

Planning Commission Meeting Interpretations

Date	Link to Document	Related Case Number	Description
1/26/1988	Document Link	87-198 PCI	Financial institutions in industrial zones - Not needed as of Zoning Code amendments adopted 3/29/1989
12/19/1989	Document Link	N/A	General Plan criteria is more explicit, that the zoning code is meant to implement the plan and that an interpretation can be made that the intent of the General Plan is to permit structures adjacent to the inland bluff to be closer than 40 feet, but not closer than 25 feet upon approval of stated studies, and subject to discretionary review for visual impact. A ZONING CODE AMENDMENT WILL BE NECESSARY TO IMPLEMENT THIS INTERPRETATION.
12/19/1989	Document Link	N/A	Kennel would be able to be maintained in accordance with the nonconformities regulations which are applied to residential and nonresidential uses; discretion is available to the authorized agency; 'any residential property' is interpreted to mean property zoned for residential use and that Section 30.55.040 generally refers to new kennel proposals, but may be used as guidelines when reviewing existing kennels which seek to expand pursuant to Section 30.16.010.B(8).
2/15/1990	Document Link	N/A	College of Osteopathic Medicine is an Educational Institution - Chapter 30, Zoning Codes, Definitions
2/15/1990	Document Link	N/A	Boys & Girls Club is a Public Facility - Zoning Code Use Matrix
2/27/1990	Document Link	1990-021 PCI	North Coast Health Center will be a medical complex based upon the definition of typically; a medical complex does not necessarily have to have a hospital as the most significant use; The present facility offers a broad range of medical services at the site and its integrated functionality as a single complex with shared parking, ingress/egress, building design and landscaping.
2/27/1990	Document Link	1990-024 PCI	Code requirements to be met for approvals unless specifically waived in resolution of approval
3/5/1990	Document Link	N/A	Parameters to Require Public Hearing for Environmental Impact Reports (EIRs)
6/24/1993	Document Link	92-217 MUP/EIA	Relocation of an existing nonconforming freeway-oriented sign may be allowed under the provisions of Sections 30.60.00(I.) and 30.60.30(K) provided criteria is met.
12/20/2018	Document Link	2018-247 PCIN	Mechanical car lifts are not a form of vertical tandem parking spaces and that car lifts shall not be counted as parking where tandem parking spaces are currently permitted.

Policy Interpretations

Date	Policy Number	Related Resolution Numbers	Related Case Number	Description
8/2/2007	2007-01 (Document Link)	CC Ordinance 2008-10	2007-054 PCIN	Applicability of sign regulations and design review requirements to use of corporate colors on buildings, canopies, etc., and the lighting of thereof.
3/6/2008	2008-01 (Document Link)	N/A	N/A	Criteria for finding of "superior" design pursuant to Sections 3.2.1.B.4 and 3.2.1.C.4 of the Downtown Encinitas Specific Plan for purposes of allowing an increase in allowed lot coverage from 50 percent up to 60 percent.

Planning Commission Resolutions

Date	Resolution Number	Related Case Number	Description
3/1/2001	PC 2001-05 (Document Link)	2001-013 PCIN	Manufactured housing unit may be utilized as an accessory unit.
5/1/2014	PC 2014-14 (Document Link)	2013-178 PCIN	County of San Diego 1960 Topographic Survey shall be the basis for determining natural grade subject to conditions.
7/17/2014	PC 2014-22 (Document Link)	2014-150 PCIN	"Community Garden" shall henceforth be regulated in the AG Zone and AG Zone overlay of the eERSP according to the requirements applicable to the "Permitted Uses" listed therein.
12/18/2014	PC 2014-35 (Document Link)	2014-137 PCIN	Manufactured steep slopes consisting of artificial fill soils, which are not considered natural slopes/grades in accordance with Section 30.16.010B(6)(c) at Sunshine Gardens - therefore geotechnical studies concurred by City's Third Party Geotechnical review shall be utilized for determining natural grade subject to conditions.
3/26/2016	PC 2016-27 (Document Link)	2014-200 POD	Certification of the final Environmental Assessment/Program Environmental Impact Report prepared for the Housing Element.
7/7/2016	PC 2016-44 (Document Link)	2016-003 PCIN	Union Cowork similar to an office space and thus within the scope of allowable uses permitted in the DESP Commercial Mixed 1 zone; private pedestrian connection to SCHWY does not trigger the need for compliance with DESP Retail Only and First Floor Retail requirements based on significant difference in elevation between the building and sidewalk and the pedestrian access is a controlled private access not accessible to the general public.
7/7/2016	PC 2016-68 (Document Link)	2016-028 PCIN	Subject property (Vacant Lot 262-061-28-00) does not contain manufactured steep slopes consisting of artificial fill soils, which are not considered natural slopes/grades in accordance with Section 30.16.10B(6)(c)(Residential Zone) of the Encinitas Municipal Code; therefore, the geotechnical studies, historical studies, historical aerial photos and historic topographic maps shall not be utilized for determining natural grade subject to conditions.

Planning Commission Resolutions

Date	Resolution Number	Related Case Number	Decription
9/1/2016	PC 2016-54 (Document Link)	2014-335 PCIN	Electric Vehicle Charging Station is within the scope of allowable permitted uses in the Downtown Encinitas Specific Plan Civic Center Zone.
5/4/2017	PC 2017-15 (Document Link)	2016-141 ZA/SPA/LCPA	Revisions to Specific Plans
8/17/2017	PC 2017-31 (Document Link)	2017-165 ZA/LCPA	Amending Chapter 30.16.020.C (Density Bonus Regulations)
3/15/2018	PC 2018-44 (Document Link)	2017-230 PCIN	Total gross floor area of a proposed convenience store/mini-mart when associated with a service station 1) shall be limited to less than 2,000 square feet and 2) shall include all areas associated with and/or supporting the retail use as well as the areas shared with the service station (i.e. restrooms, office, etc.) use.
11/15/2018	PC 2018-43 (Document Link)	2017-080 PCIN	Ocean Bluff Way is the preferred vehicular access option to serve any residential use that is permitted "by-right" in the Rural Residential (RR-2) and Residential 3 (R-3) zones; The Ocean Bluff Way access alternative is the least environmentally damaging access alternative; The Ocean Bluff Way access alternative is the preferred access option to serve the project site for any future residential use that is permitted "by-right."
2/21/2019	PC 2019-05 (Document Link)	2017-128 GPA/SPA/LCPA	Recommend City Council adopt the Housing Element
10/1/2020	PC 2020-21 (Document Link)	ITRP-003765-2020	Measurement of building height for lot with an average lot slope greater than ten percent - 1) no bluff or bluff's edge is present on the subject property (1323 Eolus); and 2) the subject property has an average lot slope greater than ten percent, which requires teh property located at 1323 Eolus to comply with the building height measurement requirements outline in Section 30.16.10B6.a.i
11/19/2020	PC 2020-23 (Document Link)	PLCY-003713-2020 (ZA/LCPA)	Density Bonus Amendments
11/18/2021	PC 2021-45 (Document Link)	INTRP-004738-2021	Converting Jack in the Box into Starbucks will intensify the use nonconformity. No mechanism is available.
5/5/2022	PC 2022-04 (Document Link)	PLCY-005220-2022	Recommend City Council adopt Draft No 2022-06 and 2022-07 amending the municipal code for floodplan management regulations appeals timeline and local coastal program pertaining to the local appeal period timelines
8/18/2022	PC 2022-15 (Document Link)	N/A	Amend the 2019 Planning Commission Bylaws