# TOWN OF BRISTOL, RHODE ISLAND

### PLANNING BOARD



Planning Board Meeting Agenda Thursday, September 08, 2022 at 7:00 PM

Town Hall - 10 Court Street, Bristol, Rhode Island

- A. Pledge of Allegiance
- B. Minutes
  - **B1.** Approval of Minutes July 2022
- C. Town Council Business
  - C1. Recommendation to the Town Council on proposed Zoning Ordinance revisions relative to \*cannabis related uses including\* the retail sale of recreational marijuana
  - C2. Recommendation to the Town Council on the uses in the Metacom Mixed Use Zone
- D. Adjourn

Scanned copies of all applications and supporting materials are available on the Town of Bristol web site at

https://www.bristolri.gov/government/boards/planning-board/#351-577-wpfd-meeting-9-8-2022.

Date: September 2, 2022

Posted by: MBW

# PLANNING BOARD MEETING MINUTES

Held Thursday, July 14, 2022 in person

#### **Present:**

Anthony Murgo, Vice Chairman; Armand Bilotti, Secretary; Member Charles Millard, Member Steve Katz; Alternate Member Brian Clark; Alternate Member Richard Ruggiero

### **Also Present:**

Diane Williamson, Administrative Officer/Director of Community Development; Andrew M Teitz Esq., Assistant Town Solicitor

Vice Chairman Murgo called the meeting to order at 7:02pm and led the assembly in the Pledge of Allegiance.

Alternate Member Clark noted that the final vote on page 7 of the May meeting minutes was reversed. The minutes will be updated to reflect Clark and Katz were opposed, Murgo, Bilotti and Squatrito were in favor.

A motion was made (Katz/Bilotti) to accept the May meeting minutes as amended.

In favor: Bilotti, Clark, Katz, Millard, Murgo

Opposed: None

<u>374 and 380 Metacom Avenue</u> - Petition to Change Zone Map from "M" Manufacturing Zoning to "MMU" Metcom Mixed Use Zoning. Recommendation to the Town Council on the proposed change of zone map. Owner/Applicant: Januario Family Realty, LLC. Plat 171, Lots 27 and 114.

Steve Januario explained that the proposal is to change from a manufacturing zone to a mixed use for 374 and 380 Metacom Avenue. It would be more favorable to rent to a business other than manufacturing, and there is a daycare that has expressed interest in 374 Metacom. Before any plans can be settled, the zoning would need to change.

Vice Chairman Murgo asked if that is where the propane tank is.

Steve Januario responded that yes, but the daycare wouldn't be using all the space. Steve gave the daycare a boundary of 50 feet off the building. There will also be a fence around the back to protect the kids when they go out that way.

Vice Chairman Murgo asked if the propane tank is going to stay where it is.

Steve Januario responded that yes, for the time being, but that the plan is to move it to Franklin Street, ideally within the next year.

A motion was made (Millard/Bilotti) to recommend approval to the Town Council.

In favor: Bilotti, Clark, Katz, Millard, Murgo

Opposed: None

Bristol Planning Board Draft Minutes July 14, 2022

# **Election of Officers** -

Nominations for Chairman:

Secretary Bilotti nominated Vice Chairman Murgo.

Member Katz nominated Member Millard.

A motion was made (Clark/Katz) to close nominations for Chairman.

In favor: Bilotti, Clark, Katz, Millard, Murgo

Opposed: None

Roll call vote on Vice Chairman Murgo's nomination for Chairman:

In favor: Bilotti, Murgo

Opposed: Clark, Katz, Millard

Roll call vote on Member Millard's nomination for Chairman:

In favor: Clark, Katz, Millard Opposed: Bilotti, Murgo

Member Millard was voted in as the Chairman.

Nominations for Chairman:

Member Clark nominated Vice Chairman Murgo.

Roll call vote on Vice Chairman Murgo's nomination for Vice Chairman:

In favor: Bilotti, Clark, Katz, Millard, Murgo

Opposed: None

Vice Chairman Murgo was voted in as the Vice Chairman.

Nominations for Secretary:

Member Clark nominated Secretary Bilotti.

Roll call vote on Secretary Bilotti's nomination for Secretary:

In favor: Bilotti, Clark, Katz, Millard, Murgo

Opposed: None

Secretary Bilotti was voted in as the Secretary.

A motion was made (Bilotti/Katz) to adjourn the meeting.

In favor: Bilotti, Clark, Katz, Millard, Murgo

Opposed: None

Meeting adjourned at 7:15pm

Respectfully submitted by Doran Smith, Recording Secretary

Date Approved	•	Planning	Board:	
1.1				



# Town of Bristol, Rhode Island

# Department of Community Development

10 Court Street Bristol, RI 02809 <u>www.bristolri</u>.gov 401-253-7000

September 1, 2022

TO: Planning Board

FROM: Diane M. Williamson, Director

**RE:** Cannabis – Proposed Zoning Ordinance

**Recommendation to the Town Council** 

In light of the recent State Law changes, the Town Council has requested that the Planning Board provide a recommendation on a proposed Zoning Ordinance Revision regarding cannabis including the retail sale of recreational cannabis.

Amy Goins, Assistant Town Solicitor, provides a recommended draft ordinance along with a memo for your consideration.

Item C1.

# Ursillo, Teitz & Ritch, Ltd.

Counsellors At Law

2 Williams Street (at South Main Street) Providence, Rhode Island 02903-2918 Michael A. Ursillo \*
Andrew M. Teitz, AICP \* †
Scott A. Ritch \* †
Troy L. Costa †
Amy H. Goins \* †
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# MEMORANDUM

Admitted in RI\*. MA

**TO:** Bristol Planning Board

FROM: Amy H. Goins, Assistant Town Solicitor

DATE: September 1, 2022

**SUBJECT:** Cannabis Act – Summary of Law as Enacted

As you are aware, on May 25, 2022, Governor McKee signed into law legislation legalizing recreational cannabis (marijuana) in Rhode Island. The law is codified as P.L. 2022, chapters 31 and 32. The bulk of the law creates a new chapter of the General Laws known as the Rhode Island Cannabis Act, codified as Title 21, Chapter 28.11. The purpose of this memo is to advise you of the sections of the law relating to municipal authority over cannabis facilities so that you can make informed decisions as the State prepares to begin issuing cannabis licenses later this year.

#### Municipal Authority – Requirement for Referendum to Prohibit Cannabis Facilities

Section 21-28.11-15 of the Cannabis Act allows a city or town council to adopt a resolution calling for a referendum on cannabis facilities in the municipality. The text of this section of the Cannabis Act is copied at the end of this memo under the heading Appendix A.

A referendum is not required, but if a referendum is not held, or if a referendum calling for the issuance of cannabis licenses in the municipality is not approved, the State (through the Cannabis Control Commission) will be able to issue cannabis licenses in the municipality. The language states that if a city or town council calls for such a referendum, new licenses for cannabis facilities shall not be issued in the municipality unless and until the electors of the community pass a referendum allowing for the issuance of such licenses. However, this poorly worded section must be read in the context of the entire statute, and thus only applies until November 8, 2022, by which date the referendum must be held. This excludes licenses for existing medical marijuana dispensaries wishing to become hybrid cannabis retailers, which, under the law, municipalities cannot prevent. The law directs the State to begin accepting applications for cannabis licenses on a rolling basis no later than October 15, 2022, although it is reasonable to expect that this deadline might be delayed.

A municipality whose electors reject the issuance of cannabis licenses "will not be eligible to receive revenue pursuant to [the law's revenue sharing provisions]." In addition to the usual sales tax, the law creates a 10 percent state excise tax for cannabis retail sales, in addition to a local cannabis excise tax of 3 percent.

The text of the referendum is set in stone by the law, and electors may not pick and choose categories of cannabis licenses to approve and reject. For example, voters cannot choose to permit licenses for cannabis cultivation, manufacture, and lab testing, but reject retail licenses. The referendum must be all or nothing, and the categories of licenses must be approved or rejected together.

As you know, the Town Council authorized this question to be placed on the ballot for voter approval in November.

# <u>Local Control – The Town's Authority re: Zoning of Cannabis Facilities</u>

Section 21-28.11-16 of the Cannabis Act sets forth the scope of the Town's authority to enact zoning and other regulations governing cannabis facilities. The text of this section of the Cannabis Act is copied at the end of this memo under the heading Appendix B.

This section provides in pertinent part as follows: "A city or town may adopt ordinances and bylaws that impose reasonable safeguards on the operation of cannabis establishments, provided they are not unreasonable and impracticable and are not in conflict with this chapter or with regulations made pursuant to this chapter." The law lists several categories of regulations that are either prohibited or restricted in some way. For instance, the Cannabis Act sets forth certain geographic zones in which cannabis retail licenses shall be issued. Municipalities are unable to limit the number of cannabis licenses below the limits set forth in the law. Furthermore, although reasonable restrictions on signage for cannabis facilities may be enacted, those restrictions shall not be more restrictive than those applicable to liquor stores.

Regarding proximity restrictions, the general conditions for all cannabis licenses issued by the State are set forth in Sec. 21-28.11-17.1 of the Act. Among those general conditions, "the property where the proposed cannabis establishment is to be located, at the time the license application is received by the commission, [shall] not [be] located within five hundred feet (500') of a pre-existing public or private school providing education in kindergarten or any of grades one through twelve (12), unless a city or town adopts an ordinance or by-law that reduces the distance requirement." This provision confirms that municipalities are empowered to adopt such restrictions, with the caveat that those restrictions must not have the effect, taken together with other zoning restrictions, of banning cannabis facilities entirely within the municipality (assuming the electors have approved the issuance of cannabis licenses).

Additionally, the law allows municipalities to "adopt ordinances that ban or impose restrictions on the smoking or vaporizing of cannabis in public places, including outdoor common areas, parks, beaches, athletic and recreational facilities and other public spaces."

#### Recommended Course of Action

It is our recommendation that the Town adopt amendments to the Zoning Ordinance regarding cannabis facilities. If voters approve of cannabis facilities, then the zoning amendments will be in place, and the Town would have sufficient control over where these facilities can be located. If voters reject the issuance of cannabis licenses, the zoning amendments, even if enacted already, would become null and void. Either way, it is prudent for the Town to begin preparing as if cannabis licenses will be issued and adopt regulations to prepare for that possibility. This will provide some degree of certainty for both residents and potential applicants for cannabis licenses.

Our office stands ready to assist and answer any questions you may have on this topic.

# **Appendix A – Provisions on Municipal Authority**

# 21-28.11-15. Municipal authority.

- (a) Other than a city or town that is a host community for an existing licensed medical cannabis treatment center, any city or town may, by resolution of the city or town council, cause to be printed on the ballot in an election held on or before November 8, 2022, the following question: "Shall new cannabis related licenses for businesses involved in the cultivation, manufacture, laboratory testing and for the retail sale of adult recreational use cannabis be issued in the city (or town)?"
- (b) Upon the adoption of a resolution by the city or town council pursuant to the provisions of subsection (a) of this section, the commission shall not issue any new cannabis related license pursuant to the provisions of this chapter unless and until the electors of the city or town vote to approve the issuance of new cannabis related licenses within the city or town. This provision shall not apply to the issuance of hybrid cannabis retailer licenses.
- (c) If a majority of ballots cast on which the electors indicated their choice is against granting the licenses, then no new license pursuant to this chapter shall be issued by the commission relating to the sale of recreational cannabis within the city or town. Provided, however, any existing marijuana cultivator or cannabis testing laboratory licensed pursuant to chapter 28.6 of title 21 shall be permitted to continue operating within the municipality pursuant to the conditions of licensure (including license renewals) without regard to a referendum conducted pursuant to this section.
- (d) Any city or town that by referendum declines to allow the issuance of new licenses relating to the sale of recreational marijuana will not be eligible to receive revenue pursuant to § 21-28.11-13.
- (e) A city or town that by referendum declines to allow the issuance of new cannabis related licenses pursuant to the provisions of this chapter may subsequently resubmit the question required by this section to the electors of the city or town, but only upon the passage of a joint resolution of

approval by the general assembly.

(f) For the purpose of this section, "cannabis related licenses" includes licenses for cultivation, manufacture, laboratory testing and/or retail sale.

#### Appendix B – Local Control

21-28.11-16. Local control.

- (a) A city or town may adopt ordinances and by-laws that impose reasonable safeguards on the operation of cannabis establishments, provided they are not unreasonable and impracticable and are not in conflict with this chapter or with regulations made pursuant to this chapter and that:
- (1) Govern the time, place and manner of cannabis establishment operations and of any business dealing in cannabis accessories, except that zoning ordinances or by-laws shall not operate to:
- (i) Prevent the conversion of a medical marijuana compassion center licensed or registered engaged in the manufacture or sale of cannabis or cannabis products to an adult use retail cannabis establishment engaged in the same type of activity under this chapter; or
- (ii) Limit the number of cannabis establishments below the limits established pursuant to this chapter;
- (2) Restrict the licensed cultivation, processing and manufacturing of cannabis that is a public nuisance;
- (3) Establish reasonable restrictions on public signs related to cannabis establishments; provided, however, that if a city or town enacts an ordinance or by-law more restrictive than the commission's standard, then the local ordinance or by-law shall not impose a standard for signage more restrictive than those applicable to retail establishments that sell alcoholic beverages within that city or town; and
- (4) Establish a civil penalty for violation of an ordinance or by-law enacted pursuant to this subsection, similar to a penalty imposed for violation of an ordinance or by-law relating to alcoholic beverages.
- (b) A city or town may adopt ordinances that ban or impose restrictions on the smoking or vaporizing of cannabis in public places, including outdoor common areas, parks, beaches, athletic

and recreational facilities and other public spaces.

(c) No city or town shall prohibit the transportation of cannabis or cannabis products or adopt an ordinance or by-law that makes the transportation of cannabis or cannabis products unreasonable and impracticable.

IT IS HEREBY ORDAINED by the Town Council of Bristol, Rhode Island, that Chapter 28 of the Zoning Code of the Town of Bristol be amended as follows:

# CHAPTER 28 ZONING

#### ARTICLE I. - IN GENERAL

Sec. 28-1. - Definitions.

\* \* \*

<u>Cannabis cultivator</u> means, as defined under Sec. 21-28.11-3(11) of the Rhode Island Cannabis Act, an entity licensed to cultivate, process and package cannabis, to deliver cannabis to cannabis establishments and to transfer cannabis to other cannabis establishments, but not to consumers.

<u>Cannabis product manufacturer</u> means, as defined under Sec. 21-28.11-3(14) of the Rhode Island Cannabis Act, an entity licensed to obtain, manufacture, process and package cannabis and cannabis products, to deliver cannabis and cannabis products to cannabis establishments and to transfer cannabis and cannabis products to other cannabis establishments, but not to consumers.

<u>Cannabis retailer</u> means, as defined under Sec. 21-28.11-3(16) of the Rhode Island Cannabis Act, an entity licensed pursuant to § 21-28.11-10.2 to purchase and deliver cannabis and cannabis products from cannabis establishments and to deliver, sell or otherwise transfer cannabis and cannabis products to cannabis establishments and to consumers.

Cannabis testing laboratory means, as defined under Sec. 21-28.11-3(17) of the Rhode Island Cannabis Act, a third-party analytical testing laboratory that is licensed annually by the commission, in consultation with the department of health, to collect and test samples of cannabis and cannabis products pursuant to regulations issued by the commission and is: (i) Independent financially from any medical cannabis treatment center or any licensee or cannabis establishment for which it conducts a test; and (ii) Qualified to test cannabis in compliance with regulations promulgated by the commission pursuant to this chapter. The term includes, but is not limited to, a cannabis testing laboratory as provided in § 21-28.11-11.

Hybrid cannabis retailer means, under Sec. 21-28.11-3(28) of the Rhode Island Cannabis Act, a compassion center licensed pursuant to chapter 28.6 of title 21 that is in good standing with the department of business regulation and that has paid the fee pursuant to § 21-28.11-10 and has been authorized to sell non-medical or adult use cannabis to consumers.

\* \* \*

Compassion center means, as defined in R.I. Gen. Laws § 21-28.6-3, a not-for-profit corporation, subject to the provisions of chapter 6 of title 7, and registered under § 21-28.6-12, that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, supplies or dispenses marijuana, and/or related supplies and educational materials, to patient cardholders and/or their registered caregiver cardholder, who have designated it as one of their primary caregivers.

\* \* \*

Medical marijuana emporium means any retail or commercial establishment, or club, whether for-profit, non-profit, or otherwise, at which the sale or use of medical marijuana takes place. This shall include without limitation any so-called "vape lounge," "vapor lounge," or any other establishment at which medical marijuana is consumed in vaporized form. This shall not include a compassion center regulated and licensed by the State of Rhode Island, as defined herein.

\* \* \*

#### ARTICLE III. - PERMITTED USES

\* \* \*

Section 28-82. - Use regulations

\* \* \*

(d) Permitted use table. The permitted use table shall be as follows:

#### TABLE A. PERMITTED USE TABLE

MEDICAL MARIJUAN	[A <u>/CA]</u>	NNAB	<u>IS</u> REI	LATED	USES										
ZONING DISTRICTS	R-80	R-40	R-20	R-15	R-10 R-10 SW R-8	R-6	LB	GB	D	W†	M	OS	EI	HPC	MMU
Compassion center	N	N	N	N	N	N	N	S*	N	N	N	N	N	N	S*
Medical marijuana emporium	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>	N
Cannabis retailer/hybrid cannabis retailer	<u>N</u>	N	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	N	<u>S*</u>	<u>N</u>	<u>N</u>	N	N	N	<u>N</u>	N
Cannabis cultivator	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	N	N	<u>N</u>	N	<u>N</u>	N	<u>N</u>
Cannabis product manufacturer	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	N	N	N	N	N	N	N	<u>N</u>	<u>N</u>
Cannabis testing laboratory	<u>N</u>	N	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	N	N	N	N	N	N	<u>N</u>	<u>N</u>	N

\* \* \*

#### ARTICLE V. - SUPPLEMENTARY REGULATIONS

\* \* \*

Sec. 28-150. - Special use permit standards for various uses.

\* \* \*

- (k) Special use standards for compassion centers and cannabis retailers/hybrid cannabis retailers.
- <u>I.</u> Compassion centers by special permit use in certain zones as set forth in Section 28, shall be subject to the requirements of subsection 28-409(c)(2), and all of the following additional requirements:
  - (1) The application for a special use permit shall provide the legal name and address of the compassion center, a copy of the articles of incorporation, and the name, address, and date of birth of each principal officer and board member of the compassion center. The application shall also include a site plan, which shall also show the distances between the proposed use and the boundary of the nearest residential zoning district and the property line of all other abutting uses as described within this section.
  - (2) The requested use at the proposed location will not adversely affect the use of any property used for a school, public or private park, playground, play field, youth center, licensed day-care center, or any other location where groups of minors regularly congregate.

- (3) The requested use at the proposed location will be sufficiently buffered in relation to any residential area in the immediate vicinity so as not to adversely affect said area.
- (4) The exterior appearance of the structure must be consistent with the exterior appearance of existing structures within the immediate neighborhood, so as to prevent blight or deterioration, or substantial diminishment or impairment of property values within the neighborhood.
- (5) The compassion center must not be located within:
  - a. One thousand (1,000) feet from the nearest Residential zoning district; or
  - b. One thousand (1,000) feet from the nearest house of worship, school, public or private park, playground, play field, youth center, licensed day-care center, or any other location where groups of minors regularly congregate; or
  - c. Two thousand (2,000) feet from any other compassion center.
- (6) The distances specified in the immediately preceding section (5) shall be measured by a straight line from the nearest property line of the premises on which the proposed compassion center use is to be located to the nearest boundary line of a residential district or to the nearest property line of any of the other designated uses set forth therein.
- (7) Hours of operation for a compassion center shall be limited to 8:00 a.m. to 8:00 p.m.
- (8) Lighting shall be required such that will illuminate the compassion center, its immediate surrounding area, any accessory uses including storage areas, the parking lot(s), its front façade, and any adjoining public sidewalk.
- (9) The proposed compassion center shall implement the appropriate security measures to deter and prevent the unauthorized entrance into areas containing marijuana and shall ensure that each location has an operational security/alarm system.
- (10) Development Plan Review shall be conducted by the Planning Board.
- (11) All compassion center uses shall fully comply with all other licensing requirements of the Town of Bristol and the laws of the State of Rhode Island.
- II. Cannabis retailers/hybrid cannabis retailers by special permit use in certain zones as set forth in Section 28, shall be subject to the requirements of subsection 28-409(c)(2), and all of the following additional requirements:
  - (1) Pursuant to Sec. 21-28.11-17.1(b)(3) of the Cannabis Act, the cannabis facility must not be located within five hundred (500) of a pre-existing public or private school providing education in kindergarten or any of grades one through twelve (12). This distance shall be measured by a straight line from the nearest property line of the premises on which the proposed cannabis facility is to be located to the nearest property line of the parcel on which the school is located.
  - (2) The proposed facility shall implement the appropriate security measures to deter and prevent the unauthorized entrance into areas containing cannabis and shall ensure that each location has an operational security/alarm system.
  - (3) Development Plan Review shall be conducted by the Planning Board.
  - (4) All cannabis facilities shall fully comply with all other licensing requirements of the town and the laws of the state.

\* \* \*

This ordinance shall take effect upon its passage.



# Town of Bristol, Rhode Island

Department of Community Development

10 Court Street Bristol, RI 02809 <u>www.bristolri.gov</u> 401-253-7000

September 1, 2022

TO:

**Bristol Planning Board** 

FROM:

Diane M. Williamson, Director

RE:

Metacom Mixed Use Zone Uses (MMU)

Recommendation to the Town Council

The Town Council has asked that the Planning Board review the list of uses in the Metacom Mixed Use Zone and provide a recommendation on whether or not any additional manufacturing uses should be allowed in that Zone.

The Metacom Mixed Use Zone was created as a result of the 2007 Metacom Avenue Corridor Management Plan and is intended to be applied to key areas along Metacom Avenue for focused development or re-development with mixed uses to encourage expansion of businesses use on the first floor with opportunity for residential on the upper floors.

In review of the Future Land Use Map in the Comprehensive Plan, a few properties proposed for the Metacom Mixed Use Zone are currently zoned manufacturing. The Town Council is looking for a recommendation on whether additional manufacturing uses should be allowed in the MMU zone.

In review of the current Zoning Use Table, there are several manufacturing uses currently allowed in the MMU Zone, either by right or with a Special Use Permit. It is my recommendation that these uses are appropriate for the MMU Zone and also offer flexibility for manufacturing, such as the Marine Trades Industries uses. One use, that I recommend could be added as a permitted use in the MMU zone, is a microbrewery.

A copy of the current Zoning Use Table from the Zoning Ordinance is provided along with a copy of the Comprehensive Plan map indicating the areas proposed for the MMU zone on Metacom Avenue. The Metacom Avenue Corridor Management Plan is available on the Town's website at https://www.bristolri.gov/government/our-progress/community-plans/.

ment of this chapter, as enacted or amended, but the court may, in its discretion, grant a stay on appropriate terms, which may include the filing of a bond, and make such other orders as it deems necessary for an equitable disposition of the appeal.

Secs. 28-55-28-80. Reserved.

#### ARTICLE III. PERMITTED USES

# Sec. 28-81. Compliance with regulations.

The regulations set forth in this article shall be minimum regulations and shall apply to each class or kind of structure or land.

# Sec. 28-82. Use regulations.

- (a) Generally. The following permitted use table is designed to regulate land uses in the various zoning districts in town.
  - Permitted uses are denoted with a "Y" for Yes;
  - (2) Uses not permitted are denoted with an "N" for No; and
  - (3) Uses permitted only upon approval of the zoning board are denoted with an "S" for a special use permit. Uses permitted by special use permit for which there are specific standards are further denoted with an asterisk (\*).
- (b) Prohibited uses. If a use is not shown herein, it is prohibited, unless the zoning enforcement officer determines in writing that such use is consistent with uses that are explicitly permitted. Any number of uses may be located on a lot provided each use is permitted in that district and all other requirements of this chapter are met.
- (c) Permitted uses in special zones and overlay zones. Other uses are permitted or prohibited in special zones and overlay zones. (See article IX of this chapter.)
- (d) *Permitted use table*. The permitted use table shall be as follows:

Table A. Permitted Use Table

PI		Y	z	Z	z	Z	z	Z	z	z		z	z
MMU		Y	¥	¥	λ	z	Z	Z	Z	Z		z	z
HPC 1		Y	Y	Z	¥	Y	Ā	Y	Y	Z		z	z
EI		Y	Z	z	Z	z	z	Z	Z	z		z	z
so		Y	Y	മ	တ	Y	Ā	¥	Y	<del>⊁</del>		¥	ά
M		Y	Z	z	z	z	Z	Z	N	z	,	z	z
W†		z	Z	z	z	Z	Z	Z	Z	z		z	z
D		z	z	z	z	z	z	Z	Z	z		z	z
GB		¥	Y	7	×	z	z	z	z	z		z	z
LB		¥	<b>&gt;</b>	¥	×	z	z	z	z	z		z	z
R-6		Y	z	z	Z	z	z	z	z	z		z	z
R-10 R-10SW R-8		Ā	z	z	Z	Z	Z	z	Z	Ā		<b>&gt;</b>	Z
R-15		¥	¥	ω	w	<u>پ</u>	ж *	z	ж <u>*</u>	¥		<b>&gt;</b>	S
R-20		¥	<b>≯</b> ₁	ω	w	<b>%</b>	<b>.</b>	ж *	ж <u>"</u>	¥	r	М	ω
R-40		¥	H	Ø	ω	ж,	<b>%</b>	Σ	<b>"</b>	Y		X	ω
R-80		¥	>-	ω	ω	<b>%</b>	ж *	<b>%</b>	<u>%</u>	<b>∀</b>	9	Y	ω
ZONING DISTRICTS	AGRICULTURAL	Gardening and raising of crops	Nursery or greenhouse/ agricultural (without sales on premises)	Nursery or greenhouse/ commercial (with sales on premises)	Nursery or greenhouse/ nonprofit (with sales on premises)	Raising of animals for profit or consumption	Keeping of chicken	Keeping of nondomesticated animals as pets	Keeping of nonhousehold domesticated animals	Agricultural promotion uses as part of an	agricultural operation on a farm lot: on-site retail of farm products, roadside stand, light food process- ing, farm demonstration and educational projects, pick your own produce, cafe/limited food service	Seasonal attractions up to 4 times a year with a permit by the zoning enforcement officer in accordance with the standards of section 28-157	Farm brewery, farm winery, farm cidery as part of an agricultural operation on a farm lot

§ 28-82

# ZONING

	PI		z	z	Z	;	z	z	2	4	4	z	z	z	z	z	z	z	z	z		z	zz		z	Z	z			Y	<b>1</b>
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ZONING DISTRICTS	RESIDENTIAL	Single household dwelling	Two household dwelling	Multi-household dwelling		Bed and breakfast	Country inn with 5-10	rooms in one or more buildings with meals to guests only	Dormitory	Nursing nome	Congregate care facility	Hotel	Motel	Manufactured home	Manufactured home park	Community residence	Lodging/boarding house:	5 rooms or less	Over 5 rooms	NAL AND	Medical clinic	Hospital	Drug and alcohol rehabilitation facility	Halfway house	Family day care home	with 6 or less persons	Day care facility with more than 6 persons	Prison or correctional	Cemetery	Church, synagomie or	religious educational

# BRISTOL TOWN CODE

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Monastery/convent active	S	S	S	S	S S	A A	Y	N S	A	Z	Z	g z	Z ×	+-	Y	Z
Government-run veterans	z	z	z	z	Z	z	z	z	z	z	z	z	z	¥	z	z
Civic/convention center and assembly hall	z	z	z	z	z	w	Y	Y	¥	Y	z	Z	¥	z	¥	¥
Library	Y	¥	Y	Y	Y	Y	Y	Y	Y	Y	z	z	Y	N	Y	Y
Post office	Z	Z	z	z	z	z	z	z	¥	z	z	Z	Z	Z	Z	z
Museum, nonprofit	ß	တ	ß	ß	တ	Ø	¥	¥	Y	Y	S	z	¥	Y	Ā	¥
Fire station	Y	Y	Y	¥	Ā	Y	Y	Y	Y	Y	Y	z	Y	z	Z	¥
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Schools:																
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College/university	z	z	z	z	z	z	N	Z	Z	Z	z	z	Y	z	Z	z
OFFICE USES																
Office of a professional or	N(3)	N(3)	N(3)	N(3)	N(3)	N(3)	¥	Y	Y	Y	S	Z	Z	N	Y	Y
business agent, or political, labor, or service association including the					,						j					
following:									,				]			
insurance agent, insurance adjuster, investment agent, bonding agent, finance agent, accountant, advertising agent, architect, artist, denust, c <mark>hr</mark> opractor, engineer, evernment, landscape architect, lawver, office business machine agent, physician, optician, optometrist, realtor, employment agent, travel agent,	s adjust. Iscape a	er, inves rchitect	tment a lawver	gent, bo office b	nding agent, f usiness mach	inance :	agent, a it, physi	ccountai	nt, adve tician, α	rtising a	agent, a rist, rea	rchitect, ltor, em	, artist, ploymer	artist, dentist, oloyment agent,	chiropractor, travel agent	actor, agent,
and veterinarian										. [		.				
Bank	Z	N	Z	N	N	Z	¥	¥	¥	¥	മ	z	z	z	Y	z
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Brew pub	z	z	Z	z	Z	z	Y	Ā	Ā	Y	z	z	Z	z	Y	z
Restaurant, cafe, or deli with liquor sales	Z	z	z	Z	N	Z	ထ	Ā	Ā	Ā	Z	z	N	z	യ	z
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Fast food restaurant	Z	Z	z	Z	Z	Z	S	Y	Y	Y	N	Z	z	Z	മ	z
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Adult entertainment Conference center Contract construction service

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emoramera SMINOZ	Wholesale trade within	enclosed structure	Wholesale trade, outdoor storage	Outdoor storage of junk, scrap, or salvage mate- rial, including junkyards	Warehouse/distribution facility	Air-supported structure	Reclamation facility	SERVICE INDUSTRIES	Dry-cleaning plant	major	INDUSTRIAL	Food and kindred	products-manufacturing including canning or packaging	Large brewery	Microbrewery	Processing of bakery	products	Textile mill products and apparel manufacturing	Cosmetics manufacturing	Lumber and wood products, furniture and fixtures manufacturing	Paper and allied products, printing, and publishing, including refinishing	Chemicals and allied products manufacturing	Leather and fur tanning and finish	Rubber and miscel- laneous plastic products- manufacturing	Stone, clay, and glass

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R-80	z	z	z	z	z	z	z	z	z	Z	z	z	z	z	z	z	Y	S	Z	N	z
ZONING DISTRICTS	Pottery products manufacturing	Cement, lime, gypsum, or plaster of Paris manufacturing	Fabricated metal products-manufacturing	Drop forge industries, manufacturing forgings with power hammers	Machinery and machine parts manufacturing	Wire and cable manufacturing	Transportation equip- ment manufacturing	Boat building including fiberglass and steel	Boat building (wooden boats only)	Marine trade industries	Instruments and scientific equipment manufacturing	Jewelry, silverware, plated ware, costume jewelry manufacturing	Manual assembly of jewelry parts and crafts	Lighting manufacturing	Plating of jewelry and other metals	Extractive industry	Pump station	Sewage treatment plant	Sludge compost facility, public	Recycling facility, indoor	Landfill, public RECREATION

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ZONING DISTRICTS	Camp for children,	including music or art camp	-			Campground	Riding stable	Golf course	Golf driving range	Miniature golf course	Bowling alley	Skating/rolling minh	Billiand	TILLIA DARIOR	nealth ciub	Theater					Y			Playground/park	Open space	school	Nonprofit community or	education center	Doaryard/marina	Air county of the	A CORESONAL TICES	1		ers, or shipping or cargo containers

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STOTAL STATE	Above ground propane tanks larger than 500	Outdoor wood boiler(6)	Wireless telecommunica- tions antenna on an existing structure, subject	Wireless telecommunications facility, including tower, subject to sections 98-147 and 28-150	Drive-thrus	Gift shop	Administrative services	Caretaker's residence	MARIJUANA RELATED USES	Compassion center	Medical marijuana cultivation center	Medical marijuana emporium	Non-medical marijuana retail sales	UTILITIES	Accessory use solar energy system, subject to sections 28-158 through 28-160	Accessory use solar canopy over parking lot (parking lot would be principal use)	Principal use solar energy system	Ground mounted solar

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	Š	$\vdash$	mounted solar photovol-	taic facility, located on a	remediated and restricted	contamination site or a	contaminated site pend-	ing remediation, as a	major land development	project subject to sections	28-286 through 28-291	Large-scale ground-	mounted solar photovol-	taic facility on a closed	and capped landfill	subject to sections 28-286	through 28-290

Notes:

- \* See special use standards in section 28-150.
- In the W (waterfront) zone, other than for single, two-family, three-family, four-family dwellings or in an urban rehab land development project; retail business, office uses, marine trades industries, restaurants, cafes, and/or delis are required on the first floor within 50 feet of the front lot line.
  - See section 28-356 et seq. for additional language regarding accessory uses in the HPC zone.
    - See section 28-150(e) et seq. for additional language regarding the keeping of chicken hens.

See sections 28-150(h) and 28-281 for formula business (as defined in section 28-1) in the historic district zone which also require a special use permit.

- Two household dwellings may be permitted in the R-15 and R-20 zoning districts provided that at least one unit is deed restricted as an affordable housing unit under the Low to Moderate Income Housing Act.  $\Xi$ 
  - (2) On state-owned land.
- (3) Except as provided per section 28-153, home occupations.
- (4) Only if not within 200 feet from a residential zone or residential use.
- Not more than one prefabricated relocatable steel building, box trailer or shipping or cargo container shall be permitted temporary use must first be approved by a permit from the building official and zoning enforcement officer to ensure as of right for a single period of no longer than 60 days as a temporary use of any property by the property owner. The compliance with standards of section 28-150(i). During that 60-day period, a property owner may apply to the zoning board for a special use permit to maintain the structure for an extended period of time. (5)

(7) One dwelling for a caretaker may be constructed if the property has more than 20 acres. (Ord. No. 2013-15, 10-9-13; Ord. No. 2015-15, 12-16-15; Ord. No. 2017-03, 4-26-17; Ord. No. 2018-12, 7-11-18; Ord. No. 2018-18, 2-6-19; Ord. No. 2019-07, 6-26-19; Amend. of 1-27-21) See chapter 10, article V of the Bristol Town Code for additional regulation of outdoor wood boilers. (9)

