

*Town of Johnston  
State of Rhode Island*

Ordinance 2024-10

**ADOPTED**  
DATE 8/13/24  
JOHNSTON TOWN COUNCIL  
ATTEST: *[Signature]*  
AS AMENDED

**AN ORDINANCE AMENDING CHAPTER 340 ENTITLED "ZONING" OF THE TOWN OF JOHNSTON  
CODE OF ORDINANCES**

The Town Council of the Town of Johnston hereby ordains:

*Proposed new language is noted by underline-proposed deletions noted by strike-through*

**Section 1. AMEND Article II. Definitions Section 340-4, Sub-section B Definitions and word usage. B. of the  
Zoning Ordinance by adding the following definitions:**

**§ 340-4 Definitions and word usage.**

A. Where words or terms used herein are defined in the Rhode Island Comprehensive Planning and Land Use Regulation Act, they shall have the meanings stated therein. Words used in the present tense include the future, the singular includes the plural and the plural includes the singular. The word "shall" is mandatory; the word "may" permissive. "R.I.G.L." shall mean the General Laws of Rhode Island.

B. In addition, the following words shall have the following meanings:

**Animal shelter.** A brick-and-mortar facility that is used to house or contain animals and that is owned, operated, or maintained by a duly incorporated humane society, animal welfare society, society for the prevention of cruelty to animals, or other nonprofit organization devoted to the welfare, protection, and humane treatment of animals.

**Boarding, Daycare and Grooming Services.** A facility providing day care, boarding and associated services for domestic pets (dogs, cats and the like) for all or part of the day. Services provided may include: walking/exercise, obedience classes, training, grooming, or behavioral counseling. Accessory retail sales of pet food, pet accessories and toys may be permitted incidental to the principal use.

**Breeding kennel.** A place or establishment other than a pound, animal shelter, or veterinary hospital that is housing animals during their treatment, used for the propagation of purebred or crossbred dogs and/or cats for the purpose of improving and enhancing a breed recognized and registered by the American Kennel Club, American Field Stud Book, a registered cat breed association.

**Veterinary hospital.** An establishment of a licensed practitioner primarily engaged in the practice of veterinary medicine, dentistry or surgery for pets such as horses, rabbits, dogs, cats, and birds and other pets with overnight keeping of pets which require continued medical attention.

**Section 2. AMEND Article III – Zoning Districts and Map; Section 340-8. Table of Use Regulations,  
Attachment 1 of the Zoning Ordinance, as follows:**

Use Classification	R-40	R-20	R-15	R-10	R-7	B-1	B-2	B-3	PD	MUD	I	IS	IL	ROD
<b>Subsection 1. Agriculture uses.</b>														
2. Commercial raising of animals. Fowl or fish. This includes <u>breeding kennels for the raising of dogs or cats or fur bearing animals, but it is not to include the raising of swine.</u>	P S	N	N	N	N	N	N	N	N	N	P S	P S	P S	N
<b>Subsection 6. Office uses.</b>														
7. Office complex for one or more tenants, <u>veterinary hospital office (no outside runs or exercise areas), medical uses, financial institutions.</u>	N	N	N	N	N	N	P N	P	P	P	N	N	N	P
<b>Subsection 9. Service business.</b>														
5. Veterinary office or hospital.	N	N	N	N	N	N S	P S	N	P S	P S	N	N	N	P
5a. <u>Veterinary office, no outside runs or exercise areas. NOTE. Building for said use shall not exceed 2,500 gross sq. ft. in a B-1 Zone.</u>	N	N	N	N	N	P S	P S	N	P S	P S	N	N	N	P
18. <u>Boarding, Daycare and Grooming Services. A kennel in the commercial business of boarding pets. NOTE. Building for said use shall not exceed 2,500 gross sq. ft. in a B-1 Zone.</u>	N	N	N	N	N	P S	P S	N	P S	P S	N	N	N	P
18a. <u>Animal Shelter. Building for said use shall not exceed 2,500 gross sq. ft. in a B-1 Zone.</u>	N	N	N	N	N	P	P	N	N	N	P	P	P	N

**Section 3. Add Section 340-25.2 as follows:**

**Section 340-25.2. Pet and animal services.** Veterinary, animal shelter, boarding, daycare and grooming services for animals, when permitted in the Use Table, are subject to the conditions of this section and the Rules and Regulations Governing Animal Care Facilities as established by the RI Department of Environmental Management (250-RICR-40-05-4).

**A. Veterinary Hospitals.** A veterinary hospital is subject to the following conditions:

1. The lot or parcel on which the veterinary hospital is to be located consists of at least fifteen thousand (15,000) square feet.

2. The veterinary hospital may include one (1) accessory single-family residence, with no more than two (2) bedrooms containing no more than one thousand five hundred (1,500) square feet of living area for the caretaker/employee family of the hospital only. The accessory residence shall be designed and constructed in such a way as to maintain the appearance of the use of the lot as a veterinary hospital.
3. An application for a veterinary hospital use shall be considered a Minor Land Development that must be reviewed by the Board.
4. Plans must include the mitigation of impacts related to noise, solid waste disposal, handling and disposal of animal waste, facility lighting and sewer/septic disposal.

**B. Animal Shelter and Boarding, Daycare and Grooming Services for cats and dogs.** Animal Shelter and boarding, daycare and grooming services are subject to the following requirements:

1. Minimum Dimensional Requirements. All outdoor runs or exercise areas shall comply with all dimensional setback requirements applicable to the principal structure. Outdoor runs or exercise areas shall not be located in front of the building.
2. An operations and maintenance plan describing all proposed activities, including, but not limited to: staffing numbers and hours, number of animals, types of services provided, retail sales, animal residence times, hours of operation, waste management protocols, health and safety protocols, emergency protocols.
3. Parking, Drop-Off and Pick-Up Areas. The facility must provide one (1) off-street parking space for each employee and three (3) short-term parking spaces for customer drop-off & pick-up of animals.
4. Waste Storage and Removal. All indoor solid waste shall be collected and stored in covered receptacles in areas that are not readily accessible by animals. Outdoor waste storage containers shall be fully enclosed and shall remain closed at all times except when opened to accept waste; shall be stored at least twenty (20) feet from all property boundaries and shall be screened from view by an enclosure. All waste shall be removed from the site not less than two (2) times each week.
5. Retail Sales. Facilities may engage in retail sales of pet products reasonably related to the services provided by the facility. Sales shall be limited to customers of the services provided by the facility. Retail sales of animal food shall be limited to food consumed on-site.
6. An application must include:
  - a. Copies of its RIDEM licensing application and approval.
  - b. A site plan/floor plan showing:
    - ✓ Front desk/reception area and staff break areas.
    - ✓ Parking & vehicle circulation plan.
    - ✓ All doors & windows (interior & exterior).
    - ✓ Waste storage (interior & exterior).
    - ✓ Medicine and food storage areas (including refrigeration).
    - ✓ All indoor & outdoor animal holding areas, including: rooms, enclosures, communal areas, cages, runs, medical treatment and quarantine areas (labeled with use & dimensions)
  - c. The reviewing authority may set: reasonable hours of operation; a limit to the number of animals housed in the kennel; and set hours for outdoor exercise for the kenneled animals.

**Breeding Kennel.** A breeding kennel is subject to the following conditions:

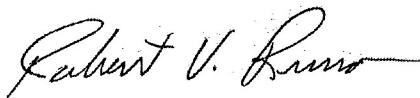
1. The use must be located on a lot at least 2 acres in size.
2. The use may have no more than four outside runs.
3. Except for outside runs, the use shall be completely enclosed within a building and shall be no closer than 1000 feet to any abutting residential property line.
4. Fenced areas used by animals are prohibited in the front yard.
  - a. All outside runs shall be enclosed by a solid fence or chain-link fence with arborvitae trees or similar evergreen trees that will block the use

5. An acceptable waste storage, management and removal program must be submitted for review and approval.
6. An application for a breeding kennel shall be considered a Minor Land Development that must be reviewed by the Planning Board. The Board may require the applicant to submit any other material deemed necessary to evaluate the proposal.
7. In reviewing the application the Board must find that the use will not interfere or conflict with the peaceful enjoyment of neighboring residential uses.
8. The Board may set: reasonable hours of operation; a limit to the number of animals housed in the kennel; and set hours for outdoor exercise for the kenneled animals.

**Section 4. AMEND Section 340-76.1 of the Zoning Ordinance as follows:**


**§ 340-76.1. Special conditions for specific uses.**

- ~~A. Kennels. All buildings, structures, facilities, including runways, and any portions of property which are accessible to the animals being boarded at a kennel must be located at least 1,000 feet from any and all residential structures.~~
- B. A. Drive-up/drive-through uses. An application for a special use permit for a drive-up/drive-through use, such as a restaurant, bank, pharmacy or other retail or service use, must demonstrate compliance with the following standards:
- (1) No drive-through facility shall be located in any required front yard.
  - (2) Entrances to a drive-through facility shall be offset at least 50 feet from an intersection. No drive-through lane shall exit directly onto a street.
  - (3) Stacking spaces.
    - (a) A sufficient number of stacking spaces for vehicles waiting to complete a transaction shall be provided so as to prevent circulation congestion, both on-site and on adjacent public streets. In general, the number of stacking spaces shall be based on the following guidelines:
      - [1] Restaurant: seven spaces per station.
      - [2] Bank: five spaces for the first station, plus two spaces for each additional station.
      - [3] Cannabis and cannabis accessory retail: seven spaces per station.
      - [4] Other uses (no order board): four spaces per station.
    - (b) In addition, there shall be at least one stacking space after the service window, before entrance to a travel lane. Each stacking space shall be a minimum of 10 feet in width and 20 feet in length.
  - (4) Drive-through lanes shall be delineated from traffic lanes and parking areas with striping, curbing, landscaping and/or the use of alternative paving material. Where pedestrians will intersect with a drive-through lane, crosswalks shall be provided, making use of striping and/or alternative paving material.
  - (5) Adequate directional and warning signs shall be provided to assure smooth traffic circulation and pedestrian safety, including marking entrances, exits and one-way lanes of drive-through areas. The placement of all directional signage shall be subject to review and approval under the provisions of this article.
  - (6) Menu boards or other informational boards shall face away from public rights-of-way. All lighting associated with menu boards, window service areas or travel lanes shall be directed and shielded so as to prevent any glare or reflection on adjoining streets or property. The placement of all informational signage shall also be subject to review and approval under the provisions of this article.



Councilperson

Approved to form:

  
Town Solicitor

# Ordinance 2024-10

Date of passage August 13, 2024

Aye

Linda L. Folcarelli-Councilwoman  
*District 1*

Aye

Lauren A. Garzone - Vice-President  
*District 2*

Aye

Alfred T. Carnevale -Councilman  
*District 3*

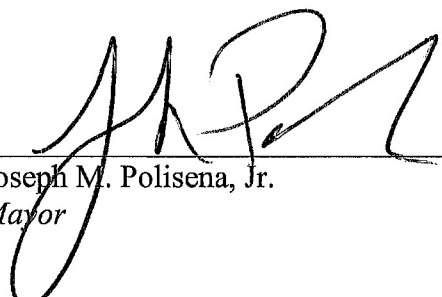
Aye

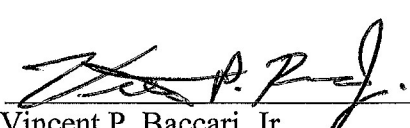
Robert J. Civetti - Councilman  
*District 5*

Aye

Robert V. Russo -President  
*District 4*

Approve ✓ Veto \_\_\_\_\_

  
\_\_\_\_\_  
Joseph M. Polisena, Jr.  
*Mayor*

Attest:   
\_\_\_\_\_  
Vincent P. Baccari, Jr  
*Town Clerk*

Date 8/26/24