

ORDINANCE NO. 23-08

**An Ordinance Creating Section 13.1.18, “Home Occupations,” and Deleting Part (a)(45) of Section 13.1.200, “Home Occupation” of Chapter 1, “Zoning Code,” of Title 13, “Zoning,” of the Code of General Ordinances of the City of Glendale**

At a regular meeting of the Common Council of the City of Glendale, Milwaukee County, Wisconsin held on this 10<sup>th</sup> day of April 2023, a quorum being present and a majority of the Common Council voting therefore, said Council finds:

WHEREAS, certain changes to Title 13 of the Glendale Code of General Ordinances (City Code), titled “Zoning,” are necessary to maintain the residential harmony in residentially-zoned districts; and

WHEREAS; the City of Glendale desires to amend Title 13 of the City Code to add more specific regulations relating to home occupations;

NOW, THEREFORE, at a regular meeting of the Common Council of the City of Glendale, Milwaukee County, Wisconsin, held on the 10th day of April 2023, by a favorable vote of the members being present and therefore, said Council does ordain as follows:

**SECTION 1**

Section 18, “Home Occupation,” of Chapter 1, “Zoning Code,” of Article B, “General Provisions” of Title 13, “Zoning,” of the Code of Ordinances of the City of Glendale is hereby created as follows:

**13.1.18: HOME OCCUPATIONS:**

- (a) **Purpose:** The purpose of this section is to permit the establishment of home occupations that are compatible with the residential districts in which they are located.
- (b) **Definition:** The maintenance of a business office, or professional service with customary accessory uses, by a member of a recognized profession in a residential district, which is permitted as an incidental or secondary use of a building being used as a private dwelling and carried out by a member of the immediate family residing on the premises.
- (c) **General Requirements And Performance Criteria:** All home occupations shall comply with the following standards:
  - (1) The home occupation use shall be conducted entirely within an enclosed structure, except those home occupations that are required by law to conduct business in outdoor spaces.
  - (2) The home occupation shall not interfere with the delivery of utilities or other services to the area, such as maintenance of a public street.

- (3) The home occupation shall not generate noise, deliveries, vibrations, smoke, dust, odor, heat, glare, or electrical interference that would exceed what normally produced by a dwelling unit in a zoning district used solely for residential purposes.
- (4) The home occupation shall not change the essential residential character of the dwelling unit.
- (5) There shall be no alteration of the residential appearance of the premises, including the creation of a separate, or exclusive, business entrance(s).
- (6) Signs for home occupations shall be prohibited.
- (7) No home occupation involving outside employees or clients shall be conducted between the hours of eight o'clock (8:00) P.M. and six o'clock (6:00) A.M.
- (8) No outdoor display or storage of materials, goods, supplies, or equipment shall be allowed.
- (9) The home occupation shall, always, comply with all other applicable laws and ordinances.
- (10) The total area used for the home occupation shall not exceed twenty percent (25%) or five hundred (500) square feet (whichever is less) of the habitable floor area of the dwelling.
- (11) No more than one person, other than a resident of the dwelling unit, shall be employed on premises in connection with the operation of the home occupation.
- (12) No more than twelve (12) visits per day shall be allowed within a twenty-four (24) hour period, but not more than four (4) at one time.
- (13) Vehicles:
  - 1. Number: Not more than two vehicles associated with the home occupation shall be kept on the premises.
  - 2. Size: A vehicle used for a home occupation shall not exceed fifteen thousand (15,000) pounds gross weight, or over sixteen (16) feet in length, or having an enclosed area of a height no more than eight (8) feet.
  - 3. Signage: A sign indicating the name of the home occupation may be affixed to a vehicle that is licensed to the home occupation. The area of the sign shall not exceed three square feet (typically an 18-inch x 24-inch sign). No sign permit is required.

(d) **Generally Prohibited Home Occupations:** Certain uses by their nature of investment or operation have a pronounced tendency, once commenced, to expand beyond the scope of activity permitted for home occupations, and thereby impair the integrity of the residential district in which they are located. For this reason, the following uses, regardless of their compliance with the standards in this section, are prohibited as home occupations:

- (1) Repair of motorized vehicles such as repair or painting of autos, trucks, trailer, boats, and lawn equipment.
- (2) Automotive towing and/or wrecking service
- (3) Clubs, including fraternities and sororities.
- (4) Funeral homes and mortuaries.
- (5) Nursing homes.
- (6) Transit and transportation businesses
- (7) Medical and/or dental offices.
- (8) Restaurants.
- (9) Retail or wholesale shops, stores, or outlets.
- (10) Manufacturing and sale of firearms and/or ammunition.
- (11) Bed and breakfast establishments.
- (12) Veterinary clinics.
- (13) Warehousing, as defined by the United States Department of Labor.
- (14) Other uses like those listed in this subsection d, as determined by the zoning officer.

## **SECTION 2**

Part (a) (45) of Section 200, "Definitions," of Article P, "Definitions," of Chapter 1, "Zoning Code," of Title 13, "Zoning," is hereby repealed in its entirety and shall be reserved.

## **SECTION 3**

Part (b) of Section 11, "Use Regulations," of Article B, "General Provisions," of Chapter 1, "Zoning Code," of Title 13, "Zoning," is hereby repealed and replaced as follows:

(b) **Accessory Uses.** Accessory uses and structures as specified are permitted in any district but not until their principal structure is presented or under construction. Home occupations are permitted as an accessory use subject to the definitions and limitations as set forth in Section 13.1.18 of the Glendale Code.

## **SECTION 4**

Part (a) (4) of Section 23, "R-1 Residence Districts," of Article C, "Zoning Districts," of Chapter 1, "Zoning Code," of Title 13, "Zoning," is hereby repealed and replaced as follows:

(4) Customary home occupations engaged in by the occupant of a dwelling subject to the definitions and limitations as set forth in Section 13.1.18 of the Glendale Code.

## **SECTION 5**

That all Ordinances or parts of Ordinances conflicting with the provisions of this Ordinance are hereby to such extent repealed.

## **SECTION 6**

That this Ordinance shall take effect and be in force from and after its passage and posting.

PASSED AND ADOPTED by the Common Council of the City of Glendale, Milwaukee County, Wisconsin, this 10<sup>th</sup> day of April 2023.

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Bryan Kennedy, Mayor

Countersigned:

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Megan Humitz, City Clerk