

- a. When certain development standards in the N-R3 Zone and N-R3 (R-30 OL) conflict, the more generous standard shall prevail.

C. Zone: Mobile Home Park (N-MHP):

This zone is intended to provide for mobile home park development and redevelopment for new or redeveloped parks greater than 5 acres.

1. Except as otherwise specified below, all use and development standards pursuant to Section 30.16.030, Subsections 1-10, of Title 30 of the Encinitas Municipal Code shall apply under the N-MHP zone.
2. The maximum allowable density under the N-MHP zone is 15 units per net acre.
3. The Landscape Recommendations of Section 4.8 of this Specific Plan shall apply to all new and rehabilitated landscape projects with a landscaped area of greater than 1,000 square feet.
4. Applicable provisions of the Specific Plan Design Recommendations, Chapter 4 of this Specific Plan, shall apply to proposed development under this zone. If a conflict arises between provisions of the design recommendations and the development standards of this zone, the development standards shall take precedence. (Ord. 2019-04)

3.1.2 COMMERCIAL ZONES

A. Zone: Commercial Mixed 1 (N-CM-1)

This zone is intended to provide a zoning district where the development of general commercial uses, excluding auto-related uses, and mixed use may be allowed. The zone provides for a variety of development opportunities including (1) stand-alone commercial; or (2) mixed use, with general commercial use types as listed in this chapter. The N-CM-1 zone applies to properties with frontage on North Highway 101, generally between Marcheta Street and West Glaucus Street, as well as commercial properties located at the intersection of Leucadia Boulevard and Vulcan Avenue and commercial properties located on the east side of North Highway 101, just north of Encinitas Boulevard. The intent of this zone is to achieve an eclectic blend of uses and architectural styles by orienting buildings to North Highway 101, emphasizing a pedestrian scale and friendliness, and continuing to emphasize the use of dominating trees in the streetscape.

Commercial allows a wide range of general commercial activities, including retailing, service, and visitor-serving uses, with the intent of accommodating citywide or regional needs and serving the needs of persons visiting the city for business and recreational purposes.

Mixed Use allows commercial and residential uses at a maximum density of 25.0 dwelling units per net acre on the same property or in the same structure, with the intent of providing opportunities for housing and live/work or artisan loft arrangements, while also mitigating the impacts between commercial and residential uses.

It is the intention of the N-CM-1 Zone to allow for functional and physical integration of project components of mixed uses. Consideration will be given to joint use of parking, sizes of residential units, and overall architectural design when considering approvals for mixed use developments.

The following principal uses shall be permitted in the N-CM-1 Zone and are identified as either permitted, or requiring a minor use permit or major use permit. In addition, agricultural uses are permitted in accordance with Chapter 30.33 (Urban Agriculture) of Title 30 of the Encinitas Municipal Code. All other principal uses not specifically listed are prohibited.

1. Permitted Uses:

Accessory Building

Acupuncture (Ord. 2015-01)

Antique Sales, Retail

Appliance Sales & Repairs (Household and Small Appliances)

Aquarium, Commercial

Arcade Accessory (Non-Adult)

Art Gallery

Artisan/Craftsman (Sales & Studio)

Bakery (Retail)

Bank/Savings and Loan

Barber and Beauty Shop (Cosmetologist)

Bicycle Sales, Rental and Service

Billiard, Pool Hall

Blueprinting and Photostatting

Bookbinding

Book Sales

Bowling Alley

Building Materials Sales, Enclosed

Candle Shop

Candy and Confectionery Sales

Cannabis - Retailer⁸

Catering Service

Charitable Bins and Depositories (accessory)

Chiropractor (Ord. 2015-01)

Clothing Rental

Coins, Purchase and Sales

Computer Sales & Service

Conservatory of Music

Convenience Store

Cosmetic Design Studio

Costume Rentals

Cottage Food Operations (accessory to a residential use per EMC 30.48.040L) (Ord. 2015-01)

Co-Working Space

Dairy Store

Dance Hall

Delicatessen

Dental Clinic

Dental Clinic, Canine/Feline (Ord. 2015-01)

Dressmaking Shop

Drug Store

Dry Cleaning, Retail and Self-Service

Dwelling Unit, Caretaker -accessory to the principal use

Dwelling Unit, One-Family¹

Dwelling Unit, Two-Family¹

Dwelling Unit, Three-Family¹

Dwelling Unit, Multiple Family¹

Educational Institution, Public

Employment Agency

Family Day Care Home, Small (six or fewer persons, accessory to a dwelling only)

Family Day Care Home, Large (seven to fourteen persons, accessory to dwelling only)

Finance Company

Fire Prevention Equipment, Sales and Service

Fire Station

Floor Covering, Retail

Florist Shop

Furniture Sales

Garden Supplies

Gem/Precious Stone Retail

Gift Shop

Glass and Mirrors, Retail

Glass Edging and Beveling

Glass Studio (Stained and others)

Grocery Store

Group Exercise (including but not limited to dance studio, yoga, martial arts, Pilates or other similar group exercise class) (Ord. 2015-01)

Hair Salon

Hardware Store

Hat Shop

Health Food Store

Hobby Supply Shop

Home & Business Maintenance Service

Home Occupations

Ice Cream Parlor

Interior Decorating Service

Janitorial Services

Janitorial Supplies/Sales

Jewelry Sales

Lapidary Shop, Retail (gems)

Laundromat

Laundry

Lawnmower Sales and Service

Library

Locksmith

Machine and Tool Sales

Mail Order House

Market (food)

Medical/Dental Clinic

Medical/Dental Office

Medical Equipment Sales

Museum

Music/Record Store

Newsstand

Notions and Dry Goods Store

Office (Business and Professional)

Office Equipment/Supplies Sales

Optical Products Sales

Orthopedic Devices Sales

Paper Product Sales

Parcel Delivery Service, Office Only

Pet Shop/Pet Grooming

Pharmacy

Photocopy Shop

Photofinishing, Retail

Photographic Studio

Photographic Supplies

Photograving and Finishing

Post Office

Postal Annex, Private Ownership

Pottery Sales

Printing

Public Utilities: Office

Qualified Employee Housing (six employees or fewer)^{1,4}

Qualified Employee Housing (seven or more employees)⁵

Radio/Television Sales

Real Estate Office

Reducing Salon

Residential Care, Limited (six or fewer)¹

Restaurant (no alcohol sales; outdoor dining permitted by design review)²

Retail Sales³

Schools, Public (Elementary, Jr. High, High School)

Scientific Instruments Sales

Second Hand Dealer

Second Hand Store

Shoe Repair/Sales

Sidewalk Dining (requires encroachment permit)¹

Sign Shop

Silk Screen Printing Shop

Single Room Occupancy Housing^{1,7}

Sporting Goods Sales

Stationery Store

Supportive Housing^{1,6}

Surf Shop Retail and Rental

Swimming Pool Supplies/Equipment Sales

Tailor Shop

Telephone Answering Service