

OFFICE OF THE CITY ATTORNEY  
ROBERT E. SHANNON, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

ORDINANCE NO. ORD-12-0011

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH AMENDING THE LONG BEACH  
MUNICIPAL CODE BY AMENDING SECTION 21.51.235  
AND DELETING TABLE 51-2, ALL RELATING TO HOME  
OCCUPATIONS

The City Council of the City of Long Beach ordains as follows:

Section 1. Section 21.51.235 of the Long Beach Municipal Code is amended to read as follows:

21.51.235 Home Occupations.

A. Intent.

A home occupation permit is intended for home enterprises that are incidental to the use of the dwelling unit and does not change the principal character or use of the dwelling. The home occupation shall be compatible with surrounding residential uses and not have characteristics associated with the use that would reduce the surrounding residents' enjoyment of their neighborhood. As an ancillary activity to those uses permitted in the applicable residential zone in which the subject site is located, the following home based businesses may be conducted at the site:

1. Professional Office Uses. A professional office use is a business whose principal product is information, management or design, including but not limited to, accounting, architecture, artist/talent management and promotion, brokerage, business/financial management, computer programming and software development, consulting, direct

1 sales (incl. internet sales), credit/financial counseling, drafting and  
2 illustration, engineering, fashion design, interior decoration and design,  
3 legal services, marketing and advertising, property management, and  
4 writing and editing. The primary means of contact must be by phone,  
5 mail, or other electronic form of communication. A professional office use  
6 does not include research requiring the use of hazardous materials and  
7 equipment;

8 2. Instructional Services Uses. An instructional services  
9 use is a business whose principal purpose is to provide cognitive  
10 instruction or training, including but not limited to, academic tutoring,  
11 musical instrument lessons, dance lessons, sports training, or other similar  
12 physical performance training. The maximum number of students at any  
13 one time shall be limited to six (6);

14 3. Home Craft Uses. A home craft use is a business  
15 that results in a tangible product including but not limited to, dressmaking,  
16 furniture making, toy making and doll making. Additional uses include  
17 artistic products such as sculpting, painting, photography and other similar  
18 forms of creative works when such works are produced with the intent of  
19 gain or benefit for the participant or another person. Conducting a home  
20 craft use does not entitle the owner to sell articles manufactured on-site or  
21 in a residential zone.

22 B. Requirements. The following standards shall be complied  
23 with at all times:

24 A home occupation permit shall only be issued when all of the  
25 following requirements are met and maintained:

26 1. No person other than a resident of the dwelling unit  
27 shall be engaged or employed in the home occupation, and the number of  
28 residents engaged or employed in the home occupation shall not exceed

1 two (2);

2 2. No sign shall be displayed in a manner visible from  
3 the outside of the dwelling unit. Vehicles with signs identifying the home  
4 occupation shall be parked so that they cannot be seen from the public  
5 right-of-way;

6 3. No mechanical equipment shall be used except that  
7 which is necessarily, customarily, or ordinarily used for household or  
8 leisure purposes. Such equipment shall not generate noise higher than  
9 the noise standards established for the residential uses;

10 4. No toxic, explosive, flammable, combustible,  
11 corrosive, etiologic, radioactive or other restricted materials shall be used  
12 or stored on the site;

13 5. There shall be no outside operations, storage or  
14 display of materials or projects;

15 6. Total storage of materials or products used in the  
16 business shall not exceed one hundred twenty-eight (128) cubic feet.  
17 There shall be no excessive or unsightly storage of materials or supplies  
18 for purposes other than those permitted in the residential district in which it  
19 is located. A garage may not be used for operations of the business or  
20 storage of materials used in the business and must be maintained for  
21 parking of automobiles and similar type vehicles;

22 7. The residential appearance of the premises shall not  
23 be altered. Creation of a separate entrance to the dwelling or use of an  
24 existing entrance exclusively for the business shall not be permitted;

25 8. No process shall be used which is hazardous to  
26 public health, safety or welfare;

27 9. Visitors, customers or deliveries to the dwelling shall  
28 not exceed that which normally and reasonably occurs for a residence.

1 Visitors and deliveries shall be limited to not more than two business  
2 visitors an hour and eight (8) visitors a day, and not more than two (2)  
3 deliveries of products or materials a week;

4 10. The home occupation shall not displace or block the  
5 use of parking spaces required for the residential use including any  
6 business storage in required garage parking areas;

7 11. No advertisement shall be placed in any media  
8 containing the address of the property;

9 12. Not more than two (2) vehicles shall be used in the  
10 business. Only one (1) vehicle may be commercially licensed;

11 13. When the person conducting the home occupation  
12 serves as an agent or intermediary between outside suppliers and outside  
13 customers, all articles, except for samples, shall be received, stored and  
14 sold directly to customers at an off-premises location;

15 14. The home occupation permit shall be valid only for the  
16 person to whom it was issued and shall be void when that person moves  
17 from the dwelling unit or discontinues the business.

18 C. Prohibited Home Occupation Uses. The following uses shall  
19 be prohibited as home occupations:

20 1. Ambulance service;  
21 2. Appliance repair;  
22 3. Automobile repair, parts, sales, upholstery, detailing,  
23 washing, service;

24 4. Beauty salons and barber shops;  
25 5. Boardinghouse, bed and breakfast, hotel, time-share  
26 unit;

27 6. Carpentry, cabinet makers;  
28 7. Ceramics (kiln of six (6) cubic feet or more);

- 1 8. Churches, religious instruction;
- 2 9. Contractor storage yards;
- 3 10. Food preparation;
- 4 11. Gun sales (including internet) and repair;
- 5 12. Health clubs, gyms, dance studios, aerobic studios,
- 6 massage;
- 7 13. Limousine or pedicab service;
- 8 14. Medical or dental office;
- 9 15. Mortician, hearse service;
- 10 16. Palm reading, fortunetelling;
- 11 17. Private clubs;
- 12 18. Religious services;
- 13 19. Restaurants, taverns;
- 14 20. Retail sales from site (except direct distribution and
- 15 internet);
- 16 21. Skin care services;
- 17 22. Tow truck service;
- 18 23. Welding or machine operation;
- 19 24. Upholstery;
- 20 25. Veterinary uses (including care, grooming or
- 21 boarding);
- 22 26. Any use that requires the use of toxic, explosive,
- 23 flammable, combustible, corrosive, etiologic, radioactive or other restricted
- 24 materials;
- 25 27. Any use that is hazardous to public health, safety or
- 26 welfare;
- 27 28. Any use that changes the residential characteristic of
- 28 the residence;

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29. Other uses the Planning Administrator determines to be similar to those listed above, or which by their operation or nature are not incidental to or compatible with residential activities.

D. Any home occupation which becomes a non-conforming use as a result of revisions to applicable provisions of this title shall either:

1. Be brought into legal conforming status; or
2. Be discontinued and removed within three (3) months of becoming a non-conforming use.

Section 2. Section 21.51.235 of the Long Beach Municipal Code is amended by deleting Table 51.2.

Section 3. The City Clerk shall certify to the passage of this ordinance by the City Council and cause it to be posted in three (3) conspicuous places in the City of Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the Mayor.

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I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of June 12, 2012, by the following vote:

Ayes: Councilmembers: Garcia, Lowenthal, O'Donnell, Schipske,  
Johnson, Gabelich, Neal.

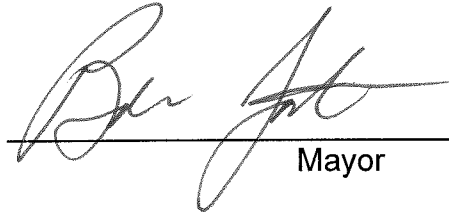
Noes: Councilmembers: None.

Absent: Councilmembers: DeLong, Andrews.



City Clerk

Approved: 6/18/12  
(Date)



Mayor

AFFIDAVIT OF POSTING

STATE OF CALIFORNIA        ) ss  
COUNTY OF LOS ANGELES    )  
CITY OF LONG BEACH         )

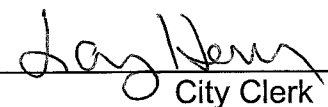
Megan Wiegelman being duly sworn says: That I am employed in the Department of the City Clerk of the City of Long Beach; that on the 18<sup>th</sup> day of June, 2012, I posted three true and correct copies of Ordinance No(s). ORD-12-0011 in three conspicuous places in the City of Long Beach, to wit: One of said copies in the entrance lobby of City Hall in front of the Information Desk; one of said copies in the Main Library and one of said copies in the entrance lobby of the 14th Floor of City Hall.



A handwritten signature in cursive script, appearing to read 'Megan Wiegelman', is written over a horizontal line.

Subscribed and sworn to before me

this 18<sup>th</sup> day of June, 2012



A handwritten signature in cursive script is written over a horizontal line. Below the signature, the words 'City Clerk' are printed.