



Town of Bristol, Rhode Island

Department of Community Development

2024 JUL 23 PM 2:00

TOWN CLERK'S OFFICE
BRISTOL, RHODE ISLAND

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Bristol, RI 02809
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July 23, 2024

TO: Steven Contente, Town Administrator
FROM: Diane M. Williamson, Director of Community Development
RE: Petition Kennel License – 7 Michael Drive

Concurred

I have reviewed the above petition and offer the following comments:

The subject property is within a residential neighborhood; however, the use is allowed as a Home Occupation subject to the standards in the Zoning Ordinance, Section 28-153 (see attached memo from the Zoning Officer and copy of ordinance).

This home occupation use has been in operation for approximately 10 years and this office has not received any complaints.

Based on this, I have no objection to the issuance of the kennel license with the number of dogs allowed to be as determined by the Town Council.

Concurred
St Contente
STEVEN CONTENTE
Town Administrator

7 MICHAEL DRIVE



TOWN OF BRISTOL
DEPARTMENT OF COMMUNITY DEVELOPMENT
10 Court Street • Bristol, Rhode Island 02809

July 9, 2024

Allison Barr
7 Michael Drive
Bristol, RI 02809

RE: Application for Dog Kennel License

Dear Ms. Barr,

As requested, I have reviewed your application for the renewal of a dog kennel license at your residential property located at 7 Michael Drive for consistency with Bristol's Zoning Ordinance. Your property is located within the Residential R-15 zoning district; and it is my understanding that you are requesting a license to house more than three dogs on the property as a business use. Section 6-82 of Bristol's Town Code requires that any residence keeping more than three dogs receive a kennel license from the Town Council. This requirement is in addition to any requirements imposed by the Zoning Ordinance.

Bristol's Zoning Ordinance does not identify a kennel as a permitted use in the R-15 zone. However, this type of business is permitted as a home occupation business subject to the limits and requirements of Section 28-153 of the Zoning Ordinance (copy attached). This section of the ordinance provides specific standards (such as outward appearance, traffic, parking, employees, signage, etc.) that must be met for any business operating out of a residential dwelling. If the kennel use meets these standards, then it is my opinion that the use would be in compliance with the Zoning Ordinance. Other requirements for the keeping of animals on this property, such as the maintenance of sanitary conditions, are subject to additional provisions of Chapter 6 of Town Code and would be enforceable by the Animal Control Officer. The Town Council may also impose additional limits and conditions, such as the maximum number of dogs to be housed on the property, through the issuance of a kennel license.

Should you have any questions pertaining to this matter, please feel free to contact me.

Sincerely,

Edward M. Tanner
Principal Planner / Zoning Enforcement Officer

Sec. 28-153. - Home occupations.

(a) *Purpose.* The purpose of this section is to:

- (1) Protect residential areas from adverse impacts of activities associated with certain home occupations.
- (2) Permit residents of the community a broad choice in the use of their homes as a place of livelihood and the production or supplementing of personal and family income.
- (3) Establish criteria and development standards for home occupations conducted in dwelling units and accessory structures to residential structures.

(b) *Definition.* For the purposes of this section, "home occupation" shall include:

- (1) An accessory use of a dwelling unit or accessory structure, involving the manufacture, provision or sale of goods and/or services, which is carried on by members of the family residing on the premises plus no more than one nonresident assistant or employee.
- (2) Home occupations do not include occasional garage sales and yard sales nor home parties which are held for the purpose of the sale or distribution of goods or services. Provided, however, that if the collective total of all such sales and/or parties exceeds six in any calendar year such sales and/or parties shall be considered a home occupation and regulated hereby.
- (3) Home occupations do not include weddings; provided, however, that if the total weddings exceeds two in any calendar year such weddings shall be considered a home occupation and regulated hereby.

(c) *Standards.* All home occupations shall meet the following standards:

- (1) *Outward appearance.* The exterior appearance of the residential structure shall not be changed. There shall be no outside storage of equipment used in the home occupation or window display. Noise, dust, odors, noxious fumes, or vibrations emanating from the premises shall not exceed that which is normally produced by a single dwelling unit. Mechanical or electronic equipment which is incidental to the home occupation may be used provided it does not create visible or audible interference in radio or television receivers or cause fluctuations in line voltage off the premises. The home occupation shall not interfere with the delivery of utilities or other services to the area.
- (2) *Traffic.* The home occupation should not generate significantly greater traffic volume than would normally be expected in the particular residential zone in which the home occupation is conducted. Delivery and pick-up of materials or commodities to and from the premises by a commercial vehicle should not exceed two trips per week. A commercial vehicle for the purpose of this section and chapter is any motor vehicle having a gross vehicle weight restriction over a Class 3 (more than 14,000 pounds). Reference also section 16-142 of Bristol Town Code.

- (3) *Parking.* The parking of customers' or clients' vehicles shall not create safety hazards or congestion. At any one time only one commercial vehicle associated with the activities of the home occupation may be parked near the premises for more than four consecutive hours. One additional on-site parking space shall be required above the normal parking requirements for the residential use for any home occupation where students or clients visit the premises. One additional on-site parking space shall be required above the normal parking requirements for the residential use for any home occupation where a nonresident employee's method of transportation to and from the site of the home occupation is a motor vehicle which would normally be parked on or near the site of the new occupation. Where both subsections 28-153(c)(3) and (4) apply, there shall be two additional parking spaces required.
- (4) *Employees.* The home occupation is to be conducted only by members of the family residing in the dwelling unit plus no more than one nonresidential assistant or employee. Persons engaged in building trades or similar fields, using their dwelling units or residential premises as an office for business activities conducted off the premises, may have more employees than the limitations set forth in this subsection if they are not employed on the premises.
- (5) *Signage.* The intent of signage at home occupations is to identify the location of the property and not to garner or advertise additional business which would have the effect of increasing traffic in the neighborhood, therefore, only one sign, not over two square feet in area, flush-mounted to the building, shall be permitted per dwelling unit. The sign shall show only the name of the occupant and the type of occupation. The sign shall neither be internally nor externally lit. A permit for the sign is required in accordance with article X of this chapter.
- (6) *Limits on class/instruction.* If the home occupation is the type in which classes are held or instruction given, there shall be no more than six students or pupils in the dwelling unit or on the premises at any one time. More than six students shall require a special use permit. These requirements limiting class size shall not be construed to prohibit occasional exceptions for events such as recitals, demonstrations, and other similar gatherings.
- (7) *Limits on clients/customers.* If the home occupation is the type in which customers or clients visit the premises, there shall be no more than six clients or customers in the dwelling unit or on the premises during any period of 60 consecutive minutes. Motor vehicle traffic generated by clients or customers of a home occupation shall be prohibited from visiting the premises between the hours of 11:00 p.m. and 7:00 a.m.
- (8) *Allowable number of home occupations.* The total number of home occupations conducted within a dwelling unit is not limited, except that the cumulative impact of all home occupations conducted within the dwelling unit or on the premises thereof shall not be greater than the impact of one home occupation as set forth in the above subsections.

- (9) *Compliance.* Home occupations shall comply with all local, state or federal requirements pertinent to the activity pursued, and the requirements of or permission granted by this chapter shall not be construed as an exemption from such regulations.

(Amend. of 1-27-21)