

Article 1: Separately Regulated Use Regulations

Division 7: Office Use Category--Separately Regulated Uses

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§141.0701 Real Estate Sales Offices and Model Homes

Real estate sales offices and model homes 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) Real estate sales offices and model homes are permitted within the boundaries of a *subdivision* while *lots* are offered for sale to the public for the first time.
- (b) Real estate sales offices and model homes are not permitted within 100 feet of an occupied dwelling unit that is not in the same *subdivision* as the office or model home.
- (c) Real estate sales offices and model homes shall be located within *structures* that have been built in compliance with the provisions of the applicable zone.
- (d) One *structure* within a *subdivision* may be used for a real estate sales office.
- (e) For *subdivisions* of fewer than 65 *lots*, up to 6 of the dwelling units may be used for model homes.
- (f) For *subdivisions* of 65 or more *lots*, up to 10 percent of the dwelling units, but not more than 20 units, may be used for model homes.
- (g) *Signs*, flags, and other methods of advertising shall comply with Chapter 14, Article 2, Division 12 (Sign Regulations).
- (h) Real estate sales offices shall display the *land use plan* map and the public facilities financing plan, if any, that are applicable to the area. The *land use plan* map shall be at least 2 feet by 3 feet in size. The display shall be in a prominent location and shall clearly indicate that these documents are subject to revision and that further information is available from the City of San Diego.
- (i) Real estate sales offices and model home uses shall terminate 2 years after the final *subdivision map* that includes the *lots* on which the uses are located has been filed in the office of the County Recorder or 2 years after the issuance of the last Building Permit for a building within the *subdivision*, whichever is later.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§141.0702 Sex Offender Treatment and Counseling Facilities

This Section regulates medical treatment or counseling facilities that physically or psychologically treat five or more *sex offenders* in one year.

Sex offender treatment and counseling facilities 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) Exemptions

- (1) Incidental treatment and counseling services offered by the following organizations operating under a Conditional Use Permit are exempt from this Section:
 - (A) Residential care facilities as described in Section 141.0312;
 - (B) Transitional housing facilities as described in Section 141.0313;
 - (C) Hospitals as described in Section 141.0413;
 - (D) Intermediate care facilities and nursing facilities as described in Section 141.0423;
 - (E) *Social service institutions* as described in Section 141.0417; and
 - (F) Correctional placement centers as described in Section 141.0406.
- (2) Facilities that perform only court-ordered forensic evaluations are exempt from this Section.

(b) *Sex offender* treatment and counseling facilities are not permitted within 1,000 feet of any *school*.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

(Amended 6-18-2013 by O-20261 N.S.; effective 7-19-2013.)

(Amended 7-22-2024 by O-21836 N.S.; effective 10-5-2024.)

[Editors Note: Amendments as adopted by O-21836 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-21836-SO.pdf]