duties in conformance with 24 V.S.A. 4461 (a, b and c).

Section 341: CONDITIONAL USES

No zoning permit shall be issued by the Zoning Administrator for any use or structure which requires conditional use approval in these regulations until the Board of Adjustment grants such approval. In considering its action on any application for conditional use, the Board of Adjustment shall make findings on general and specific standards, hold hearings and attach conditions, if any, as provided for in 24 V.S.A. 4414, and as provided for under this section and elsewhere in these Regulations.

1. The applicant shall submit two sets of site plan maps and supporting data to the Board of Adjustment which shall include the following information presented in drawn form and accompanied by written text:

A. Parcel, block and sheet number of the property taken from the latest tax and assessment records and map.

B. Name and address of person or firm preparing the drawings, scale of the drawings, a north arrow, and date of the drawings.

C. An accurate representation of the property showing existing features, including contours at five (5) foot intervals, structures, large trees, streets, utility easements and structures, rights of way, land use, and date of the drawings.

D. A plan showing proposed structure locations and land use areas; existing and proposed roads, driveways, traffic circulation, parking and loading spaces and pedestrian walks; landscaping plans, including site grading, landscape design, and screening.

E. Construction sequence and time schedule for completion of each phase for buildings, parking spaces, and landscaped areas of the entire development.

F. A description of energy utilization and conservation measures for each heated structure.

2. General Standards:

The proposed conditional use shall not result in an undue adverse effect on any of the following:

A. The capacity of existing or planned community facilities;

B. The character of the area affected, as defined by the purpose(s) of the zoning district within which the project is located, and the specifically stated policies and standards of the town plan.

C. Traffic on roads and highways in the vicinity;

D. Bylaws and ordinances then in effect.

E. Utilization of renewable energy sources.

3. Specific Standards:

Criteria to be used in supplementing the above general standards are:

A. Harmonious relationship between proposed uses and existing adjacent uses.

B. Maximum safety of vehicular circulation between the site and the highway network.

C. Adequacy of circulation, parking, and loading facilities, with particular attention to safety.

D. Adequacy of landscaping, screening and setbacks in regard to achieving maximum compatibility and protection to adjacent property.

E. Freedom from flooding and ponding.

F. Adequacy of energy efficiency, orientation, and affect on the energy needs of the community.

G. All sewage and other effluent shall be safely disposed of so that it will not become a hazard to public health.

H. There shall be a safe and adequate water supply.

I. The Board may require that the outdoor storage of raw materials or inventory be screened or hidden from public highway view or the view of persons in residential areas.

4. One or more of the review criteria found in 10 V.S.A. 6086 may be adopted (by the board, or by a change in bylaws in accordance with 24 V.S.A. 4414(3) (c) as standards for use in conditional use review.

5. An appropriate municipal panel may require a performance bond to assure construction and maintenance of the proposed use in conformance with any and all conditions attached to any permit.

Section 342: VARIANCES

On appeal from a ruling under 24 V.S.A. 4465 or 4471 in which a variance from the provisions of these bylaws and regulations is requested for a structure that is not primarily a renewable energy source structure, the Board of Adjustment shall be the municipal panel to hear such appeals, and shall grant such variances in favor on the appellant, if all of the following five (5) facts are facts found, and the Board's finding is specified in its decision.

A. There are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that unnecessary hardship is due to these conditions, and not the circumstances or conditions generally created by the provisions of the bylaw in the zoning district in which the property is located.

B. Because of the conditions named in (a) above, there is no possibility that the property can be developed in strict conformity with the provisions of the bylaw, and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

C. Unnecessary hardship has not been created by the appellant.

D. The variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, will not substantially or permanently impair the appropriate use or development of adjacent property, will not reduce access to renewable energy resources, or be detrimental to the public welfare.

E. The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least deviation possible from these bylaws and regulations and from the town plan.

1. In rendering a decision in favor of an appellant under an appeal for a variance, the Board of Adjustment may attach such conditions to variances as it may consider necessary and appropriate under the circumstances to implement the purposes of the plan in effect at the time.

2. The Secretary of the Board of Adjustment shall:

A. Maintain a record of all variance actions, including justification for their issuance.

B. Report such variances issued to the Zoning Administrator.

3. Upon appeal, the Environmental Court shall have the same powers to grant variances as outlined above for the Board of Adjustment.

Section 350: HEARINGS; NOTICE REQUIREMENTS; DECISIONS AND CONDITIONS; ADMINISTRATIVE REVIEW; ROLE OF ADVISORY COMMISSIONS IN DEVELOPMENT REVIEW

1. Hearings and Notices.

All Development review applications and hearings before an appropriate municipal panel shall require notice as follows:

A. A warned public hearing shall be required for conditional use review, variances, and Z.A. appeals. Any public notices for a warned public hearing shall be given not less than 15 days prior to the date of the public hearing by all of the following:

(1) Publication of the date, time, place, and purpose of the hearing in a newspaper of general circulation in the Town of Bristol.

(2) Posting of the same information in three or more public places within the town in conformance with time and location requirements of Title 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.

(3) Written notification to the applicant and to owners of all properties adjoining the property,

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.

B. Public notice for hearings on all other types of development review not included in A. above, including site plan review, shall be given not less than seven days prior to the date of the public hearing and shall include all the following:

(1) Posting of the date, time, place and purpose of the hearing in three or more public places within the town in conformance with time and location requirements of Title 1 V.S.A. 312 (c) (2).

(2) Written notification in accordance with A. (3) above.

C. The applicant may be required to bear the cost of the public warning and the costs and responsibilities of notification of adjoining landowners. The applicant may be required to demonstrate proof of delivery to adjoining landowners, either by certified mail, return receipt requested, or by written notice of being hand delivered or mailed to the last known address supported by a sworn certificate of service.

No defect in the form or substance of any requirements in A. and B. above shall invalidate the action of the appropriate municipal panel, where reasonable efforts are made to provide adequate posting and notice. However, the action shall be invalid when the defective posting or notice was materially misleading in content. If an action is ruled to be invalid, either by Environmental Court or by the municipal panel itself, the action shall be remanded to the applicable municipal panel so that the same procedure shall be followed as called for in A. and B. above.

2. Decisions

The appropriate municipal panel shall gather evidence, recess for submission of additional evidence, and issue decisions, all in accordance with 24 .S.A. 4464(b).

ARTICLE IV: AMENDMENTS, INTERPRETATION, EFFECTIVE DATE

Section 410: AMENDMENTS

These regulations may be amended according to the requirements and procedures established in Subchapter 9 of the Act.

Section 420: 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 for Section 4413(c) of the Act and where, in these regulations, specifically provided to the contrary, it is not intended by these regulations 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 430: EFFECTIVE DATE

These regulations or amendments thereto shall take effect in accordance with the voting and other procedures contained in Section 4442 of the Act.

Section 440: 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.

ARTICLE V: GENERAL REGULATIONS

The provisions of these regulations shall be subject to such additions, modifications, or exceptions as herein provided by the following general regulations.

Section 501: 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-eighth acre in area with a minimum width or depth of forty feet. (Note that state regulations or permits may apply.)

Section 502: REQUIRED FRONTAGE ON, OR ACCESS TO, PUBLIC ROADS

No land development may be permitted on lots which do not have either frontage on a public road or, with the approval of the Board of Adjustment, access to such a road by a permanent easement or right-of-way at least 35 feet in width for permitted by-right uses and 50 feet in width for conditional uses. Also see Section 620 for additional access requirements.

Section 503: PROTECTION OF HOME OCCUPATIONS

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 areas and which does not change the character thereof. To the extent that they are not consistent with the foregoing, home occupations are subject to the following:

a) The business shall be operated by a resident in the principal building.

b) The business shall be operated wholly within the principal building or accessory buildings and no goods, materials, or products shall be publicly displayed on the premises.

c) Not more than two persons other than the residents shall be employed or conduct business from the premises.

d) There shall be no exterior storage of materials, and no other exterior indication of the home occupation. Signs are permitted as specified in ARTICLE VII.

e) As a home occupation may be considered an accessory use to a residential use, a home occupation is allowed in any district in which residential uses are also allowed. A zoning permit application shall be submitted to the Zoning Administrator so that a determination can be made as to whether the proposed use is, in fact, a home occupation as defined by these bylaws. The following shall be considered in judging whether a proposed use is a home occupation:

1. Use shall not attract excessive vehicular traffic.

2. Use shall not produce odors, fumes, or noises to such an extent as to be a nuisance to abutting property owners.

Section504: INTERIOR LOTS

Existing or proposed lots shall have frontage as established in Article X: "Zoning District Regulations" on either a public ROW or a privately established ROW as generally detailed in these regulations except as further defined:

1) A lot at the end of a ROW will not require lot frontage along the ROW if it is found by the Board of Adjustment that a further development or access requirements along, or through, the end lot are unlikely.

2) Any dead end public road or established ROW shall have a means of vehicle turn around for, but not limited to, emergency vehicles as determined by the Board of Adjustment.

Section 510: 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 511: BUILDING ON LOTS

There shall be no more than one residential principal building on a lot except for Planned Residential Developments, as authorized by Section 4417 of the Act and Sections 528 and 529 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 512: NON-CONFORMITIES

Any non-conformity may be continued indefinitely, but:

1. Shall not be changed to another non-conformity without approval by the Board of Adjustment, and then only to use which, in the opinion of the Board, is of the same or of a more conforming nature.

2. Shall not be re-established if such non-conformity has been discontinued for a period of at least one year or has been changed to, or replaced by, a conformity. Intent to resume a non-conformity shall not confer the right to do so. If a non-conformity is not re-established within one year, the future use of the lot or structure shall be in conformance with the provisions of these regulations.

3. Shall not be restored or reconstructed for other than a conforming use after damage from any cause unless such non-conformity is carried on uninterrupted in the undamaged part of the structure or unless the non-conformity is re-instated by the commencement of construction within one year of such damage, the construction or restoration of such structure is completed within two years, and approval is obtained from the Board of Adjustment; otherwise, the non-conformity shall be deemed to have been discontinued.

4. Shall not be moved, extended, or enlarged unless the Board of Adjustment shall find that such movement, extension, or enlargement:

(a) does not create a greater nuisance or detriment, and

(b) is consistent with the Town Plan, and

(c) does not increase non-compliance of the structure with the regulations of the applicable district.

Nothing in this section shall be deemed to prevent normal maintenance and repair of a non-conforming structure provided that such action does not increase the degree of non-compliance.

With regard to non-conformities, the Board of Adjustment may make findings, hold hearings, and attach conditions as deemed necessary.

Section 514: 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 515: 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.

Section 516: TEMPORARY USES AND STRUCTURES

Temporary permits may be issued by the Zoning Administrator for the period not exceeding

one year after approval by the Zoning Board of Adjustment for non-conforming uses incidental to construction projects, provided such permits are conditional upon agreement by the owner to remove the structure or use upon expiration of the permit. Such permits may be renewed upon application for an additional period not exceeding one year.

Section 517: DWELLING UNITS BELOW GRADE

The finished floor level of all habitable rooms in every two-family and multiple-family dwelling unit shall be not more than four feet below finished grade level measured at a point ten feet outside and at right angles to each window lighting each habitable room.

Section 518: SPECIAL PUBLIC USE EXCEPTIONS

Unless reasonable provision is made in these regulations for the location of any of the following these uses may only be regulated with respect to size, height, bulk, yards, courts, setbacks, density of buildings, off-street parking and loading facilities, and landscaping or screening requirements:

1. Public utility power generating plants and transmission lines.
2. State or community owned and operated institutions and facilities.
3. Public and private schools and other educational institutions certified by the Vermont Department of Education.
4. Churches, convents, and parish houses.
5. Public and private hospitals.

Section 520: PUBLIC UTILITY SUBSTATIONS

Public utility substations and similar utility structures, where permitted, shall comply with the following:

1. The facility shall be surrounded by a fence which is set back from the property lines in conformance with the district regulations for front, side, and rear yards.

2. A landscaped area approved by the Board of Adjustment at least twenty-five feet wide shall be maintained in front, rear, and side yards. Utility boxes with a volume of 30 cubic feet, or less, and a height of 4 feet, or less, are exempt from the above requirements.

Section 521: 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 522: MOTOR VEHICLE SERVICE FACILITY OR MOTOR VEHICLE REPAIR STATION

In any district where Motor Vehicle Service Facilities or Motor Vehicle Repair Stations 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 523: 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. 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 524: ROADSIDE AGRICULTURAL STANDS

Temporary roadside stands for the sale of agricultural products raised on the property may be erected provided that:

1. No stand shall be in place from November 1st to April 30th.
2. No stand shall be closer to any lot line than twenty feet.
3. Off-street parking space shall be provided for at least two motor vehicles.
4. Access to or egress from any stand shall not create a traffic hazard.

Section 525: FILLING OF LAND

In any district a zoning permit is required for the depositing of rock, concrete, stone, gravel, sand, cinders, stumps, and soil used for the filling of land. The Zoning Administrator may issue a permit provided the applicant demonstrates the activity will not significantly alter existing drainage patterns, cause soil erosion, or result in any hazard or expense to the community. State laws governing the filling of land must be adhered to.

Section 526: EXTRACTION OF SOIL, SAND, OR GRAVEL

In accordance with Section 4407(8) of the Act, in any district the removal of sand or gravel for sale, except when incidental to construction of a structure on the same premises, shall be permitted only after conditional use review and approval by the Board of Adjustment. The Administrator may issue a zoning permit only after having received written notification of the Board of Adjustment approval of the proposed project. In any district, 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 a bond is required it shall be sufficient to cover the cost of the 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 Board of Adjustment may attach any additional conditions as it may find necessary for the safety and general welfare of the public.

Section 527: SOLAR AND WIND ENERGY SYSTEMS

The use of solar energy systems, whether as a part of a building or incidental to a building, is a permitted accessory use within all districts. Wind energy conversion systems are conditional uses in all districts, with the Board of Adjustment considering the following criteria in addition to those specified in Section 4414(3) of the Act:

1. Climbing access to the tower shall be restricted;
2. 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. The system shall not adversely affect the character of the neighborhood.

Section 528: PLANNED RESIDENTIAL DEVELOPMENT

In accordance with the provisions set forth in 4407(3) of the Act, and in those districts in which residential uses are permitted, the modification of the district regulations by the Planning Commission is permitted simultaneously with approval of a site plan under the following procedures (This site plan approval is permitted simultaneously with any necessary Town subdivision approval.)

1. Purpose: The purpose of the planned residential development (PRD) 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 Planning Commission shall hold at least one public hearing which has been duly warned in a newspaper of general publication in the municipality at least 15 days prior to the date of hearing. The warning shall specify the date, time, place, and purpose of the hearing. The Planning Commission shall act to approve or disapprove any application within 60 days after the first public hearing. Failure to so act within such period shall be deemed approval.

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

a. The PRD is consistent with the town plan.

b. The overall density of the project does not exceed the number of dwelling units of the specific type (single-family or multi-family) proposed, which could be permitted in the Planning Commission's judgment if the land were subdivided into lots in accordance with the district regulations, except for mobile home parks under Section 532. A density bonus up to 25% of the permitted density may be granted at the discretion of the Planning Commission for PRDs that exceed the minimum requirements and result in significant benefits to the general public health, safety, and welfare.

c. The uses proposed for the project are residential; dwelling units may be of varied types, including one family, two family, or multi family construction.

d. The PRD is an effective and unified treatment of the development possibilities of the project site, and the development plan makes appropriate provision for preservation of streams, and stream banks, steep slopes, wet areas, and unique natural and man made features.

e. The development plan is proposed over a reasonable period of time in order that adequate municipal 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 the design, bulk and spacing of buildings and the sizes of lots and open spaces which shall be noted or appended to the application.

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 otherwise waived by the Planning Commission.

b. To ensure adequate privacy for existing or proposed uses adjacent to the PRD, structures on the perimeter of the PRD shall be set back at least 50 feet and landscaping as described in Section 550 of these regulations may be required.

c. Adequate water supply and sewage disposal facilities shall be provided.

6. Open Space: If the PRD results in lands available for parks, recreation, open space or other town purposes, the Planning Commission as a condition of its approval may establish such conditions as to the ownership, use and maintenance of such land as it deems necessary to assure the preservation of such lands for their intended purposes.

Section 529: PLANNED UNIT DEVELOPMENTS

In accordance with the provisions set forth Section 4407(2) of the Act, the modification of the district regulations by the Planning Commission is permitted in the Mixed Use District simultaneously with approval of a site plan under the following procedures: (The site plan approval is permitted simultaneously with any necessary subdivision approval.)

1. Purpose: The purpose of the planned unit development is to encourage new communities, innovation of design and layout, and more efficient use of land.

2. Application Procedure: The applicant procedure shall be the same as that in Section 528(2).

3. Public Hearing: The public hearing requirements shall be the same as those described in Section 528(3).

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 residential density of the project does not exceed the number of dwelling units which could be permitted in the Planning Commission's judgment, if the land were subdivided into lots in accordance with the district regulations.

(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 80 feet or the setback required in the district, whichever is greater, and landscaping as described in Section 550(c) may be required.

(c) Adequate water supply and sewage disposal facilities shall be provided.

(d) The land in a PUD application shall not be less than five (5) acres.

(e) Specific requirements of these regulations relating to parking, access, landscaping, signs shall be minimums for PUD's; the Planning Commission may increase these minimums as necessary to prevent fire hazards and interference with rights of neighboring property owners to reasonable enjoyment of their property.

Section 530: MOBILE HOMES

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

Section 531: MOBILE HOME PARK PERMIT

1. No person shall establish or operate a mobile home park without first obtaining conditional use approval from the Board of Adjustment and a permit from the Zoning Administrator. Before approving a mobile home park permit, the Board of Adjustment shall require a performance bond from the applicant to assure that the park is constructed and maintained in a satisfactory manner.

2. Applications for a mobile home park permit shall be made to the Board of Adjustment. The application shall be accompanied with a site plan and drawings, showing the property lines and area of the park, a contour map showing the proposed grading of the park, a layout of roads walkways, mobile home lots, parking areas, water lines, sanitary sewer and storm sewer drainage facilities, garbage collection stations and electrical distribution.

3. The Board of Adjustment may require other improvement and facilities before approving the mobile home park, in the interest of pubic safety, health and welfare.

Section 532: MOBILE HOME PARK STANDARDS

The following regulations shall apply in respect to all mobile home parks:

1. A mobile home park shall have an area of not less than 5 acres.

2. Mobile home parks shall provide for individual mobile home lots, access driveways, parking and recreation open space.

3. A mobile home park shall have at least 8,000 square feet per mobile home, with at least 5,000 square feet in each mobile home lot and 3,000 square feet in common open space, exclusive of roads. Land required to meet these standards shall not include the buffer strip in standard #8 below.

4. Each mobile home lot must front onto an access driveway with no more than a 7% grade, which must be at least fifty feet in width and have a gravel surface at least twenty-four feet in width and twelve inches in depth of compacted gravel. All-weather walkways shall be provided.

5. A minimum of one parking space for each mobile home lot, plus one parking space for each two mobile homes for visitor parking, shall be provided, at least nine feet wide by twenty-two feet long.

6. Each mobile home lot shall have an attachment for water supply. The water supply source must be approved by the Agency of Environmental Conservation or its successor or other appropriate State Agency.

7. Each mobile home lot shall have an attachment for sewage disposal. The method of sewage disposal must be in compliance with the State Agency of Environmental Conservation regulations.

8. A buffer strip of land at least one hundred feet in width shall be maintained as a landscape area abutting a mobile home park property lines. No structures shall be permitted within this area.

9. Permanent skirting is required about the base of mobile homes.

10. In mobile home parks, where units will be sited with the long axis perpendicular to the road, roads shall run in a north-south direction to the greatest possible extent. When topographic conditions make a north-south road orientation difficult or undesirable, lots shall be laid out so that units can be oriented to the south to the greatest extent possible.

11. Internal landscaping shall be required to be approved by the Board of Adjustment.

Section 535: CAMPGROUND PERMITS

1. No person or persons shall establish or operate or expand a campground without first obtaining conditional use approval from the Board of Adjustment and a permit from the Zoning Administrator. Before approving a permit, the Board of Adjustment shall require a performance bond from the operator of the area to assure that the area is maintained in a satisfactory manner.

2. Application for conditional use approval shall be made to the Board of Adjustment. The application 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.

Section 536: CAMPGROUND STANDARDS

1. A campground shall have not less than three areas.

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.

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 other 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.

9. The area 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 542: REDUCTION OF LOT AREA

No lot shall be so reduced in area that the area, yards, frontage, coverage, or other requirements of these regulations do not conform to the requirements herein prescribed for each district. The provisions of this section shall not apply when part of a lot is taken for a public purpose.

Section 543: REQUIRED AREA OR YARDS

Space required under these regulations to satisfy area, yard or other open space requirements in relation to one building shall not be counted as part of a required open space for any other building.

Section 544: PROJECTION IN YARDS

Every part of a required yard shall be open from grade level to the sky unobstructed, except for vegetation and for the ordinary projections of sills, cornices, pilasters, chimneys and eaves, provided that no such projections may extend more than two feet into any required yard. Additionally, certain architectural features needed for the operation of active and passive solar energy systems, including but not limited to overhangs, detached solar collectors, reflectors, and piping may be permitted by the Board of Adjustment to project into the required yard if conformance with yard requirements will cause undue or unusual difficulties. Steps may be extended into a yard.

Section 545: CORNER LOT EXCEPTIONS

Any yard adjoining a road shall be considered a front yard. For the purposes of these regulations, a comer lot shall be considered to have only front yards and side yards.

Section 546: USES NOT PERMITTED

In districts ROC, HDR, LDR, NC, MIX, and RA-l, the following uses are not permitted: junk yards; machinery wrecking yards; unenclosed manufacturing or processing of goods or materials; smelters; blast furnaces; slaughter houses; rendering plants; hide tanning or curing plants; manufacturing or processing of fertilizer, bone rubber, asphalt, ammonia, chlorine; manufacture or refining of petroleum, gas, explosives; bulk storage of explosives; dumps, except municipally operated sanitary landfill.

Section 547: WATERSIDE PROTECTION

1. Notwithstanding the provisions of Article IX Flood Hazard Area Regulations, or any other regulations herein, any new structure, enlargement of existing structure and mining bordering on significant public waters must meet the rear yard setback minimum for the district in which it resides but in no case shall be less than 50 feet. This requirement does not apply to a body of water that is completely surrounded by land belonging to a single owner.

2. Projects that rely on hydro-power (i.e. Water flow) for operation must be reviewed as a Conditional Use per Section 341 herein. In that case, the Board of Adjustment may modify the above setback requirement.

Section 550: LANDSCAPING: Districts defined under Sec. 210 (former Village district)

1. Where any non residential 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.

Section 560: GRADING

No grading, cutting, or filling shall be carried out in any district which leaves the slope of the finished grade in excess of one to two.

Section 570: HEIGHT RESTRICTIONS

1. Through the conditional use review procedure, the Board of Adjustment may permit a structure to exceed the applicable building height maximum if the general standards of Section 341 (2) are met and if the structure or extension thereof is a steeple, bell tower, fire tower, antenna, monument, cooling tower, chimney, flagpole, electric transmission pole, wind energy conversion system, or other similar structure meeting all other applicable requirements of these regulations, or if landscaping is provided and the use of the building requires it to exceed the height restrictions.
2. Agricultural uses such as silos and barns are exempt from height restrictions.

Section 594: ACCESSORY DWELLING UNIT

1. An accessory dwelling unit is an efficiency apartment, or one-bedroom apartment, that:
   A. is clearly subordinate to a single-family dwelling unit (the "principal dwelling unit") and
   B. is located within the principal dwelling unit or is attached to the principal dwelling unit or is within an existing barn or garage on the property and
   C. has facilities and provisions for independent living, including sleeping, food preparation, and sanitation and
   D. does not exceed 30 percent of the total habitable floor area of the principal dwelling unit and
   E. the owner of the entire property occupies either the primary dwelling or the accessory dwelling unit.
2. The lot, on which the principal dwelling unit and the accessory dwelling unit are located, must:
   A. Have sufficient wastewater capacity for both units,
   B. Meet applicable setback, coverage, and parking requirements for the district in which the lot resides.
3. 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. A violation of any of the above conditions or,
   B. A new accessory structure or,
   C. An increase in the height or floor area of the existing dwelling or,
   D. An increase in the dimensions of the parking areas,
   E. Neither unit is owner-occupied.

Section 595: ACCESSORY USES AND BUILDINGS

An Accessory use or building must conform to lot setback, lot coverage, and building height requirements for the district in which it is located.

Section 596: FREE STANDING DISHES AND ANTENNAS

Satellite dishes and any other devices which serve the purpose of receiving or transmitting radio or TV signals are structures and are to meet district guideline regulations for the district in which they are located.

Section 597: TELECOMMUNICATION TOWERS

1. Telecommunication towers shall be restricted to the existing two sites in Bristol (i.e. the Coffin and Estey sites). Major modifications to those towers shall be considered a conditional use, and shall be subject to the standards of Section 341 herein.

2. Removal, if the tower is abandoned, shall be a condition of the permit, in accordance with Section 515 herein.

3. Except that, in any district, antennas up to 10 feet in height may be allowed, only as a conditional use, on, or in, existing silos, barns, steeples or similar structures.

ARTICLE VI: TRANSPORTATION, ACCESS, SAFETY, AND PARKING

Section 610: PARKING

1. Non-residential parking lots shall be screened or hidden from public highway view and the view of persons in residential districts.

2. No parking of motor vehicles shall be allowed in front yard setback areas, nor in sideyard or rearward set back areas that are designated as landscaped buffer areas (See Section 550).

3. Parking established within buildings; that is compliant with all applicable building code requirements, may be included in calculations for parking requirements.

Section 611: OFF-STREET PARKING SPACE REQUIREMENTS

For every building hereafter erected, altered, extended, or changed in use, there shall be provided off-street parking spaces at least as set forth below. A required driveway shall be at least twenty feet in width, except for one-and two-family uses.

1. Residential Uses: One-family and two-family dwelling units shall have one parking space for every unit. Multiple-family dwelling units shall have four parking spaces for every three units.
2. Motor Lodge, Boarding House and Bed and Breakfast: One space for every guest room.
3. Residential Health Care Facility: One space for every four beds.
4. Community Center: One parking space for each four fixed seats, or every two hundred square feet of floor space, whichever is more.
5. Professional Office: One parking space and one additional parking space for every three hundred square feet of office space.
6. Commercial, business and Unspecified Uses: One parking space for every motor vehicle used in business, plus one parking space for every two hundred square feet of floor area.

Section 620: 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.

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. 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-------
20	220
25	275
30	330

Posted Speed in MPH-------	Minimum Sight Distance in feet-------
35	385
40	440
45	495
50	550

7. 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.

8. 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.

9. 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 or A- 76 standards.

10. No existing driveway may be used to increase the number of dwelling units served until all provisions of this Section are met.

11. Any dead end public or private road shall have a means of vehicle turnaround for, but not limited to, emergency vehicles.

12. Also see Section 502 for required frontage on, or access to, public roads.

Section 622: OBSTRUCTION OF VISION

On a corner lot, within the triangular area formed by the intersection of two roads and a line joining them at points twenty-five feet away from their intersection, there shall be no obstruction to vision between the height of three feet and ten feet above the average grade of each road.

Section 630: STORAGE OF VEHICLES IN VILLAGE DISTRICTS:

High Density Residential; Low Density Residential; Residential/Office/Commercial; Neighborhood Commercial; and Mixed Use.

In any residential district within the village district 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.

ARTICLE VII: SIGNS

Section 710: GENERAL

No signs shall be permitted without meeting 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 720: 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 730: SIGNS IN RESIDENTIAL DISTRICTS (CON-25, HDR, LDR, RA-l, RA-2, RA-5)

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 740: SIGNS IN COMMERCIAL AND INDUSTRIAL DISTRICTS: (C-l, MIX, MUN-10, NC, BC, ROC, RC-l)

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

1. All signs permitted under Section 730.
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 750: 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 MUN-I0, NC, RC-l. Not exceed 20 square feet in MIX 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 and industrial districts, and not exceed ten feet in height above finished grade in non-industrial districts.
2. Be set back at least 40 feet from the road line (as defined in current town regulations) and at least ten feet from any other lot line except in village districts where they shall be at least 37 feet from the road line.

Roof signs shall not be permitted in any zoning district.

Section 760: 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 770: 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 780: 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, LDR, and MIX Districts.
4. Requires approval by the Board of Adjustment.

Section 790: TEMPORARY SIGNS

1. In addition to signs permitted in the sections above, the following signs are permitted:

A. A person may display, without obtaining a Zoning Permit, one sign indicating a garage sale, lawn sale, auction, special sale, entertainment such as a fair or party, or special events. Such signs will be no larger than eight square feet and shall be located on the premises. Off premise directional signs shall be no larger than four square feet.

B. Temporary signs shall not be displayed for more than ten consecutive days, fifteen days in any one calendar month, or fifty days in any calendar year.

2. Street banners advertising fairs, dinners, carnivals, or similar public events sponsored by a certified civic organization are allowed. Such banners may be displayed without obtaining a permit for up to 30 days prior to the event and must be removed within five days after completion of the event.

3. Political Signs: Signs exercising the political right of free speech and advocating a particular outcome in an upcoming vote of the town checklist may be displayed without a zoning permit for

up to 60 days prior to such a vote, and shall be removed no later than seven days after said vote. Such signs shall not be greater than 6 square feet in area.

4. Construction signs: Signs incidental to construction projects are allowed. Such signs shall be no larger than 32 square feet and will be permitted only during the duration of the construction period. Such signs must also meet setback requirements for the district the project is located in.

ARTICLE VIII: PERFORMANCE STANDARDS

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 fourth to implement this purpose. The burden of proof that the following standards are met shall be on the applicant.

Section 810: 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.

Section 820: GLARE, LIGHTS, AND REFLECTION

No direct glare, lights, or reflection shall be permitted which are nuisances to other property owners or tenants or which could impair the vision of a driver of any motor vehicle or which are detrimental to public health, safety, and welfare. However reflections from solar energy collectors which are part of an operating solar energy system shall not be considered a nuisance to other property owners and tenants.

Section 830: 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.

ARTICLE IX: FLOOD HAZARD AREA REGULATIONS

Section 901: STATUTORY AUTHORIZATION

To effect 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, Section 4405, 4407(a), 4410, or 4412, there are hereby established zoning regulations for areas of special flood hazard in the Town of Bristol.

Section 902: 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 903: 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 904: 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 905: 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 Board of Adjustment within fifteen days of the decision or act.

Section 906: 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, camps, 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 907: 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 906 and fall within the designated area of special flood hazard are permitted only upon the granting of a conditional use permit by the Board of Adjustment in accordance with the procedures and requirements of Sections 910, 911, and 912 of these regulations.

Section 908: PERMIT REQUIREMENTS AND APPLICATION PROCEDURES

Permits are required for all proposed new construction, substantial improvements, and other developments, 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 905 of these regulations.

If the proposed use will be located in the areas of special flood hazard and meets the requirements of Section 906 of these regulations, the Zoning Administrator shall issue a permit. If the proposed use does not meet the requirements of Section 906, the Zoning Administrator shall refer all applicants to the Secretary of the Board of Adjustment.

Section 909: 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.

Section 910: CONDITIONAL USE REVIEW PROCEDURES

1. Upon receiving an application for conditional use permit under these regulations, the Board of Adjustment shall, prior to holding a hearing and rendering a decision thereon, obtain from the applicant:

(a) base flood elevation data for all subdivisions and other proposed new development greater than 50 lots or 5 areas, whichever is the smaller;

(b) the elevation, in relation to mean sea level, of the lowest habitable floor, including basement, of all new construction or substantial improvement of structures:

(c) 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;

(d) 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 912 of these regulations.

(e) a description of the extent to which any watercourse will be altered or relocated as a result of the proposed development.

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

(a) Plans in triplicate, 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.

(b) 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.

(c) A profile showing the slope of the bottom of the channel or flow line of the stream.

(d) 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.

3. In unnumbered A zones, the Board of Adjustment 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 912.

4. The Board of Adjustment shall notify adjacent communities and the Vermont Department of Water Resources prior to approval of an alteration or relocation of a watercourse and shall submit copies of such notifications to the FEMA Administrator.

5. The Secretary of the Board of Adjustment shall transmit one copy of the information required by subsections 910(1) and 910(2) to the Vermont Department of Water Resources in accordance with 24 V.S.A., Section 4409(c)(2)(A).

6. In reviewing each application, the Board of Adjustment 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 912 of these regulations.

7. In accordance with 24 V.S.A., Section 4409(c) (2) (A), no permit may be granted for new construction or the development of land in any area designated as a flood plain by the Vermont Department of Water Resources prior to the expiration of a period of 30 days following the submission of a report to the Vermont Department of Water Resources under Section 910(5) above.

Section 911: CONSIDERATIONS BY THE BOARD OF ADJUSTMENT

In reviewing each application, the Board of Adjustment 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 of 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 912: CONDITIONS ATTACHED TO CONDITIONAL USE APPROVAL

As a condition of approval, the Board of Adjustment 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 level elevation, or be flood proofed below the base flood level in accordance with 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 Board of Adjustment 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 913: TIME FOR ACTING ON APPLICATION

1. The Board of Adjustment 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 911 and 912 within (30) days of the final hearing, subject to the limitation of Section 910 (6) of these regulations.

2. A copy of the public notice shall be mailed to the applicant at least 15 days prior to the hearing date.

Section 914: ISSUANCE AND TRANSMISSION OF PERMITS

Upon granting a permit, the Board of Adjustment 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 915: EFFECTIVE DATE

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

Section 916: APPEALS

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

Section 917: VARIANCES

1. Variances shall be granted by the Board of Adjustment only:
   (a) in accordance with the provisions of 24 V.S.A., Section 4468;
   (b) 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.
2. The Secretary of the Board of Adjustment 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.
3. The Secretary of the Board of Adjustment 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 918: 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 919: 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 920: PRECEDENCE OF REGULATIONS

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

Section 921: 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 922: DEFINITIONS

Administrator: 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.

Base Flood: 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, or landfill, and any change in the use of any building or other structure, on land, or extension of use of land.

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.

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.

Flood proofed 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.

Manufactured Home: A structure, transportable in one or more sections, which is build 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 X: ZONING DISTRICT REGULATIONS

Section 1000: RURAL AGRICULTURAL 1 (RA-l)

A. Objectives and Guidelines

This district consists of areas where the soils have the best 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 reasonable cost while permitting continued agricultural use. Planned Residential Development is permitted and encouraged following Planning Commission approval pursuant to Section 528 of these regulations.

B. Permitted Uses

1. By right uses
    a. One-family dwelling
    b. Home occupations
    c. Agriculture, horticulture, and silviculture
    d. Accessory use
2. Conditional uses
    a. Professional office
    b. Community center
    c. Recreation, outdoor
    d. Retirement facility
    e. Bed and breakfast
    f. Hospice
    g. Clinic
    h. Multiple-family dwelling
    i. Two-family dwelling
    j. Kennels
    k. Club
    l. Motor Vehicle Service Facility
    m. Nursing Home
    n. Motor Vehicle Repair Station
    o. Repair Shop

C. District Regulations

The provisions set forth in all prior articles of these regulations shall apply to this district when relevant. The permitted by right and conditional uses shall be subject to specific standards of Section l001A.

Section 1001A: SPECIFIC STANDARDS FOR RA-l

	Residential Uses	Non-Residential Uses
Lot Area Minimum	1 Acre	1 Acre
Minimum Acreage Required for Each Dwelling Unit (Conditional Use for Multiple-family Dwellings)	1/2 Acre	
Lot Frontage Minimum	200 Feet	200 Feet
Lot Depth Minimum	125 Feet	200 Feet
Front Yard Setback Minimum	60 Feet	80 Feet
Side Yard Minimum (each side)	25 Feet	50 Feet
Rear yard Minimum	25 Feet	50 Feet
Lot Coverage Maximum	20%	20%
Building Height Maximum	35 Feet	35 Feet

Section 1002: RURAL AGRICULTURAL 2 (RA-2)

A. Objectives and Guidelines

This district consists of areas in which the soils have good to moderate capability for handling on- site sewage disposal and generally adequate public road access. The district is intended to be primarily residential in character and is designed to accommodate Planned Residential Development. Planned Residential Development is permitted and encouraged following Planning Commission approval pursuant to Section 528 of these regulations.

B. Permitted Uses

1. By right uses
    a. One-family dwelling
    b. Home occupation
    c. Agriculture, horticulture, and silviculture
    d. Accessory use
2. Conditional uses
    a. Professional office
    b. Community center
    c. Recreation, outdoor
    d. Retirement facility
    e. Bed and breakfast
    f. Hospice
    g. Clinic
    h. Multiple-family dwelling
    i. Two-family dwelling
    j. Kennels
    k. Club
    l. Nursing Home

C. District Regulations

The provisions set forth in all prior articles of these regulations shall apply to this district when relevant. The permitted by right uses and conditional uses shall be subject to the specific standards of Section l002A.

Section 1002A: SPECIFIC STANDARDS FOR RA-2

	Residential Uses	Non-Residential Uses
Lot Area Minimum	2 Acres	2 Acres
Minimum Acreage Required Dwelling Unit (Conditional Use for Each Multiple-family Dwellings)	1 Acre	
Lot Frontage Minimum	200 Feet	200 Feet
Lot Depth Minimum	125 Feet	200 Feet
Front Yard Setback Minimum	80 Feet	100 Feet
Side Yard Setback Minimum (each side)	25 Feet	50 Feet
Rear Yard Minimum	25 Feet	50 Feet
Lot Coverage Maximum	15%	15%
Building Height Maximum	35 Feet	35 Feet

Section 1003: RURAL AGRICULTURAL 5 (RA.5)

A. Objectives and Guidelines

The district is composed primarily of areas having limited access to town roads and moderate on- site sewage capability. These lands are best suited for agricultural uses, although low density residential development is permitted. Planned Residential Development is permitted and encouraged following Planning Commission approval pursuant to Section 528 of these regulations.

B. Permitted Uses

1. By-right uses
    a. One-family dwelling
    b. Home occupation
    c. Agriculture, horticulture, and silviculture
    d. Accessory use
2. Conditional uses
    a. Professional office
    b. Community center
    c. Recreation, outdoor
    d. Retirement facility
    e. Bed and breakfast
    f. Hospice
    g. Clinic
    h. Multiple-family dwelling
    i. Campground
    j. Two-family dwelling
    k. Kennels
    l. Auto Repair Shops
    m. Club
    n. Nursing Home

C. District Regulations

The provisions set forth in all prior articles of these regulations shall apply to this district when relevant. The permitted by right use and conditional uses shall be subject to the specific standards of Section 1003A.

Section 1003A: SPECIFIC STANDARDS FOR RA-5

	Residential Uses	Non-Residential Uses
Lot Area Minimum	5 Acres	5 Acres
Minimum Acreage Required for Each Dwelling Unit (Conditional Use for Multiple Family Dwellings)	1 2/3 Acres	
Lot Frontage Minimum	200 Feet	300 Feet
Lot Depth Minimum	100 Feet	100 Feet
Front Yard Setback Minimum	80 Feet	100 Feet
Side Yard Minimum (each side)	25 Feet	50 Feet
Rear Yard Minimum	25 Feet	50 Feet
Lot Coverage Maximum	10 %	10 %
Building Height Maximum	35 Feet	35 Feet

Section 1004: RESIDENTIAL COMMERCIAL DISTRICT (RC-l)

A. Objectives and Guidelines

This district is located near the Village and has access to public roads and good capability for on-site sewage disposal. The district is intended to provide higher density residential opportunities and allow for a variety of commercial uses. Planned Residential Development is permitted and encouraged following Planning Commission approval pursuant to Section 528 of these regulations.

B. Permitted uses

1. By-right uses
    a. One family dwelling
    b. Home occupation
    c. Agriculture, horticulture, and silviculture
    d. Accessory use
2. Conditional Uses
    a. Personal service
    b. Professional office
    c. Motor lodge
    d. Recreation, outdoor and indoor
    e. Community center
    f. Fire station
    g. Retirement facility
    h. Boarding house
    i. Campground
    j. Hospice
    k. clinic
    1. Multiple-family dwelling
    m. Residential health care facility
    n. Mobile home park
    o. Two-family dwelling
    p. Light Industry (only in that portion of RC-l north of Lover's Lane).
    q. Kennels
    r. Auto Repair Shop
    s. Laundromat
    t. car wash

C. District Regulations

The provisions set forth in all prior articles of these regulations shall apply to this district when relevant. The permitted by right uses and conditional uses shall be subject to the specific standards of Section l004A.

Section 1004A: SPECIFIC STANDARDS FOR RC-l

	Residential Uses	Non-Residential Uses
Lot Area Minimum	1 Acre	1 Acre
Minimum Acreage Required for Each Dwelling Unit (Conditional Use for Multiple-family Dwellings)	1/2 Acre	
Lot Frontage Minimum	200 Feet	200 Feet
Lot Depth Minimum	125 Feet	200 Feet
Front Yard Setback Minimum	60 Feet	80 Feet
Side Yard Minimum (each side)	25 Feet	50 Feet
Rear yard Minimum	25 Feet	50 Feet
Lot Coverage Maximum	20 %	20 %
Building Height Maximum	35 Feet	35 Feet

Section 1005: COMMERCIAL DISTRICT (C-l)

A. Objectives and Guidelines

This district is located close to the village district. The purpose of the district is to provide opportunities for both individual small-scale commercial and industrial development and larger scale planned commercial and industrial development. Existing residential uses will be allowed to continue.

B. Permitted Uses

1. By-right uses
    a. Agriculture, horticulture, and silviculture ,
    b. Accessory use
    c. Home occupation
2. Conditional uses
    a. Planned Unit Development
    b. Profession office
    c. Personal service
    d. Recreation, outdoor and indoor
    e. Community center.
    f. Fire station
    g. Clinic
    h. Industrial use
    i. Kennels
    j. Laundromat
    k. One Family Dwelling

C. District Regulations

The provisions set forth in all prior articles of these regulations shall apply to this district when relevant. The permitted by right uses and conditional uses shall be subject to the specific standards of Section l005A.

Section 1005A: SPECIFIC STANDARDS FOR C-l

	Residential Uses	Non-Residential Uses
Lot Area Minimum	1 Acre	1 Acre
Minimum Acreage Required for Each Dwelling Unit	1 Acre	1 Acre
Lot Frontage Minimum	200 Feet	200 Feet
Lot Depth Minimum	125 Feet	100 Feet
Front Yard Setback Minimum	60 Feet	80 Feet
Side yard Minimum	25 Feet	25 Feet
Rear Yard Minimum	25 Feet	25 Feet
Lot Coverage Maximum	20 %	30 %
Building Height Maximum	35 Feet	45 Feet

Landscaping is required as provided for in Section 550. The specific standards for Side Yard Minimum and Rear Yard Minimum shall be increased to 50 feet if adjacent to an existing residential use within this district or adjacent to a residential district.

Section 1006: CONSERVATION DISTRICT (CON-25)

A. Objectives and Guidelines

One purpose of this district is to protect those areas of the town which have shallow soils, fragile or limited vegetation and which are valuable as watersheds for the community. Developed uses that are compatible with the limitations or special features of the area should be encouraged. Agricultural and other natural resources based and outdoor recreation uses, and single-family residences are permitted by right, and multiple-family residential uses are conditionally permitted. Planned Residential Development is permitted and encouraged following Planning Commission approval pursuant to Section 528 of these regulations.

B. Permitted Uses

1. By right uses
    a. Agriculture
    b. Silviculture
    c. Outdoor recreation
    d. Wildlife refuge
    e. Reservoir
    f. One-family dwelling
    g. Home occupation
    h. Accessory use
2. Conditional Uses
    a. Multi-family dwelling
    b. Two-family dwelling

C. District Regulations

The provisions set forth in all prior articles of these regulations shall apply to this district when relevant. The permitted by right uses and conditional uses shall be subject to the specific standards of Section 1006A.

Section 1006A: SPECIFIC STANDARDS FOR CON-25

Lot Area Minimum	25 Acres
Minimum acreage Required for Each Dwelling Unit (Conditional Use for Multiple-family Dwellings)	5 Acres
Lot Frontage Minimum	600 Feet
Lot Depth Minimum	600 Feet
Front Yard Setback Minimum	100 Feet
Side Yard Minimum	100 Feet
Rear Yard Minimum	100 Feet
Maximum Lot Coverage	2 %
Maximum Building Height	35 Feet

Section 1007: MUNICIPAL DISTRICT (MUN-I0)

A. Objectives and Guidelines

This district has been maintained and developed for public uses and should continue to serve municipal and community needs. Expansion of existing uses or conversion to other municipal, institutional and community uses should be permitted. This district is comprised of three parcels:

1. Certain property of Town of Bristol, comprising landfill, recycling and town garage facilities, located at westerly end of Pine Street.
2. Property of Union High School District No. 28 (Mt. Abraham H.S.)
3. Bristol's gravel pit, located between cemetery and H.S. lands

B. Permitted Uses

1. By-right uses
    a. Community facility
    b. Education facility

C. District Regulations

The provisions set forth in all prior articles of these regulations shall apply to this district when relevant. The permitted by-right uses shall be subject to the specific standards of Section 1007A.

Section 1007A: SPECIFIC STANDARDS FOR MUNICIPAL DISTRICT

Minimum Lot Size	10 Acres
Maximum Building Height	45 Feet
Front Yard Setback (On Liberty Street, West Street, Route 17 & 116, and Airport Drive)	40 Feet
Back Yard Setback (As depicted on Zoning Map)	25 Feet
Side Yard Setback (On Liberty Street, West Street, Route 17 & 116, and Airport Drive)	10 Feet

[Note: The intent of the yard setbacks is to create "back yard" setbacks where the district presently abuts residential properties, and "side yard" setbacks abutting commercial or institutional property: e.g. American Legion Property]

Section 1008: RESIDENTIAL OFFICE-COMMERCIAL (ROC)

A. Objectives and Guidelines

It is the purpose of this district to allow a mixture of residences, offices, and certain commercial uses. This area already has such a mixture of uses and is suitable for office and commercial development because the area is on the main thoroughfare of the village district and is adjacent to the existing commercial core of Bristol. The uses allowed, however, are of such a nature as to not greatly impact upon the areas' residences.

B. Permitted uses

1. By-right uses
   a. One and two-family dwellings
   b. Accessory building
   c. Home occupation
2. Conditional uses
   a. Community facility
   b. Clinic
   c. Professional or business office
   d. Personal service
   e. Multi-family dwelling
   f. Bed and breakfast
   g. Nursery
   h. Veterinary clinic
   i. Retail store
   j. Residential health care facility
   k. Recreation facility
   l. Boarding house
   m. Retirement facility
   n. Laundromat

C. Specific Regulations

	One and two family dwelling	Multi-family dwelling use	Non-residential
Lot area minimum	12,000 sq. ft.	15,000 sq. ft.	15,000 sq. ft.
Minimum acreage/dwelling unit	6,000 sq. ft.	5,000 sq. ft	
Lot Frontage Minimum	75 Feet	100 Feet	100 Feet
Lot Depth Minimum	100 Feet	100 Feet	100 Feet
Front Yard Setback Minimum	40 Feet	40 Feet	40 Feet
Rear Yard Minimum*	25 Feet	25 Feet	25 Feet
Side yard Minimum*	10 Feet	10 Feet	10 Feet
Lot Coverage Maximum	30 %	30 %	30 %
Building Height	35 Feet	35 Feet	35 Feet

*Front yard, side yard and rear-yard setback requirements for barns, garages, sheds, open porches or decks may be further reduced by the Board of Adjustment if it can be demonstrated by the applicant that a pattern of reduced setbacks for these types of buildings has been established in the immediate area. The immediate area shall include at a minimum the two adjacent properties on each abutting side, and may be further defined by the Board of Adjustment if additional clarification is necessary. In the event that the Board of Adjustment does further define the immediate area, the Board shall issue findings of fact as part of the permit.

Section 1009: HIGH DENSITY RESIDENTIAL (HDR)

A. Objectives and Guidelines

The district is substantially developed in residential use at high density. The district guidelines are intended to allow compatible in-fill residential development at a comparable density. In order to I protect the existing character of the residential district all development must be in strict conformance with the regulations.

B. Permitted uses

1. By right uses
    a. One and two family dwellings
    b. Accessory building
    c. Home occupation
2. Conditional uses
    a. Multi-family dwelling
    b. Professional or business office
    c. Outdoor recreation facilities
    d. clinic
    e. Personal service
    f. Bed & Breakfast
    g. Veterinary Clinic
    h. Nursing Home
    i. Retirement Home
    j. Boarding House
    k. Community Facility
    l. Laundromat

C. Specific Regulations

	One and two family dwelling	Multi-family dwelling use	Non-residential
Lot Area Minimum	12,000 sq. ft.	15,000 sq. ft.	15,000 sq. ft.
Minimum acreage/ dwelling unit	6,000 sq. ft.	5,000 sq. ft.	
Lot Frontage Minimum	75 Feet	100 Feet	100 Feet
Lot Depth Minimum	100 Feet	100 Feet	100 Feet
Front Yard Setback Minimum*	40 Feet	40 Feet	40 Feet
Rear Yard Minimum*	25 Feet	25 Feet	25 Feet
Side Yard Minimum*	10 Feet	10 Feet	10 Feet
Lot Coverage Maximum	30 %	30 %	30 %
Building Height	35 Feet	35 Feet	35 Feet

* Front yard, side-yard and rear-yard setback requirements for barns, garages, sheds, open porches or decks may be further reduced by the Board of Adjustment if it can be demonstrated by the applicant that a pattern of reduced setbacks for these types of buildings has been established in the immediate area. The immediate area shall include at a minimum the two adjacent properties on each abutting side, and may be further defined by the Board of Adjustment if additional clarification is necessary. In the event that the Board of Adjustment does further define the immediate area, the Board shall issue findings of fact as part of the permit.

Section 1010: LOW DENSITY RESIDENTIAL (LDR)

A. Objectives and Guidelines

The district is partially developed, primarily residential use, this district is not suitable for a substantial increase in development due to a variety of physical limitations including steep slopes, shallow soils with limitations for on-site septic disposal and flooding due to water runoff from the steep slopes.

B. Permitted uses

1. By right uses
    a. One and two family dwellings
    b. Accessory building
    c. Home occupation
2. Conditional uses
    a. Commercial forestry
    b. Outdoor recreation facilities

C. Specific Regulations

Lot Area Minimum Dwelling unit	2 Acres
Lot Frontage Minimum	150 Feet
Lot Depth Minimum	150 Feet
Front Yard Setback Minimum	75 Feet
Rear Yard Minimum	75 Feet
Side Yard Minimum	75 Feet
Lot Coverage Maximum	10 %
Building height Maximum	35 Feet

Section 1011: NEIGHBORHOOD COMMERCIAL (NC)

A. Objectives and Guidelines

This district is the densely developed commercial core of Bristol. An objective of these regulations is to encourage this area to remain the commercial center of Bristol and to be oriented toward retail trade.

B. Permitted uses

1. By right uses
    a. Retail store
    b. Personal service
    c. Restaurant
    d. Professional or business office
    e. Community facility
    f. Indoor recreation facilities
    g. One and two family dwellings
    h. Accessory building
    i. Home occupation
2. Conditional uses
    a. Repair shop
    b. Retail or wholesale distribution service
    c. Light manufacturing
    d. Multi-family dwelling
    e. Clinic
    f. Dry Cleaner
    g. Laundromat

C. Specific Regulations

Lot Area Minimum	15,000 sq. ft.
Lot Area Minimum dwelling unit	
Lot Frontage Minimum	50 Feet
Lot Depth Minimum	50 Feet
Front Yard Setback Minimum *	40 Feet
Rear yard Minimum*	10 Feet
Side Yard Minimum*	10 Feet
Lot Coverage Maximum	85%
Building Height Maximum	35 Feet

* Front yard, side-yard and rear-yard setback requirements for barns, garages, sheds, open porches, or decks may be further reduced by the Board of Adjustment if it can be demonstrated by the applicant that a pattern of reduced setbacks for these types of buildings has been established in the immediate area. The immediate area shall include at a minimum the two adjacent properties on each abutting side, and may be further defined by the Board of Adjustment if additional clarification is necessary. In the event that the Board of Adjustment does further define the immediate area, the Board shall issue findings of fact as part of the permit.

Special regulations established in this section may be reduced based on findings by the Planning Commission that the proposed reductions are consistent with the spacing of the existing buildings within the area and that without the implementation of the proposed reductions the proposed project would result in a loss of the established downtown character.

Section 1012: MIXED USE (MIX)

A. Objective and Guidelines

This district which is located in two non-contiguous areas presently contains residences, two manufacturing concerns, and much open land. The objective for this area is to allow light manufacturing and/or residential uses to develop in the last large open parcel of land within the village districts. Because of the area's proximity to existing residential areas and access to and from residential streets, light manufacturing and not heavy manufacturing is permitted. These two terms are defined in Section 130 of these regulations. A manufacturing/commercial development's impact on the residential areas shall be taken into consideration when the Board of Adjustment grants conditional use permits. Such impacts should be minimized in terms of traffic, noise, odors, and safety hazards.

B. Permitted uses

1. By right uses
    a. One and two family dwelling
    b. Accessory building
    c. Home occupation
    d. Agricultural use
    e. Nursery
2. Conditional uses
    a. Multi family
    b. Community facility
    c. Professional or business office
    d. Recreation facility
    e. Clinic
    f. Residential health care facility
    g. Veterinary clinic
    h. Personal service
    i. Light manufacturing
    j. Laundromat

C. Specific Regulations

	One and two family dwelling	Multi family dwelling	Non-residential use
Lot Area Minimum	1 Acre*	2 Acres	2 Acres
Minimum acreage/ dwelling unit	1/2 Acre*	1/3 acre	
Lot Frontage Minimum	100 Feet	150 Feet	150 Feet
Lot Depth Minimum	100 Feet	150 Feet	150 Feet
Front Yard Setback Minimum	50 Feet	50 Feet	50 Feet
Rear Yard Minimum	25 Feet	25 Feet	50 Feet
Side Yard Minimum	25 Feet	25 Feet	50 Feet
Lot coverage Maximum	10 %	15 %	50 %
Impervious Surface Maximum	20 %	30 %	75 %
Building Height	35 Feet	35 Feet	35 Feet

*may be reduced to 1/2 acre and 1/4 respectively if more than 4 lots are to be developed together as described in Section 528.

Section 1013: BLOCK COMMERCIAL DISTRICT (BC)

A. Objectives and Guidelines.

This district is located in the "downtown" area and has existed for about 100 years. This section establishes these block buildings as "Permitted Use," so modifying them does not start from a "non-conforming" use. It will also allow new block buildings in this district. A block lot has no side or rear setback. These buildings front on the downtown sidewalk. Buildings have mixed use, from retail stores to residential apartments to business offices to light manufacturing and other uses listed in NC, MIX, and HDR districts.

B. Permitted Uses*

1. By-Right Uses
    a. Retail Store
    b. Restaurant
    c. Professional or business office
    d. Personal Service
    e. Art and dance studio
    f. Community facility
    g. Home occupation
    h. Indoor recreation
    i. One and two-family dwellings

*NOTE: However, any new use must have parking provisions approved by the Board of Adjustment.

2. Conditional Uses
    a. Laundromat & pick up for dry cleaning
    b. Light manufacturing
    c. Clinic
    d. Repair Shop
    e. Multi-family dwelling

C. District Regulations

The provisions set forth in all prior articles of these regulations shall apply to this district when relevant. The permitted by right uses and conditional uses shall be subject to the specific standards of Section 1013A.

Section 1013A: SPECIFIC STANDARDS FOR BC

Lot Area Minimum	2500 sq. ft
Lot Frontage Minimum	50 ft.
Lot Depth Minimum	50 ft.
Front Yard Setback Minimum	At sidewalk
Rear Yard Maximum	Not to impact parking
Side Yard Minimum	none required
Building Height Maximum	50 ft.

Section 1014: Accessory buildings

In all districts, the side and rear yards minimums for accessory buildings may be reduced below the above minimum but shall not be reduced below a measurement equaling 4% of the square footage of the accessory building or 15 feet, whichever is less.

Section 1015: RECREATIONAL DISTRICT (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. This district is comprised of property presently owned in part by the Town of Bristol, and in part by the Bristol Recreation Club, Inc. (which said parcel is to be treated under these regulations as one lot, so long as ownership remains in one or the other of the above parties.) This 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. By-Right Uses

Recreation Facility

C. District Regulations

The provisions set forth in all prior articles of these regulations shall apply to this district when relevant. The permitted by right uses shall be subject to the specific standards of Section 1015A.

Section 1015A: SPECIFIC STANDARDS FOR REC

Minimum Lot Size	10 Acres
Maximum Building Height	45 Feet
Front Yard Setback	40 Feet
Back Yard Setback	40 Feet
Side Yard Setback	40 Feet

Section 1016: BRISTOL POND DISTRICT

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 to 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. Permitted Uses*

1. By-Right Uses
   a. Primitive Camp
   b. Seasonal Camp

2) Conditional Uses -NONE

C. District Regulations

The provisions set forth in all prior articles of these regulations shall apply to this district when relevant. The permitted by right uses shall be subject to the specific standards of Section 1016A.

Section 1016A: SPECIFIC STANDARDS FOR BRISTOL POND DISTRICT

C.

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

ARTICLE XI: DOWNTOWN DESIGN REVIEW DISTRICT

Section 1110: PURPOSE

The purpose of the Bristol Design Review 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. This is an overlay district and does not effect zoning regulations as to the properties within such district.

Section 1120: LOCATION.

(SEE MAP)

Section 1130: DESIGN REVIEW COMMISSION (DRC) ESTABLISHMENT, AUTHORITY, LIMITATIONS

1. Establishment: The DRC is to consist of not less than five (5) nor more than seven (7) members appointed by the Selectboard for renewable 3 year staggered terms. All members of the DRC shall be residents of Bristol or business or property owners within the Design Review District. The DRC will meet when there is a project to be reviewed.

2. Authority: Within the Downtown Designated Review District, a "design plan" shall be reviewed by the DRC and recommendation made to the Planning Commission or Board of Adjustment, within thirty (30) days of an application unless the applicant wishes to modify its plans and requests that this time period be extended, before:

a) Construction of a building

b) Addition to or alteration of the exterior of a building which increases or decreases the square footage of the building whether enclosed or not

c) Any change to:

i) 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)

ii) The roofline or chimney

iii) Materials used on exterior walls, windows, or roof

d) Demolition: To prevent the destruction of significant properties, any demolition or removal shall require review by the DRC simultaneously with applicant's submission of a plan for the use of the vacated site, which meets these Design Review standards. The DRC may recommend demolition if it finds.

i) The structure is a deterrent to a major improvement that will be a clear and substantial benefit to the municipality; or

ii) The retention of the structure would cause undue financial hardship to the owner (the burden of proving this hardship is on the owner.)

iii) The property is not significant.

3. Limitations: Within this overlay district, review of a design plan is not required for:

a) any interior alterations or changes that do not affect, change, or add to the exterior of the structure

b) a change in use or type of occupancy

c) 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.

d) A property that may be rebuilt as an existing non-conforming use pursuant to the zoning provisions of these By-Laws.

The DRC shall focus its review upon the compatibility of a proposed change, the location, anticipated use of the structure and other relevant standards as set forth below. The DRC shall not:

e) require that new construction or alterations copy existing architectural styles or existing decorative details, or existing decorative details, or

f) Adopt or impose any specific architectural style in the administration of this regulation.

Section 1140: APPLICATION PROCESS, REQUIRED MATERIALS

Applications shall be submitted to the Zoning Administrator who will review it to determine if it is complete. Once the application is deemed complete it will be referred to the DRC who will thereafter refer it to the Planning Commission or the Board of Adjustment. To be complete, applications shall include the following information:

1. The name and address of the applicant
2. a map showing the location of the project
3. photos and elevations of the existing building
4. a narrative description of the project
5. a plan, drawn to scale, with the dimensions and locations of the property, existing and proposed structures, driveways, pedestrian ways, and access points to public streets and parking spaces
6. architectural elevations (all sides of the building), drawn to scale, of existing and proposed structures, including door and window types and other exterior details
7. description of exterior materials and finishes
8. photographs and drawings of existing buildings on adjacent or nearby properties to illustrate the existing streetscape.

Section 1150: DESIGN STANDARDS

Construction, alterations and renovation in the Bristol Design Review District is subject to compliance with all Town of Bristol Zoning regulations. Design review approval shall be granted or denied by the Planning Commission. However, if the application requires approval of a conditional use or variance(s), then the Zoning Board of Adjustment shall grant or deny the request. Such determination shall be made after review of any recommendation made by the DRC, and upon a finding that the proposed development conforms substantially to the following standards:

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.** The similarity or compatibility of existing materials on the exterior walls or roofs of buildings in the immediate area should be considered in the construction or alteration of a building. Materials should be selected to enhance streets cape 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, 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. Distinctive materials, features, and construction techniques or examples of craftsmanship that characterize a property should be preserved.
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.
11. **Lighting.** In addition to conforming (zoning), lighting fixture design, when possible, should be compatible with and sensitive to the architectural style and period of the related buildings.
12. **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.
13. **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.
14. **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.
15. **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.
16. **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.
17. **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.
18. **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.

19. **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.
20. **Less Visible Areas**. The design standards contained herein shall be reasonably applied to as to have a limited or no effect on rear yards and side yards that are not generally visible by the public.

Section 1160: SEVERABILITY

Should any section of this by-law provision be deemed unconstitutional or otherwise ineffective by a Court of competent jurisdiction the balance hereof shall nonetheless be effective.

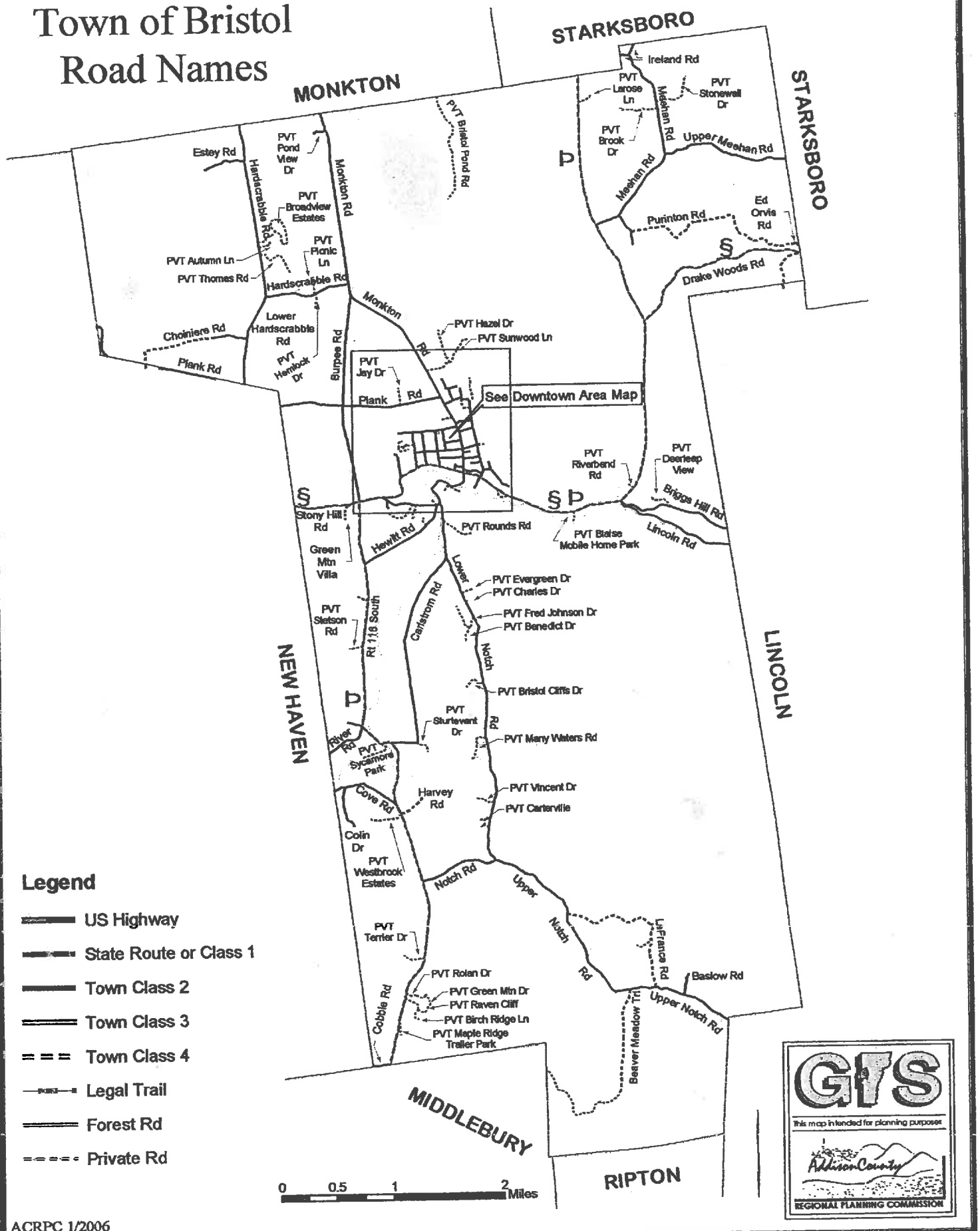
Section 1170: EFFECTIVE DATE

This provision shall be effective upon adoption.

Section 1180: APPEALS

Any appeals under this section shall be carried out under Section 320 of the zoning regulations.

Town of Bristol Road Names



Legend

- US Highway
- State Route or Class 1
- Town Class 2
- Town Class 3
- Town Class 4
- Legal Trail
- Forest Rd
- Private Rd

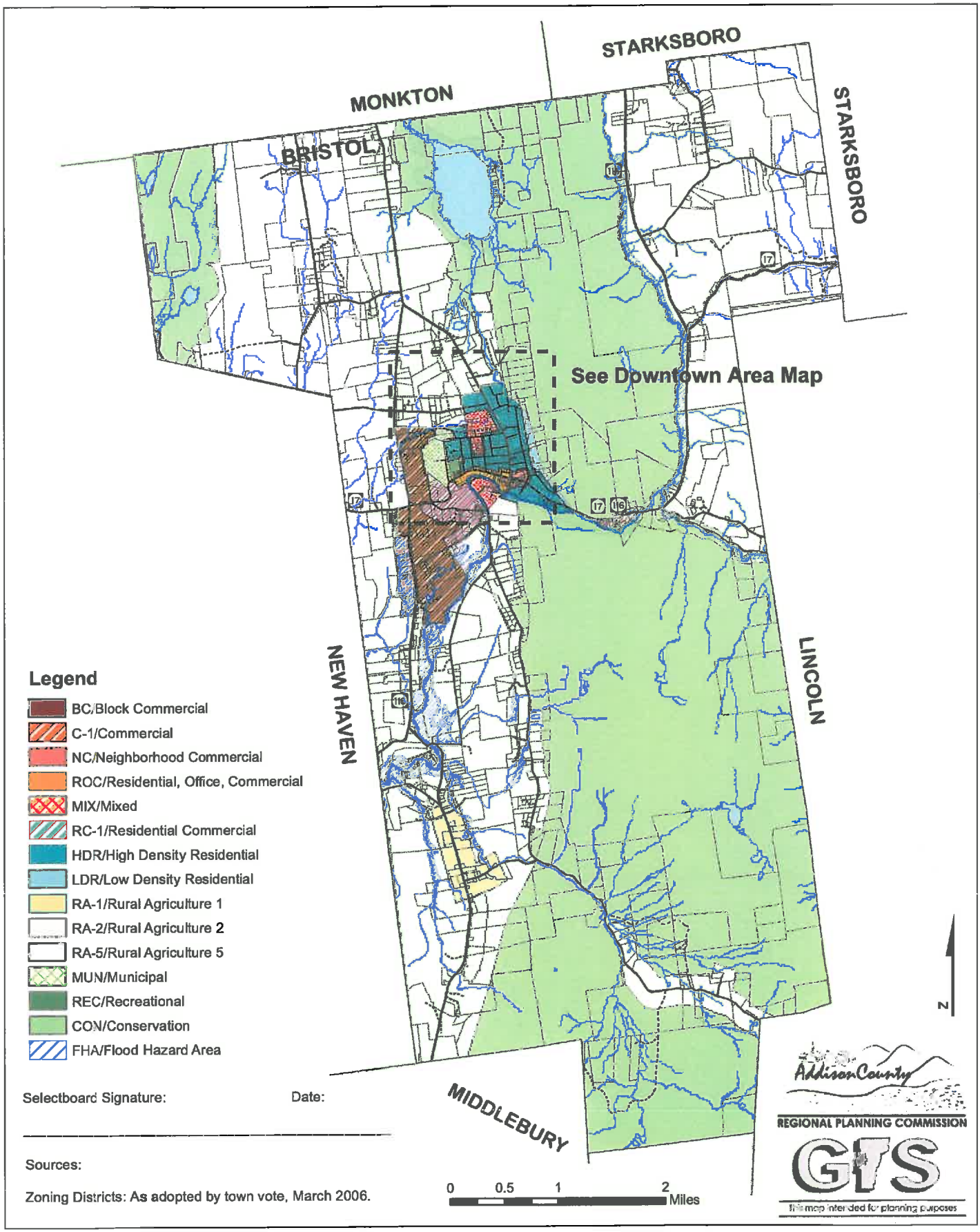
GIS

This map intended for planning purposes

Addison County Regional Planning Commission

ACRPC 1/2006

Zoning Districts - Town of Bristol



Selectboard Signature: Date:

Sources:

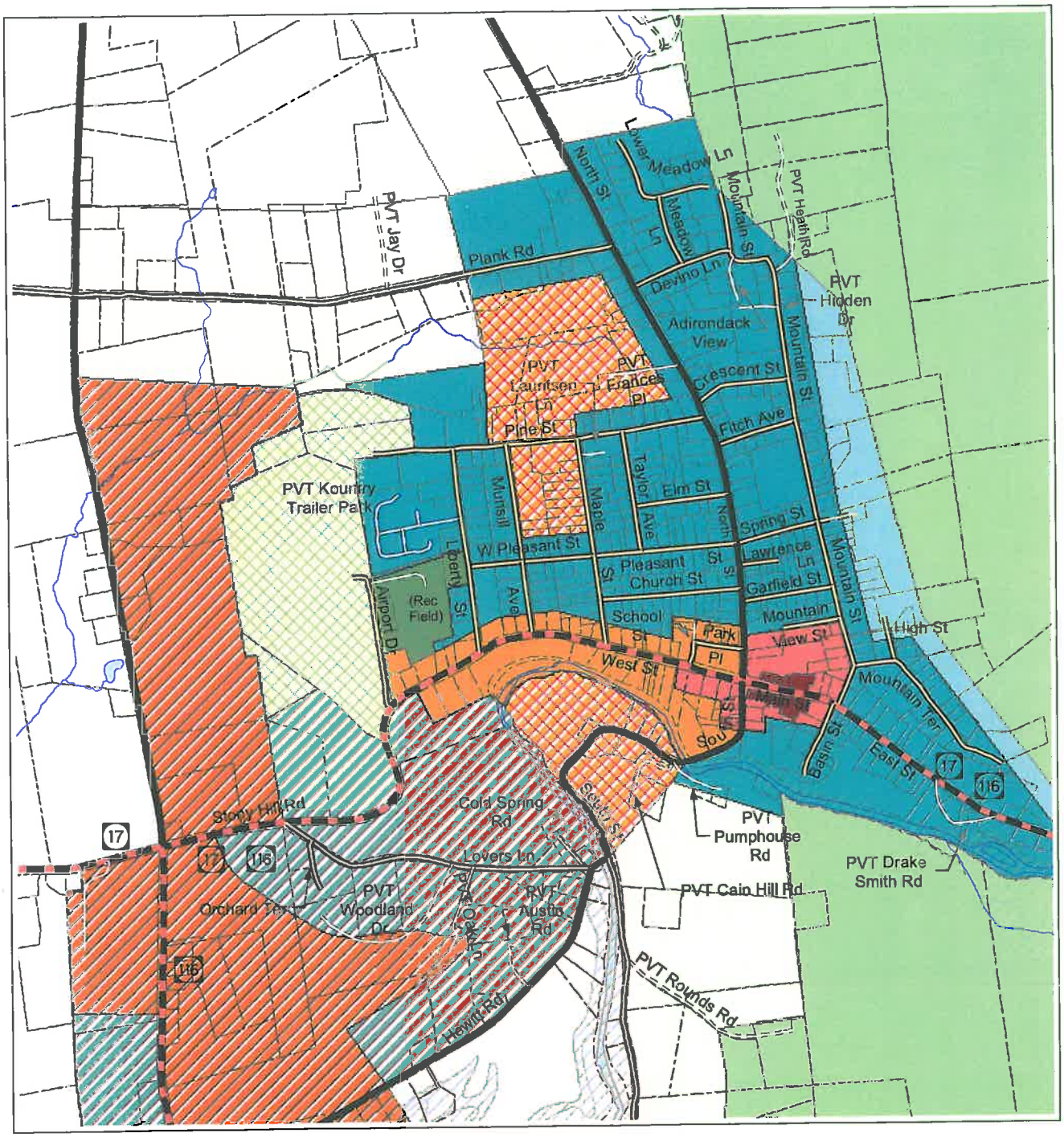
Zoning Districts: As adopted by town vote, March 2006.

Addison County REGIONAL PLANNING COMMISSION GIS

This map intended for planning purposes

ACRPC 10/2006

Zoning Districts - Bristol Downtown



Legend

- BC/Block Commercial
- C-1/Commercial
- NC/Neighborhood Commercial
- ROC/Residential, Office, Commercial
- MIX/Mixed
- RC-1/Residential Commercial
- HDR/High Density Residential
- LDR/Low Density Residential
- RA-1/Rural Agriculture 1
- RA-2/Rural Agriculture 2
- RA-5/Rural Agriculture 5
- MUN/Municipal
- REC/Recreational
- CON/Conservation
- FHA/Flood Hazard Area

Zoning Districts: As adopted by town vote, March, 2006

Selectboard Signature: Date:

0 0.25 0.5 Miles

N

This map intended for planning purposes

Addison County Regional Planning Commission GIS

ACRPC 10/2006