

(O-87-234)

ORDINANCE NUMBER O- 16933 (NEW SERIES)

ADOPTED ON SEP 8 1987

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1,
DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY
AMENDING SECTION 101.0406 RELATING TO HOME
OCCUPATIONS IN RESIDENTIAL ZONES.

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

Section 1. That Chapter X, Article 1, Division 4, of the San
Diego Municipal Code be and the same is hereby amended by
amending Section 101.0406 to read as follows:

SEC. 101.0406 HOME OCCUPATIONS IN RESIDENTIAL ZONES

A. [No changes to paragraph A.]

B. PERMITTED USES

1. Except when specifically prohibited within any
residential zone, home occupations may be permitted as
accessory uses incidental to residential use in
residential zones subject to a Zoning Use Certificate
granted by the Zoning Administrator.

2. The Zoning Administrator, in making a decision
on a request for a Zoning Use Certificate shall give
consideration to the operational regulations set forth
in this section, the nature of the proposed home
occupation, and the relationship of the premises upon
which the home occupation is proposed to be located to
neighboring properties. The Zoning Administrator shall,
if necessary, request and obtain recommendations from

other City departments and public agencies. The Zoning Administrator may impose conditions upon a home occupation permit.

The Zoning Administrator, in granting a Zoning Use Certificate, shall find that the operation of the home occupation shall not be detrimental to adjacent properties.

The Zoning Administrator shall also find that the recipient of the Zoning Use Certificate will adhere to all operational and maintenance standards and conditions imposed upon the Zoning Use Certificate.

C. OPERATIONAL REGULATIONS

The applicant for a Zoning Use Certificate for home occupations shall comply with the following operational regulations:

1. Any products produced for sale must be hand manufactured or grown on the premises using only tools or mechanical equipment. Mechanical equipment may not exceed two (2) horsepower per piece of mechanical equipment or a total of six (6) horsepower for all such equipment or, an eight (8) kilowatt Kiln or, the equivalent in a gas fired fixture.

2. All sales or products, and the performance of all services which requires the presence of a client must take place off the premises with the exception of telephone or mail communication.

3. [No changes to paragraph 3.]

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4. Only, one vehicle of one ton manufacture rating or use is permitted for business related purposes.

5. Only a resident of the premises may participate in a home occupation. In no instance may a partner live elsewhere or may nonresident employees be on the premises.

6. Outdoor storage of materials or products on the premises is not permitted.

7. Indoor storage of materials or products shall not exceed 1,000 cubic feet for the entire premises or any more restrictive limitations imposed by the Building and Housing Codes, or the County Health Department.

8. Home occupations, except for horticultural uses as limited by Section 101.0407 must be conducted within a structure on the premises.

9. The home occupation must not cause the elimination, or reduction in any manner of required off-street parking.

10. The home occupation must be consistent with, and not disruptive to normal residential use, nor cause any detrimental external effects to the residential zone, such as increased noise, traffic, lighting, odor, or in violation of any applicable government codes in association with the home occupation.


11. There shall be no illegal discharge of any materials, fluids or gases into the sewer system or any other manner of discharging such items in violation of any applicable government code.

12. The resident engaged in the home occupation shall have, when applicable, a City of San Diego certificate of payment.

Failure to comply with operational regulations herein shall constitute a violation of the Municipal Code and be subject to prosecution under Municipal Code Section 11.12.

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 
Frederick C. Conrad
Chief Deputy City Attorney

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Or.Dept:Plan.
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Passed and adopted by the Council of The City of San Diego on SEP 8 1987,
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ed Struiksmas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Celia Ballesteros	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR,
Mayor of The City of San Diego, California.

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

(Seal)

By Ellen Boward, 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

AUG 11 1987, and on SEP 8 1987.

~~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 Ellen Boward, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number	<u>16933</u> Adopted <u>SEP 8 1987</u>

RECEIVED
CITY CLERK'S OFFICE

1987 JUN 30 AM 10:06

SAN DIEGO, CALIF.

0177011

CERTIFICATE OF PUBLICATION

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1987 OCT - 2 PM 3:44
SAN DIEGO, CALIF.

CITY OF SAN DIEGO
202 C STREET, 2ND FLOOR
SAN DIEGO, CA 92101
ATTN: ELLEN BOVARD

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1 DIVISION
4, OF THE SAN DIEGO MUNICIPAL CODE

I, THOMAS D. KELLEHER, 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-16933 (NEW SERIES)

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 101.0406 RELATING TO HOME OCCUPATIONS IN RESIDENTIAL ZONES.

The ordinance revises the provisions of Municipal Code Section 101.0406, Home Occupations in Residential Zones, by changing references to home occupation permit to Zoning Use Certificate. The ordinance revises the regulations applicable to the activities permitted under a Zoning Use Certificate for a home occupation.

A complete copy of the ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 2nd floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.

Introduced on August 11, 1987.
Passed and adopted by the Council of The City of San Diego on September 8, 1987.

AUTHENTICATED BY: MAUREEN O'CONNOR
Mayor of The City of San Diego, California
CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California
By ELLEN BOVARD, Deputy
Pub. September 22

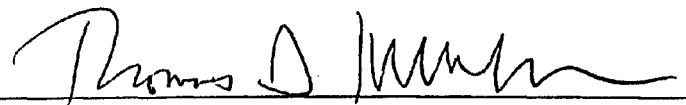
ORDINANCE NUMBER O-16933 (NEW SERIES)

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:

SEPT. 22

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

Dated at San Diego, California this 22 day of SEPT, 19 87



(Signature)

24 lines x .98 x 2 = 47.04

(2 1/4" x 10.78 x 2 = 48.52)