

Chapter 6.14

SPECIAL OPERATIONS PERMIT: USE OF PUBLIC RECREATIONAL PROPERTY
FOR COMMERCIAL OR PROFESSIONAL INSTRUCTION
(Ordinance 2009-09)

6.14.010 Purpose

The City hereby finds and determines that the unlimited and unregulated use of public recreational property in the City by commercial or professional instruction establishments interferes with the use and enjoyment of such facilities by the general public and burdens the City's related maintenance and safety services. The purpose of this chapter is to establish a special operations permit requirement for such establishments to maximize their compatibility with the use of the public recreational property by the general public and minimize the burden on the City's related maintenance and safety services.

6.14.020 Definitions

A. "Public Recreational Property" shall mean the following City owned and/or maintained and operated beaches, parks, trails and open space located within the City of Encinitas including all land, water, road improvements, facilities therein and their appurtenances such as access roads, parking lots and shore facilities including but not limited to:

1. Grand view Beach (Leucadia State Beach), 1700 Neptune Avenue;
2. Beacon's Beach (Leucadia State Beach), 948 Neptune Avenue;
3. Stone Steps Beach, 350 El Portal;
4. Moonlight State Beach, 400 B Street (including existing undeveloped parcels on B Street);
5. D Street Viewpoint/Access, 450 D Street;
6. Swami's Beach, 1298 South Coast Highway 101 (including existing undeveloped parcels south of entrance on South Coast Highway 101);
7. H Street viewpoint, 498 H Street;
8. I Street Viewpoint, 498 I Street;
9. J Street Viewpoint, 398 J Street;
10. North el Portal Viewpoint;
11. Roseta Street Viewpoint;
12. B Street cul-de-sac west of Fourth Street;
13. C Street Overlook and cul-de-sac west of Moonlight Lane;
14. E Street Viewpoint;
15. Cottonwood Creek Park, 95 North Vulcan Avenue;
16. Leucadia Roadside Park, 860 North Coast Highway 101;
17. Orpheus Park, 482 Orpheus Avenue;

18. Encinitas Viewpoint Park, Cornish Drive & D Street;
19. Oakcrest Park, 1219 Encinitas Blvd.;
20. Glenn Park, 2149 Orinda Drive;
21. Cardiff Sports Park, 1661 Lake Drive;
22. Wiro Park, 2232 El Camino Del Norte;
23. Mildred MacPherson Park, 1045 South Vulcan Avenue;
24. Paul Ecke Sports Park, 278 Saxony Road;
25. Scott Valley Park, 1602 Willowhaven Road;
26. Leo Mullen Sports Park, 951 Via Cantebria;
27. Little Oaks Equestrian Park, 2879 Lone Jack Road;
28. Hawk View Park, 1309 Blue Heron Drive;
29. Sun Vista Park, 2011 Avenida La Posta;
30. Leucadia Oaks Park, 1511 North Vulcan Avenue;
31. Las Verdes Park, 1390 Paseo de las Verdes;
32. Hall Property Community Park Site, west of I-5/south of Santa Fe Dr;
33. Standard Pacific Park Site, Olympus Avenue/Piraeus;
34. Indian Head Canyon, Saxony/Quail Hollow Road;
35. Encinitas Ranch Trails;
36. Olivenhain Trails;
37. Village Park Trails and Off-leash Dog Area;
38. Manchester Preserve Trails;
39. Barelman Property, Saxony Road/La Costa Avenue; and
40. Snedeker Property, west side Saxony Road/south La Costa Avenue.

B. “Commercial Instruction” shall mean prepared, done or acting with the sole or chief emphasis on salability, profit or success.

C. “Professional Instruction” shall mean any formal instruction of any nature including but not limited to instruction provided for commercial purposes or any form of consideration such as time or money/donations.

6.14.030 Regulations – Permit Required

No person shall operate any commercial or professional instruction for the purpose of operating boot camps, fitness classes, day camps, yoga classes, nature camps, dog training or similar activities on public property without first obtaining a special operations permit pursuant to the provisions of Chapter 6.02 and this Chapter of the Municipal Code. The issuance of said permits shall be limited based on an evaluation of site availability, suitability and compatibility by the Parks and Recreation Department.

6.14.040 Issuing Authority

The City Manager or designee is the issuing authority for the Special Operation Permit: Use of Public Recreational Property for Commercial or Professional Instruction.

6.14.100 Violations – Enforcement and Penalties

Any person who violates any provision of this chapter is guilty of an infraction punishable pursuant to Section 1.08.050 of the Encinitas Municipal Code. This chapter is not exclusive and is not intended to preclude enforcement pursuant to any other applicable law.