

Ch. 23.01(17) Home Occupations

- a) Definition. A home occupation shall be any business or commercial activity that is conducted within a dwelling unit.
- b) Purpose and intent.
 - 1) The purpose of this section is to strike a balance between fostering small-scale businesses and the residential character of areas not zoned commercial in a manner that is:
 - a) Accessory and subordinate to the primary residential use of the property;
 - b) Conducted in a manner that is compatible with the residential premises; and
 - c) Not detrimental to the residential character, appearance and livability of surrounding properties within which such uses and activities are conducted.
 - 2) For residential dwellings located in commercial and industrial zoning districts, the provisions of this section shall apply only to the extent that such occupations or businesses are accessory uses and are not a principal or conditional use that may be allowed in those zoning districts.
- c) General requirements. All home occupations shall comply with all of the following requirements:
 - 1) Prohibited home occupations. The following uses are prohibited as part of a home occupation:
 - a) Any occupation involving the purchase and resale, exchange, production, refinement, packaging or handling of explosives, or hazardous materials or substances, as defined pursuant to the Comprehensive Environmental Response Compensation and Liability Act.
 - b) Adult stores
 - c) Dance or night clubs
 - d) Mini-storage
 - e) The service, repair, or painting of any motorized vehicle including, but not limited to, motor vehicles, trailers, boats, personal watercraft, recreation vehicles and snowmobiles
 - f) Welding or machining
 - g) Automobile sales, excluding the sale of the residents' personal vehicle(s)
 - h) Pet boarding exceeding three animals on the premises at any one time
 - i) Automotive towing and wrecking services

- k) For dwellings located within the Groundwater Protection Zones A, B and C, no use listed as 'prohibited' within their respective groundwater protection zone is allowed as a home occupation.
- 2) The owner or proprietor of a home occupation shall reside in the dwelling from which the home occupation is being conducted.
- 3) No more than two employees who do not permanently reside in the dwelling from which the home occupation is being conducted may be employed in said home occupation. For the purpose of this section, 'employee' shall refer to a person for whom the property where the home occupation is taking place is their place of work.
- 4) Signage is permitted on the property in accordance with Chapter 25, Sign Ordinance of the City of Stevens Point.
- 5) The residential dwelling shall remain in character and appearance that is typical and customary for dwellings located in the zoning district within which the home occupation is located. Alterations that make the dwelling, building and/or site appear or function similar to a commercial operation are prohibited.
- 6) Exterior entryways that are created solely for conducting a home occupation are permitted along the interior side and rear elevation of the residence. This provision shall not apply for the construction of an accessory commercial unit.
- 7) There shall be no exterior storage of materials to operate a home occupation, including storage of business equipment, materials, merchandise, inventory and heavy equipment.
- 8) The home occupation shall not result in a public nuisance as defined in Chapter 21.15(1) of the City of Stevens Point Revised Municipal Code. Examples of a public nuisance include, but are not limited to, noise, smoke, dust, odor, heat, glare or electronic disturbance.
- 9) There shall be no commodities sold or services rendered that require regular receipt and delivery of merchandise, goods or equipment by other than passenger motor vehicle, the United States Mail Service, UPS, FedEx and similar delivery services. Deliveries by hydraulic lift gate vehicles shall be limited to twice monthly. The use of a semi-trailer for a home occupation is prohibited.
- 10) The home occupation shall not involve the storage of more than two commercial vehicles on the property for the delivery of materials to or from

the premises. For the purpose of this Section, a commercial vehicle shall be defined as a vehicle not exceeding 2.5 tons in capacity.

11) No more than four visitors on the premises for the sole purpose of the home occupation shall be permitted. This provision shall not apply for in-home day care uses.

- d) Approvals. A permit shall not be required to conduct a home occupation. Property owners requesting a zoning verification statement that the home occupation conducted on the property meets the provisions of this Section may receive one from the Zoning Administrator.
- e) Appeals. An applicant may request waiving of one or more, or a portion thereof, of the requirements of this section. The special request, requiring a Class II Public Hearing, may be reviewed by the Plan Commission and Common Council. In reviewing the request, the Common Council shall use the conditional use standards found within this Ordinance to determine compliance.