

(O-85-113)

ORDINANCE NUMBER O- 16372 (NEW SERIES)

ADOPTED ON FEB 11 1985

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 5, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTION 101.0570, RELATING TO LIVE/WORK QUARTERS (LOFTS).

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter X, Article 1, Division 5, of the San Diego Municipal Code be and the same is hereby amended by adding Section 101.0570, to read as follows:

SEC. 101.0570 LIVE/WORK QUARTERS (LOFTS)

A. PURPOSE AND INTENT

The purpose of this Section is to provide for and make feasible the reuse of existing commercial and industrial buildings for joint live/work quarters as contemplated by Section 17958.11 of the Health and Safety Code. Live/work quarters in the City of San Diego are intended to be occupied by artists, artisans and similarly situated individuals.

B. DEFINITIONS

1. Artist - one whose works are subject to aesthetic criteria. An individual who practices one of the fine arts, who works in one of the performing arts or whose trade or profession requires a knowledge of design, drawing, painting, etc.

2. Artisan - one who is skilled in an applied art; a craftsman.

3. Live/Work Quarters (Loft) - an area comprised of one or more rooms or floors in a building originally designed for industrial or commercial occupancy which has been or will be remodeled or altered to include (1) cooking space and sanitary facilities, and (2) working space reserved for persons residing therein.

C. DEVELOPMENT CRITERIA

1. Live/work quarters shall be permitted subject to the provisions of this ordinance in the City of San Diego in those areas designated on certain Map Drawing No. 00-16372 filed in the office of the City Clerk.

2. Each live/work quarters shall be separated from other live/work quarters or other uses in the building and access to live/work quarters shall be provided only from common access areas, halls or corridors.

3. Each live/work quarters shall have a separate access from other live/work quarters or other uses within the building.

4. Not over 33 percent of each live/work quarters shall be used or arranged for residential purposes such as a sleeping area, kitchen, bathroom and closet areas. The minimum area of a live/work quarters shall be 750 square feet.

D. CONDITIONS OF APPROVAL

1. For proper security, all exterior doors which provide access to live/work quarters shall remain locked at all times.

2. Access to each live/work quarters shall be clearly identified in order to provide for emergency services.

3. Persons other than residents of live/work quarters shall not be employed or permitted to work in that live/work quarters.

4. Live/work quarters shall not be used for mercantile, classroom instructional usage, storage of flammable liquids or hazardous materials, welding or any open flame work, offices or establishments with employees.

5. Live/work quarters shall be occupied and used only by an artist, artisan or a similarly situated individual, or a family of which at least one member shall be an artist, artisan or a similarly situated individual.

E. ADMINISTRATION

1. Requirements for Application

a. Application for a live/work quarters permit shall be made by the owner or owners of the property on which the development is proposed. The application is to be filed with the Planning Director or a designated

representative on the appropriate form accompanied by adequate plans for improvements, a description of existing uses within the building where the proposed live/work quarters will be located and a legal description of the property.

2. Live/Work Quarters Permit Required

a. No property shall be used for live/work quarters unless located within the area described in Paragraph C.1. of this Section and a live/work quarters permit has been obtained from the Planning Director or a designated representative.

b. The Planning Director or a designated representative shall issue a live/work quarters permit if the project meets the Development Criteria of Paragraph C. of this Section, and subject to the conditions of approval described in Paragraph D. of this Section.

3. Building Permit Required

Prior to the use of any building, or portion thereof, for live/work quarters, a building permit shall be obtained from the Building Inspection Department. A copy of the application for a live/work quarters permit, approved by the Planning Director or a designated representative, shall

accompany the building permit application. The prevailing Uniform Building Code Regulations shall apply except as provided by Code interpretations as shown in a Building Inspection Department Newsletter.

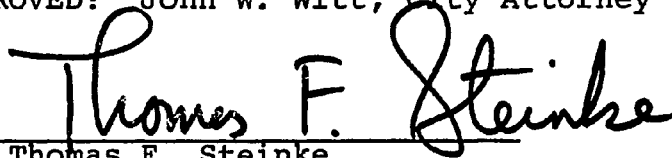
F. ENFORCEMENT

Any violations of the provisions of this ordinance or of any condition or requirement of any permit granted shall be resolved by the affected City department in accordance with adopted procedures in the San Diego Municipal Code.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: John W. Witt, City Attorney

By



Thomas F. Steinke
Deputy City Attorney

TFS:ta:603
1/15/85
Or.Dept:Plan.
O-85-113
Form=o.none

FEB 11 1985

By the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksmma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK
Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

(Seal)

By *Charles G. Abdelnour*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

JAN 29 1985

FEB 11 1985

, and on

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

(Seal)

By *Charles G. Abdelnour*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance **0-16372** FEB 11 1985
 Number Adopted

RECEIVED
CITY CLERK'S OFFICE
1995 JAN 28 AM 9:36
SAN DIEGO, CALIF.

NOT A MAIL

NOT A MAIL

NOT A MAIL

NOT A MAIL

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CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK'S OFFICE
1985 FEB 28 AM 11:48
SAN DIEGO, CALIF.

THE CITY OF SAN DIEGO
202 C Street, 12th Fl.
San Diego, CA 92101

IN THE MATTER OF

NO.

ORDINANCE NUMBER O-16372

I, Michael L. Ungashick, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NUMBER O-16372
(NEW SERIES)

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

February 25, 1985

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 25th day of Feb., 19 85.

Michael L. Ungashick
(Signature)

00263

2 1/4" x 2 x 9.76 = 43.92

