



## HOW TO OBTAIN A NEIGHBORHOOD USE PERMIT FOR A HOME OCCUPATION

City of San Diego Development Services Department  
1222 First Avenue, MS 302, San Diego, CA 92101-4101  
Call (619) 446-5300 for Appointments and (619) 446-5000 for Information

INFORMATION  
BULLETIN  
**540**

August 2018

This information bulletin describes the regulations for a Home Occupation and identifies the process for obtaining a Neighborhood Use Permit (Process 2) when deviating from the Home Occupation regulations. Home Occupations, including Cottage Food Operations authorized pursuant to California Government Code section 51035, shall comply with Land Development Code (LDC) Section 141.0308.

### I. WHAT IS A HOME OCCUPATION?

A home occupation is a business conducted by a resident on the premises of their home such as a home office, a service provider, or the selling of goods manufactured by hand or grown on the premises, and cottage food operations (in accordance with the California Homemade Food Act, 2013).

Home occupations are allowed in all residential zones except for RM-5-12, and are subject to the regulations identified in the LDC Sec. 141.0308. Although home occupations that comply with code regulations may not require a City permit, they may require permit(s) from other agencies such as the County of San Diego Department of Environmental Health or State of California Board of Equalization. To conduct business within the City of San Diego, all home occupations will require a City Business Tax License. For information on how to obtain a Business Tax License visit [sandiego.gov](http://sandiego.gov).

### II. HOME OCCUPATION REGULATIONS

Home occupations that comply with the following standards, per LDC 141.0308 do not need a City permit:

- 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.

#### Documents referenced in this Information Bulletin

- [Land Development Code](#)
- [Information Bulletin 503](#), Fee Schedule for Development & Policy Approvals/Permits
- [Information Bulletin 512](#), How to Obtain Public Noticing Information
- [Ownership Disclosure Statement](#), [DS-318](#)
- [General Application](#), [DS-3032](#)
- [Supplemental Discretionary Application](#), [DS-3035](#)
- [Deposit Account/Financially Responsible Party](#), [DS-3242](#)

- C.** The home occupation shall not eliminate or reduce 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 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 in-

creased 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.
- 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 two 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 two 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. Business related vehicles may not exceed a one-ton carrying capacity. Tow trucks are not permitted home occupation vehicles.
  - ii. Enter your text here.

### III. WHEN DO I NEED A NEIGHBORHOOD USE PERMIT (NUP) FOR A HOME OCCUPATION?

An applicant may request a deviation from the limits on hours of operation or the limits on the number of employees/partners, customers, vendors, or business vehicles associated with the home occupation by applying

for an NUP (Process 2).

### IV. NUP PROJECT SUBMITTAL/REQUIREMENTS

Schedule a submittal appointment for a home occupation NUP by calling (619) 446-5300.

**Note:** A submitted completeness review is not required. At this appointment, provide the following in the quantities shown below.

#### A. Application Package.

Provide one copy of the following documents:

1. General Application (DS-3032).
2. Deposit Account/Financially Responsible Party (DS-3242).
3. Supplemental Discretionary Application (DS-3035).
4. Ownership Disclosure Statement (DS-318) signed by the property owner.
5. Grant Deed (required as proof of current ownership for the property proposing a home occupation).

#### B. Public Notice Package.

A public notice package is required as part of your submittal. See Information Bulletin 512 "How to Obtain Public Noticing Information" for more details.

#### C. Letter of Request

Provide five copies of a letter of request describing the proposed deviation(s) to the regulation(s) identified in LDC 141.0308(k-n).

#### D. Plans

Provide five copies of an 8 ½ x 11 Site Plan and Floor Plan containing the following information:

1. A detailed description of the home occupation.
2. Applicable base zones and overlay zones.
3. Site property lines.
4. Location of existing structures.
5. Location of parking spaces with dimensions (including on-street spaces for business related vehicles if applicable).
6. Location on the premises where the

home occupation operations will occur.

7. Provide a floor plan to identify the location for indoor home occupations, where applicable.

**E. Deposit/Fees**

The deposit and fees shown in Information Bulletin 503 "Fee Schedule for Development & Policy Approvals/Permits" must be paid at the time of submittal with the exception that the initial deposit for a home occupation NUP is reduced to \$1,000.00.

**Note:** The amendments to the home occupation regulations (O-20634) are still pending certification by the California Coastal Commission, which means that areas within the coastal zone are still subject to O-18451. This bulletin will be updated once the Coastal Commission unconditionally certifies the ordinance.