



Town of Bristol
6740 County Road 32
Canandaigua, New York 14424

***ZONING ORDINANCE OF THE TOWN OF BRISTOL
(LOCAL LAW NO. 3 OF 2011)***

*The entire zoning law or ordinance of the town of Bristol is readopted as local law no. 2 of 2011,
and any reference to the zoning law or ordinance is amended to read zoning local law.*

*Effective Date: 5/9/2011
Supersedes ordinance of 9/11/2000*

REV. 3/2011
TOWN OF BRISTOL, ONTARIO COUNTY, NEW YORK
ZONING LOCAL LAW NO. 03 OF 2011

TABLE OF CONTENTS

ARTICLE ONE – SHORT TITLE	1
ARTICLE TWO – INTENT, INTERPRETATION AND REPEALER	1
Section I: Intent.....	1
Section II: Interpretation.....	1
Section III: Status of Conflicting Interest.....	1
ARTICLE THREE – DEFINITIONS	
Definitions and Interpretation of Terms	
Section I: Interpretation.....	2
Section II: Definitions.....	2
ARTICLE FOUR – ESTABLISHMENT & DESIGNATION OF USE DISTRICTS	
Section I: Districts.....	15
ARTICLE FIVE – CONSTRUCTION PROVISIONS	
Section I thru X.....	16
ARTICLE SIX – PROVISIONS APPLICABLE TO ALL USE DISTRICTS	
Section I thru XI.....	18
ARTICLE SEVEN – PARKING REGULATIONS FOR ALL DISTRICTS	
Section I: General Information.....	20
Section II: By District	
A. A-C, L-R, M-R Use Districts.....	20
B. C-B Use District.....	21
C. L-I Use District.....	21
ARTICLE EIGHT - WASTE DISPOSAL	23
ARTICLE NINE – SIGN AND BILLBOARD REGULATIONS	
Section I: Purpose.....	24
Section II: Sign Standards.....	24
Section III: Signs Permitted by District	
A. A-C Use District.....	25
B. M-R and L-R Use District.....	25
C. C-B and L-I Use District.....	25
Section IV: Exceptions to these Regulations.....	26
Section V: Procedures.....	26
Section: VI: Enforcement and Penalties.....	27
Section VII: Sign Maintenance.....	28

ARTICLE TEN – USES PERMITTED IN USE DISTRICTS

Section	I: <u>A-C Use District</u>	
	A. Permitted Uses.....	29
	B. Permitted Accessory Uses.....	29
	C. Special Use Permits Required.....	29
Section	II: <u>L-R Use District</u>	
	A. Permitted Uses.....	30
	B. Permitted Accessory Uses.....	31
	C. Special Use Permits Required.....	31
Section	III: <u>M-R Use District</u>	
	A. Permitted Uses.....	31
	B. Permitted Accessory Uses.....	31
	C. Special Use Permits Required.....	31
Section	IV: <u>C-B Use District</u>	
	A. Permitted Uses.....	32
	B. Permitted Accessory Uses.....	32
	C. Special Use Permits Required.....	32
Section	V: <u>L-I Use District</u>	
	A. Permitted Uses.....	32
	B. Permitted Accessory Uses.....	32
	C. Special Use Permits Required.....	33

ARTICLE ELEVEN – SCHEDULE OF MINIMUM REQUIREMENTS

Schedule of Lot Size, Building Size and Setbacks.....	34 a, b
Official Zoning Map	34 c, d, e
Description of Use Districts	35

ARTICLE TWELVE – SPECIAL REGULATIONS

Section	I: Non-Conforming Uses.....	38
Section	II: Non-Conforming Use: Abandonment/Restoration.....	38
Section	III: Non-Conforming Use: Reinstatement.....	38
Section	IV: Height Restrictions.....	38
Section	V: Industrial.....	38
Section	VI: Municipal Facilities.....	38
Section	VII: Operating Permits.....	39

ARTICLE THIRTEEN – STEEP SLOPE REGULATIONS

Section	I: Title.....	40
Section	II: Purpose and Intent.....	40
Section	III: General Provisions.....	40
Section	IV: Erosion and Storm water Control.....	41
Section	V: Review Process.....	42
Section	VI: Sureties.....	43
Section	VII: Waiver Authority.....	44

ARTICLE FOURTEEN – REGULATION OF MANUFACTURED/MOBILE HOMES			
Section	I:	General.....	44
Section	II:	Allowed with Special Use Permit:	
		E. Replacement of Existing Manufactured/Mobile Home.....	44
		B. Emergency/Disaster Situations.....	44
Section	III:	General Information.....	46
Section	IV:	Waiver Authority	46
ARTICLE FIFTEEN – REGULATION OF MANUFACTURED/MOBILE HOME PARKS.....			
ARTICLE SIXTEEN – REGULATION OF MULTIPLE DWELLINGS			
Section	I:	General.....	51
Section	II:	Minimum Area & Yard Requirements.....	51
Section	III:	Minimum Building Requirements.....	52
ARTICLE SEVENTEEN – VARIANCES.....			
ARTICLE EIGHTEEN – SPECIAL USE PERMITS			
Section	I:	General Information.....	55
Section	II:	A. Public Utility Facilities.....	56
		B. Motor Vehicle Service Stations.....	56
		C. Campgrounds.....	57
		D. Seasonal Camps.....	58
		E. Excavation Operations.....	58
ARTICLE NINETEEN–PLANNING BOARD AND ZONING BOARD OF APPEALS			
Section	I:	Planning Board.....	60
Section	II:	Zoning Board of Appeals.....	60
ARTICLE TWENTY- VIOLATION AND PENALTIES.....			
ARTICLE TWENTY-ONE – VALIDITY.....			
ARTICLE TWENTY-TWO– ADULT USE /ENTERTAINMENT ESTABLISHMENTS			
Section	I:	Title.....	63
Section	II:	Purpose and Intent.....	63
Section	III:	Effective Date.....	63
Section	IV:	Allowed Zoning District.....	63
Section	V:	Adult Uses Permitted.....	63
Section	VI:	Location Within Allowed Zoning District.....	64
Section	VII:	Application Process.....	64
Section	VIII:	Displays Prohibited.....	65
Section	IX:	Severability.....	65
Section	X:	Penalties for Offenses.....	65
ARTICLE TWENTY-THREE – EFFECTIVE DATE.....			

The below-listed Local Laws have been adopted and are in effect for the Town of Bristol. These Local Laws are available in the Office of the Town Clerk.

**TOWN OF BRISTOL, ONTARIO COUNTY, NEW YORK
LOCAL LAWS**

Abandoned Vehicle and Junkyard Local Law (2006)

Administration and Enforcement of NYS Uniform Fire Prevention and Building Code (2006)

Changing Grievance Day from May to June (2011)

Dog Nuisance Law (2002)

Enforcement of and Penalties for Violation of the New York State Uniform Fire Prevention & Building Code, the New York State Uniform Energy Conservation Code, the New York State Uniform Existing Building Code, the New York State Uniform Fuel Gas Code, the New York State Uniform Mechanical Code, the New York State Uniform Plumbing Code, the New York State Uniform Property Maintenance Code in the Town of Bristol (2008)

Flood Prevention Damage (1987)

On Site Waste Water Treatment Law (2003)

Regulation of the Installation of Antennas, Parabolic Dishes, Towers, Windmills and Energy-Creating Devices (2007)

Site Plan Review(2011)

Right to Farm Law (2001)

Timber Harvesting Law (2005)

Unsafe Buildings and Collapsed Structures (1981)

Zoning Regulations (2011)

ZONING LOCAL LAW
ARTICLE ONE – SHORT TITLE

This Zoning Local Law shall be known as and may be cited as Local Law No. 03 of 2011.

ARTICLE TWO – INTENT, INTERPRETATION AND REPEALER

Section I. Intent

This Zoning Local Law, enacted by the Town Board of the Town of Bristol pursuant to Article 16 of the Town Law of the State of New York, is adopted in accordance with a well-considered Comprehensive Plan to promote the public health, safety and general welfare; to encourage the use of lands in accordance with their character and adaptability and to limit the improper use of land; to regulate the density of population and the location and use of buildings, structures and land for trade, commerce, industry, residence, agriculture, essential services or other purposes, after reasonable consideration, among other things, the character of the Town and its peculiar suitability for particular uses in order to conserve and enhance natural resources, land values, and to protect existing properties and environment.

Section II. Interpretation:

The provisions of this Zoning Local Law shall be considered minimum standards and requirements within each respective zoning district and shall not preclude the establishment of higher or more restrictive standards or requirements for the authorization of any conditional use permit where such higher or more restrictive standards or requirements are found necessary by the Town Planning Board to attain the intent of this Zoning Local Law.

Section III. Status of Conflicting Legislation:

Conflicting laws of a more restrictive nature are not affected or repealed by this Zoning Local Law.

ARTICLE THREE – DEFINITIONS

Definitions and Interpretation of Terms:

Section I.

For the purpose of this Zoning Local Law, certain terms or words used herein shall be interpreted as follows:

1. The word “person” includes a firm, association, organization, partnership, trust, company or corporation, as well as an individual.
2. The present tense includes the future tense; the singular includes the plural, and the plural includes the singular.
3. The word “shall” is mandatory; the word “may” is permissive.
4. The words “used or occupied” shall be considered as though followed by the words “or intended, designed or arranged to be used or occupied”.

Section II.

For the purpose of this Zoning Local Law, the words and terms hereinafter listed shall be defined as follows:

1. **Abandonment of Highway.** A highway that has ceased to be traveled or used as a highway and has been abandoned by Town Board procedures. The right-of-way in this instance reverts back to the property owner(s). (For specifics, refer to Section 205 of the Highway Law.)
2. **Accessory Building.** A detached building on the same lot with and of a nature customarily incidental and subordinate to the principal structure.
3. **Accessory Use.** A use on the same lot with and of a nature customarily incidental and subordinate to the principal use.
4. **Adult Bookstore.** A business, whether retail or wholesale, having more than five percent (5%) of its net floor space set aside for or more than five percent (5%) of the value of its stock in trade allocated to recordings, books, magazines, periodicals, films, video tapes/cassettes, CD ROM, or other viewing materials for sale or viewing on or off the premises, which are distinguished or characterized by their emphasis on matters depicting, describing or related to sexual activities or specified anatomical areas customarily associated with sexual activity.
5. **Adult Use and Entertainment Establishment.** A public or private establishment, or any part thereof, which represents any of the following entertainment, exhibitions, or services to include, but not limited to: topless and/or bottomless dancers; strippers; topless waitressing; busing or service, topless hair care or massages; service or entertainment where the servers or entertainers wear pasties or G-strings or both; adult arcade; adult bookstore or adult video stores; adult cabarets; adult motion picture theaters; adult theaters, escort agencies; adult motels, nude model studios and sexual encounter centers. Adult Use and Entertainment Establishments customarily exclude minors by reason of age.

6. **Alter(ed).** As applied to a building or structure:
 - a. The change or rearrangement in the supporting members of a building or structure, such as bearing walls, columns, beams or girders or in the exit facilities;
 - b. An enlargement of a building or structure, whether by extending on a side or by increasing in height;
 - c. The moving from one location or position to another; and
 - d. Any alteration whereby a structure is adapted to another or different use.
7. **Antenna.** Any device or equipment of any nature or kind, the primary purpose of which is to transmit or receive electronic signals.
8. **Area.** The extent of horizontal surface contained within the boundaries or extremities of land or building.
9. **Artisan.** A person manually skilled in making a particular product, such as, but not limited to, glassblowing, art studios, pottery/ceramics, ornamental works, etc.
10. **Artisan Use.** An accessory use unique to the A-C District, permitting an artisan to manufacture and/or sell products of his/her creation. Such use shall be in conjunction with the artisan's residential use and may employ one person who is not a member of the artisan's immediate family. Only goods manufactured on premises shall be sold. An artisan use existing in the C-B District shall be deemed a commercial use and not subject to these provisions.
11. **Auto Sales.** The use of any building, land area or other premises for the display, sale or rental of new or used motor vehicles, panel trucks, vans or recreational vehicles and including any warranty repair work and other repair service conducted as an accessory use under a dealership license.
12. **Basement.** The space of a building that is partly below grade, which has more than half of its height, measured from floor to ceiling, above the average established curb level or finished grade of the ground adjoining the building.
13. **Bed and Breakfast/Tourist Home.** Owner-occupied residence resulting from a conversion of a one-family dwelling, used for providing overnight accommodations and a morning meal to not more than ten transient lodgers, and containing at least three, but not more than five bedrooms for such lodgers.
14. **Berm.** Earth mound providing a barrier between properties, height and width to be determined at the time of Site Plan Review. Berms may also include plant materials and/or fencing on top of berm if the reviewing Board deems necessary.
15. **Boarding of Horses/Stabling of Horses/Riding Academies/Livery Stables.** Any establishment where horses are kept for breeding, selling, leasing, training and lessons for compensation.
16. **Bond.** Any form of security, including cash deposit, surety bond, collateral, property or instrument of credit in an amount and form satisfactory to the governing board. The governing board shall approve all bonds whenever a bond is required by the regulations.

17. **Buffer Strip.** An area of no less than fifteen (15) feet in depth composed of densely planted evergreen shrubbery, solid fencing, earth berm or a combination thereof.
18. **Building.** A structure wholly or partially enclosed within exterior walls, or within exterior and party walls, and a roof, affording shelter to persons, animals or property.
19. **Building Area.** The aggregate of the areas of all enclosed and roofed spaces of the principal building and all accessory buildings. Such areas shall be computed by using outside building dimensions measured on a horizontal plane at ground level.
20. **Building Height.** The vertical dimension measured from the average elevation of the finished lot grade at the front of the building to the highest point of the roof.
21. **Building Inspector or any Deputies (a.k.a. Code Enforcement Officer).** That individual designated by the Town Board to enforce and administer the provisions of all the *New York State Uniform Fire Prevention and Building Codes, Land Use Regulations and Local Laws of the Town of Bristol*.
22. **Building Line.** A line formed by the intersection of a horizontal plane at average grade level and a vertical plane that coincides with the exterior surface of the building on any side. In case of a cantilevered section of a building or projected roof or porch, the vertical plane will coincide with the most projected surface. All yard requirements are measured to the building line.
23. **Building Lot Coverage.** The percentage of a lot area occupied by the ground area of principal or accessory building, but shall not include any structure (such as a patio or deck) that does not have a roof.
24. **Building Permit.** A permit issued by the Code Enforcement Officer stating that the purpose for which a building or land is to be used is in conformity with the uses permitted and all other requirements under this Zoning Local Law for the district in which it is located or is to be located.
25. **Building, Principal.** A building in which is conducted the main or principal use of the lot on which said building is situated.
26. **Camp.** Any area of land on which is located a structure suitable for seasonal or other temporary living purposes.
27. **Campground.** A parcel of land used or intended to be used, let or rented for temporary occupancy by campers or for occupancy by or of recreational vehicles, tents, or moveable dwellings, rooms or sleeping quarters of any kind.
28. **Cargo Containers.** Portable, commercial type containers or vehicles, such as, but not limited to, shipping containers, trucks, busses, etc.
29. **Cellar.** That space of a building that is partly or entirely below grade, which has more than half of its height, measured from floor to ceiling, below the average established curb level or finished grade of the ground adjoining the building.

30. **Certificate of Compliance.** Certificates issued by the Code Enforcement Officer upon completion of the change in use of an existing building or upon the completion of a project-requiring site plan approval. Said certificate shall acknowledge compliance with all provisions of the *New York State Uniform Fire Prevention and Building Codes and Local Laws* adopted by the Town of Bristol.
31. **Certificate of Occupancy.** A certificate issued by the Code Enforcement Officer upon completion of construction, alteration or change in occupancy or use of a building. Said certificate shall acknowledge compliance with all the requirements of the *Zoning Local Law of the Town of Bristol*, and such adjustments thereto granted by the Zoning Board of Appeals.
32. **Change of Use.** A transition to a use that is different, in terms of specific use type, than the use it replaces. Not included are changes in occupancy involving the same specific use where there is not an increase in floor area, extension, use or addition.
33. **Club House.** A building used to house a social, fraternal or service organization or club not organized or conducted for profit and which is not an adjunct to or operated by or in conjunction with a public tavern, café or other place of business.
34. **Code Enforcement Officer.** See “**Building Inspector**”.
35. **Condominium.** A multiple dwelling owned by more than one person, whereby each owner has fee simple ownership of a unit or apartment coupled with an undivided interest, together with all of the other owners of units in the project, in the common elements.
36. **Commercial Broadcast or Communication Facility.** An antenna tower, structure, or device, which emits or receives electronic signals for broadcast and/or communication purposes as part of a commercial or business enterprise.
37. **Driveway.** A roadway providing a means of access from a street to a property or off-street parking area. An access way may also be deemed a driveway. Said driveway/ access way shall be a minimum of ten (10) feet from any lot line.
38. **Dwelling.** Building containing not more than two dwelling units occupied exclusively for residential use.
39. **Dwelling Unit.** One or more rooms with provision for living, cooking, sanitary and sleeping facilities arranged for the use of one family.
40. **Dwelling, One-Family.** A building containing one dwelling unit.
41. **Dwelling, Two-Family.** A building containing two dwelling units.
42. **Dwelling, Multi-Family.** A building containing three or more dwelling units.
43. **Energy-Creating Windmills.** Any windmill, turbine or other energy-creating or energy-converting device. Minimum ground clearance from the tip of the propeller must be twenty (20) feet.

44. **Essential Service.** Underground surface or overhead electrical, gas, steam, water and sewage transmission and collection systems and the equipment and appurtenances necessary for such systems to furnish an adequate level of public services.
45. **Excavation Site.** A site used for the purpose of removal of stone, sand, gravel, or other minerals for sale or profit. It does not include topsoil removal or the temporary removal of earth for cellars, basements, roadbeds, cemeteries, etc.
46. **Family.** One or more individual(s) occupying a dwelling unit and living as a single household unit.
47. **Farm.** Any parcel of land used for agricultural and/or animal husbandry activities.
48. **Farm Building.** Any building used for the housing of agricultural equipment, produce, livestock or poultry, in conjunction with, and necessary to the operation of a commercial farm as defined by this Article. The term “Farm Building” shall not include “Farm Dwelling”.
49. **Fees.** Established by the Town Board of the Town of Bristol. See “Fee Schedule”. This “Fee Schedule” determined by Resolution of the Town Board of The Town of Bristol and reviewed at least every two years by said Board. This “Fee Schedule” applies to all Use Districts.
50. **Fence.** An artificially constructed barrier of wood, masonry, stone, wire, metal or any other manufactured or natural material or combination of materials.
51. **Flag Lot.** A lot having less lot width than otherwise normally required for the zoned district, but, in no instance less than sixty-six feet (66) feet in lot width, that provides access to the interior portion of the flag lot which contains the minimum lot area requirements for said district. The access portion of the flag lot shall not be considered buildable and may not be used in calculation of the minimum lot area requirements for the zoned district.
52. **Flood Plain.** The channel and the relatively flat area adjoining the channel of a natural stream or river, which has been or may be covered by flood maps, as drawn on Federal Maps.
53. **Floor Area, Gross.** The sum of gross horizontal areas of the several floors of a building or buildings on a lot measured from the exterior faces of exterior walls or from the centerline of party walls separating two (2) buildings.
54. **Floor Area, Habitable.** All spaces within the exterior walls of a dwelling unit, exclusive of garages, cellars, heater rooms and unheated porches and breezeways.
55. **Footprint.** The surface space occupied by a structure.
56. **Garages, Private.** An accessory building used in conjunction with a principal building which provides for the storage of motor vehicles and in which no occupation, business or services for profit are carried on.

57. **Garages, Public.** A building, or portion thereof, other than a private customer and employee garage or private residential garage, used primarily for the parking and storage of vehicles and available to the general public.
58. **Garage, Repair.** Any building or premises in which a business, service, or industry involving the maintenance, servicing, repair or painting of vehicles is conducted or rendered.
59. **Garbage.** The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.
60. **Home Occupation.** Any activity carried out for gain by a resident, conducted as an accessory use in the resident's dwelling unit, which is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof. A home occupation shall be conducted entirely within the principal dwelling unit and/or in a properly permitted, approved, and fully enclosed accessory building. The accessory structure may not exceed 750 square feet and must be of similar construction, architecture, and materials to the main dwelling unit.
61. **Home Professional Occupation.** The office of a member of a recognized profession when conducted in the resident's dwelling unit. Such occupations shall include, but not be limited to, those of doctors, lawyers, architects, engineers, artists, ministers and other recognized professional persons.
62. **Junkyards.** Any property or place where the business of a junk dealer or salvage dealer buys, exchanges, collects, receives, stores, accumulates, sells or otherwise transfers junk or salvage material other than wholly within an enclosed building. In addition, a junk yard shall include property used for the storage of impounded, abandoned, partially dismantled, obsolete or wrecked automobiles – other than wholly within an enclosed building. The outdoor storage of any of the following is included in this definition:
- a. Two or more junk vehicles;
 - b. Two or more abandoned mobile homes or recreational camping vehicles;
 - c. Two or more abandoned all-terrain vehicles or snowmobiles (as defined in the NYS Vehicle and Traffic Law);
 - d. Five or more inoperable appliances including, but not limited to, lawn and garden machines, washers, dryers, dishwashers, stove, refrigerators, freezers and televisions;
 - e. Five or more inoperable pieces of equipment;
 - f. Collection and storage of any second-hand or used material which, taken together, equal in bulk volume of 2000 cubic feet or more;
 - g. Any combination of the above that totals five items.
63. **Kennel.** Any premises, on which four (4) or more dogs more than four (4) months old are kept, bred or boarded for profit.
64. **Light Industry.** Industrial uses which meet the performance standards, bulk controls and other requirements established in this Zoning Local Law.

65. **Lodge.**
- a. A building or group of buildings under single management, containing both rooms and dwelling units available for temporary rental to transient individuals or families.
 - b. The place where members of a local chapter of an association hold their meetings, and the local chapter itself.
66. **Lot.** A parcel or area of land, the dimensions and extent of which are determined by the latest official records or by the latest approved map of a subdivision of which the lot is a part.
67. **Lot Area.** An area of land, which is determined by the limits of the lot, lines bounding that area and expressed in terms of square feet or acres. Any portion of a lot included in a public street right-of-way shall not be included in calculating lot area.
68. **Lot, Corner.** A parcel of land at the junction of and fronting on two (2) or more intersecting streets.
69. **Lot Coverage.** That percent of the lot area, which is devoted to building area and other impervious surfaces.
70. **Lot Depth.** The distance measured from the front lot line to the rear lot line.
71. **Lot Width.** The horizontal distance between the sidelines of a lot measured at right angles to its depth, along a straight line parallel to the front lot line at the minimum required building setback line.
72. **Manufactured/Mobile Home.** A factory-built, single-family dwelling constructed on a chassis to facilitate its transportation to the site. Such structures shall be self-contained single units (excludes modular homes) and shall meet the Mobile Home Construction and Safety Standards of the U.S. Department of Housing and Urban Development (H.U.D.) and applicable standards of the *New York State Uniform Fire Prevention and Building Code*. A manufactured home shall not be construed to be a travel trailer or a recreational vehicle. Doublewides shall be considered manufactured homes, not modular homes.
73. **Manufactured/Mobile Home Park.** A site with required improvements and utilities for the long-term parking of three (3) or more manufactured/mobile homes which must include services, such as snow plowing, septic, etc., for the residents.
74. **Massage Parlor/Establishment.** Any place where, for any form of consideration or gratuity, massage, alcohol rub, administration or fomentations, electric or magnetic treatments, or any other treatment manipulation of the human body which occurs as a part of or in connection with “specified sexual activities”, or where any person providing such treatment, manipulation, or service related thereto, exposes his or her “specified anatomical areas”. The definition of “Adult Use” shall not include the practice of massage in any licensed hospital, nor by a licensed physician, surgeon, chiropractor or osteopath, nor by any nurse or technician working under the supervision of a licensed physician, surgeon, chiropractor or osteopath, by a licensed masseuse, trainers for any amateur, semi-professional or professional athlete or athletic team or school athletic program.

75. **Modular Home.** A dwelling unit constructed off site, using conventional construction standards and transported to a permanent site, bearing an insignia of approval issued by the *New York State Fire Prevention and Building Code Council*.
76. **Motel.** An establishment providing transient accommodations primarily for motorists, not over two (2) stories in height, in which the exit from 100% of all rooms have direct access to the outside without the necessity of passing through the main lobby of the building.
77. **Multiple Dwelling.** One (1) or more multi-family dwellings designed and erected in an integrated development with singleness of use and operation and which utilizes such common facilities as pedestrian walks, parking and garage areas, open space, or recreation areas; and utility and sanitary facilities.
78. **Non-Conforming Building.** A building, lawfully existing at the time of the adoption of this Zoning Local Law, which in its design, construction, size or location upon a lot, does not conform to the regulations of this Zoning Local Law for the zone in which it is located.
79. **Non-Conforming Lot.** A lot of record existing at the date of the passage of this Zoning Local Law which does not have the minimum width or depth or contain the minimum area for the zone in which it is located.
80. **Non-Conforming Use.** A use or activity which was lawful prior to the adoption, revision or amendment of a Zoning Local Law, but which fails, by reason of such adoption, revision or amendment, to conform to the present requirements of a zoning district. Use of a building or of land that does not conform to the regulations of the zone in which it is located.
81. **Notice.** Notice shall be determined given when the document advising such action has been placed in a postage prepaid sealed envelope addressed to the individual at the last known address of such individual. The act of advising the applicant, owner, or other individual of an administrative decision of compliance, non-compliance, issuance of a permit, or other action administered by a Town official.
82. **Nudity or State of Nudity.** The appearance of human bare buttocks, anus, male genitals, female genitals or full male or female breasts.
83. **Ontario County Soils and Water Conservation.** A non-regulatory agency established to assist municipalities and landowners address issues associated with, and protect our natural resources.
84. **Operating Permit.** An official document or certificate issued by the Code Enforcement Officer that authorizes performance of a specified activity.
85. **Parabolic Dish-Type Antennas.** Antennas constructed in the form of and housed within a parabolic dish-type structure.
86. **Parking Space – Off Street.** A space adequate for parking an automobile and having an area of not less than 160 sq. ft, (8' x 20') per vehicle, exclusive of passageways and

driveways appurtenant thereto. For Handicapped Parking, refer to *American National Standards, Chapter 5, Sec. 502.2, "Vehicle Parking Space Size"*.

87. **Planned Unit Development.** An area of a minimum of fifty (50) acres to be planned and developed as a single entity containing one or more residential clusters and one or more public, commercial or industrial areas. Such development shall be based upon a plan, which allows for flexibility of design not available under normal zoning district requirements.
88. **Planning Board.** The duly appointed and constituted Town of Bristol Planning Board. (See Article Nineteen, Section I of the *Zoning Local Law of the Town of Bristol*.)
89. **Pond.** Any natural or man-made entrapment of water capable of attaining more than two (2) feet in depth.
90. **Principal Use.** The main use for which a building or lot is to be used.
91. **Private Drive.** A roadway providing a means of access for more than one residence from a street to a property or off-street parking area. An access-way may also be deemed a driveway. A private drive must be located at least ten (10) feet from a property line.
92. **Production and Assembly Uses.** These businesses shall include, but are not limited to the following: machine shop operations, printing, publishing and book binding, machine press operations, upholstering, welding, manufacture and/or assembly of electronic devise and electric appliances.
93. **Professional Office.** The office of a doctor, lawyer, dentist or persons performing any activity or service licensed pursuant to the provisions of the appropriate laws of the State of New York.
94. **Public Utility.** A regulated private enterprise with a franchise for providing public service.
95. **Public Utility Facilities.** Telephone and electric lines, poles, equipment and structures; water or gas pipes, mains, valves or structures, sewer pipes, valves or structures; pumping stations; telephone exchanges and repeater stations; and all other facilities, equipment and structures necessary for conducting a service by a government or public utility.
96. **Qualified Abandonment.** A highway on which the maintenance has been discontinued for reasons of lack of use as a highway, but the public right-of-way still remains. Said highway can be gated by property owner(s) but cannot be locked. (For specifics, refer to Section 205 of the Highway Law.)
97. **Recreational Vehicles/Pop-Up Tents.** A vehicle designed to be moved by its own power or towed by a vehicle to which it may be attached and to be temporary living or sleeping quarters for one or more persons, with or without toilet facilities. These vehicles must be registered with the Department of Motor Vehicles.
98. **Repair Shop/Garage (Vehicles).** A building, structure or portion thereof used for servicing or repairing motor vehicles, e.g., engine repair, body work, frame straightening,

painting, upholstering, steam cleaning, electrical work, tune-ups and all other passenger vehicle repair activities not specifically listed in the definition of “vehicle service station”.

99. **Restaurant.** Any establishment whose primary business is food that is sold for consumption on the premises to patrons and equipped with seating facilities and where the taking of food and drink from said building is incidental. The term “restaurant” shall include bars and taverns licensed to sell alcoholic beverages for on-premises consumption. However, a snack bar, refreshment stand at a public, semi-public or community swimming pool, playground, playfield or park operated by the agency or groups or an approved vendor operating the recreational facilities and for the convenience of the patrons of the facility, shall not be deemed to be a restaurant.
100. **Right of Way (Highway Line).** The line, present or proposed, which is the joint boundary line between a lot and the street or highway right-of-way; an easement for right of way for highway purposes.
101. **Roof-Mounted Antennas and Roof-Mounted Parabolic Dish-Type Antennas.** Antennas and parabolic dish-type antennas mounted or located on the roof of any building or structure.
102. **Rooming House.** A dwelling in which three (3) or more persons, either individual or as families, are housed for hire with or without meals. A lodging house or boarding house shall be deemed a rooming house
103. **Rubbish.** Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass crockery and dust and other similar materials; this term shall also include discarded, abandoned or stored refrigerators.
104. **S.E.Q.R. (State Environmental Quality Review). Refer to 6 NYCRR Part 617.**
105. **Scenic Vista.** A distant view through or along an avenue or opening; a picturesque view or landscape.
106. **Service Station.** A building or premises where gasoline, oil, grease, batteries, tires and automobile accessories may be supplied and dispensed at retail. Uses permissible at a service station do not include major mechanical and body work, straightening of body parts, painting, storage of automobiles not in operating condition, or other work involving noise, glare, fumes, smoke or other characteristics to an extent greater than normally found in service stations. A service station is not considered a public garage as defined elsewhere in this Zoning Local Law.
107. **Setback.** The distance between the street line, rear of side lines of the lot, and the front, rear and side lines of the building. All measurements shall be made at right angles to or radially from the lot lines to the nearest portion of the building lines. Setbacks from highway right-of-way to building site are defined as “front setbacks”. Setbacks from side lot lines are “side setbacks”. Setbacks from rear lot lines are “rear setbacks”.

108. **Sign.** Any device, structure, or object for visual communication that is used for the purpose of bringing the subject thereof to the attention of others, but not including any flag, badge or insignia of any public, civic, charitable or religious group.
109. **Sign Area.** The area defined by the frame or edge of a sign. Where there is no geometric frame or edge of the sign, the area shall be defined by a projected, enclosed, four-sided (straight sides), geometric shape, which most closely outlines said sign.
110. **Site Plan.** A plan of a lot or subdivision on which is shown topography, location of all buildings, structures, roads, right-of-way boundaries, all essential dimensions and bearings and any other information deemed necessary by the Town of Bristol Planning Board.
111. **Solar Panels.** Allow for “energy transfer” from light energy to heat and electrical.
112. **Special Use Permit.** An application for a permitted use pursuant to Article Eighteen and after approval by the Town of Bristol Zoning Board of Appeals.
113. **Specified Anatomical Areas.** The male genitalia in a state of sexual arousal and/or the vulva or more intimate parts of the female genitalia.
114. **Specified Sexual Activities.** Any of the following:
- a. The fondling or other erotic touching of human genitals, pubic regions, buttocks, anus or female breasts;
 - b. Sex acts, normal or perverted, actual or simulated, including intercourse, or copulations or sodomy,
 - c. Masturbation, actual or simulated; or
 - d. Excretory functions as part of or in connection with any of the activities set forth in a, b or c.
115. **Steep Slopes.** Areas that will require additional measures to protect and manage slopes. **Refer to Article Thirteen** of the *Zoning Local Law of the Town of Bristol*.
116. **Storage.** Any place designated for, intended for, or used for the keeping, warehousing, putting aside, safekeeping or accumulating of things or materials.
117. **Street, Road or Highway.** Thoroughfare dedicated and accepted by a municipality for public use or legally existing on any map of a subdivision filed in the manner provided by law.
118. **Structures.** Structure means a combination of materials to form a construction that is safe and stable and includes, among other things, stadiums, platforms, towers, sheds, storage bins, signs and swimming pools.
119. **Swimming Pools.** Any body of water or receptacle for water having a depth at any point greater than two (2) feet used or intended to be used for swimming or bathing, and constructed, installed, or maintained in or above the ground outside of any building.

120. **Swimming Pool, Private.** A swimming pool operated as a secondary or accessory use to a residential dwelling unit or units, located on an individual residential lot, which pool is not open for use by the general public or for profit.
121. **Swimming Pool, Public.** A pool open to the public
122. **Temporary Use.** An activity conducted for a specified period of time, which may not otherwise be permitted by the provisions of this Zoning Local Law. Examples of such uses are buildings incidental to new construction, which are removed after the completion of the construction work.
123. **Timber Harvesting.** The business of felling trees for commercial lumber and/or firewood production and/or sale. **(See Timber Harvesting Local Law 2005)**
124. **Tower.** Any tower, pole, or other structure, whether attached to a building, guyed or free standing, designed to be used for the support of any device for the transmission or reception of electronic signals, including, but not limited to, broadcast, shortwave, citizen's band, FM, television, microwaves or any energy-creating windmills.
125. **Tower Facilities.** Antennas, parabolic dishes, towers, energy-creating windmills, when referred to collectively.
126. **Tower – Private Use Facilities.** An antenna, tower, structure or device which emits or receives amateur radio or citizen's band spectrums only, or which may receive any portion of a radio spectrum, provided that said use is not used for commercial purposes.
127. **Townhouse.** A multiple dwelling unit consisting of units constructed in a series or in groups, attached by common party walls, and which contains a minimum of three (3) single-family units per building.
128. **Use.** The specific purposes, for which land or a building is designed, arranged, intended or for which it is or may be occupied or maintained.
129. **Variances:**
The goal of zoning is to provide area standards that apply to all properties equally within a give district.
Area Variance
 An Area Variance is the authorization by the Town of Bristol Zoning Board of Appeals for the use of the land in a manner that is not allowed by the dimensional or physical requirements of the Zoning Ordinance of the Town of Bristol.
Use Variance
 A Use Variance is the authorization by the Town of Bristol Zoning Board of Appeals for a purpose that is not otherwise allowed or is prohibited by the Zoning Ordinance of the Town of Bristol.
130. **Vehicle.** A conveyance or a device for carrying or transporting substances, objects or individuals.
131. **Waste.** Any material temporarily or permanently discarded or unwanted and not stored in a vermin-proof, sealed enclosure or structure for subsequent disposal.

132. **Yard.** An open space that lays between the principal building and the nearest lot line.
133. **Yard, Front.** An open, unoccupied space on the same lot with the principal building, extending the full width of the lot or a minimum of twenty-five (25) feet on either side of the front of the building. Setback line shall be measured from the front lot line to the front building line.
134. **Yard, Rear.** A yard extending across the full width of the lot and lying between the rear line of the lot and the nearest line of the principal building on the same lot. The depth of a rear yard shall be measured at right angles to the rear line of the lot, or if the lot is not rectangular, then in the general direction of its side building lines.
135. **Yard, Side.** An open, unoccupied space between the sidelines of the lot and the nearest line of the building. It shall extend from the front yard to the rear yard, or in the absence of either, to the street or rear lot lines as the case may be. The width of a side yard shall be measured at right angles to the sideline of the lot.
136. **Zoning Board of Appeals.** The duly appointed and constituted Zoning Board of Appeals of the Town of Bristol. (See Article Nineteen, Section II of the *Zoning Local Law of the Town of Bristol*).
137. **Zoning Permit.** An official finding that a planned use of property, as indicated by an application, complies with the requirements of the *Zoning Local Law of the Town of Bristol* and meets the special conditions of a variance or special use permit.

ARTICLE FOUR – ESTABLISHMENT AND DESIGNATION OF USE DISTRICTS

Section I. Districts

To carry out the purpose and intent of the Zoning Local Law is hereby divided into districts, which shall be designated as follows:

A.	Agricultural –Conservation	A-C
B.	Low Density Residential	L-R
C.	Medium Density Residential	M-R
D.	Community Business	C-B
E.	Light Industrial	L-I
F.	Manufactured/Mobile Home District	M-H

Section II. Official Zoning Map

The location and boundaries of the foregoing districts created by this Zoning Local Law are hereby established on the 2011 Zoning Map, which is hereby made a part of the Law and declared to be the “Official Map of the Town of Bristol”.

ARTICLE FIVE – CONSTRUCTION PROVISIONS

Section I.

No structure shall be erected, altered or moved into the Town of Bristol except in conformity with all of the regulations pertaining to such structure and pertaining to the district within which such structure is located.

Section II.

No structure shall be erected, altered or moved into the Town of Bristol without previously having been issued a building permit authorizing such erection, alteration or movement.

Section III.

Site Plan Review Prior to Issuance of Building Permits. No building permit shall be issued for structures other than one or two-family dwellings, their customary accessory structures and common farm-related structures, such as barns, sheds, fences and silos, in order to promote the health, safety and general welfare of the residents of the Town of Bristol, unless a Site Plan has been submitted to the Planning Board at the next regularly Planning Board meeting following receipt by the Code Enforcement Officer of such a plan. The Planning Board shall determine whether or not the Site Plan is in compliance with all requirements of this Zoning Local Law and shall approve, modify and approve or disapprove such Site Plan within the time limit as provided in the Site Plan Review and Approval Provisions of the Town of Bristol.

Section IV.

Driveways. Refer to *Design Criteria and Construction Specifications for Land Development of the Town of Bristol*. Driveway must be located at least 10 feet from any existing property line. Location of driveway must have the approval of the highway department having jurisdiction.

Section V.

Except as hereinafter provided, no building shall hereafter be erected or altered to exceed the height (30'), to be of lesser size, to accommodate or house a greater number of families (2), to occupy a greater percentage of lot area (5%), or to have narrower or smaller rear yards, front yards, or side yards than is specified herein for the Use District in which such building is located.

Section VI.

No yard or lot in existence at the time of passage of this Zoning Local Law shall be reduced in dimension or area below the minimum requirements set forth herein.

Section VII.

Maintenance. Nothing in this Zoning Local Law shall prevent the renovation or repair of nonstructural members or the maintenance of a structure made necessary by ordinary wear and tear.

Section VIII.

Prior Building Permits. Nothing in this Zoning Local Law shall nullify any duly issued building permit issued prior to the effective date of this Zoning Local Law, provided that

work is commenced and diligently prosecuted. The property must be otherwise in full compliance with this Local Law and all NYS Building Codes and Fire Prevention.

Section IX

Permits/Applications. Upon approval, all permits and applications are binding for a period of one year. In the event substantial work has not been undertaken within one year, it must be re-approved by the respective Board/person granting the permit or application. Substantial work shall include, but not be limited to final design or seeking other or additional job approvals or grants, provided such actions are timely undertaken and diligently pursued.

Section X.

Swimming Pools. Swimming pools shall be permitted in all districts, in the side or rear yards only, on lots with residential structures, but shall not be located closer than 25 feet to the side and rear lot lines.

ARTICLE SIX – PROVISIONS APPLICABLE TO ALL USE DISTRICTS

Section I.

Except as hereinafter provided, no building or land shall hereafter be used or occupied, and no building or part thereof shall be erected, used, moved, changed or altered, unless in conformity with the regulations of this Zoning Local Law and unless a building permit has been issued. Repairs are permitted without a building permit, providing no increase in size or use of structure or lands is made.

Section II.

No structure shall be built within twenty-five (25) feet of the bed of a stream carrying water on an average of six (6) months of the year, or on land subject to periodic overflow.

Section III.

No person shall strip, excavate or otherwise remove topsoil for sale or other use other than on the premises from which taken, except in connection with the construction or alteration of a building on said premises and excavating or grading incidental thereto.

Section IV.

No lot shall have erected thereon more than one (1) principal use building.

Section V.

No obstruction to view between a height of 2 ½ feet and 10 feet, measured perpendicularly from the grade, shall be maintained on the premises in the angle formed by intersecting streets so as to interfere with the view of traffic approaching the intersection within a distance of 100 feet, measured along the center line of each from the intersection of such center line. The provisions herein shall not be construed as to require the cutting or removal of an existing stand of trees within the prescribed area. Such area shall, however, be kept free of underbrush and other plants which obstruct the view of approaching traffic.

Section VI.

No front yard shall be used for the open storage of boats, vehicles, recreational vehicles, appliances, farm equipment, unlicensed cars and other scrap or material, except for vehicular parking on driveways.

Section VII.

- A. One (1) recreational vehicle (RV) may be stored on the premises of the owner or occupant of a residential structure, provided that it is stored at the rear or side of the residential structure.
- B. A recreational vehicle (RV) may be parked in conjunction with a residential dwelling in the Town of Bristol for a period of time not to exceed one hundred twenty (120) days per calendar year, and provided that no fee is charged by the owner/occupant of the residential dwelling. The owner/occupant of the residential dwelling is not allowed to live in said recreational vehicle.
- C. After a permit is obtained from the Town, it is allowed to place one tent, RV or pop-up on a parcel of vacant land for a period not to exceed ninety (90) days in a calendar year.

Section VIII.

No business establishment shall place or display goods for purposes of sale or permit any coin-operated vending machines of any type to be placed in any location which would infringe upon the required yard areas specified in this Local Law. However, the display of farm products offered for sale at a roadside stand on the lands on which such products are raised, produced or grown is not prohibited.

Section IX.

For the purpose of regulating the location of accessory buildings on corner lots and on lots extending through/between parallel streets, all portions of such lots fronting the street shall be subject to the front yard requirements of the use district in which such lot is located.

Section X.

The provisions of this Local Law shall apply to customary utility services.

Section XI.

Cargo containers are not allowed; with the exception of rented cargo containers that can be used for up to four (4) weeks then must be removed.

Section XII.

A new Certificate of Occupancy must be issued for any structure that is deemed unsafe or that has been unoccupied for more than one year.

ARTICLE SEVEN – PARKING REGULATIONS FOR ALL USE DISTRICTS

Section I.

All parking facilities shall conform to the following regulations:

- A. Parking areas shall be provided as further specified in this Local Law, and shall be furnished with necessary passageways and driveways, as specified in the Town of Bristol *Design Criteria and Construction Specifications for Land Development*. All such space shall be deemed to be required space on the lot on which it is situated, and shall not be encroached upon or reduced in any manner. All parking areas shall be adequately drained.
- B. For the purpose of this Local Law, a parking space shall be an area eight (8) feet wide and twenty (20) feet long, exclusive of passageways and driveways appurtenant thereto and providing access thereto.
- C. The collective provision of off-street parking areas by two (2) or more buildings or uses located on adjacent lots is permitted, provided that the total of such facilities shall not be less than the sum required of the various buildings or uses computed separately and further provided that the land upon which the collective facilities are located is owned or leased by one (1) or more of the collective users.
- D. All parking areas and appurtenant passageways and driveways serving commercial uses shall be illuminated adequately during the hours between sunset and sunrise when the use is in operation. Adequate shielding shall be provided by commercial users to protect adjacent residences from the glare of such illumination and from that of automobile headlights.
- E. No building shall be erected or altered unless adequate provision shall be made and space provided on the premises, or in connection therewith, for parking off the highway. The recurrent parking of any vehicle on the right-of-way of a highway or the impeding or obstruction of traffic, or creation of traffic hazards by the parking of any such vehicle, shall be prima facie evidence of the failure to provide adequate and suitable parking area on the premises or in a convenient connection therewith and shall constitute a violation of this Local Law.
- F. All commercial uses must adhere to the *American Disabilities Act*.

Section II.

- A. **In Agricultural-Conservation (A-C) Use District, Low-Density Residential (L-R) District and Medium-Density (M-R) District** off-street parking facilities with appropriate access thereto shall be provided in accordance with the following minimum standards:
 - 1. Single-family dwelling units – two (2) parking spaces.
 - 2. Churches and other public meeting places – one (1) parking space for each four (4) seats.

3. Public buildings – one (1) parking space for each five hundred (500) square feet of floor space.
4. Public parks, playgrounds and recreational areas – two (2) parking spaces for each acre devoted to such use.
5. Residential professional office – one (1) parking space for each one hundred fifty (150) square feet of floor area devoted to such use, but in no case less than three (3) such spaces in addition to the number of spaces required for the dwelling.
6. Bed and Breakfast/Tourist Home – in addition to the two (2) parking spaces required for the residence, one (1) additional parking space is required for each bedroom used in the operation.

B. In Community Business (C-B) Use District off-street parking facilities with appropriate access thereto shall be provided in accordance with the following minimum standards:

1. Beauty and barber shops – two (2) parking spaces for each beauty chair or barber chair, plus one (1) parking space for the owner or operator and each employee on the maximum shift.
2. Business and professional offices, retail and service shops – one (1) parking space for each one hundred fifty (150) square feet of floor space devoted to such use plus one (1) parking space for each employee on the maximum shift.
3. Stores for the sale of appliances and hardware – one (1) parking space for each five hundred (500) square feet of floor space devoted to such use plus one (1) parking space for each employee on the maximum shift.
4. Stores for the sale of groceries – one (1) parking space for each one hundred (100) square feet of floor space devoted to such use, plus one (1) parking space for each employee on the maximum shift.
5. Farm equipment sales stores and showrooms – one (1) parking space for each three hundred (300) square feet of floor space devoted to such use plus one (1) parking space for each employee on the maximum shift.
6. Restaurants, cafeterias, bars and taverns – one (1) parking space for each three (3) customers' chairs, plus one (1) parking space for each employee on the maximum shift.
7. Where an off-street parking area abuts a residential zone, a buffer strip shall be provided between the parking area and adjoining property line.

C. In Light Industrial (L-I) Use District off-street parking facilities with appropriate access thereto shall be provided in accordance with the following minimum standards:

1. One (1) off-street parking space shall be provided for each employee on the maximum shift, or one (1) parking space for each three hundred (300) square feet of floor area devoted to such use, whichever is greater.

2. Parking areas may be located in any of the required yard areas, providing the parking area is set back at least twenty-five (25) feet from any street line, and a buffer strip shall be provided between parking areas and property lines.

ARTICLE EIGHT – WASTE DISPOSAL

Section I.

No part of any sewage disposal tile fields, leaching beds, or any other system designed to permit the percolation of liquid waste shall be located any closer than one hundred (100) feet to the high water line of any lake, pond, stream or similar body of water. Such systems shall be ten (10) feet from any property lines and one hundred (100) feet from any well, whether on-site or on adjacent property. Leach fields shall be at least ten (10) feet from all underground utility lines. Tanks shall be not less than ten (10) feet from a structure foundation. (*Refer to N.Y.S. Public Health Law 75A, Waste Water Treatment Standards/Individual Household Systems.*)

Section II.

Refer to New York State Ag and Markets Laws and Regulations for industry standards for animal waste and boarding of animals (www.agmkt.state.ny.us, Programs, Farmland Protection Program - guidance for industry standards). NYS DEC is the governing body for animal waste (NYS DEC Article 6 NYCRR Section 360-4.1, Sub C1).

ARTICLE NINE – SIGN AND BILLBOARD REGULATIONS

Section I. Purpose

The purpose of these regulations is to provide comprehensive time, place and manner restrictions on signage, including, but not limited to, controls on size, height, quantity, location, lighting, motion, design and appearance toward the goal of promoting community aesthetics, traffic safety, economic development and the protection of property values.

Section II. Sign Standards

- A. All signs within the Town of Bristol must be maintained and be in accordance with the following:
1. Design Qualities. Applicants are encouraged to design signs consistent with architecture and scenic vistas of the Town of Bristol.
 2. Lighting. No sign in a residential district may be illuminated.
 3. Attachments. No sign shall be attached to utility poles, trees or streetlights.
 4. Attention Devices. No sign shall consist of animated or moving parts.
 5. Maintenance. All signs and structures that support a sign shall be adequately maintained. Maintenance of a conforming sign or a legally non-conforming sign shall not be considered an erection or alteration so long as a structural change is not made.
 6. Projecting Signs. No sign shall be permitted to project into any public right-of-way.
 7. Accessory Use. All signs permitted in the Town of Bristol on or after the effective date of this Local Law shall be an accessory use.
 8. Building Permit. All signs, except temporary signs, shall be considered structures and shall require a building permit.
 9. Temporary Signs. All signs such as “For Sale” or “For Rent” (real estate), Candidate signs and Garage/Yard Sale, etc., shall be considered as temporary signs.
 - a. Real Estate Signs must be removed no later than ten (10) days after the transfer of title or rental of the property.
 - b. Political candidate signs shall be in place no more than forty-five (45) days in any given calendar year prior to Election Day. These signs must be removed within ten (10) days after an election.
 - c. Garage/Yard sale signs shall be in place no more than thirty (30) days in any given calendar year, nor more than 3 consecutive days. These signs must be removed within five (5) days after the last day of the sale.
 - d. Seasonal signs are permitted to coincide with availability of goods/merchandise/services for a period of time not to exceed 60 days.
 - e. Banners for advertising commercial activities may be in place for no more than 30 days and shall not be allowed to deteriorate.

10. Lighting Angle. If lighting is provided, it shall be arranged to reflect away from the surrounding property and away from public ways.
11. Lighting Intensity. The intensity of the light source shall not exceed that necessary to illuminate and make legible a sign from the public ways. Signs constituting a traffic hazard are prohibited.
12. Uniform Building Code. All signs shall comply with applicable regulations of the *New York State Uniform Fire Prevention and Building Code.*

Section III. Signs Permitted by District

A. Agricultural-Conservation (A-C)

Signs shall be permitted in accordance with the following requirements:

1. Residential Use. A pole or building-mounted, non-illuminated sign which exceeds no more than four (4) square feet per side or ten (10) feet in height above ground level. No permit required for this sign.
2. Commercial Use. One (1) sign, which may be illuminated, but non-flashing, identifying a church, public building, home occupation, or other permitted non-residential commercial use. Such sign shall be situated on the property to which it relates and shall be no less than five (5) feet from the right-of-way. Such sign shall be no more than sixteen (16) square feet in area on each of two sides, nor ten (10) feet in height above ground level.

B. Residential (M-R and L-R) Districts

Signs shall be permitted in accordance with the following requirements:

1. Residential Use. A pole or building-mounted, non-illuminated sign which exceeds no more than four (4) square feet per side or ten (10) feet in height above ground level. No permit required for this sign.
2. Commercial Use. One (1) sign that shall be non-illuminated and non-rotating to indicate a home occupation or professional office. Such sign shall be no more than four (4) square feet in area on each of two sides, nor ten (10) feet in height above ground level.

C. Community Business (C-B) and Light Industrial (L-I) Districts

Signs shall be permitted in accordance with the following requirements:

1. A pole or building-mounted sign, which exceeds no more than four (4) square feet per side or fifteen (15) feet in height above ground level. No permit required for this sign.

2. Commercial Use. Signs to identify a permitted business use located on the same property shall be permitted in accordance with the following requirements:
- a. One (1) sign may be placed, or inscribed upon the front of a building, for each permitted use or activity, except that the said sign shall not exceed an area of fifteen percent (15%) of the surface upon which it is located and shall not project more than twelve (12) inches in front of the face of the building. Such sign may be illuminated, but shall be non-flashing.
 - b. Each permitted business use may have one (1) freestanding sign, provided that such sign shall not exceed fifteen (15) feet in height and shall not exceed a maximum of twenty (20) square feet in area per side upon which the message is affixed.
 - c. One (1) freestanding sign for each retail/professional center, which shall not exceed sixty-five (65) square feet in area nor fifteen (15) feet in height above ground level.

Each use in a commercial center or plaza shall be permitted one (1) square foot of sign area of each linear foot of building frontage and such sign is to be mounted on the building frontage.

Section IV. Exceptions to these Regulations

- A. As defined in Article Three “*Definitions*”, signs in the Community Business (C-B) and Light Industrial (L-I) Districts shall not apply to parking lot markers, directional signs, entrance and exit signs and other non-advertising signs, which are erected upon the premises, provided that such signs do not exceed two (2) square feet in area on any one (1) side and do not contain any advertising of the use of the premises.
- B. No permit shall be required for a temporary “For Sale” or “For Rent” sign, provided it does not exceed twenty (20) square feet in area and the height is no greater than seven (7) feet.
- C. No permit shall be required for temporary candidate or ballot signs. These signs shall measure no more than four (4) square feet and no more than one sign for each candidate or ballot shall be placed on the same parcel. Signs must be removed within 10 days after an election.

Section V. Procedures

- A. All permitted signs and billboards shall be considered structures and shall require a building permit from the Code Enforcement Officer. Said signs must be located within the proper setbacks of the Town, County or State right-of-way and comply with Section III of this Article.
- B. The Code Enforcement Officer’s review of all sign permits shall be based on the completed application form, any accompanying photos, drawings and site inspection.

C. The Code Enforcement Officer shall:

1. Review the design, size and location of the proposed sign to determine whether the proposed sign is in violation of any of the regulations or restrictions set forth in this Local Law.
2. Grant or deny the application within thirty (30) days of receipt of a complete application and file the decision in the Office of the Town Clerk. A denial shall be accompanied with a brief statement of the reason for the denial.
3. Once an application has been approved, the Code Enforcement Officer shall issue a sign permit. Said permit shall be valid for a period of one hundred twenty (120) days from the date of issuance. If a Certificate of Sign Compliance is not issued within the 120-day period for the sign permit, said sign permit shall expire.
4. Should the Code Enforcement Officer, upon inspection, find the sign not in compliance with the sign permit, the applicant shall be so notified by mail within two (2) business days of the inspection. The applicant shall have up to thirty (30) business days to respond from the date the notice is placed in a sealed envelope, prepaid postage, addressed to the owner at the last known address.
5. The Code Enforcement Officer shall maintain a file on all commercial sign permits issued. The file shall contain photos of all existing commercial speech signs and identify whether a sign was erected with or without a permit, before or after the effective date of these sign regulations.

D. When a Site Plan Review is indicated for new construction or site alterations, the Planning Board shall, as part of the Site Plan Review, reserve the right to accept, modify or deny proposed signage. This decision, along with all final decisions regarding the Site Plan Review, shall be conveyed to the Code Enforcement Officer.

Section VI. Enforcement and Penalties

A. Enforcement and Penalties

1. It shall be the duty of the Code Enforcement Officer or his delegate to administer and enforce the provisions of this Local Law.
2. When violations occur under this Local Law, the Code Enforcement Officer shall cause notice to be given to the owner or occupant of the premises on which the sign is located, or to the agent of either, or person receiving the benefits from the non-conforming sign. Said notice may be given by issuance and service of a Notice of a Violation. If any of said persons fail to abate said violation within ten (10) days after such notice has been sent to said person at their home or business address, said person shall be subject to a civil penalty for each and every day that said violation continues, recoverable by suit brought by the Code Enforcement Officer in the name of the Town and to be retained by the Town.
3. The Code Enforcement Officer or authorized representative may serve a written Stop-Work Order upon the applicant, or other person who commits or assists in any such violation, requiring the correction of any violation of this Local Law.

4. The Code Enforcement Officer, on behalf of the Town, may maintain an action for an injunction to enjoin violations of these regulations.
5. The remedies provided herein shall be cumulative, and shall be in addition to any other remedies provided by law.

B. Fees

All fees associated with these regulations shall be established and maintained by the Town Board and made a part of the Town of Bristol Fee Schedule. Fees for signs are incorporated into the Building Permit fee.

Section VII. Sign Maintenance

All signs in the Town of Bristol shall be properly maintained at all times. The Code Enforcement Officer shall have the authority to order the painting, repair or removal of a sign and accompanying landscaping which constitutes a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence or abandonment. Notification shall be by mail. If the maintenance notice is not complied with within ten (10) days or followed with a plan of action, it shall become an order to abate the sign or perform the maintenance or repair specified therein.

ARTICLE TEN – USES PERMITTED IN USE DISTRICTS

Section I. Agricultural Conservation (A-C) Use District

A. Permitted Uses:

No structure or part thereof shall be erected, altered or used, and no lot shall be used except for one of the following land uses:

1. Churches and other places of worship, parish houses, convents, cemeteries and other facilities.
2. General or specialized farming, greenhouses, nurseries, and related farming activities, provided that no storage of manure or other odor-producing substances shall be permitted within one hundred (100) feet of an adjoining property line.
3. Historic, scenic preservation and conservation areas.
4. Home occupation uses, including professional offices.
5. Municipal parks, playgrounds and buildings deemed appropriate by the Town Board of the Town of Bristol.
6. Single-family dwellings.
7. Two-family dwellings.
8. Pre-manufactured modular homes with full perimeter frost-free footer/block/concrete foundations with provisions for access to utilities and to provide ventilation.

B. Permitted Accessory Uses:

1. Artisans.
2. The storage of products or equipment and related buildings and fences.
3. Residential accessory structures.
4. Off-street parking facilities in accordance with Article Seven of this Local Law.
5. Other customary residential structures and facilities such as patios, private swimming pools, fireplaces, trellises, lampposts and the like.
6. Private garages.
7. Signs in accordance with Article Nine of this Local Law.

C. Special Use Permits Required:

1. Antennas, parabolic dishes, towers, windmills, and energy-creating devices – **subject to Local Law #1-2007.**
2. Bed and Breakfasts/Tourist Homes.
 - a. It is determined that all of the requirements of this Local Law be maintained.
 - b. The Zoning Board of Appeals must find that the proposed use is compatible with adjacent properties and will not adversely affect property values.
 - c. The use as a Bed and Breakfast/Tourist Home shall be conducted entirely within the primary building.
 - d. The use of the premises as a Bed and Breakfast/Tourist Home shall not require or involve any exterior alterations to the structure which will make it appear as other than a single-family dwelling.
 - e. The operation of the Bed and Breakfast/Tourist Home shall be carried on by a member of the family residing upon the premises.

- f. The establishment shall not operate as a restaurant by selling meals other than breakfast to bona fide overnight guests.
 - g. The establishment shall not operate as a rooming house or boarding house by providing long-term accommodations for its guests.
3. Boarding/Stabling/Riding Academies/Livery Stables.
The Town Zoning Board of Appeals may approve a Special Use Permit for Boarding, Stabling, Riding Academies or Livery Stables, provided that the following standards and provisions are met:
- a. No site preparation or construction shall commence nor shall existing structures be occupied until final Site Plan approval has been granted by the Planning Board and permits have been issued by all governmental agencies involved.
 - b. Suitable and adequate off-street parking shall be provided in accordance with the requirements established by the Town Planning Board.
 - c. Exterior lighting shall be permitted only to the extent necessary to prevent injury to the public and shall be so installed and arranged as to reflect light away from the adjoining streets and prevent any nuisance to adjoining property.
 - d. The barns, stalls, paddocks and any other grounds in the town where horses are kept shall be maintained in a clean and sanitary condition so as not to create any condition or odor which would be objectionable to persons occupying the adjoining property.
- 4. Campgrounds.
 - 5. Golf Courses/Clubhouses.
 - 6. Kennels, clinics and grooming facilities for domestic pets.
 - 7. Manufactured/Mobile Homes (**Subject to all requirements of Article Fourteen “Regulation of Manufactured/Mobile Homes”.**)
 - 8. Manufactured/Mobile Home Parks (**Subject to all requirements in Article Fifteen “Regulation of Manufactured/Mobile Homes and Manufactured/Mobile Home Parks”.**)
 - 9. Multiple Dwellings.
 - 10. Public Utilities/Facilities.
 - 11. Townhouses/Condominiums.

Section II. Low-Density Residential (L-R) Use District

A. Permitted Uses:

No structure or part thereof shall be erected, altered or used, and no lot shall be used except for one (1) or more of the following land uses:

- 1. Churches and other places of worship, parish houses, convents and other facilities.
- 2. Home occupation uses, including professional offices.
- 3. Municipal parks, playgrounds and buildings deemed appropriate by the Town Board of the Town of Bristol
- 4. Single-family dwellings.
- 5. Two-family dwellings.
- 6. Pre-manufactured modular homes with full perimeter frost-free footer/block/concrete foundations with provisions for access to utilities and to provide ventilation.

- B. Permitted Accessory Uses:
 1. Customary residential storage facilities and fences.
 2. Off-street parking facilities in accordance with Article Seven of this Local Law.
 3. Other customary residential structures and facilities such as patios, private swimming pools, fireplaces, trellises, lampposts and the like.
 4. Private garages.
 5. Signs in accordance with Article Nine of this Local Law.

- C. Special Use Permits Required:
 1. Agricultural Buildings.
 2. Bed and Breakfast/Tourist Homes. (See Section I.C.2. of Article Ten)
 3. Boarding/Stabling/Riding Academies/Livery Stables. (See Section I.C.3. of Article Ten for specifics.)
 4. Multiple dwellings.
 5. Public Utilities/Facilities.

Section III. Medium-Density Residential (M-R Use District)

- A. Permitted Uses:
 No structure or part thereof shall be erected, altered or used, and no lot shall be used except for one (1) or more of the following land uses:
 1. Churches and other places of worship, parish houses, convents, cemeteries and other facilities.
 2. Historic, scenic preservation and conservation areas.
 3. Home occupation uses, including professional offices.
 4. Municipal parks, playgrounds and buildings deemed appropriate by the Town Board of the Town of Bristol.
 5. Single-family dwellings.
 6. Two-family dwellings.
 7. Pre-manufactured modular homes with full perimeter frost-free footer/block/concrete foundations with provisions for access to utilities and provide ventilation.

- B. Permitted Accessory Uses:
 1. Customary residential storage facilities and fences.
 2. Off-street parking facilities in accordance with Article Seven of this Local Law.
 3. Other customary residential structures and facilities such as patios, private swimming pools, fireplaces, trellises, lampposts and the like.
 4. Private garages.
 5. Signs in accordance with Article Nine of this Local Law.

- C. Special Use Permits Required:
 1. Public Utilities/Facilities.
 2. Townhouses or Condominiums.
 3. Bed and Breakfast/Tourist Homes. (See Section I.C.2. of Article Ten for specifics)

Section IV. Community Business (C-B District)

A. Permitted Uses:

No structure or part thereof shall be erected, altered or used, and no lot shall be used except for one (1) or more of the following land uses:

1. Fraternal organizations and lodges.
2. Funeral homes.
3. Medical or dental clinics.
4. Personal service outlets, excluding gasoline service stations.
5. Professional offices, including banks and real estate offices.
6. Public buildings and grounds, excluding golf courses.
7. Public Utilities/Facilities.
8. Retail sales, excluding drive-in restaurants and vehicle sales and service.

B. Permitted Accessory Uses:

1. Off-street parking facilities in accordance with Article Seven of this Local Law.
2. Signs in accordance with Article Nine of this Local Law.
3. Fences.

C. Special Use Permits Required:

1. Animal clinics/grooming facilities.
2. Bars and taverns.
3. Bowling alleys.
4. Carry-out retail, food preparation services and supermarkets.
5. Drive-in restaurants.
6. Laundromats/dry cleaners.
7. Motels and hotels.
8. Motor vehicle service stations.
9. Parking lots, other than those required under Article Seven of this Local Law.
10. Public garages.
11. Shopping centers, consisting of three (3) or more commercial uses, having a common entrance from the public highway and also having common customer parking facilities, provided that the record title to all real property included in said centers is the same person, persons or entity.
12. Vehicle sales and service.

Section V. Light Industrial (L-I) Use District

A. Permitted Uses:

No structure or part thereof shall be erected, altered or used, and no lot shall be used except for one (1) or more of the following uses: (Refer to Article Three, "Definitions")

1. Production and assembly operations.
2. Public Utilities/Facilities.
3. Research and Development laboratories.
4. Retail sales, excluding drive-in restaurants and vehicle sales and services.
5. Wholesaling and warehousing.

B. Permitted Accessory Uses:

1. Off street parking facilities in accordance with Article Seven of this Local Law.
2. Signs in accordance with Article Nine of this Local Law.
3. Fences.

- C. Special Use Permits Required:
1. Adult Entertainment.
 2. Banks.
 3. Motels or hotels.
 4. Motor vehicle service stations.
 5. Parking lots, other than those required under Article Seven of this Local Law.
 6. Restaurants.

ARTICLE ELEVEN – SCHEDULE OF LOT SIZE, BUILDING SIZE AND SETBACKS

See Schedule – next page

ARTICLE ELEVEN – SCHEDULE OF LOT SIZE, BUILDING SIZE AND SETBACKS

PERMITTED USES:	Lot Min. Area	***Lot width @ Bldg. line	**Principal Building Setbacks			Accessory Building Setbacks			****Max. Bldg. Height Prin. Bldg.	Max. Bldg. Cvg. %	Minimum Floor Area (Sq. Ft.)
			Front	Rear	Each Side	Front	Rear	Each Side			
A-C USE DISTRICT (AGRICULTURAL-CONSERVATION) *****											
Dwellings-One Family	2A	200'	75'	75'	50'	75'	50'	25'	30'	5	950
Dwellings-Two Family	2A	200'	75'	75'	50'	75'	50'	25'	30'	5	1900
Farms	5A	200'	75'	75'	50'	75'	50'	25'	30'	5	950
Farms-Specialty/Greenhouses/Nurseries	2A	200'	75'	75'	50'	75'	50'	25'	30'	5	950
Home Occupations/Professional Offices	2A	200'	75'	75'	50'	75'	50'	25'	30'	5	950
Religious Buildings	5A	200'	75'	75'	50'	75'	50'	25'	30'	5	-
*Antennas/Parabolic Dishes/Towers/Windmills/ & Energy Creating Devices			Refer to Local Law #1-2007								
*Bed & Breakfast/Tourist Homes	5A	200'	75'	75'	50'	75'	50'	25'	30'	5	1200
*Boarding/Stabling Horses/Riding Academies/ Livery Stables	10A	200'	75'	75'	50'	75'	50'	25'	30'	5	-
*Campgrounds	10A	200'	-	-	-	-	-	-	30'	-	-
*Excavation Operations	5A	-	-	-	-	-	-	-	-	-	-
*Golf Courses/Clubhouses	-	-	-	-	-	-	-	-	30'	-	-
*Kennels/Animal Clinics/Grooming Facilities	5A	200'	75'	75'	50'	75'	50'	25'	30'	5	-
*Manufactured/Mobile Homes			Refer to Article Fourteen								950
*Manufactured/Mobile Home Parks	20A		Refer to Article Fifteen								
*Multiple Dwellings	10A	200'	75'	75'	50'	75'	50'	25'	30	20	-
*Public Utility Facilities	5A	200'	75'	75'	50'	75'	50'	25'	30'	5	-
*Townhouses/Condominiums	10A	200'	75'	75'	50'	75'	50'	25'	30'	20	-
L-R USE DISTRICT (LOW DENSITY RESIDENTIAL) *****											
Dwellings-One Family	2A	200'	75'	75'	50'	75'	50'	25'	30'	5	950
Dwelling-Two Family	2A	200'	75'	75'	50'	75'	50'	25'	30'	5	1900
Home Occupations/Professional Offices	2A	200'	75'	75'	50'	75'	50'	25'	30'	5	950
Religious Buildings	2A	200'	75'	75'	50'	75'	50'	25'	30'	15	--
*Bed & Breakfast/Tourist Homes	2A	200'	75'	75'	50'	75'	50'	25'	30'	5	1200
*Boarding-Stabling Horses/Riding Academies/ Livery Stables	10A	200'	75'	75'	50'	75'	50'	100'	35'	5	--
*Farms-Specialty/Greenhouses/Nurseries	2A	200'	75'	75'	50'	75'	50'	25'	30'	5	950
*Multiple Dwellings	10A	200'	75'	75'	50'	75'	50'	25'	30'	20	--
*Public Utility Facilities	2A	200'	75'	75'	50'	75'	50'	25'	30'	10	--
M-R USE DISTRICT (MEDIUM DENSITY RESIDENTIAL) *****											
Dwellings-One Family	2A	150'	75'	20'	20'	75'	20'	15'	30'	5	950
Dwellings-Two Family	2A	150'	75'	20'	20'	75'	20'	15'	30'	5	1900
Home Occupations/Professional Offices	2A	150'	75'	20'	20'	75'	20'	15'	30'	5	950
Religious Buildings	1A	150'	50'	75'	20'	50'	20'	15'	30'	20	--
*Bed & Breakfast/Tourist Homes	2A	150'	75'	20'	20'	75'	20'	15'	30'	5	1200

*Public Utility Facilities	1A	150'	75'	20'	20'	75'	20'	15'	30'	5	--
*Townhouses/Condominiums	-	-	-	-	-	-	-	-	-	-	--

	Lot Min. Area	***Lot width @ Bldg.line	**Principal Building Setbacks			Accessory Building Setbacks			****Max. Bldg.Height Prin.Bldg.	Max. Bldg. Cvg.%	Minimum Floor Area (Sq.Ft.)
			Front	Rear	Each Side	Front	Rear	Each Side			

PERMITTED USES:

C-B USE DISTRICT (COMMUNITY BUSINESS) *****

Fraternal Organizations/Lodges	1A	125'	30'	20'	25'	30'	20'	10'	30'	-	--
Funeral Homes	1A	125'	30'	20'	25'	30'	20'	10'	30'	-	--
Medical & Dental Clinics	1A	125'	30'	20'	25'	30'	20'	10'	30'	-	--
Professional Offices	1A	125'	30'	20'	25'	30'	20'	10'	30'	-	--
Public Buildings and Grounds	1A	125'	30'	20'	25'	30'	20'	10'	30'	-	--
Retail and Service Businesses	1A	125'	30'	20'	25'	30'	20'	10'	30'	-	--
*Animal Clinics/Grooming Facilities	1A	125'	30'	20'	25'	30'	20'	10'	30'	-	--
*Bars/Taverns	1A	125'	30'	20'	25'	30'	20'	10'	30'	-	--
*Bowling Alleys	-	-	-	-	-	-	-	-	-	-	--
*Laundromats/Dry Cleaners	-	-	30'	20'	25'	30'	20'	10'	30'	-	--
*Motels/Hotels	-	-	30'	20'	25'	30'	20'	10'	30'	-	--
*Mini-Storage Facilities	-	-	30'	20'	25'	30'	20'	10'	30'	-	--
*Motor Vehicle Service Stations	-	150'	30'	20'	25'	30'	25'	25'	30'	-	--
*Restaurants/Drive-thru Restaurants	-	-	30'	20'	25'	30'	20'	10'	30'	-	--
*Shopping Centers	-	-	-	-	-	-	-	-	-	-	--
*Supermarkets	-	-	30'	20'	25'	30'	20'	10'	30'	-	--
*Vehicles Sales and Service	-	-	30'	20'	25'	30'	20'	10'	30'	-	--

L-I USE DISTRICT (LIGHT INDUSTRIAL) *****

Production and Assembly Uses	2A	150'	50'	50'	50'	50'	50'	25'	30'	-	-
Public Utility Facilities	1A	125'	30'	20'	50'	30'	30'	30'	30'	-	-
Research & Developments Labs	1A	125'	30'	20'	50'	30'	30'	30'	30'	-	-
Retail & Service Businesses	1A	125'	30'	20'	25'	30'	20'	10'	30'	-	-
Wholesaling & Warehousing	2A	150'	50'	50'	50'	50'	50'	25'	30'	-	-
*Adult Entertainment	Refer to Article Twenty-Two										
*Banks	-	-	30'	20'	50'	30'	30'	30'	30'	-	-
*Motels/Hotels	-	-	30'	20'	50'	30'	30'	30'	30'	-	-
*Motor Vehicle Service Stations	-	-	30'	20'	50'	30'	30'	30'	30'	-	-
*Restaurants/Drive-thru Restaurants	-	-	30'	20'	50'	30'	30'	30'	30'	-	-

- * Permitted with Special Use Permit only.
- ** Exception to front setback: When a building is hereafter erected, constructed, or built within a residential district on a road or street on the same side of which buildings or structures are located within three hundred (300) feet on either side, the line or set back shall not be less than the medium setback of all buildings for a distance of three hundred (300) feet on each side of said proposed buildings.
- *** A minimum of sixty-six foot (66') road frontage is required to access any lot.
- **** A minimum width for residential structures shall be no less than 20 feet. Primary residence must be a minimum of 950 square feet.
- ***** Municipal water is provided in some areas of these districts.

Pages Reserved for Official Zoning Map

DESCRIPTION OF USE DISTRICTS – TOWN OF BRISTOL

I. LOW DENSITY RESIDENTIAL (L-R) USE DISTRICT

- A.** Beginning at the northeast corner of the Medium Density Residential (M-R) District (1) as described in Section II; then north to the town line of the Town of Bristol, then west 2,000' along said line; then south to the northwest corner of the Medium Density (M-R) District (1), then east along the north boundary of the Medium Density (M-R) District (1).
- B.** Beginning at a point in the centerline of County Road 2 at the intersection of the south boundary line of the Medium Density Residential (M-R) District (1), as described in Section II, then south along said centerline to the centerline of U.S. Route 20A, then east along said centerline to the centerline of Elm Tree Road, then south along said centerline to the centerline of Lee Road, then southeast along said centerline to the centerline of Case Road, then south along said centerline to the centerline of County Road 32, then east along said centerline to the centerline of Mud Creek, then north along said centerline to the centerline of Lee Road, then east to the centerline of State Route 64, then north to the south boundary of the Community Business (C-B) District (2) as described in Section III, then west 1,400' to a point, then south 950' to a point, then west 660' to a point, then north 1,700' to the centerline of U.S. Route 20A, then east along the centerline of U.S. Route 20A to the centerline of Mud Creek, then north along said centerline 1,150' more or less to a point then east along the north boundary of the Light Industrial (L-I) District (2), as described in Section IV, a distance of 1,170' more or less then north along the centerline of State Route 64 to the centerline of Jenks Road, then west along said centerline to the centerline of Footer Road, then north to the centerline of County Road 2, then west along said centerline to the east boundary of the Medium Density Residential (-R) District (1) as described in Section II, then south along said boundary, and then west to the point of beginning on County Road 2.

II. MEDIUM DENSITY RESIDENTIAL (M-R) USE DISTRICT

- A.** Beginning at a point at the east boundary of the Community Business (C-B) District (1), as described in Section III, and County Road 2, then east 500' along County Road 2, then north a distance of 1,000' to the southeast corner of the Low Density Residential (L-R) District (1), as described in Section I, then west along the south boundary of the Low Density Residential (L-R) District (1), a distance of 2,000'; then south a distance of 2,000', then east a distance of 2,000' and then north a distance of 1,000' to the point of beginning. Excluded in this area, however, is area 1 of the Community Business (C-B) District as described in Section III.
- B.** Beginning at the intersection of State Route 64 and Lee Road, then west along the centerline of Lee Road to the centerline of Mud Creek, then south along the centerline of Mud Creek, then east along the north boundary of the Community Business (C-B) District (2), as described in Section III, to Route 64, and then north along the centerline of Route 64 to the point of beginning.
- C.** Beginning 500' south of the intersection of State Route 64 and County Rod 32, then west 1,150' to a point, then north 470' to the centerline of County Road 32 to a point

1,000' west of the centerline of State Route 64, then west 300' along the centerline of County Road 32, then north to the southwest corner of Tax Map 124.19.1-3-200 and continuing a total distance of 738' to its northwest corner, then west 1,025' to the center of Mud Creek, then south along the center of Mud Creek and crossing County Road 32, a total distance of 5,600' to its intersection with a creek designated as tributary 67a in Department of Environmental Conservation Stream Classification system, then east along center of said creek 67a, 2,000' to the centerline of Route 64, then north 2,300' along Route 64 to the point of beginning.

III. COMMUNITY BUSINESS (C-B) USE DISTRICT

- A. Beginning at a point in the centerline of County Road 2, which is 500' east from the centerline of Oakmount Road, then north at a right angle 500' to a point; then west at a right angle 1,000' to a point, then south at a right angle 1,000' to a point, then east at a right angle 1,000' to a point, then north 500' to the point of beginning.
- B. Beginning at the intersection of the centerlines of U.S. Route 20A and State Route 64, then west along the centerline of Route 20A approximately 1,900' to a point, then south 1,700' to a point, then east 660' to a point, then northwest 950' to a point, then east 1,400' to the centerline of Route 64, then northwest along the centerline of Route 64 to the point of beginning.
- C. Beginning at a point in the centerline of County Road 32, which is 33' south of the southwest corner of Tax Map No. 124.19-1-3.200, then north and continuing along the west boundary to the northwest corner of Tax Map 124-19-1-3.100, a total distance of 738', then west 1,025' to the center of Mud Creek, then north along the center of Mud Creek to its intersection with a north boundary of Tax Map 124.1-21-111, then east along this boundary and continuing to the centerline of Route 64, then south along Route 64 centerline 1,650' to a point, then east crossing County Road 32, a total of 900' to a point, then south at a right angle 1,500' to a point, then north at a right angle 470' to the centerline of County Road 32, then west along this centerline 300' to the point of beginning.

IV. LIGHT INDUSTRIAL (L-I) USE DISTRICT

- A. Beginning at the intersection of the centerlines of State Route 64 and U.S. Route 20A, then west along the centerline of U.S. Route 20A about 1,500' to a point, then north easterly along the centerline of Mud Creek about 1,150' to a point, then east about 1,170' to the centerline of State Route 64, then southerly along the centerline of State Route 64 to the point of beginning.
- B. Beginning at a point in the centerline of U.S. Route 20A at a point which is 1,000' east of County Road 32 and Buckelew Road, then proceed northerly in a straight line a distance of 1,000' to a point, then westerly in a straight line a distance of 2,000' to a point, then southerly in a straight line a distance of 2,000' to a point, then easterly in a straight line a distance of 2,000; to a point, and then northerly in a straight line to the point of beginning.

V. AGRICULTURE-CONSERVATION (A-C) DISTRICT

All remaining lands in the Town of Bristol which were not previously described in Sections I thru VI will be considered in the Agriculture-Conservation Use District.

VI. MANUFACTURED/MOBILE HOME (M-H) DISTRICT

Beginning 2,500' southwest of the intersection of State Route 64 and U.S. Route 20A, then west along the centerline of U.S. Route 20A, a total distance of 323.98', then south to the southwest corner of Tax Map 124-1-04-000 for a distance of 1717.10' and continuing 334.05' to the southeast corner, then north 1717.4' to the center of U.S. State Route 20A.

There are municipal water areas present in some of the above-mentioned districts. For specific areas of municipal water contact either the Code Enforcement Office or Assessor.

ARTICLE TWELVE –SPECIAL REGULATIONS

Section I. Non-Conforming Uses

The lawful use of any building or land existing at the time of enactment of this Local Law may be continued although such use does not conform with the provisions of this Local Law for the use district in which such building or land is located, provided that a non-conforming lot shall not be further reduced in size, and a non-conforming building shall not be enlarged, extended or increased unless such enlargement would not increase the degree of nonconformity. No non-conforming use may be expanded.

Section II. Non-Conforming Use: Abandonment/Restoration

A non-conforming use shall be deemed abandoned when there occurs a cessation of any use or activity by an apparent act or failure to act on the part of the owner or tenant to reinstate such use within a period of one (1) year from the date of cessation or discontinuance. Nothing contained in this Local Law shall be construed to prevent the restoration within one (1) year of any building or structure damaged or destroyed by fire or calamity.

Section III. Non-Conforming Use: Reinstatement

No non-conforming use shall be reinstated if it has once been changed into a conforming use.

Section IV. Height Restrictions

- A. Chimneys, ventilators, skylights, heater tanks, television and radio receiving antennas and similar features, and the necessary mechanical appurtenances usually carried on above the roof level of a building or structure, may exceed the height limitations of this Local Law by not more than ten (10) feet.
- B. The height limitation of this Local Law shall not apply to the erection of a parapet wall or cornice for ornament extending above the height limitations by not more than five (5) feet.
- C. Public buildings, schools, churches and other similar permitted uses shall increase the front, rear and side yards by one (1) foot for each foot by which such buildings exceed the height limit herein established for the use district in which it is located.

Section V. Industrial

In Light Industrial (L-I) Use District, all industrial processes shall take place within an enclosed building. A Special Use Permit shall allow industrial storage out of doors. Industrial uses shall be located so as to be a minimum of one-hundred (100) feet and adequately buffered from any non-industrial use district. This provision may be varied at the discretion of the Zoning Board of Appeals if it is in the best interest of the Town of Bristol or neighborhood and if it does not conflict with the *Comprehensive Plan of the Town of Bristol*.

Section VI. Municipal Facilities

The lot size, building size and setback requirements established by Article Eleven of this Local Law shall not apply to municipal facilities now or hereafter owned, maintained or operated by the Town of Bristol.

Section VII: Operating Permits

An Operating Permit is issued by the Code Enforcement Office to operate a business in the Town of Bristol, after appropriate approvals for said business from the Planning Board and the Zoning Board of Appeals. This permit covers all guidelines set forth by the two boards. Any variation from these guidelines will start the process of cancellation of an operating permit.

ARTICLE THIRTEEN – STEEP SLOPE REGULATIONS

Section I. Title

Steep Slope Regulations and Districts – Amendment to the 2000 *Zoning Ordinance of the Town of Bristol*.

Section II. Purpose and Intent

The purpose of the Steep Slope Regulations and Districts is to protect and manage slopes with grades of 15% or more in order to:

- A. Minimize erosion, pollution and environmental damage;
- B. Reduce soil, pavement and building subsidence;
- C. Ensure proper emergency access;
- D. Comply with New York State Pollution Discharge Effluent System (SPEDES) permit requirements; and
- E. Preserve and enhance, to the extent practicable, public scenic views as identified in the *Comprehensive Plan for the Town of Bristol*; therefore,
- F. No construction, grading, excavation or other development, except for non-tillable farming purposes, is permitted on any land with a slope of fifty percent (50%) or greater. Any construction, grading, excavation, or other development of land with a slope of more than fifteen percent (15%) but less than fifty percent (50%) shall conform to these Steep Slope Regulations. An exception is granted for farming purposes using standard farming practices.

Section III. General Provisions

- A. **Steep Slopes Area Designation.** The Town of Bristol has adopted as part of its Official Town Zoning Map, the **Steep Slopes Overlay District**. This district identifies and categorizes lands exhibiting slopes in four categories: 1) less than 15%; 2) between 15% and 25%; 3) between 25% and 50%, and 4) greater than 50%.
- B. **Submission Requirements.** Applicants for Steep Slopes Permits shall submit the following information in writing to the Code Enforcement Office (C.E.O.) to begin the review process:
 - 1. Development in steep slope areas requires the minimum lot size for that district plus any additional acreage that may be needed to comply with proper engineering requirements.
 - 2. Plans to minimize flooding by preventing increases in the magnitude and frequency of storm water runoff. Strict adherence to the *Town of Bristol Design Criteria and Specifications for Land Development* within the steep slope overlay district will be required.

3. Plans to limit the amount of pollution transported by storm water at predevelopment levels.
 4. Plans to minimize decreases in groundwater recharge and stream base flow.
 5. Plans to maintain existing stream geometry.
 6. Plans to minimize and control erosion and sedimentation.
- C. **Verification of compliance** with NYS Pollution Discharge Effluent System (SPEDES).
- D. A plan prepared by a licensed professional engineer showing and certifying the following:
1. All existing and proposed natural and artificial drainage courses and other features for the control of drainage, erosion and water.
 2. The calculated volume and velocity of water run-off from the slopes and from the lot in question, as **unimproved**.
 3. The calculated volume and velocity of water run-off from the slopes and from the lot in question, as **improved**.
 4. The existence, location, and capacity of all natural and artificial drainage courses and facilities within five hundred feet (500') of the lot, which are or will be used to carry or contain the water run-off from the slope and the lot.
 5. The effect of any increased water run-off on all adjacent properties and any other property that will be materially affected by increased water run-off and infiltration.

Section IV. Erosion and Stormwater Control

- A. A Soil Erosion and Stormwater Control Plan for development in the Steep Slope Overlay District shall be submitted to the Town of Bristol in connection with any application for a Site Plan, Subdivision proposal, Building Permit, Special Use Permit or Variance.
- B. A Soil Erosion and Stormwater Control Plan shall contain provisions to control erosion and sedimentation and reduce the impacts of stormwater, stormwater infiltration and runoff from the site based on best management practices, as determined by the Town Engineer. The objective of such practices is to maintain or reduce the impact of stormwater, stormwater infiltration and run-off from the site and to prevent soil erosion. The Empire State Chapter of the Soil and Water Conservation Society describes such practices in the publication New York Guidelines for Urban Soil Erosion and Sediment Control published. Alternative principles, methods and procedures may be used with prior approval of the Town of Bristol based upon a favorable recommendation from the Town Engineer. Wherever possible, erosion shall be prevented by minimizing

disturbance to existing land cover. The Erosion and Stormwater Control Plan shall contain, but not be limited to, the following, as determined by the Town of Bristol:

1. A narrative description of:
 - a. The proposed development.
 - b. The schedule for grading and construction activities, including:
 - (1) Start and completion dates;
 - (2) Sequence of grading and construction activities;
 - (3) Sequence for installation and/or application of soil erosion, sediment control and storm water management measures,
 - (4) Sequence for final stabilization and stormwater management on the project site.
 2. All computations for proposed soil erosion, stormwater control measures and stormwater management facilities shall demonstrate compliance with the the *Town of Bristol Design Criteria and Specifications for Land Development*.
 3. The construction details for proposed soil erosion and sediment control measures and stormwater management facilities, when needed.
 4. The installation and/or application procedures for proposed soil erosion and sediment control measures and stormwater management facilities, if required.
 5. The operation and maintenance of proposed soil erosion and sediment control measures and stormwater management facilities, if required.
 6. A statement describing all design measures taken to minimize grading and disturbance to land and vegetation.
- C. The Town of Bristol Planning Board shall refer the Soil Erosion and Stormwater Control Plan to a qualified engineering consultant and/or to the Ontario County Soil and Water Conservation District for professional advice concerning compliance of the plan. The Town of Bristol shall not approve the Special Use Permit, Site Plan or Subdivision Application unless it finds that the Soil Erosion and Stormwater Control Plan comply with this section.

Section V. Review Process

To the extent practicable, Town Steep Slopes Permit reviews shall run concurrently and be Coordinated with other local approvals.

- A. **Pre-application Sketch Plan:** The applicant is encouraged to present a sketch plan of the proposal to the Planning Board for informal review and discussion. The Planning Board is not authorized to and shall not take any formal action on sketch plans.
- B. **Final Decision.** Findings of fact must be made by the Planning Board for all decisions to approve, deny, or modify steep slope permits. "Findings" are a written description of facts relevant to and in support of the decision made and shall be made part of the public record. No Steep Slope Permit shall be granted unless it is consistent with this chapter.

- C. **Provisions for Inspection.** A Steep Slopes Permit may be approved only after physical inspections of the property have been made by the Town at the times and in the manner described below. The applicant shall arrange with the Town of Bristol Code Enforcement Office (CEO) for scheduling of the following inspections:
1. Initial Inspection: prior to final approval of the requested Steep Slopes Permit.
 2. Erosion Control Inspection: to ensure erosion control practices are in accordance with the approved plan.
 3. Bury Inspection: prior to backfilling of any underground drainage or stormwater conveyance structures.
 4. Final Inspection: when all work, including construction of stormwater management facilities has been completed.

Section VI. Sureties

- A. **Completion of Work:** To ensure compliance with all requirements of an approved permit, the Town Board may require the applicant to provide a performance guarantee or surety, prior to construction in the form of a performance bond, escrow account certification, or irrevocable letter of credit from an insured financial institution. The guarantee shall be for the full cost of all work to be performed on the property subject to the permit, and shall be payable solely to the Town of Bristol. The Town Board shall determine the amount based on the final design plans and actual construction costs.
- B. **Maintenance of Facilities:** Where storm water management and erosion control facilities are to be operated and maintained by the developer, or by a corporation that owns or manages the development, the Town Board shall require the developer to provide the Town of Bristol with a performance guarantee/surety in the form of a performance bond, escrow account certification, or irrevocable letter of credit from an insured financial institution, payable to the Town of Bristol to ensure maintenance of all stormwater management and erosion control facilities which have been approved for the Steep Slopes Permit during the life of the project as determined by the Town.
- C. **Duration:** Sureties will remain in force until the Town of Bristol releases the responsible party from liability. All accrued interest in any surety account shall be reinvested to the benefit of the account and may be applied only to the purposes originally established for the surety until the Town of Bristol releases the responsible party from liability.
- D. **Compliance Failure:** If the developer or owner fails to perform as required under the permit, the Town of Bristol may draw any portion of the amount guaranteed for the purpose of work in default under the permit. If the developer, owner or other named responsible party fails to maintain facilities as required, the Town of Bristol may draw any portion of the amount guaranteed to pay the costs of operation and maintenance of permitted facilities.
- E. **Costs:** In addition to application fees, the reasonable costs of reviewing plans and inspecting sites for compliance will be passed on directly to the applicant.

Section VII. Waiver Authority

The Planning Board may waive any of the submission requirements for Steep Slopes Permits and thus modify the scope of review, if it can be clearly shown through supportive findings, listed in the public record, that such submission is not needed and does not undermine the intent of this chapter. The record of any such waiver shall become part of the application.

ARTICLE FOURTEEN – REGULATION OF MANUFACTURED/MOBILE HOMES

Section I.

A. The Code Enforcement Officer may issue a permit to place a manufactured/mobile home upon any approved manufactured/mobile home lot in any manufactured/mobile home park approved under Article Fifteen of this Local Law, provided that such manufactured/mobile home shall comply in all respects with Section III of this Article.

B. In the event that the Code Enforcement Officer shall determine that the manufactured/mobile home shall not comply in all respects with Section III of this Article; the Code Enforcement Officer may issue a permit for such manufactured/mobile home only after application for an approval of a Special Use Permit by the Zoning Board of Appeals pursuant to Article Eighteen of this Local Law.

C. In the event that the proposed placement of the manufactured/mobile home is not within a manufactured/mobile home park approved under Article Fifteen of this Local Law, the Code Enforcement Officer may issue a permit to place a manufactured/mobile home only after application for, and approval of a Special Use Permit by the Zoning Board of Appeals, pursuant to Article Eighteen of this Local Law under the following conditions:

1. Replacement of an existing manufactured/mobile home.
2. Emergency/disaster situations.

Section II. Manufactured/Mobile Homes Allowed with Special Use Permit

A. Replacement of Existing Manufactured/Mobile Home:

Manufactured/mobile homes legally in existence on or before 1972 may be continued and may be replaced provided that the replacement complies with Section III, A through I of the Article, except that an existing manufactured/mobile home may be replaced by a manufactured/mobile home of the same size or larger.

B. Emergency/Disaster Situations:

In the event of a fire, flood, calamity or natural disaster, the Zoning Board of Appeals shall have the power to issue a Special Use Permit to allow a manufactured/mobile home to be placed and immediately occupied, provided that:

1. The person(s) occupying such manufactured/mobile home shall be the person(s) affected by fire, flood, calamity or natural disaster.

2. Such permit shall be for one (1) year and can be extended for one (1) additional year with the approval of the Zoning Board of Appeals of the Town of Bristol.
3. Where possible, the manufactured/mobile home shall meet the same front; rear and side set back requirements of the zoning district in which it is situated.

Section III.

All manufactured/mobile homes situated in the Town of Bristol must comply with the following stipulations before the issuance of a Special Use Permit:

- A. All manufactured/mobile homes shall comply with the *New York State Uniform Fire Prevention and Building Code* and be H.U.D. approved.
- B. The manufactured/mobile home shall have a minimum living area of nine hundred fifty (950) square feet.
- C. The manufactured/mobile home shall comply with all minimum lot size requirements and other requirements applicable to the zoning district in which it is located.
- D. The manufactured/mobile home shall have an adequate potable water supply and sewage disposal system that shall comply with all applicable state and local requirements prior to occupancy.
- E. The manufactured/mobile home shall be securely fastened in place with State approved tie-downs, with the bottom portion of the manufactured/mobile home enclosed with either a metal, wood, or vinyl skirt or enclosure prior to the issuance of a Certificate of Occupancy.
- F. Enclosures or additions having a ground area of less than fifty percent (50%) of the living area of the manufactured/mobile home may be attached to the manufactured/mobile home. Any enclosure or addition shall have a concrete or cement floor or base at least four (4) inches thick. A separate zoning permit shall be required if said enclosure or addition is not approved with the issuance of the original zoning permit. All additions or enclosures must meet the same setback requirements and other requirements of the zoning district in which it is situated.
- G. Fuel tanks shall be screened with shrubbery, latticework or other enclosure if said tanks are readily visible from the road or street.
- H. Not more than one (1) accessory structure, excluding a garage, shall be permitted on the lot. The accessory structure shall not contain more than one hundred twenty (120) square feet of area and shall be of factory construction or equivalent. The accessory structure shall meet the same side and rear setback requirements of the zoning district applicable to other accessory structures, with the exception that the accessory structure shall not be located in the front yard and shall not be located closer than ten (10) feet from the manufactured/mobile home or enclosure.
- I. All replacement manufactured/mobile homes installed and occupied shall conform to the New York State Building Construction Code, as from time to time amended. The Code Enforcement Officer shall inspect the replacement

manufactured/mobile home to see if it complies with all New York State Building Codes and issue a new Certificate of Occupancy.

Section IV. Waiver Authority

The Zoning Board of Appeals may vary, waive or modify the provisions of Section III, subparagraphs B, C, F, G and H only if the applicant shall demonstrate to the Zoning Board of Appeals that the conditions of Article Nineteen, Section II, subparagraph B (3) apply to such application for a Special Use Permit. In granting any such variance, waiver or modification, the Zoning Board of Appeals may prescribe any conditions that it deems necessary or desirable.

ARTICLE FIFTEEN – REGULATION OF MANUFACTURED/MOBILE HOME PARKS

Section I.

The purpose of the Manufactured/Mobile Home Park District is to provide opportunity for diversity in housing choices. It is also intended to provide a greater opportunity for obtaining moderate cost housing to meet the needs of a variety of household types. Finally, it is the purpose of this section to enact proper control and development regulations to insure that manufactured/mobile home parks provide an attractive and functional residential choice and environment. The Town of Bristol will entertain proposals for Manufactured/Mobile Home Park Districts provided that rezoning is consistent with the Town's *Comprehensive Plan* and in conformance with these regulations.

Section II.

Rezoning for a manufactured/mobile home park shall not be approved until conceptual Site Plans for the park have been reviewed by the Planning Board and approved by the Town Board. No site preparation or construction shall commence until the property has been rezoned and all permits have been issued by all governmental agencies involved. This provision shall apply to the expansion or alteration of an existing manufactured/mobile home park as well as to proposals for new parks. A Site Plan for the establishment of a new manufactured/mobile home park or for the expansion or alteration of an existing manufactured/mobile home park shall contain all of the required data elements specified herein, plus any additional information that may be required by the Planning Board to complete its review and evaluation of the proposed plans. In the review of proposed Site Plans, the Planning Board's investigations shall certify for action by the Town Board that the plans comply with all standards and developments in this Article.

Section III.

- A. Any person may construct, operate and maintain a manufactured/mobile home park upon lands within the Town of Bristol in the M-H District.
- B. Special Use Permits for manufactured/mobile home parks shall be limited to two (2) years in duration, whereupon renewal may be permitted upon application to the Code Enforcement Officer. The Special Use Permit will not be granted if violations of provisions of this section exist at the time of application or have occurred during the year immediately preceding the application. In such case, the applicant shall appear before the Zoning Board of Appeals for decision as to whether the permit shall be renewed.

- C. Each duly licensed manufactured/mobile home park will conform to all of the following:
1. Each manufactured/mobile home lot will have an area of not less than eight thousand (8,000) square feet.
 2. Each home parked upon a lot within the park:
 - Will be set back not less than seventy-five (75) feet from the edge of any public highway abutting the manufactured/mobile home park.
 - Will be set back not less than fifty (50) feet from any boundary line of the manufactured/mobile home park.
 3. Each manufactured/mobile home lot shall be provided with either a 120 square foot patio of cement or concrete, four inches in depth, or a 120 square foot wooden deck. Such patio shall not be used as a parking space, and no portion of the manufactured/mobile home shall be located on said patio.
 4. Each entrance to the public highway will be illuminated with at least one (1) lamp having a minimum of 10,000-lumen capacity.
 5. Each manufactured/mobile home park will be provided with outdoor lights of the vapor type, which will be installed in such manner that no manufactured/mobile home will be more than three hundred (300) feet from any such light.
 6. Each manufactured/mobile home must have two (2) off-street parking spaces. Alternative parking facilities may be provided so that each manufactured/mobile home lot will have one off-street parking space with a common parking area utilized for second vehicle parking, guest parking and for delivery and service vehicles.
 7. No boats, campers, travel trailers, recreational vehicles or unregistered and unlicensed motor vehicle shall be parked or stored at any place within a manufactured/mobile home park except in areas designated and approved for such storage as part of the site development plan approval.
- D. Each manufactured/mobile home park will provide at least two access roads. Every roadway within a manufactured/mobile home park shall have a minimum street/pavement width of twenty-two (22) feet, inclusive of a four- foot wide walkway and a minimum right-of-way of fifty (50) feet. (Refer to *Town of Bristol Design Criteria and Construction Specifications*). Internal streets will conform to the following standards:
1. Hammerheads shall be provided in lieu of closed-end streets.
 2. All streets shall be constructed of blacktop or equivalent of it and will be designed, graded and leveled to permit the safe passage of emergency and service vehicles at a speed of fifteen (15) mph. Dirt or gravel roads are prohibited. All roads must be constructed to comply with the same requirements as for roads in a major subdivision.

3. Each street shall be named and each manufactured/mobile home lot thereon will be given a permanent number, which shall be affixed to the home and shall be visible from the street.
 4. Every roadway within a manufactured/mobile home park will be maintained in good repair and shall be open at all times reasonable possible for travel by occupants of the park and necessary fire, police, ambulance, public utility maintenance and fuel supply vehicles. The park owner will be responsible for providing and paying the cost of such maintenance and all necessary snow removal. The provisions of this subsection will apply to existing manufactured/mobile home parks and manufactured /mobile home parks hereafter established.
 5. Pedestrian walkways will be provided along at least one side of all interior streets. Said walkways will have a width of not less than four (4) feet.
 6. The roads and streets within the manufactured/mobile home park will be properly graded and constructed to insure proper drainage at all times. (Refer to Town of Bristol *Design Criteria and Construction Specifications*).
- E. The owner/operator of the manufactured/mobile home park will, prior to commencing operation of the park, notify the Highway Department which has control and jurisdiction of any public highway abutting the park, of the location of the park and request the installation of suitable traffic control and warning signs.
- F. Within the manufactured/mobile home park, the owner/operator:
1. Will install traffic control reflectors on all corners and curves.
 2. Will post signs indicating a maximum speed limit of 15 mph within the manufactured/mobile home park.
 3. Will enforce such speed limit within the manufactured/mobile home park.
- G. Within the manufactured/mobile home park, the owner/operator:
1. Will not permit tenants to park on the roads overnight.
 2. Will post signs prohibiting such parking or include such prohibitions in the park rules and regulations.
 3. Will enforce such prohibitions.
- H. All lands included in the manufactured/mobile home park:
1. Will be well drained.
 2. Will at all times be so drained as to be free from stagnant pools of water and transportation hazards.
- I. Other requirements within manufactured/mobile home parks:

1. No permanent additions shall be added to any manufactured/mobile home. Porches or decks will not exceed an area greater than thirty percent (30%) of the area of the manufactured/mobile home to which it is added.
2. All public utility, electric, gas, cable, television and telephone lines will be installed underground.
3. No manufactured/mobile home will be located on a manufactured/mobile home lot until the roadways, sanitary sewage disposal system, water supply system and storm drainage system serving said manufactured/mobile home lot have been installed in accordance with the approved Site Plan for the manufactured/mobile home park.
4. No manufactured/mobile home park will contain more than seventy-five (75) manufactured/mobile home lots.
5. The owner or operator of each manufactured/mobile home park must set aside an area of not less than ten percent (10%) of the total land included in the manufactured/mobile home park for recreational purposes. The recreational area will be equipped and maintained with safe equipment and facilities.
6. Each manufactured/mobile home park will provide an adequate supply of water for fire control and fire-fighting services. Any pond or reservoir constructed or maintained for such purposes will be completely enclosed by a fence of the chain link or similar type, at least six (6) feet in height, with a suitable gate to permit entry by fire department officials.
7. Any swimming pool maintained within a manufactured/mobile home park must be enclosed by a fence of the chain link variety or similar type, not less than six (6) feet in height with a suitable gate entrance which shall be securely locked when the pool is not in use.
8. All areas of the manufactured/mobile home park will be maintained in a clean and sanitary condition at all times. At least one (1) service building will be constructed which will provide for adequate storage of all equipment, tools, and materials necessary for the maintenance of the park. All such equipment and materials will be stored within said building when they are not in use.
9. The owner or operator of each manufactured/mobile home park will provide space for a mailbox for each tenant who requires mail delivery.
10. Management of manufactured/mobile home parks:
 - a. Every manufactured/mobile home park will be under the direct management of the owner or his agent or representative.
 - b. Such person will operate the manufactured/mobile home park from an office located within the park.

- c. Such person will maintain a current record of the names of all persons residing in the park. These records shall be available to any authorized person inspecting the park for compliance with these regulations.

Section IV.

Should the Code Enforcement Officer determine that the owner of the manufactured/mobile home park is in violation of any of the provisions and regulations of this section (Section III), the approval authorizing the establishment of the park will be null and void. Unless the violation is corrected within thirty (30) days of written notification of the violations by the Code Enforcement Officer, the use of the site for a mobile home park will be discontinued. Article Twenty, "Violations and Penalties" will apply.

ARTICLE SIXTEEN – REGULATION OF MULTIPLE DWELLINGS

Section I.

Upon first obtaining a Special Use Permit issued by the Zoning Board of Appeals, multiple dwellings may be constructed and occupied in permitted areas of the Town of Bristol, provided that the same shall comply with the standards set forth in this Article and further provide that Site Plan Approval is sought and obtained from the Planning Board.

Section II. Minimum Area and Yard Requirements:

- A. **Tract Size.** No multiple dwelling developments shall be permitted on a tract of less than ten (10) acres.
- B. **Density.** No multiple dwelling developments shall exceed a density of more than three (3) dwelling units per gross tract size.
- C. **Recreation Area.** A minimum of ten percent (10%) of the total tract area, exclusive of the normal dwelling yards, buffer strip and parking area, shall be designed for common recreational purposes. No one recreational area shall be less than six thousand (6,000) square feet in area, or less than sixty (60) feet in width. Areas shall be located so as to be convenient to all dwelling units.
- D. **Lot Coverage.** Not more than forty percent (40%) of the lot area shall be occupied by buildings and all other impervious surfaces (e.g., parking lots, accessory buildings).
- E. **Lot Frontage.** The front building line along each street accepted for public maintenance shall be not less than seventy-five (75) feet from the public right-of-way.
- F. **Front Yard.** No dwelling unit or accessory building or structure shall be located closer than seventy-five (75) feet from the front lot line.
- G. **Side and Rear Yards.** No dwelling unit shall be located closer than fifty (50) feet from the side or rear lot lines.
- H. No **accessory building or structure** shall be located closer than twenty-five (25) feet and fifty (50) feet respectively from the side or rear lot lines.
- I. **Ingress or Egress Driveways** may be permitted in the front yard, but nothing herein contained shall be construed to permit parking areas in the front yards.
- J. Every building shall have a **minimum front setback** of thirty (30) feet from all interior development roads.
- K. **Courtyards.** Courtyards bounded on three (3) or more sides by the wings of the same building or by the walls of separate buildings shall have a minimum court width of two (2) feet for each one (1) foot in height of the tallest building.

Section III. Minimum Building Requirements:

- A. No dwelling unit shall exceed a height of thirty (30) feet.
- B. The total number of one (1) bedroom or efficiency apartments shall not be more than sixty percent (60%) of the entire project.
- C. Each dwelling unit shall comply with the *New York State Building Code and Residential Code*.
- D. **Storage Space.** In addition to any storage area contained inside individual dwelling units, there shall be provided for each dwelling unit two hundred (200) cubic feet of storage area in a convenient, centrally located area in the basement or cellar or ground floor of the building structure or elsewhere, where personal belongings and effects may be kept locked and separate from belongings of other occupants. There shall be a further minimum common storage area in each building for bicycles, perambulators and similar types of equipment of fifty (50) cubic feet per dwelling unit.
- E. **Off-Street Parking.** Two (2) parking spaces shall be provided for every dwelling unit. Parking areas shall be located within reasonable proximity to a dwelling unit. Parking spaces shall be a minimum of eight (8) feet wide and twenty (20) feet in length and shall provide a minimum area of one hundred sixty (160) square feet per motor vehicle exclusive of drives, aisles and other maneuvering areas. Drives and isles shall have a minimum width of twenty-four (24) feet.
- F. **Television Antennas/Satellite Dishes.** A television antenna/satellite dish shall be allowed for each multiple dwelling structure.
- G. **Private Shelters or Pavilions.** Shelters or pavilions open to the air and sun shall be permitted for the common use of the residents of the multiple dwelling developments.
- H. Interior development roads, parking areas, dwelling entrance ways and pedestrian walks shall be provided with sufficient illumination to minimize hazards to pedestrians and motor vehicles utilizing same and shall, where necessary, be shielded to avoid disturbing glare to occupants of buildings. (Refer to *Town of Bristol Design Criteria*.)
- I. **House and apartment numbers** must be 4" in size and must be clearly displayed for the purpose of identification by emergency vehicles.
- J. Topsoil shall not be removed from the site during construction, but shall be stored and redistributed to areas most exposed to view by occupants and the public and such area shall be stabilized by seeding or planting. (Refer to *Town of Bristol Design Criteria*.)
- K. The land shall be so graded, paved areas so pitched, and any storm drains and catch basins so located as to provide runoff of storm waters and to avoid undue accumulations of water disturbing to occupants under normal weather conditions. (Refer to *Town of Bristol Design Criteria*.)

- L. Other standards and conditions to the Site Plan and to curbing, driveways, parking areas, pedestrian walks, landscaping and planting not otherwise specified herein may be attached as conditions by the Planning Board.

ARTICLE SEVENTEEN – VARIANCES

The Zoning Board of Appeals is empowered to authorize, upon appeal in specific cases, such variance from the terms of this Local Law as will not be contrary to the public interest where, owing to conditions peculiar to the property, and not the result of the action of the applicant, a literal enforcement of the provisions herein would permit the applicant to meet the criteria for relief set forth in Town Law 267b. The goal of zoning is to provide area standards that apply to all properties equally within a given district.

As used herein, a variance may be authorized for height, area, size of structure, size of yards or open spaces or establishment or expansion of a use otherwise prohibited.

A variance from the provisions of this Local Law may be granted by the Zoning Board of Appeals on appropriate application forms obtained from the Town of Bristol. An approved variance shall be valid for a period of time of one (1) year from the date the variance is granted unless acted upon, and shall become null and void if not acted upon by the obtaining of necessary building permits or commencement of construction and/or use within said one-year period.

Area Variance: An Area Variance is the authorization by the Town of Bristol Zoning Board of Appeals for the use of the land in a manner that is not allowed by the dimensional or physical requirements of the *Zoning Ordinance of the Town of Bristol*.

Use Variance. A Use Variance is the authorization by the Town of Bristol Zoning Board of Appeals for a purpose which is otherwise not allowed or is prohibited by the *Zoning Ordinance of the Town of Bristol*.

ARTICLE EIGHTEEN – SPECIAL USE PERMITS

Section I.

A special use shall comply with the bulk and area restrictions of the Zoning District in which it is located. An approved Special Use Permit would generate an Operating Permit.

- A. In order to approve any Special Use Permit Application, the Zoning Board of Appeals shall make the findings required by Subsections B1 through B3 listed below:

- B. Findings required:
 - 1. The property is in full compliance with all ordinances, regulations, resolutions, laws and codes of the Town of Bristol.

 - 2. The proposed use is not detrimental to the health, safety or general welfare of persons residing or working in the neighborhood of such proposed use or improvements in the neighborhood, or to the general welfare of the Town.

 - 3. The proposed use is not detrimental to the adjacent or neighboring properties when taking into account:
 - a. Ingress and egress; safe sight stopping distance. (If the Zoning Board of Appeals or the Planning Board deems necessary, the applicant shall provide a traffic impact study that may require a separate entrance for the special use. For approval, this study must satisfy these Boards.),
 - b. Parking subject to Article Seven of this Local Law,
 - c. Compatibility with general character of the area;
 - d. Signage, subject to Article Nine of this Local Law;
 - e. Noise level, odors, and air pollution,
 - f. Outdoor lighting and hours of operation;
 - g. Outdoor storage or display;
 - h. Visibility from surrounding properties. (Buffering, whether natural or man-made, which is deemed necessary to obscure visibility from neighboring properties, shall be immediately effective.);
 - i. Availability of adequate utilities including, but not limited to, water, sewer, electricity, gas (a utility easement, twenty feet permanent and ten feet temporary shall be granted to the Town, along all of the applicant's property frontage);
 - j. Site Plan, Subject to Local Law # 02,of 2011, Site Plan.

- C. The Zoning Board of Appeals may revoke any Special Use Permit for noncompliance with conditions set forth in the approval of said permit after first holding a Public Hearing and giving notice of such hearing as provided in Article Eighteen.

- D. Any business or industry operated pursuant to a permit granted hereunder shall be subject to periodic inspection by the Code Enforcement Officer. (See Local Law #3-2006, and *Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code, Section II.*)

Section II.

A. **Public Utility Facilities** such as dial equipment centers and substations, but no service or storage yards may be permitted in any zone district without a Special Use Permit. No Special Use Permit shall be issued unless the Zoning Board of Appeals determines that:

1. The proposed installation in a specific location is necessary and convenient for the efficiency of the public utility system or the satisfactory and convenient provision of service by the utility to the neighborhood or area in which the particular use is to be located.
2. The design of any building in connection with such facility conforms to the general character of the area and will not adversely affect the safe and comfortable enjoyment or property rights of the zone in which it is located.
3. Adequate and attractive fences and other safety devices will be provided.
4. A buffer strip ten (10) feet in width shall be provided around the perimeter of the property.
5. Adequate off-street parking shall be provided.
6. All of the area, yard and building coverage requirements of the respective zone will be met.

Provided that the operation of the business or use is in full compliance, the permit granted shall be transferrable with the land.

B. **Motor Vehicle Service Stations** may be permitted, upon the issuance of a Special Use Permit, in the C-B, L-R and L-I Districts of the Town of Bristol, provided that the following standards are observed:

1. In addition to the information required in the Special Use Permit application and enumerated in Article Ten, Sections IV and V of this Local Law the Site Plan submitted shall also show the number and location of fuel tanks to be installed, the dimensions and capacity of each storage tank, the depth the tanks will be placed below the ground, the number and location of pumps to be installed, and the type of structure and accessory buildings to be constructed.
2. The area and yard specifications for motor vehicle service stations are identified in the Schedule of this Local Law (Article Eleven).
3. The entire area of the site traveled by motor vehicles shall be hard-surfaced.
4. Any repair of motor vehicles shall be performed in a fully enclosed building. No more than two motor vehicles shall be offered for sale on the site. No motor vehicle parts or inoperable and unlicensed motor vehicles shall be stored outside an enclosed building.

5. Accessory goods for sale may be displayed on the pump island and the building island only. The outdoor display of oil cans and/or antifreeze and similar products may be displayed on the respective island if provided for in a suitable stand or rack.
6. Where a motor vehicle service station abuts a residential dwelling or zoning district, it shall be screened by a buffer area no less than fifteen (15) feet in depth composed of densely-planted evergreen shrubbery, solid fencing or a combination of both which, in the opinion of the Zoning Board of Appeals, will be adequate to prevent the transmission of headlight glare across the zone boundary line. Such buffer screen shall have a minimum height of six (6) feet above finished grade at the highest point of the station. The materials used shall be in keeping with the character of the adjacent residential area. If said shrubbery or fencing becomes decayed and fails to provide an adequate screen, the Code Enforcement Officer shall direct the property owner to replace said shrubs or fencing.
7. All fuel pumps shall be located at least twenty (20) feet from the road right-of-way and thirty (30) feet from any property line.
8. In addition to the sign requirements for business uses, each motor vehicle service station shall be permitted to have one (1) free-standing or pylon sign setting forth the name of the station and for the principal products sold on the premises, including special company or brand name, insignia or emblem, provided that such sign shall not exceed a maximum of twenty (20) square feet in area per side and shall be hung within the property line and no less than ten feet (10) nor more than twenty-five feet (25) above the ground.
9. Service stations may also exhibit one (1) temporary sign located no less than five (5) feet inside the right right-of-way and specifically setting forth special seasonal servicing of automobiles, provided that such sign does not exceed seven (7) square feet per side.

Provided that the operation of the business or use is in full compliance, the permit granted shall be transferrable with the land.

C. **Campgrounds** may be permitted in the A-C District provided that the following standards are observed:

1. All provisions of the sanitary code or such other regulations of the State Health Department pertaining to camps shall be complied with.
2. The number of sites to be accommodated in such camps shall not exceed one (1) campsite per ten thousand (10,000) square feet within such grounds.
3. On-site recreational amenities shall be provided for patrons and guests with at least one substantial facility. Such substantial recreational facilities may include tennis courts; children's play area with equipment, or a swimming pool. The type and size of facility shall be appropriate to the type and amount of clientele being served.

4. Proper management of the facility shall include the following:
 - a. A management building or facility providing camper registration, first aid and information on park rules and activities;
 - b. A general manager or security person available 24 hours per day;
 - c. Park rules approved by the Town containing the following minimum provisions: time of day when facilities and activities close, not to be later than 11:00 P.M., nuisance control addressing noise and trespass; length of stay with maximum tenancy not to exceed 120 days for any twelve-month period; prohibitions against storage of unoccupied vehicles within camp site areas and occupation of any vehicles within storage areas; and description of the facilities available to users.

5. Landscaped buffer areas composed of suitable native vegetation shall be provided as part of the landscaping requirements of the *Town of Bristol Design Criteria*. Buffers shall be placed around all storage areas and at all perimeters of the campgrounds. The buffer shall contain vegetation sufficient within five (5) years after use inauguration to provide seventy-five percent (75%) visual screening of the park or storage areas for all adjacent uses. Perimeter buffers shall be at least thirty (30) feet in width supplemented by a fence or other device, where trespass is a potential problem. No structures, development or other activities shall occur within any buffer areas, provided that trails may be located within those buffer areas which are at least fifty (50) feet in width. Landscaping shall be located within open areas of the recreational vehicle park and not otherwise used for park purposes.

6. Outside lighting shall be limited to illuminating signs, all permanent structures, structural recreation facilities, emergency exits, storage areas and principal entrance locations. All light sources within fixtures shall be properly shielded so as not to be visible from adjoining properties. Lighting for main entrances and emergency exits shall also use back cutoff shields.

7. Signs shall be constructed of wood or other natural materials, and when applicable, painted in earth tones.

8. Park shall be closed by 11:00 P.M. and open at 7:00 A.M.

9. No camp structure shall be located within three hundred (300) feet of any street.

D. **Seasonal Camps.** A Special Use Permit shall be required for seasonal camps on a minimum of ten (10) acres. A minimum of four hundred (400) square feet of living space is required. Sanitation facilities will be required to meet New York State laws. This type of dwelling shall never be used for year-round occupancy unless it has a minimum of nine hundred fifty (950) square feet of living area. This permit is not transferable. Mobile homes or trailers are not permitted under this Section.

E. **Excavation Operations,** including the extraction of sand and gravel for sale and processing or other operations for the preparation of sand and gravel, may be permitted in the A-C District of the Town of Bristol, provided that the following conditions and standards are observed:

1. The minimum lot area for any such use shall be five (5) acres, all buildings and excavation operations shall be located or shall occur not less than thirty (30) feet from any street or property lines. The Zoning Board of Appeals may require fencing or some similarly effective barrier six (6) feet in height where excavations are to exceed a depth of four (4) feet.
2. All buildings and structures used in such operations shall be dismantled and removed within twelve (12) months following the termination of the operations, shall be made at the expense of the operator, and shall be a condition of the approval of the Special Use Permit.
3. All buildings, structures and plants used for the processing of excavated materials shall be maintained so as to be in compliance with the NYS Uniform Codes.
4. All equipment used for the excavation of sand and gravel and processing thereof shall be constructed, maintained and operated in such a manner as to eliminate, as far as it is practicable, noise and vibrations and dust conditions which are injurious to persons living in the vicinity. No operations shall be conducted between the hours of 6:00 P.M. in the evening and 7:00 A.M. in the morning. All operations on Sunday and on every legal holiday are prohibited.
5. All land that has been excavated must be rehabilitated in accordance with standards set within one (1) year after the termination of operations at the expense of the operator, and shall be a condition of the approval of the Special Use Permit. Also, a bond shall be required in an amount to be established by the Town Board.
6. All excavations must either be made to a water-producing depth, or graded and back-filled.
7. Excavations made to a water-producing depth shall be properly sloped to the water line, with banks sodden or surfaced with soil of an equal quality to adjacent land area topsoil. Such topsoil required under this Section shall be planted with trees, shrubs, legumes or grasses upon the parts of such area where re-vegetation is possible.
8. Excavations not made to a water-producing depth must be graded or back-filled with non-noxious, non-flammable, non-combustible solid material and in a topographic character which will result in substantial general conformity to adjacent lands. Such grading or back-filling shall be designed to minimize erosion and shall be surfaced with a soil equal in quality to that of adjacent land area and planted with trees, shrubs, legumes or grasses upon the parts of such areas where re-vegetation is possible.
9. Applicant must provide Proof of Compliance with NYS D.E.C. Regulations, including a rehabilitation and mitigation plan, if applicable.

Provided that the operation of the business or use is in full compliance, the permit granted shall be transferrable with the land.

ARTICLE NINETEEN – PLANNING BOARD AND ZONING BOARD OF APPEALS

Section I. Planning Board

- A. A Planning Board shall be appointed by the Town Board, which shall consist of such number of members as the Town Board has heretofore determined or shall hereafter determine. The members shall be appointed by the Town Board in such manner and for such terms as provided by the Town Law and any amendments thereto.
- B. The Planning Board shall have the authority to prepare, and from time to time, recommend a change to the Comprehensive Plan for the development of the Town of Bristol; to recommend approval or disapproval the laying out, closing off, abandonment or changes in lines of streets, highways and public areas; to recommend plans showing new streets and highways and to confirm or make reasonable changes in the Zoning Regulations pertaining thereto, as provided in Section 281 of the Town Law; and to make investigations and reports relating to the planning and development of the Town of Bristol, changes in boundaries or districts, changes in the provisions of this Local Law and as to any matter referred to it by the Town Board. It shall have the power to adopt rules and regulations with respect to the procedure before it and with reference to any matter over which it has jurisdiction and to hold public hearings. It shall have such other powers and duties as provided by the Town Law and any amendments thereto, and all such powers as are conferred upon Town Planning Boards by the provisions of the Town Law as now or hereafter in effect. The Planning Board is also responsible for consideration of: Site Plan Applications, Minor Subdivision Applications and Major Subdivision Applications.

Section II. Zoning Board of Appeals

- A. A Zoning Board of Appeals is hereby created. Said Board shall consist of five (5) members appointed by the Town Board, which shall also designate a Chairman. No person who is a member of the Town Board shall be eligible for membership on such Zoning Board of Appeals. Of the members of the Board, first appointed, one shall hold office for the term of one (1) year, one for the term of two (2) years, one for the term of three (3) years, one for the term of four (4) years, and one for the term of five (5) years, from and after his/her appointment. Their successors shall be appointed for the term of five (5) years from and after the expiration of the terms of their predecessors in office. If a vacancy shall occur otherwise than by the expiration of the term, it shall be filled by the Town Board by appointment for the unexpired term.
- B. The Zoning Board of Appeals shall have all the powers and duties prescribed by the Town Law of the State of New York and by this Local Law which are more particularly specified as follows:
1. Upon appeal from a decision by an administrative official, to decide any question involving the interpretation of any provision of this Local Law, including determination of the exact location of any district boundary if there is uncertainty with respect thereto.
 2. To hear and decide upon applications for permits as specified in this Local Law. (e.g., Area Variance, Use Variance, Special Use Permit, Administrative Appeal.)

3. To vary or adopt the strict application of any of the requirements of this Local Law in accordance with the provisions of the Town Law of the State of New York.
 4. In granting any variance, the Zoning Board of Appeals shall prescribe any conditions that it deems to be necessary or desirable.
- C. The Zoning Board of Appeals shall act in strict accordance with the procedure specified by law and by this Local Law. All forms for appeals and applications made to the Board are available from the Code Enforcement Officer. Every appeal or application shall refer to the specific provision of the Local Law involved and shall exactly set forth the interpretation that is claimed, the use for which the Special Permit is sought, or the details of the variance that is applied for and the grounds on which it is claimed that the variance should be granted, as the case may be.
- D. The Office of the Town Clerk shall be the office of the Zoning Board of Appeals, and every rule, regulation, amendment or repeal thereof and every order, requirement, decision or determination of the Board shall immediately be filed in said office as required by the Town Law of the State of New York.
- E. The Board shall affix a reasonable time for the hearing of an appeal and shall give due notice of the time set for the public hearing of the application. Such notice shall be served upon the applicant. Public Notice shall be by the publication of a notice in the official newspaper of the Town of Bristol and shall briefly describe the nature of the appeal and the time and place of the hearing.

ARTICLE TWENTY – VIOLATIONS AN PENALTIES

The owner or general agent of a building or premises of land where violation of any provision of this Local Law has been committed or shall exist, or the lessee or tenant of an entire building, or entire premises or land where such violation has been committed or shall exist, or the owner, general agent, lessee or tenant of any part of the building or premises or land in which such violation has been committed or shall exist, or the general agent, architect, builder, contractor or any other person who commits, takes part or assists in any such violation or who maintains any building or premises or land or any part thereof in which any violation shall exist, shall be guilty of a violation/offense and subject to a minimum fine of Three Hundred Fifty Dollars (\$350.00) or imprisonment for a period of not more than 10 days or both and in addition may be ordered to pay all costs and expenses including fees and expenses of attorneys and engineers and other experts involved in the enforcement hereof. Every such person, firm, company, corporation, partnership, limited liability company or other entity shall be deemed guilty of a separate offense for each week such violation, disobedience, omission, neglect or refusal shall continue from the expiration of the period stated in the Notice to Remedy. Each week's continued violation shall constitute a separate additional violation. In addition, the Town authorities shall have such other remedies as are provided by law to restrain, correct or abate any violation of this Local Law, and the violator shall be liable to the Town of Bristol for a civil penalty of Five Hundred Dollars (\$500.00) for each violation.

ARTICLE TWENTY- ONE – VALIDITY

The validity of any section or provision of this Local Law shall not be invalidated by the invalidity of any other Section, Provision or part thereof.

ARTICLE TWENTY-TWO – ADULT USE & ENTERTAINMENT ESTABLISHMENTS

Section I. Title

Adult Use and Entertainment Establishment – Amendment to the 1997 *Zoning Ordinance of the Town of Bristol*.

Section II. Purpose and Intent

- A. It is the purpose of this amendment to the *Zoning Local Law of the Town of Bristol* to regulate the creation, opening, commencement or operation of Adult Use and Entertainment Establishments, as herein defined, in order to achieve the following primary purposes:
1. To preserve the character and quality of life in the Town of Bristol neighborhoods and business areas.
 2. To control such documented harmful and adverse effects of Adult Use and Entertainment Establishments on the surrounding areas such as: decrease in property values, attraction of transients, parking and traffic problems, increased crime, loss of business for surrounding non-adult uses, and deterioration of neighborhoods.
 3. To restrict minors access to Adult Use and Entertainment Establishments.
 4. To maintain the general health, welfare and safety of the Town of Bristol residents.

Section III. Effective Date

This Local Law shall become effective immediately.

Section IV. Allowed Zoning District

- A. All Adult Use and Entertainment Establishments, as defined herein, may only be created, opened, commenced or operated within the Light Industrial (L-I) District within the Town of Bristol created pursuant to Article Ten, Section V.C.
- B. Each Adult Use and Entertainment Establishment shall have direct access to a public street or highway.

Section V. Adult Uses Permitted

- A. Zoning Laws, Word Usage and Consistency:
1. Notwithstanding anything contained in the *Zoning Local Law of the Town of Bristol*, Adult Use and Entertainment Establishments, as herein defined, shall only be allowed in the L-I District and upon issuance of a Special Use Permit as specifically set forth in this Local Law and only to the extent that it is consistent with local law and the New York State Penal Law relating to exposure, obscenity or lewdness.
 2. Each Adult Use and Entertainment Establishment shall be permitted only within the limits established by the Zoning Board of Appeals for such use as a condition of any Special Use Permit that they may issue. Upon the termination of such

Special Use Permit, for any reason, said Permit shall become null and void and cannot be transferable.

Section VI. Location Within Allowed Zoning District

An Adult Use and Entertainment Establishment shall be allowed only in the L-I District and, within such a district, the following shall not be allowed:

- A. Within one hundred (100') feet of the property line of a parcel used for residential purposes in the Town.
- B. Within five hundred (500') feet of a property line of a parcel containing a church, school, day-care facility, park or playground within the Town.
- C. On the same parcel as another Adult Use and Entertainment Establishment.
- D. Within one thousand (1000') feet or property line of another Adult Use and Entertainment Establishment, whether or not such other establishment is located in the Town.

Section VII. Application Process

- A. The Zoning Board of Appeals may approve a Special Use Permit for Adult Use and Entertainment Establishments only to be located in the Light Industrial (L-I) District as provided that the following standards and provisions are maintained:
 - 1. These special regulations are itemized in this section to accomplish the primary purposes of preventing a concentration of these uses in any one area and restricting their accessibility to minors.
 - 2. In addition to any other requirements imposed by the Town of Bristol or State of New York, the following specified regulations shall apply to any Adult Use and Entertainment Establishment:
 - a. All buildings, openings, entries, windows, doors, etc., shall be located, covered or screened in such a manner as to prevent a view into the interior of the building from any public right-of-way or adjacent property.
 - b. Parking – See Article Seven, Section II.C. “Off-Street Parking”.
 - c. Signs – See Article Nine, Sections I, IV and V, “Sign and Billboard Regulations”.
 - d. The applicant shall specify the exact nature of the adult entertainment uses, the hours of operation, and any other additional uses that will be carried on in conjunction with the proposed adult entertainment.
 - e. The applicant shall provide the status of all other required local and state approvals and licenses required for operation of such businesses.
- B. A Site Plan Review is required. (*See Local Law #02-2011, Site Plan Review*)

Section VIII. Displays Prohibited

All adult uses and entertainment establishments shall be conducted in an enclosed building. It shall be a violation to display or exhibit (in the open air, through a window or by means of a sign, depiction or decoration) or to allow is displaying or exhibiting, any specified anatomical area or specified sexual activity.

Section IX. Severability

It is hereby declared to be the intent of the Bristol Town Board that:

- A. If a court of competent jurisdiction finds any provisions of this Local Law invalid, in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid and all other provisions of this Local Law shall continue to be separately and fully effective.
- B. If a court of competent jurisdiction finds the application of any provision of this Local Law to any building, other structure or tract of land to be invalid, in whole or in part, the effect of such decisions shall be limited to the person, property, or situation involved in the controversy and the application of any such provision to any other person, property or situation shall not be affected.

Section X. Penalties for Offenses

- A. Any person, firm, corporation or entity found to be violating any provision of this Local Law shall be served with a written notice by the Town of Bristol Code Enforcement Officer stating the nature of the violation and providing the immediate correction thereof. Such notice shall be served by one of the following methods:
 - 1. By personal service;
 - 2. By certified mail, return receipt requested, addressed to his/her/their last known address as shown on the latest completed assessment roll of the Town of Bristol; or
 - 3. By posting of such notice in a conspicuous place upon the premises affected and a copy thereof mailed to his/her/their last known address as shown on the latest completed assessment roll of the Town of Bristol.
- B. Any person, firm, corporation or entity that shall violate any portion of this Local Law shall be guilty of a violation and, upon conviction thereof, shall be fined in an amount not to exceed five hundred dollars (\$500.00) for each violation. The continuation of a violation of the provisions of this Local Law shall constitute, for each day the violation is continued, a separate and distinct offense hereunder.
- C. Any person, firm, corporation or entity violating the provisions of this Local Law shall become liable to the Town for any expense or loss or damage occasioned the Town by reason by such violation.
- D. In the alternative, the Town may maintain an action or proceeding in a court of competent jurisdiction to restrain by injunction any violation of this Local Law.
- E. The penalties and remedies set forth herein are in addition to all other penalties and remedies provided for by law.

ARTICLE TWENTY- THREE – EFFECTIVE DATE

This Zoning Local Law shall be effective as provided by law after publication as required by law

EFFECTIVE DATE: May 5, 2011