



City of Bristol
Zoning Commission

SPECIAL MEETING - THURSDAY, APRIL 4, 2024
5:00 P.M. - VIRTUAL - ONLINE VIA ZOOM

INFORMATION FOR THE PUBLIC TO ACCESS THIS MEETING:

Zoom Meeting link:

<https://bristolct-gov.zoom.us/j/81812672116?pwd=td1midaBLaGNQtDbhCwU2pukK48wC.1>

Meeting ID:

818 1267 2116

Meeting Passcode:

123456

Join by phone

1-929-205-6099

AGENDA

1. Call to Order
2. Public Participation
3. Old Business
4. New Business
 - a. Discuss Phase 2 scope and schedule
 - b. Discuss Phase 3 approach and schedule
 - c. Discuss Parking Regulations
 - d. Discuss additional items that require attention:
 - i - Section 17.2 - ZBA
 - ii - Section 6 - Temporary Uses
 - iii - Section 5 - Accessory Uses
5. Adjournment

REMINDER: The next Regular Meeting of the Zoning Commission is Monday, April 8, 2024

Section 13. Off-Street Parking Requirements

13.1 Purpose

These requirements are intended to ensure that:

- A. An adequate supply of off-street parking spaces is provided for all new buildings and uses, for the expansion of existing buildings and uses, and for changes of use when such change would result in a use whose parking requirements would be greater than those of the use it is replacing;
- B. The safe and convenient use of off-street parking areas is provided for through the layout, construction and maintenance of parking spaces, driveways, access aisles and islands of suitable and sufficient dimensions and alignment; and,
- C. The appearance of off-street parking areas is enhanced through the installation and maintenance of appropriate and suitable landscaping materials.

13.2 Amount of Off-Street Parking Required

- A. The amount of parking provided for each use shall be sufficient to accommodate the motor vehicles of all occupants, employees, customers and visitors normally at the premises at any one time.
- B. The minimum number of parking spaces required for uses not listed in the tables below shall be as determined by the Commission.
- C. Where the minimum number of parking spaces required for a particular use is to be determined by the Commission, the Commission shall be guided by the nature, intensity and/or mix of the proposed use, including projected attendance, the number of employees, visitors and/or customers, and the experience of similar facilities elsewhere.
- D. The tables below establish the minimum number of parking spaces required for the specified uses. Parking space calculations that result in a fraction of a space shall be rounded up to the nearest whole number. Requirements noted by the abbreviation “ksf” are calculated per 1,000 square feet of gross floor area (or area as specified).

Residential Uses; Public and Semi-Public Uses	Minimum Parking Spaces
Assisted living	1.5 per ksf
Child day care centers, group child care homes	4 per ksf
Cultural Institution	2 per ksf
Group homes	3 per home
Home-based business with an employee	1 (in addition to spaces required for the dwelling)
Hospitals	3 per ksf
Membership Organization	5 per ksf
Multi-family dwellings (all districts except BD)	2.5 per dwelling unit
Multi-family dwellings (BD district)	1.5 per dwelling unit
Nursing or convalescent homes	1.5 per ksf
Places of worship; funeral homes	0.3 per seat
Public or non-profit private schools	1.5 per ksf
Public or semi-public buildings not otherwise listed	As determined by Commission

Residential Uses; Public and Semi-Public Uses	Minimum Parking Spaces
Mixed-Use Development	0.75 per dwelling unit + 0.5 per bedroom + 1.5 per ksf gross floor area of non-residential uses
Museums, art galleries, or similar cultural facilities	2 per ksf
Senior Housing	1.5 per dwelling unit
Single-, two- and three-family dwellings	2 per dwelling unit
Unified Residential Development	0.75 per dwelling unit + 0.5 per bedroom + 1 for every 4 residential parking spaces (or fraction thereof)

Agricultural and Recreational Uses	Minimum Parking Spaces
Bowling establishment	3 per bowling lane
Commercial recreation facility	5 per ksf
Country clubs; golf courses	10 per hole
Farm stand	1 per 5 linear foot sheltered display or sales frontage
Nurseries; commercial greenhouses	1 per ksf gross sales floor area
Seasonal camps	As determined by Commission

Business Uses, Except Motor-Vehicle Related Uses	Minimum Parking Spaces
Bank	5 per ksf (3.5 per ksf in BD zone)
Business or professional office	3 per ksf (2 per ksf in BD zone)
Climate controlled self-storage facility	As determined by Commission
For profit school or studio	5 per ksf
Health care clinic	3.5 per ksf
Hotel or motel	1.5 per room, additional spaces may be required by Commission
Indoor entertainment facility (except theaters, auditoriums, or sport arenas with fixed seats)	5 per ksf, additional spaces may be required by Commission
Indoor recreation facility	5 per ksf, additional spaces may be required by Commission
Medical office	4.5 per ksf (3.5 per ksf in BD zone)
Outdoor entertainment facility (except theaters or sport arenas with fixed seats)	As determined by Commission
Personal service establishment	4 per ksf (3 per ksf in BD zone)
Restaurants	5 per ksf

Business Uses, Except Motor-Vehicle Related Uses	Minimum Parking Spaces
Retail store	4 per ksf (3 per ksf in BD zone)
Retail store – large goods	2 per ksf
Self-storage facility	0.1 per ksf storage space + 4.0 per ksf office
Shopping center	4.5 per ksf
Theater, auditoriums, or sport arenas with fixed seats	1 per 3 seats (1 per 5 seats in BD zone), additional spaces may be required by Commission

Business Uses, Motor-Vehicle Related	Minimum Parking Spaces
Car or truck wash	3 per facility, plus adequate stacking room to accommodate 5 cars per stall
Motor vehicle filling station	4 per establishment + 2 per service bay + 3.5 per ksf retail sales area
Motor vehicle sales	3 per ksf indoor office and display + 0.15 per ksf outdoor display
Motor vehicle rental or leasing	3 per ksf office and sales space
Motor vehicle repair and service facility	2 per bay + 3.5 per ksf retail sales area
Recreational vehicle sales	3 per ksf indoor office and display + 0.15 per ksf outdoor display

Industrial Uses	Minimum Parking Spaces
Building supply	2.5 per ksf indoor + 1 per ksf outdoor storage area
Bus yard	1 per bus parking space (indoor or outdoor) + 3 per ksf office space
Contractor yard	2 + 4 per ksf office space
Distribution facility	2 per ksf
Manufacturing facility	2 per ksf
Public warehouse	1 per ksf
Trucking or courier services	1 per delivery vehicle space (indoor or outdoor, excluding loading berths) + 3 per ksf office space
Wholesale business	2 per ksf
Wholesale or distribution facility	2 per ksf

Accessory Uses	Minimum Parking Spaces
Accessory Retail	4 per ksf

13.3 Electric Vehicle Charging Requirements

As required by CGS Section 47, each new construction of a commercial building or multiunit residential building with 30 or more designated parking spaces for cars or light duty trucks shall include electric vehicle charging infrastructure that is capable of supporting level two electric vehicle charging stations or direct current fast charging stations in at least 10% of such parking spaces. Required charging stations shall only be located outside.

13.4 Shared Parking

- A. Except as otherwise provided herein, joint or common use of off-street parking shall be permitted provided that the number of spaces provided shall not be less than the sum of the parking required for each separate use.

Upon provision of a parking study conducted by a traffic engineer or parking expert and the provision of a site plan, the Commission may allow up to 50% of the required parking spaces for a use which operates primarily during the evening or on weekends to be counted toward the parking requirements of a use which operates primarily during the daytime or on weekdays, and vice versa. All of the shared parking spaces shall be located within 500 feet of the main building entrance of the recipient use. In approving such a reduction, the Commission shall determine that there shall not be a substantial overlap of peak parking periods for the uses and that arrangements satisfactory to the Commission have been made to guarantee long-term access to and use of the shared parking spaces by the recipient use.

13.5 Future Parking

Depending upon the parking needs of a particular use, the Commission may allow up to 50% of the required parking spaces for a use to be designated as "future parking" and not constructed in the short term, provided that:

- A. Parking spaces so designated shall be labeled as "Future Parking" on the Site Plan; shall be properly designed and located on land suitable for parking area development; and shall be shown as an integral part of the overall parking layout.
- B. If at any time the Commission determines that all or a portion of such "Future Parking" spaces is needed, it shall direct the Zoning Enforcement Officer to so notify the property owner in writing and shall provide the property owner a reasonable time period in which to construct such spaces. Failure to construct such spaces when so ordered shall constitute a violation of these Regulations.

13.6 Location of Parking

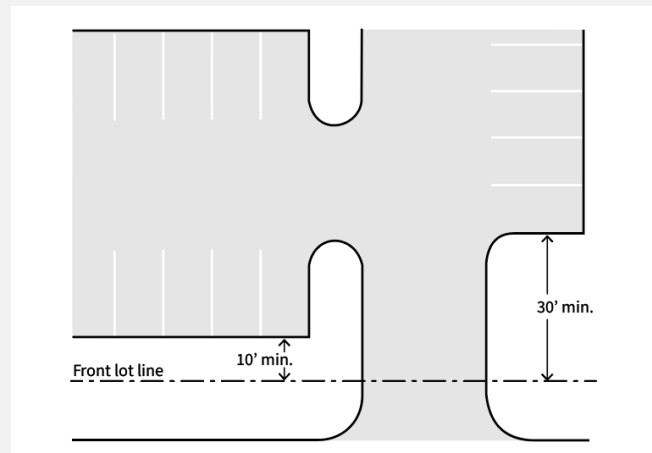
- A. Except as otherwise provided herein, all parking spaces shall be located on the same lot as the principal use they are designed to serve.
- B. By Special Permit, the Commission may allow all or a portion of the required parking spaces to be located either on a separate lot under the same ownership as the use being served or on a separate lot under a different ownership than the use being served, provided that arrangements satisfactory to the Commission have been made to guarantee long-term access to and use of such spaces. All spaces approved under this provision shall be located within 500 feet of the main building entrance of the use being served.
- C. By Special Permit, the Commission may allow parking areas which serve uses located in a business or industrial zone to be permitted on land in the BT – Downtown/Neighborhood Transition Overlay zone or the RM – Mixed Residential Overlay zone; no access to such parking area shall be permitted across land in a Residential zone, other than the overlay zones referenced above.

13.7 Parking Lot and Driveway Standards**13.7.1 Location of Parking**

No parking area or portion thereof, including parking spaces, driveways or access aisles, shall be located as follows:

- A. In all zones:
 1. Within 10 feet of any front lot line, except for driveways directly from the street or parking spaces in driveways which serve single- or two-family dwellings. However, for business and industrial uses, no parking space which directly utilizes a driveway from a public street as its access aisle shall be located within thirty feet of any front lot line. [See Figure 7]
 2. Within 5 feet of any side or rear lot line, except for shared driveways, shared access aisles or joint parking between adjoining lots. The Commission may allow a reduction of the five-foot setback if a wall, fence or other appropriate buffer of appropriate height and design can be substituted for all or a portion of the setback if, in its judgement such a wall, fence, or other appropriate buffer would provide a comparable setback of the use from adjoining properties.
 3. Within 6 feet of any portion of a building, except for garage entrances or loading area aprons. The Commission may allow a lesser distance in order to accommodate drive-up windows, canopy support posts, vestibules or similar building features that otherwise extend out from the wall of the building.
- B. In Business or Industrial zones: within 10 feet of any side or rear lot line which abuts a Residential zone.
- C. For residential uses in Single-Family Residential zones: within the required front yard, except for driveways directly from the street.

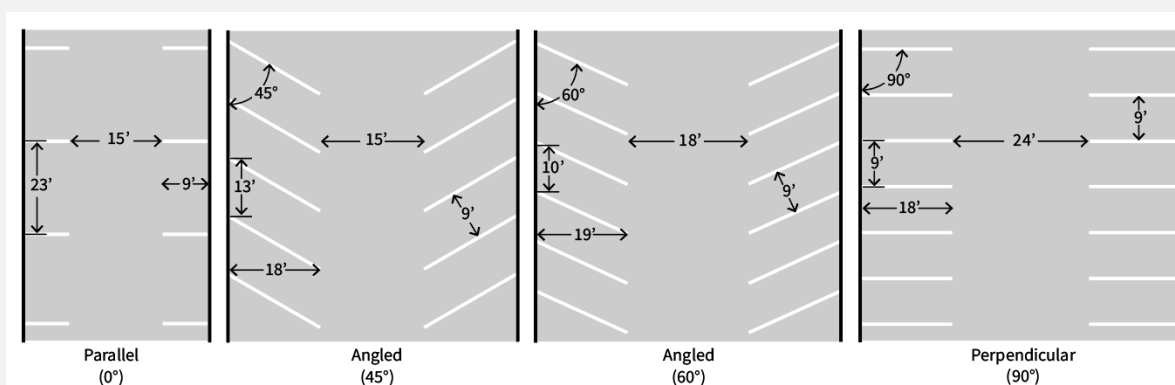
Figure 7. Parking Lot Setback



13.7.2 Parking Space and Aisle Standards

- A. Except as otherwise specified herein, the minimum dimensional requirements for parallel, angled and perpendicular parking spaces shall be as follows [See Figure 8]:

Dimension	Parallel	Angled (45°)	Angled (60°)	Perpendicular
Curb length per space	23'	13'	10'	9'
Space depth	9'	18'	19'	18'
Access aisle width	15'	15'	18'	24'
Space width	9'	9'	9'	9'

Figure 8. Parking Dimensional Standards

- B. Parallel and angled parking spaces shall be served by one-way access aisles only.
- C. Perpendicular (90 degree) parking spaces shall be served by two-way access aisles only, unless otherwise approved by the Commission.
- D. Access aisles that do not directly serve any parking spaces shall be a minimum of 15 feet wide for one-way traffic and a minimum of 20 feet wide for two-way traffic.
- E. No parking space shall be designed or constructed in a manner that would require a vehicle to use any part of a public street to enter, back into and/or exit from such space, except for parking spaces in driveways which serve single- or two-family dwellings.

13.7.3 Accessibility Requirements

- A. Parking spaces for the physically handicapped shall be located as close as possible to ramps, walkways, and building entrances.
- B. Parking spaces shall be so arranged as to eliminate or minimize the need for physically handicapped persons to wheel or walk behind parked cars to reach entrances, ramps and walkways.
- C. The number, size, designation, location, and markings of parking spaces for the handicapped shall be as per the Connecticut General Statutes.

13.7.4 Pavement Marking Standards

- A. All parking spaces shall be delineated by painted lines, except for parking spaces in driveways which serve single- or two-family dwellings.
- B. Where necessary to control traffic flow, directional arrows shall be painted on the surface of access aisles or driveways, and directional signs shall be installed.

13.7.5 Landscaping, Curbs, and Islands

- A. The areas between parking areas and lot lines shall be suitably landscaped in accordance with the requirements of Section 11.1.
- B. Parking areas containing 10 or more parking spaces shall be suitably landscaped with appropriate trees, shrubs and ground cover, in accordance with the requirements of Section 11.1.
- C. In parking areas containing 10 or more parking spaces:
 - 1. Curbed islands shall be provided at each end of each row of parking spaces;
 - 2. Curbed islands shall be provided to interrupt long rows of interior and perimeter parking spaces in an arrangement acceptable to the Commission so as to allow for no more than 20 consecutive spaces in a single row;
 - 3. Such end and interior islands shall be a minimum of 9 feet wide by 17 feet long for a single row of spaces and 9 feet wide by 34 feet long for a double row of spaces;
 - 4. Such end and interior islands shall be landscaped in accordance with the requirements of Section 11.1.
- D. In parking areas containing 100 or more parking spaces, planting strips shall be provided along every other set of interior parking spaces between abutting rows of spaces. Such strips shall be a minimum of 10 feet wide and landscaped in accordance with the requirements of Section 11.1. Planting strips should be protected from vehicles by a curb or wheel stop. Curbs may contain breaks to allow surface water flow into planting strips.
- E. Except for parking spaces in driveways that serve single- or two-family dwellings, the perimeter of all parking areas, islands and driveways shall be curbed, to prevent damage to landscaping and lighting and to prevent interference with pedestrian use of walkways. Curbs may contain breaks to allow surface water flow into vegetated areas so as to reduce stormwater runoff.
- F. Where provided, motor vehicle wheel stops shall be a maximum of six inches in height and shall be placed a maximum of 30 inches from the front of the parking spaces in which they are located.

13.8 Parking Structures

Parking spaces may be located within underground or aboveground parking structures. Such structures may be part of the principal building they are intended to serve or freestanding structures which may or may not be connected to a principal building.

- A. A parking structure shall be considered an accessory use unless it is the only use on the lot, in which case it shall be considered a principal use.
- B. A freestanding parking structure which is accessory to a principal building shall not be located within 10 feet of the principal building.
- C. The floors used for parking within an aboveground parking structure which is part of the principal building shall not be included in calculating the building's height.
- D. The floors used for parking within a freestanding parking structure which is accessory to a principal building shall not be included in calculating building coverage or floor-area ratio of the lot.
- E. In the BD zone, the street-level frontage of any freestanding parking structure located on Main Street, North Main Street, Church Street, North Street, Riverside Avenue or School Street shall be devoted to permitted retail, personal service, convenience or entertainment uses, except for the structure's entrance and exit ramps and service doorways.

13.9 Small Car Parking

By Special Permit, the Commission may allow parking areas containing 30 or more parking spaces to include small car parking, provided that:

- A. The parking area to be set aside for small car parking spaces shall be controlled through the assignment of such spaces to individual parkers.
- B. Each small car parking space shall be a minimum of 8 feet wide by 16 feet long.
- C. The small car parking spaces shall be arranged in a group and clearly designated as such on the site through the use of pavement markings and raised signage. For every six small car parking spaces, there shall be a minimum of one directional sign which so identifies the spaces.
- D. Access aisles that directly serve two rows of small car parking spaces may be reduced in width by a maximum of 2 feet.

13.10 Off-Street Loading Requirements**13.10.1 Amount of Off-Street Loading Spaces Required**

- A. For each non-residential use involving the receipt or shipment of goods or materials by motor vehicle, there shall be provided a minimum of:
 - 1. One loading space for each 15,000 square feet gross floor area or major fraction thereof, up to 30,000 square feet gross floor area; and,
 - 2. One additional loading space for each 30,000 square feet gross floor area or major fraction thereof in excess of 30,000 square feet gross floor area.
- B. The Commission may modify the number of loading spaces required if, in its judgment, the use of the building does not necessitate the provision of such spaces and the movement of goods or materials would not otherwise be adversely affected.

13.10.2 Location of Loading Spaces

All loading spaces shall be located on the same lot as the principal use they are designed to serve.

13.10.3 Layout and Dimension of Off-Street Loading

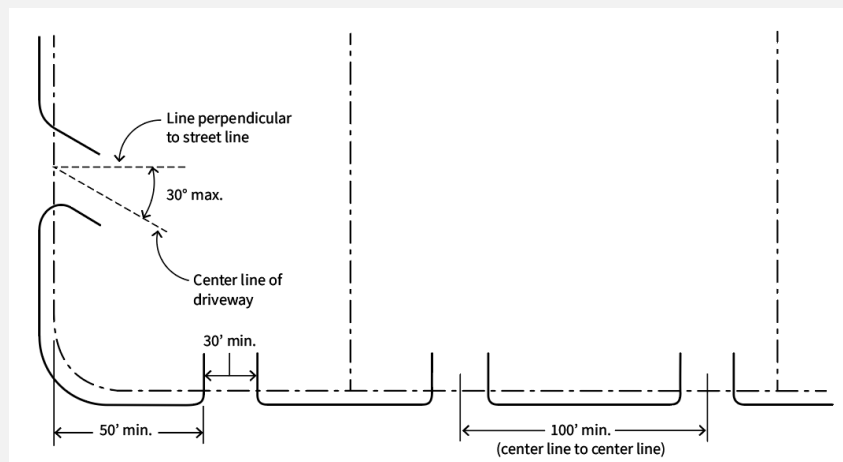
- A. No off-street loading space or maneuvering area shall be located as follows:
 - 1. In all zones: within the required front yard.
 - 2. For Special Permit uses in Residential zones: within 15 feet of any side or rear lot line.
 - 3. In Business or Industrial zones: within the required side or rear yards of a lot which abuts a Residential zone.
- B. Each loading space shall be a minimum of 10 feet wide by 25 feet long, exclusive of access drives and maneuvering areas. Such spaces shall be unobstructed to a height of at least 14 feet.
- C. No loading space, including any loading bay, ramp or dock, shall be designed or constructed in a manner that would require a vehicle to use any part of a public street to enter, back into and/or exit from such space.
- D. No loading space, access drive or maneuvering area shall be arranged in such a manner as to block the use of parking spaces or traffic circulation within parking areas when such loading space is in use.

13.11 Driveways

- A. No lot shall have more than one driveway opening per each 85 feet of street frontage or major fraction thereof. The Commission may require that a lesser number of driveway openings serve a lot regardless of the amount of street frontage, if deemed necessary for public safety purposes.

T O C	Article I	Article II	Article III Regulatory Standards	Article IV	Article V	Appendices
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- B. Driveways serving the same lot shall be at least 100 feet apart (measured center line to center line), unless they are one-way driveways.
- C. For corner lots, driveway openings shall be located as far from the intersection of the street lines of the lot as is practical, but in no case shall any driveway opening be located within 50 feet of such intersection.
- D. Except as otherwise provided herein, the maximum driveway opening width - including all entrance lanes, exit lanes and lane dividers (e.g., pavement markings or median strips) - shall be 30 feet, measured at and parallel to the street line.
- E. The Commission may allow a driveway opening width greater than 30 feet, provided that:
 - 1. The greater width is recommended or required by the Connecticut Department of Transportation or the State Traffic Commission; or,
 - 2. The applicant shall demonstrate to the satisfaction of the Commission that the greater width is necessary in order to accommodate delivery and service vehicles, maintain an adequate level of safety or improve vehicular access into or out of the lot, based upon accepted traffic engineering standards.
 - 3. Driveways shall intersect the street line within 30 degrees of perpendicular as measured between the centerline of the driveway and the right-of-way line.

Figure 9. Driveway Location and Orientation

13.12 Construction and Drainage Standards for Parking and Loading Areas

- A. Except for those which serve single- or two-family dwellings, all driveways, parking areas and loading areas shall have a surface of permanent bituminous; concrete paving; concrete, stone or clay pavers; or pervious pavers with an adequate base course to support the volume of vehicular traffic anticipated.
- B. That portion of all driveways within the street right-of-way shall be constructed in accordance with the specifications of Chapter 21 of the City's Code of Ordinances.
- C. The stormwater runoff system for all driveways, parking areas and loading areas shall:
 - 1. Be sized to accommodate runoff from a 25-year design storm;
 - 2. Be designed so as to prevent runoff from flowing into the street or onto adjacent properties;
 - 3. Where feasible, be tied into the City's drainage system.
- D. Finished grades for parking areas shall not exceed 3% in areas with accessible parking spaces and 5% in other areas.

13.13 Parking and Storage of Special Vehicles in Residential Districts

The parking and storage of recreational vehicles, commercial vehicles, trailers, and unregistered vehicles shall be permitted in all residential districts, excluding the A-Multi-Family Residential zone, in accordance with the following:

- A. The parking or storage of no more than two recreational vehicles (including boats) is permitted on a lot, provided that:
 - 1. Such vehicles shall not be more than 28 feet in length;
 - 2. Such vehicles, if parked or stored outdoors, shall not be located within the required front or side yards or within five feet of the rear lot line;
 - 3. Such vehicles shall not be used for living, recreation or business purposes while parked or stored on the lot; and,
 - 4. Such vehicles shall be directly owned or leased by the owner or tenant of the premises on which they are parked or stored.
- B. The parking or storage of the following is permitted providing that if parked or stored outdoors no part of the vehicle or trailer shall be within the required front or side yards or within 5 feet of the rear lot line:
 - 1. No more than one registered commercial vehicle having a gross vehicle weight of less than 10,000 lbs.
 - 2. No more than one registered trailer not otherwise associated with an active and ongoing construction project or activity.
 - 3. No more than one unregistered motor vehicle.

13.14 Outside Overnight Parking of Vehicles or Equipment in Commercial and Industrial Zones

The outside overnight parking of vehicles or equipment is permitted in the BG, BHC, I, IP-1, IP-3, and IP-25 zones provided that no vehicle or equipment shall be parked within any required yard and that the Commission may require appropriate screening in accordance with the provisions of Section 11.1.

Previous Regs.

PARKING LOT: An off-street, ground level area used for the temporary parking of more than four motor vehicles and available to the general public, whether for free or for compensation, or to accommodate employees, clients, customers or residents, but not including private driveways.

PARKING SPACE, OFF-STREET: The area intended for the temporary parking of a motor vehicle, not including aisles and driveways giving access thereto, located in other than a public street or other public way and having a permanent means of access to a public street without requiring passage through another parking space.

PATIO: See TERRACE

PAWN SHOP: An establishment whose business is the taking of goods or property and the payment of money for or advancement of money on such goods or property, with the understanding, agreement or condition, expressed, implied or reasonably inferred from the nature or character of the dealing or the usage in respect thereof, that such goods or property may be afterwards redeemed or repurchased in whole or in part upon any terms whatsoever.

PET: An animal that is domesticated and customarily kept within the home for personal use or enjoyment.

PLACE OF WORSHIP: A building which is intended for the conduct of religious services and which is maintained and controlled by a religious body organized to sustain public worship and recognized as such for non-profit status by the Internal Revenue Service.

PREMISES: A lot, parcel or tract of land together with the buildings and structures thereon.

PRIVATE: Confined to, or intended, only for the persons immediately concerned; not for public or common use.

PRIVATE SCHOOL: Any building or group of buildings the use of which meets the State of Connecticut's requirements for primary, secondary or higher education and which is not operated by the City or State.

PUBLIC: Belonging, or available, to all the people.

PUBLIC SCHOOL: Any building or group of buildings, the use of which meets the State of Connecticut's requirements for primary, secondary or higher education and which is operated by the City or State.

RECREATION FACILITY: A place designed and equipped for the conduct of sports, leisure time activities or other customary and usual recreational activities.

RECREATIONAL VEHICLE: A portable vehicle built on a chassis, which can be towed, hauled or driven and primarily designed to be used as temporary living accommodations for travel, camping and recreational purposes, including but not limited to campers, travel trailers and motor homes but excluding mobile manufactured homes.

RECYCLING CENTER; RECYCLING FACILITY: An establishment whose business is the collection, separation, storage, and/or processing of recoverable resources such as glass, metals, paper, plastics, or similar materials for shipment and re-use elsewhere, but not including junkyards or motor vehicle junkyards.

RENEWABLE ENERGY GENERATION FACILITY: A facility that, through a primary or secondary process, produces energy from renewable resources of sufficient quantity and quality which can be marketed or used to offset, reduce, or eliminate energy acquired from other sources.

RENEWABLE RESOURCES: Water; wind; solar energy; geothermal energy; landfill gas; wave, ocean, or tidal power; gas from sewage treatment facilities; biodiesel; and biomass energy based on processing or composting of organic materials.

RESIDENCE: A dwelling unit or group of dwelling units.

Previous Regs.

SECTION V

RESIDENTIAL ZONES

R-40	SINGLE-FAMILY RESIDENTIAL ZONE
R-25	SINGLE-FAMILY RESIDENTIAL ZONE
R-15	SINGLE-FAMILY RESIDENTIAL ZONE
R-10	SINGLE-FAMILY RESIDENTIAL ZONE
RM	MIXED RESIDENTIAL ZONE
A	MULTI-FAMILY RESIDENTIAL ZONE
OSD	OPEN SPACE DEVELOPMENT ZONE

A. SINGLE-FAMILY RESIDENTIAL ZONES (R-40, R-25, R-15 AND R-10)

1. **Purpose** – The Single-Family Residential zones are intended to provide suitable areas for appropriate residential development while offering a range of lot sizes that may be served efficiently by municipal utilities and facilities. The zones are also intended to accommodate certain non-residential uses which are compatible with residential uses while preserving neighborhood character and property values.
2. **Permitted Uses** –The following principal uses shall be permitted in all Single-Family Residential zones by right:
 - a. Single-family dwellings.
 - b. Farms, on a parcel of land containing a minimum of five acres. A farm may include a roadside stand for the sale principally of produce grown on the premises as an accessory use, provided no such stand shall be located within 50 feet of the street line or within 100 feet of the side or rear lot lines.
 - c. Public or private parks, open spaces, non-profit recreation areas, conservation areas, nature preserves, wildlife sanctuaries, or watershed areas. However, any building or structure greater than 2,500 square feet in size associated with such uses shall be subject to Site Plan approval in accordance with Section XI.
3. **Special Permit Uses** – Except as otherwise provided for herein, the following principal uses shall be permitted in all Single-Family Residential zones subject to Special Permit and Site Plan approvals in accordance with Sections X and XI:
 - a. Seasonal camps; seasonal cottages, provided that such buildings shall not be occupied for a total of more than 30 days between October 1st and the following May 15th.
 - b. Nurseries, on a parcel of land containing a minimum of 10 acres, provided that no accessory building shall be located within 50 feet of the street line or within 100 feet of the side or rear lot lines.
 - c. Commercial greenhouses for the sale of products principally grown on the premises, on a parcel of land containing a minimum of two acres, provided that no building shall be located within 50 feet of the street line or within 100 feet of the side or rear lot lines.
 - d. Public schools, libraries, post offices, administrative offices or other buildings or facilities of the local, state or federal government.
 - e. Places of worship, parochial schools or similar facilities of religious organizations or institutions.
 - f. Social service agencies; philanthropic, benevolent, or charitable institutions.
 - g. Clubs.
 - h. Nursing homes or convalescent homes, excluding sanatoriums, psychiatric hospitals and alcohol or drug treatment facilities.

Previous Regs.

- i. Housing for the elderly, including congregate housing and life care facilities. (the maximum density is 4 dwelling units per acre).
 - j. Group day care homes; child day care centers; adult day care centers.
 - k. Group homes; community residences for more than six mentally retarded persons.
 - l. Non-profit private schools.
 - m. General medical or surgical hospitals.
 - n. Golf courses or country clubs.
 - o. Cemeteries.
 - p. Public utility buildings or facilities.
 - q. Commercial kennels, on a parcel of land containing a minimum of five acres, provided that no dog runs, pens or other structures shall be located within 50 feet of the street line or within 100 feet of the side or rear lot lines.
 - r. Stables, on a parcel of land containing a minimum of five acres, provided that:
 - (1) Any barn, shelter, or other buildings used for the housing of animals, the storage of feed and supplies or the storage of waste materials shall not be located within 75 feet of any lot line or watercourse; and,
 - (2) The area used for grazing, exercising or training shall be securely fenced to prevent straying and to prevent the public from entering the enclosure.
 - s. Business or professional offices, including medical or dental offices, only in R-15 or R-10 zones, subject to the provisions of Section V.A.6.
 - t. The conversion, in whole or in part, of existing dwellings listed in the City's Historic Resources Inventory to professional offices and/or additional dwelling units, only in R-15 or R-10 zones, subject to the provisions of Section V.A.7.
 - u. Mobile manufactured home parks, only in R-25, R-15 or R-10 zones, subject to the provisions of Section V.A.8.
 - v. The adaptive re-use of existing non-residential principal buildings, subject to the provisions of Section V.A.9.
 - w. Museums, art galleries or similar facilities of non-profit educational or cultural organizations or institutions.
4. **Permitted Accessory Buildings, Structures and Uses** – The following accessory buildings, structures and uses shall be permitted in all Single-Family Residential zones by right:
- a. Private garages, sheds, or similar detached accessory buildings not used for human habitation or for housing animals or fowl, provided that the maximum building height shall not exceed 14 feet.
 - b. Accessory buildings for housing domesticated animals or fowl permitted under these Regulations, provided that the building shall not be located within the required front yard or within ten feet of the side or rear lot lines.
 - c. Signs, subject to the provisions of Section VIII.A.
 - d. The keeping of horses, sheep, cows or similar livestock not otherwise part of a farm, provided that:

Previous Regs.

- (1) A minimum lot area of two acres shall be required for the first animal being kept and one-third acre for each additional animal, with a maximum of five such animals permitted;
 - (2) Any barn, shelter, or other buildings used for the housing of such animals, the storage of feed and supplies or the storage of waste materials shall not be located within 75 feet of any lot line or watercourse;
 - (3) The area used for the grazing, exercising or training of such animals shall be securely fenced to prevent straying and to prevent the public from entering the enclosure; and,
 - (4) The keeping of said animals under this provision shall not be construed as allowing the establishment of any commercial enterprise.
- e. The keeping of domesticated animals as pets, provided that a total of no more than four such animals over six months in age shall be kept and no kennel or commercial kennel shall be operated.
- f. The keeping of ducks, geese, chickens, pigeons or similar small fowl, provided that a total of no more than 12 fowl shall be kept and no commercial enterprise shall be operated.
- g. Residential tag sales, provided that:
- (1) Only used goods shall be offered for sale;
 - (2) No more than two such sales per year shall be permitted at one premises; and,
 - (3) A tag sale license shall be obtained from the Zoning Enforcement Officer prior to the sale.
- h. Off-street parking, subject to the provisions of Section VIII.B.
- i. The parking or storage of no more than two recreational vehicles (including boats) on a lot, provided that:
- (1) Such vehicles shall not be more than 28 feet in length;
 - (2) Such vehicles shall either be parked or stored at all times in a fully enclosed structure or, if parked or stored outdoors, shall not be located within the required front or side yards or within five feet of the rear lot line;
 - (3) Such vehicles shall not be used for living, recreation or business purposes while parked or stored on the lot; and,
 - (4) Such vehicles shall be directly owned or leased by the owner or tenant of the premises on which they are parked or stored.
- j. The parking or storage on a lot of no more than one registered commercial vehicle having a gross vehicle weight of less than 10,000 lbs., provided that such vehicle shall either be parked or stored at all times in a fully enclosed structure or, if parked or stored outdoors, shall not be located within the required front or side yards or within five feet of the rear lot line.
- Except as otherwise provided herein, the following shall not be parked or stored on any lot in a Single-Family Residential zone: tractor-trailers in whole or in part; dump trucks or other construction equipment; buses, other than school buses parked temporarily; and commercial vehicles having a gross vehicle weight greater than or equal to 10,000 lbs.
- k. The parking or storage on a lot of no more than one registered trailer not otherwise associated with an active and ongoing construction project or activity, provided that such vehicle shall either be parked or

Section 5. Accessory Use Regulations

5.1 Accessory Use Summary Table: Residential Districts

As defined in Section 18 of these Regulations, an accessory use is a use that is customarily incidental and subordinate to that of the principal building, structure or use on the same lot. The table below indicates the permitted accessory uses in Bristol by residential district. Uses are permitted by Zoning Permit (ZP) or by Special Permit (SP). Uses prohibited within a district are identified by a dash (—). The provision of a Site Plan, in addition to a required zoning permit is indicated by a (+S). All Special Permits shall require a Site Plan.

Accessory Use	R-10	R-15	R-25	R-40	A
Accessory Buildings and Structures	ZP	ZP	ZP	ZP	ZP
Accessory Buildings for Animals	ZP	ZP	ZP	ZP	—
Accessory Dwelling Unit	ZP	ZP	ZP	ZP	—
Antennae or Communications Structure	ZP/SP ¹	ZP/SP ¹	ZP/SP ¹	ZP/SP ¹	—
Family Child Care Home	ZP	ZP	ZP	ZP	ZP
Farm Stand	ZP	ZP	ZP	ZP	—
Ground-Mounted Solar Panels	ZP+S	ZP+S	ZP+S	ZP+S	ZP+S
Hobby Kennel	SP	SP	SP	SP	—
Home-Based Business or Home Office	ZP	ZP	ZP	ZP	—
Keeping of Fowl	ZP	ZP	ZP	ZP	—
Keeping of Livestock	ZP	ZP	ZP	ZP	—
Off-Street Parking	ZP	ZP	ZP	ZP	ZP
Parking Structures	SP	SP	SP	SP	—
Signs	ZP	ZP	ZP	ZP	ZP
Sports Courts	SP	SP	SP	SP	SP
Swimming Pool	ZP	ZP	ZP	ZP	ZP
<i>1. See Section 5.4.6 for information on required permit</i>					

- B. The following uses, by their inherent nature and intensity, shall not be considered home-based businesses or home offices and shall not be permitted as such: barber shops, beauty parlors, animal hospitals, dance studios, mortuaries, restaurants, metal working, and automobile, boat or other vehicle repair or painting.

5.4.11 Hobby Kennels

- A. Minimum lot size is 2 acres.
- B. No dog runs, pens or other structures shall be within 50 feet of a street line or within 50 feet of a side or rear lot line.

5.4.12 Incidental Uses

Except as otherwise provided herein, all production, repair, treatment, storage or display of goods in the BN, BG, BD, BT, and BHC business zones shall be considered an incidental use which is accessory to the principal use of the premises.

5.4.13 Keeping of Livestock

- A. A minimum lot area of 2 acres shall be required for the first animal being kept and 1/3rd acre for each additional animal, with a maximum of 5 such animals permitted.
- B. Any barn, shelter, or other buildings used for the housing of such animals, the storage of feed and supplies or the storage of waste materials shall not be located within 75 feet of any lot line or watercourse.
- C. The area used for the grazing, exercising or training of such animals shall be securely fenced to prevent straying and to prevent the public from entering the enclosure.
- D. The keeping of said animals under this provision shall not be construed as allowing the establishment of any commercial enterprise.

5.4.14 Outdoor Dining

- A. The operation of outdoor dining shall require the submission of a site plan and administrative approval of the site plan confirming compliance with these regulations.
- B. Outdoor Dining may be located:
1. On public sidewalks and other pedestrian pathway abutting the area permitted for principal use and on which vehicular access is not allowed (provided an ADA accessible pathway not less than 4 feet wide is provided). The outdoor dining area shall not create interference with, hazards to, or visibility problems for pedestrians on sidewalks or for vehicular traffic.
 2. On off-street parking spaces associated with the permitted use. The use of parking spaces for Outdoor Dining for and existing establishment shall not require the provision of additional parking spaces to meet required off-street parking requirements.
 3. On any lot, yard, court or open space abutting the area permitted for principal use (provided the area is in the same zoning district as the principal use).
- C. Outdoor dining shall only be conducted between 9:00 am and 10:00 pm. Outdoor music and entertainment is allowed only during these hours.
- D. Additional Requirements
1. Any non-vegetative shading devices shall be of a non-permanent type (e.g., umbrellas, retractable awnings) and shall be safely anchored.
 2. Adequate trash receptacles shall be provided, and the establishment shall be responsible each day for the cleanup of all trash (both on-site and off-site) generated by the outdoor dining area.
 3. Tables and chairs in the outdoor dining area shall be so located as to maintain proper access to the building for emergency services.
 4. At the end of each outdoor dining season, or upon discontinuance of outdoor dining for one week or more, all tables, chairs, trash receptacles, etc., shall be removed from the outside of the premises.

Golf Course: A facility providing a private or public golf recreation area designed for executive or regulation play along with accessory golf support facilities but excluding miniature golf. Includes country clubs with golf courses.

Government Office or Building: Administrative offices or buildings of the city, region, state, or federal government excluding public schools, libraries, and post offices.

Government or Non-Profit Housing: Housing developments owned, operated, or sponsored by a governmental agency or by a non-profit housing corporation.

Grocery Store: A food store offering food for sale primarily for preparing off the premises. Non-food items such as household supplies, toiletries and other miscellaneous items may be offered, but the supply of such items is secondary to the primary purpose to sell basic food products directly to the consumer.

Ground-Mounted Solar Panels: A free-standing solar energy system which is anchored to the ground rather than being attached to a structure, such as the roof of a home or a building, shed, garage or carport.

Group Child Care Home: An establishment that offers or provides a program of supplementary care to between 7 and 12 unrelated children on a regular basis or meets the definition of a family child care home except that it operates in a facility other than a private family home as specified by CGS Section 19a-77.

Health Care Clinic: A facility outside of a hospital that functions with or without an appointment system to provide on-the-spot medical aid to persons who present non-life-threatening problems but who need or want the convenience of immediate medical attention. A health care clinic is characterized by having limited facilities and personnel. Such a facility may be open 24 hours a day but does not provide overnight care.

Helicopter Landing Facility: Any landing area, operated under license by the State of Connecticut, used for the landing and taking off of helicopters, including all necessary passenger and cargo facilities, fueling, and emergency service facilities.

High-Technology Business: An establishment engaged in the design, development, and production of new products and/or innovative production processes through the systematic application of scientific and technical knowledge. Such businesses typically use state-of-the-art techniques, devotes a portion of their expenditures to research and development, and employ a number of scientists, technicians, and/or engineers. Such businesses include but are not limited to: scientific research and development services; computer and peripheral equipment manufacturing; semiconductor and other electronic component manufacturing; software publishers; computer systems design and related services; internet service providers and web search portals; and internet publishing and broadcasting.

Hobby Kennel: One pack or collection of animals kept under one ownership on a single premise bred for pleasure, show, sports or sale as an accessory use to a residential property.

Home-Based Business or Home Office: A commercial enterprise operated by the resident of a dwelling unit as an accessory use to the residence.

Hotel or Motel: An establishment offering transient lodging accommodations to the general public and which may provide additional services such as rooms for public assembly, the serving of food, and recreational facilities.

Incidental Structure or Use: Any accessory building, structure or use customarily incidental and directly related to the operation of the principal use.

Indoor Entertainment Facility: Entertainment facilities that are entirely enclosed, including motion picture theaters, auditoriums, stage theaters, pool halls, or video game arcades.

Indoor Recreation Facility: A for-profit establishment or use where indoor recreation activity is conducted including, but not limited to, batting cages, bowling alleys, and skating rinks. Excludes fitness clubs.

Industrial Laundry or Dry Cleaning: A commercial establishment that launders or dry cleans clothing and other fabric articles in bulk on the premises.

Junkyard: Any place in or on which old metal, glass, paper, cordage or other waste or discarded or secondhand material, which has not been a part, or is not intended to be a part, of any motor vehicle, is

Use	Existing, New, or Revised	Former Definition
		recurring basis, and where the principal provider of the service resides on the premises.
Farm	Existing	Could change
Farm Stand	New	
Fitness Club	New	
For Profit School or Studio	New	
Fuel Oil and Heating Fuel Storage Facility	New	
Fuel Oil Dealers	New	
Funeral Home or Mortuary	Revised	A building used for the preparation of the deceased for burial and the display of the deceased and ceremonies connected therewith before burial or cremation.
Garden Supply	New	
General Medical or Surgical Hospital	New	
Golf Course	New	
Government Office or Building	New	
Government or Non-Profit Housing	New	
Grocery Store	New	
Ground-Mounted Solar Panels	Existing	
Group Child Care Home	Revised	(Formerly titled Group Day Care Home). An establishment which offers or provides a program of supplementary care to not less than seven nor more than 12 related or unrelated children on a regular basis for a part of the 24 hours in one or more days in the week.
Health Care Clinic	New	
Helicopter Landing Facility	New	
High-Technology Business	Existing	
Hobby Kennel	Revised	(Formerly titled “Kennel”) One pack or collection of dogs kept under one ownership on a single premises bred for show, sports or sale.
Home-Based Business or Home Office	Existing	
Hotel or Motel	Existing	
Incidental Structure or Use	New	
Indoor Entertainment Facility	New	
Indoor Recreation Facility	New	

Section 6. Temporary Use Regulations

6.1 Temporary Use Summary Table: Residential Districts

The table below indicates the allowed temporary uses in Bristol by residential district. Uses are permitted as follows: As of Right (R) or by Zoning Permit (ZP). Prohibited uses are identified by a dash (—).

Temporary Use	R-10	R-15	R-25	R-40	A
Tag Sales	ZP	ZP	ZP	ZP	—
Temporary Structure	R	R	R	R	R
Construction Trailer	R	R	R	R	R

6.2 Temporary Use Summary Table: Commercial, Industrial, and Mixed-Use Districts

The table below indicates the allowed temporary uses in Bristol by commercial, industrial, and mixed-use districts. As indicated below, all uses are allowed As of Right (R).

Temporary Use	BN	BG	BD	BT	BHC	I	IP-1	IP-3	IP-25
Temporary Structure	R	R	R	R	R	R	R	R	R
Construction Trailer	R	R	R	R	R	R	R	R	R
Mobile Vending Unit	R	R	R	R	R	R	R	R	R

6.3 Use Specific Regulations

The following regulations are applicable to the specified uses across all districts where such uses are permitted unless otherwise stated.

6.3.1 Mobile Vending Unit

No goods, wares, merchandise or food shall be sold or offered for sale from a mobile vending unit situated on private property, unless such unit vacates the property at the end of each business day.

6.3.2 Tag Sales

No more than two tag sales per year shall be permitted at one premises.

6.3.3 Temporary Structures

- A. Except for on-site construction trailers associated with an active and ongoing construction project or activity, no temporary structure or use permitted under these Regulations shall remain in place for a total of more than 90 days per calendar year, after which the structure shall be removed or the use shall cease.
- B. Except for greenhouses, the use of fabric shelters, tents or other temporary structures for the storage of goods or materials or for the parking or storage of motor vehicles, boats, recreational vehicles, etc. shall be prohibited.

6.3.4 Construction Trailers

Construction trailers associated with an active and ongoing construction project or activity shall be permitted for the duration of the project or activity with which they are associated. At the completion of such project or activity, all construction trailers shall be removed.

Previous Regs.

SECTION VI

BUSINESS ZONES

BN	NEIGHBORHOOD BUSINESS ZONE
BG	GENERAL BUSINESS ZONE
BD	DOWNTOWN BUSINESS ZONE
BT	DOWNTOWN/NEIGHBORHOOD TRANSITION ZONE
BHC	ROUTE 72 CORRIDOR BUSINESS ZONE

A. BN – NEIGHBORHOOD BUSINESS ZONE

1. **Purpose** – The BN - Neighborhood Business zone is intended to accommodate but be generally limited to small, convenience-type retail stores and service establishments primarily serving the daily needs of the neighborhood in which they are located.
2. **Permitted Site Plan Uses** – The following principal uses shall be permitted in the BN zone subject to Site Plan approval in accordance with Section XI:
 - a. Banks without drive-up facilities.
 - b. Grocery stores, convenience stores, or similar food stores, including the service of food only within a building at a counter or tables as an accessory use.
 - c. Drugstores or pharmacies without drive-up facilities.
 - d. Retail stores which sell one or more types of merchandise for personal or household use, such as books, stationery, clothing, dry goods, hardware, jewelry, flowers, variety merchandise, newspapers, magazines, records, audio and video cassettes, alcoholic liquor, and similar goods.
 - e. Personal service establishments such as beauty shops, barber shops, tailor shops, shops specializing in personal adornment or shoe repair shops, but excluding carpet and upholstery cleaning establishments.
 - f. Retail dry cleaners or retail laundry establishments.
 - g. Coin-operated laundries or laundromats, provided that operation between the hours of 8 P.M. and 7 A.M. is permitted only when attended by an employee continuously.
3. **Special Permit Uses** – The following principal uses shall be permitted in the BN zone subject to Special Permit and Site Plan approvals in accordance with Sections X and XI:
 - a. Sit-down restaurants, including catering service or outdoor dining as an accessory use.
 - b. Business or professional offices, including medical or dental offices.
 - c. Health care clinics, not designed for overnight patient care.
 - d. Mixed-use developments containing dwelling units and one or more permitted non-residential uses.
 - e. Public schools, libraries, post offices, parks, administrative offices or other buildings or facilities of the local, state or federal government.
 - f. Museums, art galleries or similar facilities of non-profit educational or cultural organizations or institutions.
 - g. Places of worship, parochial schools or similar facilities of religious organizations or institutions.

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- d. The outside display of merchandise for sale on premises only, provided that no merchandise shall be displayed within any required yard.
 - e. The outside storage of merchandise for sale on premises only, provided that no merchandise shall be stored within any required yard and that the Commission may require appropriate screening in accordance with the provisions of Section XI.B.
 - f. The outside overnight parking of vehicles or equipment, provided that no vehicle or equipment shall be parked within any required yard and that the Commission may require appropriate screening in accordance with the provisions of Section XI.B.
 - g. The outside storage of goods or materials, provided that no goods or materials shall be stored within any required yard and that the Commission may require appropriate screening in accordance with the provisions of Section XI.B.
 - h. A dwelling unit of the manager or caretaker of the premises.
 - i. The display or sale of goods made, processed, or assembled on premises.
5. **Accessory Buildings, Structures and Uses by Special Permit** – The following accessory buildings, structures and uses shall be permitted in a BHC zone subject to Special Permit approval in accordance with Section X:
- a. Live entertainment at sit-down restaurants or fast-food restaurants.
 - b. Ground-Mounted Solar Panels subject to the following provisions:
 - (1) are prohibited in any front yard; panels are allowed provided that such structures shall not be located in the setback area of the side and rear yard.
 - (2) Section IV.A.19. a,b,c,d & e.
 - (3) Section XI.B.5.
 - (4)

F. GENERAL REQUIREMENTS FOR ALL BUSINESS ZONES

- 1. Except as otherwise provided herein, all uses shall be conducted entirely within a building.
- 2. All uses shall conform to the Environmental and Performance Standards of Section IX.D and to the requirements of all other applicable City regulations.
- 3. Except as otherwise provided herein, all production, repair, treatment, storage or display of goods shall be accessory to the principal use of the premises.
- 4. No goods, wares, merchandise or food shall be sold or offered for sale from a mobile vending unit situated on private property, unless such unit vacates the property at the end of each business day.

Previous Regs.

2. Responsibilities of applicant:

- a. The applicant for such modification shall publish a legal notice in a newspaper having substantial circulation within the City of Bristol containing:
 - i. A description of the building, use or structure that has received a modification and the nature of such modification;
 - ii. The location of the building, use or structure; and
 - iii. A statement that any aggrieved person may appeal such modification to the Zoning Board of Appeals within 30 days of such publication.
3. Additionally, the applicant shall record the Zoning Enforcement Officer letter granting the modification on the Land Records in the Office of the Town Clerk within 14 days after the thirty-day publication period referred to in Section 2(a)(iii) above has expired.

SECTION XIII

ZONING BOARD OF APPEALS

A. POWERS AND DUTIES

The Zoning Board of Appeals shall have all the powers and duties prescribed by Chapter 124, Section 8 and by Chapter 250, Section 14 of the Connecticut General Statutes, and by these Regulations, which powers and duties are summarized and more particularly specified below. None of the following provisions shall be deemed to limit any of the authority of the Zoning Board of Appeals that is conferred by general law.

1. **Appeals** – The Zoning Board of Appeals shall have the authority to hear and decide upon any appeal where it is alleged that there is an error in the order, requirements, decision or determination of the Zoning Enforcement Officer. No question of hardship shall be involved in such an appeal, and the action of the Zoning Board of Appeals thereon shall be limited to the question of whether or not, and to what extent such order, requirement, decision, or determination was a correct interpretation of the subject provision of these Regulations.
2. **Variances** – The Zoning Board of Appeals shall have the authority to vary or adjust the strict application of these Regulations in only those cases where the unusual size, shape or topography of a lot or other unusual physical conditions pertaining to it or to any building situated thereon make it impossible to strictly apply a specific provision of these Regulations to such lot without resulting in exceptional difficulty or unusual hardship, so that substantial justice shall be done and the public health, safety and welfare secured.
3. [reserved]
4. **Use Variances**
 - a. No use variance shall be granted by the Zoning Board of Appeals which would permit:
 - (1) A use prohibited either implicitly or explicitly by these Regulations;
 - (2) The expansion of a non-conforming use;
 - (3) The number of dwelling units on a lot to exceed the maximum allowed in the zoning district in which the lot is located; or,

Previous Regs.

- (4) A use otherwise allowed by Special Permit in the zoning district in which the use is located.
- b. Use variances may be granted by the Zoning Board of Appeals only in the I zone, for lots containing less than one acre.
- c. Prior to a public hearing on any application for a use variance, the Zoning Board of Appeals shall transmit the application to the Planning Commission for its review and comment. Any report submitted by the Planning Commission to the Zoning Board of Appeals shall be read into the record of the public hearing of the subject application.

B. GENERAL RULES

1. **Appeals** – All appeals to the Zoning Board of Appeals from an order, requirement, decision or determination of the Zoning Enforcement Officer shall be taken within such time as is prescribed by a rule adopted by the Zoning Board of Appeals. Such appeals shall be made in writing on a form prescribed by the Zoning Board of Appeals and shall be accompanied by a filing fee to cover the cost of processing the appeal.
2. **Application** – All applications for variances shall be submitted in writing in a form prescribed by the Zoning Board of Appeals. The Zoning Board of Appeals may deny an application for incomplete information having been submitted.
3. **Referrals** – To assist with its consideration of an appeal or application, the Zoning Board of Appeals may refer such appeal or application to any department, agency or official it deems appropriate, to review and comment upon those technical matters which are the concern or responsibility of such department, agency or official.
4. **Public Hearing** – The Zoning Board of Appeals shall hold a public hearing on all appeals and applications for variances, shall decide thereon, and shall give notice of its decision in accordance with the provisions of the Connecticut General Statutes.
5. No variance shall be granted by the Zoning Board of Appeals unless it finds:
 - a. That there are special circumstances or conditions, fully described in the findings of the Zoning Board of Appeals, applying to the lot or structure for which the variance is sought, which are peculiar to such lot or structure and do not apply generally to lots or structures in the neighborhood and which have not resulted from any willful act of the applicant subsequent to the date of adoption of the regulation from which the variance is sought, whether in violation of the provisions herein or not;
 - b. That, for reasons fully set forth in the findings of the Zoning Board of Appeals, the aforesaid circumstances or conditions are such that the particular application of the provisions of these Regulations would deprive the applicant of the reasonable use of the lot or structure, that the granting of the variance is necessary for the reasonable use of the lot or structure, and that the variance as granted by the Zoning Board of Appeals is the minimum adjustment necessary to accomplish this purpose;
 - c. That the granting of the variance shall be in harmony with the general purposes and intent of these Regulations and the City's Plan of Development and shall not be injurious to the neighborhood or otherwise detrimental to the public health, safety and welfare; and,
 - d. That the granting of the variance is not based upon the nonconformity of neighboring lots, uses, buildings or structures, nor upon a financial or economic hardship.
6. Whenever the Zoning Board of Appeals grants a variance, it shall include in its minutes as part of the record the reason for its decision, the specific provision of these Regulations which was varied, the extent of the variance and the specific hardship upon which its decision was based.

Previous Regs.

7. In exercising any of its authority, the Zoning Board of Appeals may attach any conditions and safeguards as may be required to protect the public health, safety and general welfare, and to ensure ongoing compliance with these Regulations. Violation of such conditions and safeguards shall be deemed to be a violation of these Regulations.
8. Any variance granted by the Zoning Board of Appeals shall become effective upon its filing by the applicant in the office of the City Clerk and in the City land records.
9. Any variance granted by the Zoning Board of Appeals which is not recorded within one year from its effective date shall be null and void.
10. If the Zoning Board of Appeals denies a variance, it shall not be required to hear an application for the same variance or substantially the same variance for a period of six months after the date of denial, unless the circumstances associated with the application have substantially changed. A change in ownership of property or any interests therein shall not be deemed a substantial change.
11. No appeal or variance shall be granted that would alter, revise or otherwise change any of the conditions attached to the granting of a Special Permit by the Zoning Commission, if such conditions are more restrictive than otherwise provided for in these Regulations or if such conditions do not refer to specified standards in these Regulations.
12. Prior to the public hearing for any variance, a "notice of hearing" sign shall be posted on the subject property in accordance with the provisions of Section XII.F.

SECTION XIV

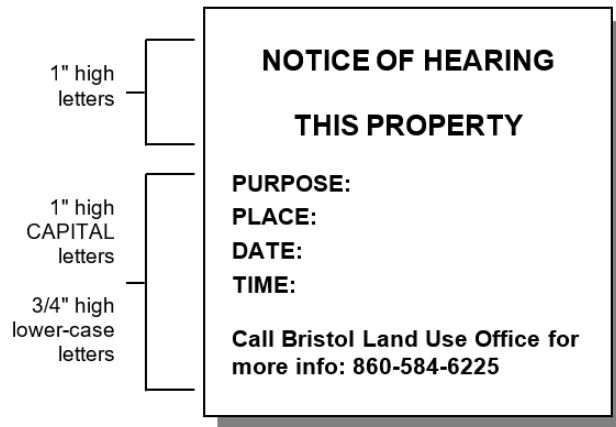
VALIDITY AND EFFECTIVE DATE OF REGULATIONS

A. **VALIDITY**

If any section, paragraph, subdivision, clause or provision of these Regulations is adjudged to be invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged, and the remainder of these Regulations shall be deemed valid and effective.

B. **EFFECTIVE DATE**

The effective date of these Regulations shall be December 21, 1990.



- D. Appeals to the Zoning Board of Appeals in accordance with Section 17.2.1A shall not require the posting of a sign.

17.1.6 Reasonable Accommodations for Persons with Disabilities

- A. All setback, coverage, location, and use requirements of these regulations may be modified by the Zoning Enforcement Officer for the alteration, construction, and/or modifications necessary to provide access for persons with disabilities or such other modifications of these regulations as may be necessary to meet the requirements of the Americans with Disabilities Act and Fair Housing Act. Once the reasonable modification is no longer required, all improvements to land, buildings, and structures not in compliance with these regulations shall be removed within 90 days.
- B. Responsibilities of applicant: The applicant for such modification shall publish a legal notice in a newspaper having substantial circulation within the City of Bristol containing:
1. A description of the building, use or structure that has received a modification and the nature of such modification;
 2. The location of the building, use or structure; and
 3. A statement that any aggrieved person may appeal such modification to the Zoning Board of Appeals within 30 days of such publication.
- C. Additionally, the applicant shall record the Zoning Enforcement Officer letter granting the modification on the Land Records in the Office of the Town Clerk within 14 days after the thirty-day publication period referred to in Section 2(a)(iii) above has expired.

17.2 Zoning Board of Appeals

17.2.1 Powers and Duties

The Zoning Board of Appeals shall have all the powers and duties prescribed by Chapter 124, Section 8 and by Chapter 250, Section 14 of the Connecticut General Statutes, and by these Regulations, which powers and duties are summarized and more particularly specified below. None of the following provisions shall be deemed to limit any of the authority of the Zoning Board of Appeals that is conferred by general law.

- A. Appeals – The Zoning Board of Appeals shall have the authority to hear and decide upon any appeal where it is alleged that there is an error in the order, requirements, decision or determination of the Zoning Enforcement Officer.
- B. Variances – The Zoning Board of Appeals shall have the authority to vary or adjust the strict application of these Regulations in only those cases where the unusual size, shape or topography of a lot or other unusual physical conditions pertaining to it or to any building situated thereon make it impossible to strictly apply a specific provision of these Regulations to such lot without resulting in exceptional difficulty

or unusual hardship, so that substantial justice shall be done and the public health, safety and welfare secured.

C. Use Variances

1. No use variance shall be granted by the Zoning Board of Appeals which would permit:
 - a. A use prohibited either implicitly or explicitly by these Regulations;
 - b. The expansion of a non-conforming use;
 - c. The number of dwelling units on a lot to exceed the maximum allowed in the zoning district in which the lot is located; or,
 - d. A use otherwise allowed by Special Permit in the zoning district in which the use is located.
2. Prior to a public hearing on any application for a use variance, the Zoning Board of Appeals shall transmit the application to the Planning Commission for its review and comment. Any report submitted by the Planning Commission to the Zoning Board of Appeals shall be read into the record of the public hearing of the subject application.

17.2.2 General Rules

- A. Appeals – All appeals to the Zoning Board of Appeals from an order, requirement, decision or determination of the Zoning Enforcement Officer shall be taken within such time as is prescribed by a rule adopted by the Zoning Board of Appeals. Such appeals shall be made in writing on a form prescribed by the Zoning Board of Appeals and shall be accompanied by a filing fee to cover the cost of processing the appeal.
- B. Application – All applications for variances shall be submitted in writing in a form prescribed by the Zoning Board of Appeals. The Zoning Board of Appeals may deny an application for incomplete information having been submitted.
- C. Referrals – To assist with its consideration of an appeal or application, the Zoning Board of Appeals may refer such appeal or application to any department, agency or official it deems appropriate, to review and comment upon those technical matters which are the concern or responsibility of such department, agency or official.
- D. Public Hearing – The Zoning Board of Appeals shall hold a public hearing on all appeals and applications for variances, shall decide thereon, and shall give notice of its decision in accordance with the provisions of the Connecticut General Statutes.
- E. No variance shall be granted by the Zoning Board of Appeals unless it finds:
 1. That there are special circumstances or conditions, fully described in the findings of the Zoning Board of Appeals, applying to the lot or structure for which the variance is sought, which are peculiar to such lot or structure and do not apply generally to lots or structures in the neighborhood and which have not resulted from any willful act of the applicant subsequent to the date of adoption of the regulation from which the variance is sought, whether in violation of the provisions herein or not;
 2. That, for reasons fully set forth in the findings of the Zoning Board of Appeals, the aforesaid circumstances or conditions are such that the particular application of the provisions of these Regulations would deprive the applicant of the reasonable use of the lot or structure, that the granting of the variance is necessary for the reasonable use of the lot or structure, and that the variance as granted by the Zoning Board of Appeals is the minimum adjustment necessary to accomplish this purpose;
 3. That the granting of the variance shall be in harmony with the general purposes and intent of these Regulations and the City's Plan of Development and shall not be injurious to the neighborhood or otherwise detrimental to the public health, safety and welfare; and,
 4. That the granting of the variance is not based upon the nonconformity of neighboring lots, uses, buildings or structures, nor upon a financial or economic hardship.

- F. Whenever the Zoning Board of Appeals grants a variance, it shall include in its minutes as part of the record the reason for its decision, the specific provision of these Regulations which was varied, the extent of the variance and the specific hardship upon which its decision was based.
- G. In exercising any of its authority, the Zoning Board of Appeals may attach any conditions and safeguards as may be required to protect the public health, safety and general welfare, and to ensure ongoing compliance with these Regulations. Violation of such conditions and safeguards shall be deemed to be a violation of these Regulations.
- H. Any variance granted by the Zoning Board of Appeals shall become effective upon its filing by the applicant in the office of the City Clerk and in the City land records.
- I. Any variance granted by the Zoning Board of Appeals which is not recorded within one year from its effective date shall be null and void.
- J. If the Zoning Board of Appeals denies a variance, it shall not be required to hear an application for the same variance or substantially the same variance for a period of six months after the date of denial, unless the circumstances associated with the application have substantially changed. A change in ownership of property or any interests therein shall not be deemed a substantial change.
- K. No appeal or variance shall be granted that would alter, revise or otherwise change any of the conditions attached to the granting of a Special Permit by the Zoning Commission, if such conditions are more restrictive than otherwise provided for in these Regulations or if such conditions do not refer to specified standards in these Regulations.
- L. Prior to the public hearing for any variance, a "notice of hearing" sign shall be posted on the subject property in accordance with the provisions of Section 17.1.5.