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RESIDENTIAL HEIGHT REGULATIONS

This handout provides guidelines on height regulations applicable to residential buildings in residential zones. For residential buildings in specific plan areas, see the building height regulations of the applicable specific plan; the following standards apply when referenced. Legally constructed residential structures that are taller, or with more stories, than the currently applicable height limits may be reconstructed as per Encinitas Municipal Code Chapter 30.76, Nonconformities.

Proposition A, The Encinitas Right to Vote Amendment: No building or structure shall exceed a maximum height of two stories or 30 feet. Height shall be measured from the lower of the natural or finished graded adjacent to the structure, to the highest portion of the roof immediately above.

Definition of “Building Height” (Encinitas Municipal Code Chapter 30.04): The vertical distance from the lower of natural or finished exterior grade adjacent to the structure, to the highest portion of the structure immediately above. When a basement element or underground structure exists or is proposed, height is measured from the finished grade (above the underground parking or basement element) provided the finished grade is at or below the previous natural grade, to the highest portion of the structure immediately above.

Encinitas Municipal Code Section 30.16.010B6 – The following standards shall apply to building height limits for residential buildings:

A. The standard height limit for residential buildings shall be the lesser of two stories or the following height, all as measured to the top of a flat roof, or in the case of a pitched roof to the top of the roof immediately above the exterior plane of the wall below, including roofing material (EMC 30.16.010B6a):

- **26 feet** – RR to RR-1 zones citywide, RR through RR-2 in the Olivenhain Community.
- **22 feet** – RR-2 (except Olivenhain Community) and higher zones, and substandard lots in the Olivenhain Community.

B. On lots in R-3 to R-25 zones with greater than ten (10) percent slope:

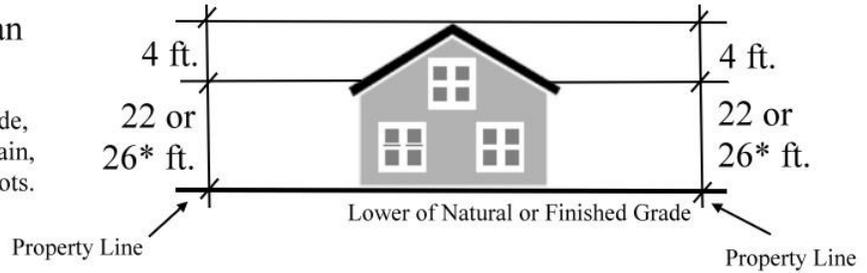
- For purposes of determining which standard height envelope applies to a given property, the average lot slope within the building envelope (the area within the required building setback lines) must be established. The average lot slope is determined by calculating the total change in elevation from setback line to setback line (rise/run) and is established by placing three run-lines across the property and taking the combined average slope of the three lines. The lines are to be placed at right angles to the contour lines. (EMC 30.16.010B6e(1))
- Bluff-top properties with one property line located at the lower portion of the bluff shall not be subject to a designation of greater than 10% lot slope. Unless, using the method of measurement described above, the portion of the property between the edge of the bluff and the opposite setback line is determined to exceed 10% average slope. (EMC 30.16.010B6e(3))
- The building height at the uphill side of the lot **shall not exceed 12 feet** above the crown of the right of way. Where a street does not abut the uphill side of the sloped lot or a panhandle portion of a lot exists, this measurement shall be made at the property line located at the uphill side of the lot (excluding the panhandle of a lot) except as provided below. In no case shall the building exceed the applicable standard height limit at any point unless provided by the Code. Lot slope shall be determined in accordance with EMC 30.16.010B6e. (EMC 30.16.010B6a(1))

Residential Height Regulations

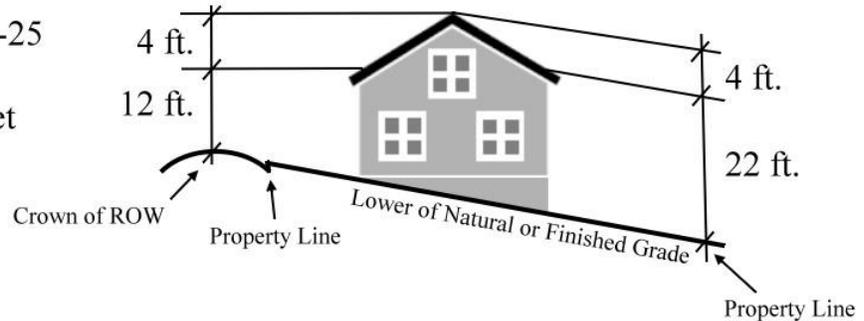
(Not to Scale)

Applies to lots with an less than 10% average lot slope.

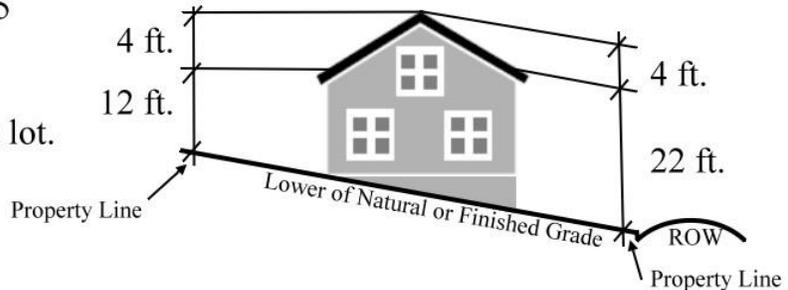
* 26 feet for RR to RR-1 zones Citywide, and RR through RR-2 zones, in Olivenhain, not including substandard lots.



Applies to lots in the R-3 to R-25 zones with greater than 10% average lot slope where a street abuts the uphill side of a lot.



Applies to lots in the R-3 to R-25 zones with greater than 10% average lot slope where a street does not abut the uphill side of a lot.



➤ Drawings intended only to demonstrate the applicable building height regulation and are not intended to show how to determine lot slope. Lot slope is determined as per EMC 30.16.010B6e.

- C. **Projections:** In all zones, pitched roof elements such as towers (maximum diagonal dimension of 12 feet), hips, gables, and spires may extend no more than four (4) feet above the permitted standard height limit. A roof that extends above the permitted standard height limit shall have a minimum 3:12 pitch. Barreled roofs and roof decks shall be permitted provided the design of the roof or deck railings do not extend beyond the envelope of a projected pitch roof as authorized. (EMC 30.16.010B6a(2))
- D. **Chimneys:** Chimneys may project a maximum of two (2) feet above the applicable building height limit (maximum permitted height plus 4 feet for permitted projections), provided the perimeter of the chimney does not exceed 120 linear inches and the width of the chimney does not exceed 40 inches. A required, non-decorative spark arrester assembly may be added to the two- (2) foot chimney provided that **the building height plus all projections, including the chimney plus spark arrester, shall not exceed 30 feet.** (EMC 30.16.010B6a(2))
- E. **New Encinitas Community:** Existing residential structures in the New Encinitas Community constructed at a height exceeding the aforementioned 22 ft./26 ft. height may be remodeled or added to at the height of the existing structure. The height of the existing structure shall be documented through a height survey or other manner found satisfactory by the Director, and the proposed addition/remodel must also maintain substantially the same design character as the existing structure, also to the satisfaction of the Director. (EMC 30.16.010B6a(3))