Article 1: Separately Regulated Use Regulations

Division 3: Residential Use Category—Separately Regulated Uses
(Added 12-9-1997 by O-18451 N.S.)

§141.0301 Boarder and Lodger Accommodations

Boarder and lodger accommodations are permitted as a limited use in the zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

(a) Boarder and lodger accommodations are permitted only as an accessory use to a primary dwelling unit.

(b) No more than two boarders or lodgers are permitted per primary dwelling unit.

(c) In the RM zones and all commercial zones, boarders and lodgers must occupy the premises for a minimum of 7 consecutive calendar days. In all other zones, boarders and lodgers must occupy the premises for a minimum of 30 consecutive calendar days.

(d) Off-street parking shall be provided at a rate of 1 space for each 2 boarders or lodgers. Within the beach impact area of the Parking Impact Overlay Zone, off-street parking shall be provided at a rate of 1 space for each boarder or lodger.


§141.0302 Companion Units, Junior Units, and Movable Tiny Houses

Companion units, junior units, and movable tiny houses are each permitted as a limited use in accordance with Process One in the zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) and Chapter 15, Article 1, Division 4 (General and Supplemental Regulations), subject to the following regulations.

(a) Companion Units
(1) A companion unit may not be sold or conveyed separately from the primary dwelling unit.

(2) Within a multiple dwelling unit zone, a companion unit is permitted on any premises that is limited to a maximum of two dwelling units based on the allowable density, existing area of the premises, and zone.

(3) The gross floor area of the companion unit shall be included in the floor area ratio for the premises. The gross floor area for an attached companion unit shall not exceed 50 percent of the existing or proposed habitable dwelling unit. A maximum increase of 1,200 square feet is allowed for an attached or detached companion unit.

(4) No passageway shall be required in conjunction with the construction of a companion unit.

(5) A permitted garage or non-habitable accessory structure that is converted to a companion unit may maintain the existing setbacks.

(6) A companion unit may encroach within the interior side and rear yard setbacks up to the property line subject to the following:

(A) The structure shall not encroach more than a maximum of 30 feet in length;

(B) A companion unit may be constructed above a permitted garage or non-habitable accessory structure.

(7) Parking for the entire premises shall be brought into compliance with Chapter 14, Article 2, Division 5 (Parking Regulations) and with Section 141.0302, except as otherwise indicated herein by the zone.

(A) If access from an improved abutting alley exists, vehicular access to parking spaces for the companion unit shall also be from the alley unless the premises has a garage that accommodates all off-street parking required in accordance with this section, except for premises located in the Beach Impact Area or any other zones in which vehicular access from the alley is required.

(B) Replacement parking shall be provided on the premises when an existing garage is converted to a companion unit or demolished in conjunction with the construction of a companion unit.
(C) Off-street parking space(s) may be located in any configuration, may be within the setback areas, and may include covered or uncovered parking tandem spaces, or mechanical lifts. Off-street parking space(s) shall be located within hardscape areas and shall comply with the minimum standards and guidelines to provide safe and efficient means of vehicular access to the lot.

(D) Required off-street parking for a companion unit shall not exceed one parking space per unit.

(8) A companion unit shall be exempt from providing parking if any of the following apply:

(A) The companion unit is 500 square feet or less;

(B) The companion unit is located within a transit area or a transit priority area;

(C) The companion unit is located within a designated historical resource area;

(D) The companion unit is already part of the existing single dwelling unit or an existing permitted habitable dwelling unit;

(E) The companion unit is located within a residential permit parking district;

(F) The companion unit is located within one block of a car share station; or

(G) The companion unit is located within one block from a bike share station.

(9) One 24-inch box tree shall be planted in the required front yard of the premises or in the abutting parkway. Existing trees that are at least 15 feet high and 15 feet in width may be used to satisfy this requirement.

(10) Within the Coastal Overlay Zone, companion units are subject to the provisions of Chapter 12, Article 6, Division 7.
(b) **Junior Units**

1. A *junior unit* shall be exempt from parking regulations.

2. A *junior unit* shall have a separate exterior entry, with an interior connection to the main living area, and shall include an efficiency kitchen. An efficiency kitchen requires a sink with a maximum waste line diameter of 1.5 inches, a cooking facility with appliances that do not require electrical service of more than 120 volts, or use natural or propane gas, and food preparation counter and storage cabinets.

3. A *junior unit* may include a bathroom, or may share a bathroom with the primary *dwelling unit*.

4. Before a Building Permit may be issued for a *junior unit*, the *record owner* shall enter into an agreement with the City in a form that is approved by the City Attorney. The agreement shall include the following provisions: that neither the primary *dwelling unit* nor the *junior unit* may be sold or conveyed separately from each other; and that the *record owner* shall reside in the primary *dwelling unit* or the *junior unit*. The City will submit the agreement to the County Recorder for recordation. The agreement shall run with the land and be coterminous with the life of the *junior unit*.

(c) **Movable Tiny Houses**

1. A *movable tiny house* shall be:
   
   (A) licensed and registered with the California Department of Motor Vehicles; and

   (B) exempt from parking regulations.

2. A *movable tiny house* shall not:
   
   (A) be larger than allowed by California state law for movement on public highways;

   (B) exceed one story;

   (C) be able to move under its own power; or

   (D) have a separate address from the primary *dwelling unit*. 
(3) **A movable tiny house** shall be located:

(A) on a *premises* adjacent to a *public right-of-way* that is at least 20 feet wide. Exterior portions of a *movable tiny house* shall not be located more than 150 feet from the *public right-of-way*. A *movable tiny house* shall be accessed from the *public right-of-way* by a path that is at least 5 feet wide;

(B) behind or to the side of the primary *dwelling unit* and not in any front yard; and

(C) at a fire separation distance of at least 5 feet from an adjacent *lot* line and at least 10 feet from any other structures on the *premises*.

(4) A *movable tiny house* shall not be located within:

(A) a brush management zone established pursuant to Section 142.0412; or

(B) the *MHPA*.

(5) When sited on a *premises*, the undercarriage, including wheels, axles, tongue, and hitch, shall be concealed from view. The wheels shall not be removed and shall sit with leveling or support jacks on a paving surface designed in accordance with Section 142.0560(h)(1).

(6) All mechanical equipment, including heating, ventilation, and air conditioning, shall be incorporated into the structure and not located on the roof.

(7) **A movable tiny house** shall be connected to water, sewer, and electric utilities. Connections to natural gas are prohibited.

(8) **A movable tiny house** shall comply with the National Fire Protection Association 1192 Standard on Recreational Vehicles or the American National Standards Institute A119.5 Park Model Recreational Vehicle Standard. A *movable tiny house* shall be certified by a recognized national certification body as complying with one of these standards and a certified label shall be placed on the *movable tiny house* to demonstrate compliance.
(9) When located on a premises where the primary dwelling unit is protected with an automatic fire sprinkler system in accordance with Section R313 of the California Residential Code, a movable tiny house shall be protected with an automatic fire sprinkler system.

(10) When located within the Very High Fire Hazard Severity Zone, as established pursuant to Chapter 5, Article 5, Division 94, a movable tiny house shall satisfy the following additional requirements:

(A) A movable tiny house shall be protected with an automatic fire sprinkler system in compliance with Section R313 of the California Residential Code even if located on a premises where the primary dwelling unit is not protected with an automatic fire sprinkler system;

(B) Exterior walls shall be constructed with ignition-resistant materials in compliance with Section R337 of the California Residential Code; and

(C) Glazed openings, including skylights, shall comply with Section R337 of the California Residential Code.

(11) A movable tiny house shall be constructed to include the following design elements:

(A) Cladding and Trim: Materials used on the exterior shall not be single piece composite, laminates, or interlocked metal sheathing;

(B) Windows and Doors: Windows shall be at least double pane glass, labeled for building use, and include exterior trim. Windows and doors shall not have radius corners;

(C) Roofs: Roofs shall be sloped to drain over the roof edge. At least 50 percent of the roof area shall have a roof slope of 2:12 or more. Roof coverings shall comply with the Residential Building Regulations in Chapter 14, Article 9, Division 9; and

(D) Living Area Extensions: The roof and all exterior walls shall not be fixed with slide-outs, tip-outs, or other forms of mechanically articulating room area extensions.
(d) Only one companion unit or movable tiny house, and one junior unit are permitted on a premises. Guest quarters and non-habitable structures shall be permitted in addition to the companion unit or movable tiny house, and junior unit.

(e) Companion units are not subject to Section 131.0450.

(f) A companion unit, junior unit, or movable tiny house shall not be used for a rental term of less than 30 consecutive days.

(Amended 7-14-2003 by O-19197 N.S.)
(Amended 3-27-2007 by O-19603 N.S.; effective 4-26-07.)
(Amended 8-4-2011 by O-20081 N.S.; effective 10-6-2011.)
(Amended 5-5-2015 by O-20481 N.S.; effective 6-4-2015.)
(Retitled from “Companion Units” to “Companion Units and Junior Units” and amended 9-15-2017 by O-20857 N.S.; effective 10-15-2017.)
(Amended 8-9-2019 by O-21114 N.S.; effective 9-8-2019.)
(Retitled from “Companion Units and Junior Units” to “Companion Units, Junior Units, and Movable Tiny Houses” and amended 8-12-2020 by O-21223 N.S.; effective 10-8-2020.)

[Editors Note: Amendments as adopted by O-21223 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment. Click the link to view the Strikeout Ordinance highlighting changes to prior language http://docs.sandiego.gov/municode_strikeout_ord/O-21223-SO.pdf ]

§141.0303  Continuing Care Retirement Communities

Continuing Care Retirement Communities (CCRCs) are licensed by the state as both a Residential Care Facility for the Elderly and a Skilled Nursing Facility, regulated under the California Health and Safety Code, and overseen by the California Department of Social Services. They provide residents with multiple living environments based on the changing level of care required by the resident. The communities typically provide independent living dwelling units, assisted living dwelling units, and convalescent and memory care rooms. A CCRC is a distinct residential use and should not be considered a sum of separate, multiple uses when determining compliance with permitted land uses.

CCRCs may be permitted with a Conditional Use Permit decided in accordance with Process Three, in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones), or as a limited use in zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones), subject to the following regulations.
(a) CCRCs are not permitted in agricultural zones in Proposition A Lands.

(b) Convalescent and memory care rooms shall, at a minimum, comply with California Code of Regulations Title 22, Division 6, Chapter 8 (Residential Care Facilities for the Elderly).

(c) Parking areas shall be lighted for the safety of tenants. Lighting shall be of a design that deters vandalism. The location, type, and size of the proposed lighting fixtures shall be specified on the development permit application.

(d) CCRCs shall be subject to the landscape regulations for commercial development in Table 142-04A.

(e) As a distinct, separately regulated residential use, CCRCs are not subject to the density limitations of the applicable community plan and underlying base zone.

(“Continuing Care Retirement Communities” added 8-4-2016 by O-20704 N.S.; effective 8-27-2016. Former Section 141.0303 “Employee Housing” renumbered to Section 141.0304.)

(Amended 1-8-2020 by O-21164 N.S.; effective 2-9-2020.)

[Editors Note: Amendments as adopted by O-21164 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment. Click the link to view the Strikeout Ordinance highlighting changes to prior language http://docs.sandiego.gov/municode_strikeout_ord/O-21164-SO.pdf ]

§141.0304 Employee Housing

Employee housing is housing provided for agricultural workers in accordance with the California Health and Safety Code, Employee Housing Act. Employee housing does not include housing for persons engaged in household domestic service. Employee housing is permitted as a limited use in the zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the regulations in Section 141.0304(a). Employee housing may be permitted with a Neighborhood Use Permit or a Conditional Use Permit in the zones indicated with an “N” or a “C,” respectively, in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the regulations in Section 141.0304(b).

(a) Limited Use Regulations

(1) Employee housing for 6 or fewer persons is permitted subject to the following regulations.
(A) The employee housing shall be qualified for a permit to operate under Health and Safety Code Section 17030.

(B) Employee housing is permitted for no more than 6 persons including family members.

(C) Employees and their families shall be housed within the single dwelling unit on the premises, or in a separate structure on the premises that is not a dwelling unit.

(D) Off-street parking shall be provided at a rate of 1 space for every 2 employees.

(2) Employee housing for 12 or fewer employees is permitted subject to the following regulations.

(A) The employee housing shall be qualified for a permit to operate under Health and Safety Code Section 17030.

(B) Employee housing is permitted for up to 12 employees, plus any family members.

(C) Agricultural employees may be employed off-site. All other employees must be employed on the premises containing the employee housing.

(D) Only one structure for employee housing may be permitted on the premises.

(E) The employee housing is permitted in a separate structure on the premises that is not a dwelling unit.

(F) Off-street parking shall be provided at a rate of 1 space for every 2 employees.

(b) Neighborhood Use Permit and Conditional Use Permit Regulations

(1) Employee housing may be permitted for more than 12 employees, plus any family members.

(2) A minimum lot size of 10 acres is required for employee housing for more than 12 employees.
(3) Agricultural employees may be employed off-site. All other employees must be employed on the premises containing the employee housing.

(4) Only one structure for employee housing may be provided for every 10 acres of lot area.

(5) The structure for employee housing is permitted in addition to a single dwelling unit on the same premises and is subject to all development regulations of the base zone.

(6) Off-street parking shall be provided at a rate of 1 space for every 2 employees.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)
(Amended 11-13-08 by O-19803 N.S; effective 12-13-2008.)
(“Employee Housing” renumbered from former Section 141.0303 and amended 8-4-2016 by O-20704 N.S.; effective 8-27-2016.)

§141.0305 Fraternity Houses, Sorority Houses, and Student Dormitories

Fraternity houses, sorority houses, and student dormitories are facilities that are designed or used as a residence for students enrolled at an institution of higher learning. Fraternity houses, sorority houses, and student dormitories may be permitted with a Conditional Use Permit decided in accordance with Process Three in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

(a) Fraternity houses, sorority houses, and student dormitories may be permitted only in the following locations:

(1) Within an area specifically designated for these facilities by the applicable land use plan, or

(2) When the applicable land use plan does not contain a designated area, such facilities may be located within a 1-mile radius of the boundary of a college or university campus, in any of the following zones: RM-3-7, RM-3-8, RM-3-9, RM-4-10, and RM-4-11.

(b) If the facility is not located on a college or university campus, off-street parking shall be provided as follows:

(1) At a rate of 1 parking space for each resident, or
(2) Through a parking agreement between the college or university with which the facility is affiliated and the applicant, which will allow the applicant to use college or university parking facilities to meet the parking requirement.

c) A resident manager is required to live on the premises.

d) The facility must be officially recognized by the college or university.

e) The frequency and duration of organized outdoor activities and social events shall be limited as needed to minimize adverse impacts on neighboring development.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)
(Amended 8-4-2011 by O-20081 N.S.; effective 10-6-2011.)
(“Fraternity Houses, Sorority Houses, and Student Dormitories” renumbered from former Section 141.0304 on 8-4-2016 by O-20704 N.S.; effective 8-27-2016.)

§141.0306 Garage, Yard, and Estate Sales

Garage, yard, and estate sales are permitted as a limited use in the zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

(a) Garage, yard, and estate sales are permitted only as an accessory use to a permitted dwelling unit.

(b) The number of sales per premises shall not exceed three per year.

(c) Each sale shall not exceed two consecutive calendar days.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)
(“Garage, Yard, and Estate Sales” renumbered from former Section 141.0305 on 8-4-2016 by O-20704 N.S.; effective 8-27-2016.)

§141.0307 Guest Quarters or Habitable Accessory Buildings

Guest quarters or habitable accessory buildings are attached or detached accessory living quarters developed of habitable construction, and located on a lot with a single dwelling unit that do not provide complete, independent living facilities and do not have direct access to the primary dwelling unit. Guest quarters or habitable accessory buildings are solely for the use of the occupants of the primary dwelling unit or their guests or employees.
Guest quarters or habitable accessory buildings may be permitted accessory to a single dwelling unit as a limited use in accordance with Process One in the zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

(a) A primary dwelling unit must exist on the premises. Concurrent construction of the primary dwelling unit and the guest quarters or habitable accessory building is permitted.

(b) Guest quarters or habitable accessory buildings may occupy a maximum of 25 percent of the allowable gross floor area of the premises.

(c) Guest quarters or habitable accessory buildings may be attached to or detached from the primary dwelling unit on the premises.

(d) The gross floor area of the guest quarters or habitable accessory buildings shall be included in the floor area ratio calculation for the premises.

(e) The guest quarters or habitable accessory buildings shall not contain a kitchen or facilities for the storage and preparation of food. A bar sink and miniature refrigerator may be permitted.

(f) For guest quarters or habitable accessory buildings located above a garage or other accessory building, the maximum structure height for flat-roofed structures is 21 feet. For sloped-roofed structures with a roof pitch of at least 3:12 (3 vertical feet to 12 horizontal feet), the maximum structure height is 30 feet.

(g) Decks and staircases of not more than 3 feet in height may encroach into required yards.

(h) Roof decks, including railings, shall not exceed the height limits in Section 141.0307(f).

(i) Occupancy of a premises containing guest quarters or habitable accessory buildings shall be subject to the following:

1) Guest quarters or habitable accessory buildings shall not be rented, leased, or sold as a separate dwelling unit.
(2) Before a Building Permit is issued for a guest quarters or habitable accessory building, the record owner shall submit a signed agreement with the City that neither the primary dwelling unit nor the guest quarters or habitable accessory building shall be sold or conveyed separately. The City will provide the agreement to the County Recorder for recordation.

(3) Guest quarters or habitable accessory buildings shall be used solely by the occupants of the primary dwelling unit, their guests, or their employees.

(Amended 1-9-2001 by O-18910 N.S.; effective 8-8-2001.)
(Amended 11-13-08 by O-19803 N.S; effective 12-13-2008.)
(Retitled from “Guest Quarters” to “Guest Quarters or Habitable Accessory Buildings” and amended 8-4-2011 by O-20081 N.S.; effective 10-6-2011.)
(Amended 6-18-2013 by O-20261 N.S.; effective 7-19-2013.)
(“Guest Quarters or Habitable Accessory Buildings” renumbered from former Section 141.0306 and amended 8-4-2016 by O-20704 N.S.; effective 8-27-2016.)
(Amended 8-9-2019 by O-21114 N.S.; effective 9-8-2019.)

§141.0308 Home Occupations

Home occupations are businesses conducted by residents on the premises of their homes. Home occupations, including cottage food operations authorized pursuant to California Government Code section 51035, are permitted as a limited use in the zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations. An applicant may deviate from the requirements in Section 141.0308(k) through (n) by obtaining a Neighborhood Use Permit in accordance with Section 126.0203.

(a) Home occupations are permitted only as accessory uses to a residential use.

(b) Any products produced for sale must be manufactured by hand, grown on the premises, or prepared within a kitchen that meets the standards for cottage food operations in a dwelling unit in accordance with California Health and Safety Code section 114365.

(c) The home occupation shall not result in the elimination or the reduction of required off-street parking.

(d) Signs advertising the home occupation are not permitted. Other advertising shall not include the address of the premises.
(e) Home occupations, except for horticultural uses permitted in Chapter 13, Article 1, Division 3 (Agricultural Base Zones) and Division 4 (Residential Base Zones), shall be conducted within an enclosed structure on the premises.

(f) Materials or products associated with the home occupation on the premises must be stored within an enclosed structure.

(g) Indoor storage of materials or products associated with the home occupation 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.

(h) The operation of the home occupation shall be consistent with permitted residential uses, shall not create any conditions that amount to a public nuisance, and shall not be detrimental to the residential neighborhood by causing increased noise, traffic, lighting, odor, or by violating any applicable ordinances or laws.

(i) The resident of the premises shall not rent space to others in association with a home occupation.

(j) Only a resident of the premises may engage in a home occupation on the premises.

(k) Home occupations may have a maximum of one employee or partner on the premises between 7:00 a.m. and 7:00 p.m., Monday through Saturday. For the purpose of Section 141.0308(k) an employee does not include a resident of the home.

(l) Home occupations may have a maximum of one customer on the premises at a time, by appointment only, between 7:00 a.m. and 7:00 p.m., Monday through Saturday. Home occupations shall not host customers on the premises more frequently than one customer within a 2-hour time period.

(m) Home occupations may have a maximum of one vendor on the premises at a time between 7:00 a.m. and 7:00 p.m., Monday through Saturday. Home occupations shall not host vendors on the premises more frequently than one vendor within a 2-hour time period.

(n) A maximum of one vehicle for business-related purposes is permitted on-street in the residentially zoned area and shall be parked in compliance with the regulations in Section 86.0139 if applicable.
(1) Business-related vehicles may not exceed a one-ton carrying capacity.

(2) Tow-trucks are not a permitted home occupation vehicle.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)
(Amended 4-5-2016 by O-20634 N.S.; effective 5-5-2016.)

§141.0309 Interim Ground Floor Residential

Residential development within commercial zones is permitted only when a commercial structure exists on the premises or is a part of the proposed development. Residential use is restricted on the ground floor in accordance with Section 131.0540. Interim ground floor residential may be permitted within existing commercial space in accordance with Process Two in the zones indicated with an “N” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations:

(a) The applicant shall provide evidence to the decision maker that the development site is within a commercial space that has been vacant for more than six consecutive months.

(b) The change of a development site from commercial to residential use shall be in compliance with the California Building Code and California Fire Code for the residential use at the time of the conversion.

(c) The Neighborhood Use Permit shall expire no later than 10 years from the date of issuance.

(d) No additional parking is required for interim ground floor residential use.

(e) The decision maker shall make the findings in Section 126.0205(a) through (d).

(“Interim Ground Floor Residential” added 8-9-2019 by O-21114 N.S.; effective 9-8-2019.)

§141.0311 Live/Work Quarters

Live/work quarters are studio spaces in buildings that were originally designed for industrial or commercial occupancy that have been converted to integrate living space into the work space. Live/work quarters are permitted as a limited use in the zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.
(a) The minimum floor area of a live/work quarters shall be 500 square feet.

(b) A maximum of 49 percent of the floor area of each live/work quarters may be used or arranged for residential purposes such as sleeping, kitchen, bathroom, and closet area.

(c) Each live/work quarters shall be separated by walls from other live/work quarters or other uses in the building.

(d) Access to the live/work quarters shall be provided only from common access areas, halls, or corridors and shall not be from other live/work quarters or other uses in the building.

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

(f) The non-residential use shall be managed by the resident.

(g) Live/work quarters shall not be used for classroom instructional use, storage of flammable liquids or hazardous materials, welding or any open-flame work.

(h) The required parking spaces for the non-residential use shall be in compliance with Section 142.0560. The parking spaces shall not require designation for residential or non-residential uses.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)
(Amended 9-18-2018 by O-20985 N.S.; effective 10-18-18.)

§141.0312 Residential Care Facilities

Residential care facilities provide in-house treatment or rehabilitation programs for residents on a 24-hour basis. Residential care facilities include drug and alcohol rehabilitation and recovery facilities and residential and community care facilities as defined by the state or county. Housing for senior citizens, nursing homes, convalescent homes, work furlough and probationary residential facilities, and emergency shelters are not residential care facilities.

Residential care facilities for 7 to 12 persons may be permitted with a Conditional Use Permit decided in accordance with Process Three, and residential care facilities for 13 or more persons may be permitted with a Conditional Use Permit decided in accordance with Process Four, in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.
(a) Residential care facilities are not permitted in agricultural zones in *Proposition A Lands*

(b) Only one residential care facility may be permitted per *lot or premises*.

(c) Residential care facilities are not permitted within 1/4 mile of another residential care facility, measured from *property line to property line* in accordance with Section 113.0225.

(d) The facility shall provide at least 70 square feet of sleeping space for each resident, not including closet or storage space, multipurpose rooms, bathrooms, dining rooms, and halls.

(e) Sleeping areas shall not be used as a public or general passageway to another room, bath, or toilet.

(f) The facility shall provide at least 5 square feet of living area per bed, not including sleeping space, dining, and *kitchen* areas.

(g) The facility shall provide at least 8 square feet of storage area (closet or drawers) per bed.

(h) The facility shall provide one full bathroom including sink, toilet, and shower or bathtub for every seven beds.

(i) The center shall provide at least one *off-street parking space* for each employee and one *off-street parking space* for every seven beds. Additional parking may be required by the decision maker.

(j) Conversion of an existing garage or reduction in the amount of off-*street* parking to provide a residential care facility is not permitted.  
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000; amended 6-19-2000 by O-18814 N.S.)  
(Amended 4-8-2008 by O-19734 N.S; effective 5-8-2008.)

§141.0313 **Transitional Housing Facilities**

Transitional housing facilities offer residential accommodations for a specified period of time, mental health support and counseling services, and other support services to prepare *families* and individuals for independent living. Transitional housing facilities do not include drug or alcohol in-house treatment or rehabilitation facilities, work furlough or probationary residential facilities, or emergency shelters.
Transitional housing facilities are permitted as a limited use in zones indicated with an “L” and may be permitted with a Conditional Use Permit decided in accordance with Process Five, in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the regulations below. Section 112.0509(b) requiring a Planning Commission recommendation for Process Five applications shall not be applicable to transitional housing facilities.

(a) Transitional housing is not permitted in agricultural zones in Proposition A Lands.

(b) Only one transitional housing facility may be permitted per lot or premises.

(c) The facility shall provide at least 70 square feet of sleeping space for each resident, not including closet or storage space, multipurpose rooms, bathrooms, dining rooms, and halls.

(d) Sleeping areas shall not be used as a public or general passageway to another room, bath, or toilet.

(e) The facility shall provide at least 5 square feet of living area per bed, not including sleeping space, dining areas, and kitchen areas.

(f) The facility shall provide at least 8 square feet of storage area (closet or drawers) per bed.

(g) The facility shall provide one full bathroom including sink, toilet, and shower or bathtub for every seven beds.

(h) The name and emergency contact phone number of an operator or manager shall be posted outside the facility in a location visible to the public from the public right-of-way in character size at least two inches in height.

(i) On-site supervision of the premises shall be provided at all times. At least one staff member shall be located on the premises 24 hours per day.

(j) The applicant shall provide the City with a Description of Services and Property Management Plan to the satisfaction of the City Manager. Should any change to the proposed Description of Services and Property Management Plan occur after project construction, the project owner or manager shall provide the City with an updated plan within 90 days of the change. The Description of Services and Property Management Plan shall include all of the following:
(1) Information regarding the supportive services that will be provided on-site or off-site to those residing on the premises, including:

(A) A description of the services to be provided;
(B) The location where the services will be provided;
(C) The name of the person or entity that will provide the services;
(D) The funding source for the services; and
(E) The number of employees.

(2) Information regarding how the property will be managed, including:

(A) A plan to minimize loitering in the vicinity of the facility; and
(B) A litter control plan to provide for the removal of litter in the vicinity of the facility on a regular basis.

(Added 12-9-1997 by O-18451 N.S.; amended 9-29-1998 by O-18589 N.S.; effective 1-1-2000.)
(Amended 4-8-2008 by O-19734 N.S; effective 5-8-2008.)
(Amended 8-9-2019 by O-21114 N.S.; effective 9-8-2019.)

§141.0314 Watchkeeper’s Quarters

Watchkeeper’s quarters are permitted as a limited use in the zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

(a) Watchkeeper’s quarters are permitted only as an accessory use to a use allowed by the zone.
(b) Watchkeeper’s quarters are permitted only within a permanent structure.
(c) Watchkeeper’s quarters shall not exceed 1,200 square feet in gross floor area and shall be included in the floor area ratio calculation for the premises.
(d) Watchkeeper’s quarters may include full living facilities, including a kitchen.
(e) Except where associated with storage yards or mini-warehouses, watchkeeper’s quarters shall be attached to the rear of the primary structure or, if detached, shall be located between the rear setback and the primary structure.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)
§141.0315 Permanent Supportive Housing

*Permanent supportive housing* is permitted as a limited use in the zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations:

(a) *Permanent supportive housing* units within the development shall have a recorded affordability restriction for no less than 55 years.

(b) The name and emergency contact phone number of an operator or property manager shall be posted on the premises in a location visible to the public from the public right-of-way in character size at least two inches in height.

(c) On-site supervision of the premises shall be provided at all times. At least one staff member of the operator or project manager shall be located on the premises 24 hours per day.

(d) The applicant shall provide the City with a Description of Services and Property Management Plan to the satisfaction of the City Manager. Should any change to the proposed Description of Services and Property Management Plan occur after project construction, the project owner or manager shall provide the City with an updated plan within 90 days of the change. The Description of Services and Property Management Plan shall include all of the following:

(1) Information regarding the supportive services that will be provided on-site or off-site to those residing on the premises, including:

(A) A description of the services to be provided;

(B) The location where the services will be provided;

(C) The name of the person or entity that will provide the services;

(D) The funding source for the services; and

(E) The number of employees.

(2) Information regarding how the property will be managed, including:

(A) A plan to minimize loitering in the vicinity of the facility; and

(B) A litter control plan to provide for the removal of litter in the vicinity of the facility on a regular basis.

(“Permanent Supportive Housing” added 8-9-2019 by O-21114 N.S.; effective 9-8-2019.)