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Del Mar Planning Commission Agenda

City of Del Mar, Town Hall
1050 Camino del Mar, Del Mar, California

Civility Works: The Del Mar Code of Civil Discourse: Together we will promote inclusion; listen to understand; show respect; be clear and fair; and focus on the issue.

Philip Posner
Chair

Jas Grewal
Vice Chair

Patrick Leonard
Commissioner

Mark Rittenbaum
Commissioner

Meghan Spieker
Commissioner

Karen Brindley
Planning & Community
Development Director

Amanda Lee
Principal Planner

Regular Meeting Tuesday, February 10, 2026, at 6:00 PM

It is the intention of your Planning Commission to be receptive to your concerns about your community. Your participation in local government will ensure a responsible and efficient City of Del Mar.

Public Participation/Comment: Members of the public can participate in Planning Commission meetings in-person only. Anyone may address the Commission for up to three minutes, at the Chair's discretion, on items on the agenda. Members of the public wishing to speak on items not on the agenda may do so under Oral Communications. Agenda items may be addressed in any order at the discretion of the Chair. When addressing the Planning Commission, please state your name for the record. Any electronic presentations must be received before 12 p.m. on the date of the Planning Commission meeting. No PowerPoint presentations can be loaded during the meeting.

Please submit a completed "Speaker Slip", including the item number you wish to speak on, to City staff prior to the Chair announcing the agenda item. The forms are located near the door at the rear of the Meeting Room. When called to speak, please approach the podium and state your name for the record.

Written Comments: Members of the public can participate in the meeting by submitting a written red dot comment via email to planning@delmar.ca.us. The deadline to submit written comments is 12 p.m. on the day of the meeting and the subject line of your email should clearly state the agenda item you are commenting on.

Project Applicants/Representatives: Applicants and their team of representatives shall limit their [total] presentations to 10 minutes or less.

Viewing the Meeting and Access to Agenda Materials: Members of the public can watch the meeting live on the City's website at: <http://delmar.12milesout.com/Video/Live> and on Cable TV Spectrum Ch. 24, AT&T Ch. 99 starting at 6:00 PM. Agenda materials and communications from the public on agenda items, "Red Dots", are available on the City's website: <http://www.delmar.ca.us/AgendaCenter> and a hard copy of the agenda materials are available at Del Mar City Hall and the Del Mar Library during their business hours.

Assistance for persons with Disabilities: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Administrative Services Department at 1050 Camino del Mar or by calling (858) 755-9313. Notification of at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

As a courtesy to all meeting attendees, **please set cellular phones to silent mode** and engage in conversations outside the Town Hall.

Regular Meetings of the Planning Commission are generally held on the second Tuesday of the month, beginning at 6:00 p.m. For further information regarding the scheduling of meetings or meeting agendas, check the City's website at www.delmar.ca.us, or call the Planning Department's office at 858-755-9313. A full Planning Commission agenda packet with all backup information is available at City Hall, the Del Mar Library, and on the City's website the Thursday before each Planning Commission meeting.

Meeting will end at 11:00 p.m. unless extended by a majority vote of the Commissioners. If all the items on the agenda are not heard, the remaining items will be heard the following Tuesday (if facilities are available) at 1050 Camino Del Mar.

Consent Calendar: The Consent Calendar is considered by the Planning Commission near the beginning of the agenda. Items placed on the Consent Calendar will be approved in accordance with the staff recommendations for the item unless removed from the Consent Calendar by Commissioners, staff, or a member of the public. If you wish to keep an item from being placed on the Consent Calendar, please submit an email to planning@delmar.ca.us or to the staff member prior to the meeting by 3:30 p.m. the day of the meeting.

Final action. The decision of the Planning Commission is final unless a written appeal is filed with the City Clerk, accompanied with a processing fee, within ten (10) working days from the date of notice of the action taken on the application. An approved permit shall not be valid until the 10-day appeal period has expired. The appeal is then forwarded to the City Council, which determines at the Initial Consideration whether to reject the appeal, thereby upholding the Planning Commission's decision, or to set the matter for a subsequent date for a new (de novo) public hearing review. If a de novo public hearing is set by the City Council, an additional fee will be required.

Meeting Decorum: All persons attending the Planning Commission meeting shall conduct themselves in a courteous and respectful manner. Comments shall be directed to the members of the Commission, rather than to others in attendance at the meeting. The Chairperson (or Vice Chair or Chair pro-tem in their absence), is designated as the parliamentarian for the meeting. As deemed appropriate, they may interrupt a speaker with instruction to redirect their remarks to relevant points on the agenda item before the Commission. They may also terminate a speaker's oral presentation if comments continue to be non-relevant or become disrespectful.

Note: The entirety of the City of Del Mar is located within the Coastal Zone. Some of the development projects listed on this agenda, as noted, require the receipt of a Coastal Development Permit. Some of these projects may also lie in what is known as the "Coastal Development Appeals Area". For the projects located in the appeals area, the City's action on the requested Coastal Development Permit may be appealed to the California Coastal Commission. An appeal may be filed with the Coastal Commission within the ten calendar days following the Coastal Commission's receipt of a notice from the City of its final action on the Coastal Development Permit application. However, before an appeal may be filed with the Coastal Commission, the City's action on the CDP application must be final, meaning that all of the City's [separate and internal] appeals processes must first be exhausted.

ROLL CALL

APPROVAL OF MINUTES

1. November 4, 2025 Planning Commission Meeting Minutes
2. January 13, 2026 Planning Commission Meeting Minutes

UPDATE

PLANNING COMMISSION/STAFF DISCUSSION (Non-Application Items)

HEARING FROM THE AUDIENCE ON ITEMS NOT LISTED ON THE AGENDA (Oral Communications)

DISCUSSION AND BRIEFING (Application Items)

CONSENT CALENDAR:

The Planning Commission at the beginning of the meeting can place any item on the agenda upon the Consent Calendar. Consent Calendar items are not subject to public testimony. If you have a concern and wish to present information to the PC, you must be present at the beginning of the meeting to ensure the item will not be placed on consent or write a letter to the PC prior to the meeting expressing why the application should be taken off the Consent Calendar.

NEW APPLICATION(S):

**Item 1
V25-002**

Application: Variance V25-002

Applicant: Christian and Rosee Voigtlander

Applicant Address: 355 14th Street

Applicant APN: 300-020-18-00

Environmental Status: Exempt

Staff Contact: Jean Crutchfield, Associate Planner- jcrutchfield@delmar.ca.us

Description: A request for a Variance from Del Mar Municipal Code (DMMC) Section 30.86.090(A)(1) to allow the retention of fencing and gates up to 7-feet in height at the front and up to 8-feet in height in the street side property lines where a maximum of 3.5-foot-tall is allowed; DMMC Section 30.86.090(A)(2) to allow the retention of fencing and gates up to 7.5-feet in height in the rear yard setback where a maximum of 6-feet is allowed; and DMMC Section 30.86.090(A)(4) to allow the retention of an entryway (arbor) structure in excess of the dimensions allowed in the front yard setback.

**Item 2
CUP25-003,
CDP25-023**

Application: CUP25-003/CDP25-023

Applicant: Andrew Donner, Trustee of Donner Trust 2002

Applicant Address: 3004 Sandy Lane

Applicant APN: 299-020-41-00, 299-020-42-00, 299-020-43-00

Environmental Status: Exempt

Staff Contact: Jennifer Gavin, Associate Planner- jgavin@delmar.ca.us

Description: A request for approval of a Conditional Use Permit CUP25-003 and Coastal Development Permit CDP25-023 to remodel an existing two-story residence to include a new door and landing and exterior lights on the east side of the property and to install a new skylight on the existing roof. The project includes a request for a wetland buffer reduction per the Lagoon Overlay Zone.

*Note: The property is located within the Coastal Commission's appeal jurisdiction.

Item 3
GPA24-002

Location: Citywide

Applicant: City of Del Mar

Environmental Status: The proposed Environmental Justice amendments are consistent with the other elements of the Del Mar Community Plan (General Plan) including the 6th Cycle Housing Element and associated environmental document. The 6th Cycle Housing Element Final Program Environmental Impact Report (PEIR) and associated Mitigation, Monitoring, and Reporting Program was certified by the City Council on October 5, 2020 (State Clearinghouse (SCH) No. 2020029064). The Final PEIR is available online at: www.delmar.ca.us/DocumentCenter/View/7171/Final-PEIR-91020. The proposed amendments will not result in significant effects on the environment or an increase in severity of effects on the environment as analyzed in the Final PEIR.

Staff Contact: Nicole Morrow, AICP, Associate Planner - nmorrow@delmar.ca.us or 858-375-9529

Description: This is a Planning Commission recommendation hearing to consider proposed amendments to the Del Mar Community Plan (General Plan) to adopt the City's Environmental Justice Element. California Government Code Section 65302(h) requires that jurisdictions with disadvantaged communities adopt an Environmental Justice Element. While the City does not have any areas identified by the State as disadvantaged communities, the City prepared an Environmental Justice Element to demonstrate the City's commitment to maintaining a healthy, inclusive, and accessible community for all residents and visitors. The Environmental Justice Element outlines goals, policies, and implementation actions to further civic engagement, equity, and fair treatment; minimize pollution exposure; promote safe and healthy homes; and improve access to public facilities, resources, and amenities. The Planning Commission is asked to provide a recommendation to the City Council. The City Council will consider adoption of the proposed amendments at a future noticed public hearing.

ADJOURNMENT

I, Jennifer Gavin, Associate Planner for the City of Del Mar, certify that a copy of the foregoing was posted at the Del Mar City Hall on Thursday, February 5, 2026.



Jennifer Gavin
Associate Planner



**CITY OF DEL MAR
PLANNING COMMISSION REGULAR MEETING
DRAFT ACTION MINUTES
November 4, 2025
Del Mar Town Hall
1050 Camino Del Mar, Del Mar, California**

The minutes set forth the actions taken by the Planning Commission on the matters stated. Audio/video recordings of the Planning Commission proceedings are retained for a period of ten years, in accordance with the City's Records Retention Schedule. Audio/video recordings, as well as written materials presented to the Planning Commission, including Red Dots (materials provided to the Planning Commission after the agenda has published), are available on the City's website at www.delmar.ca.us/AgendaCenter or by contacting the Planning Department at (858) 755-9313.

CALL TO ORDER

Chair Posner called the Regular Meeting to order at 6:04 p.m.

ROLL CALL

Chair Posner, Vice Chair Grewal, and Commissioners Leonard, Rittenbaum, and Spieker were all present.

Staff Present: Principal Planner Matt Bator, Associate Planner Elizabeth Yee, and Assistant City Attorney Ralph Hicks.

APPROVAL OF MINUTES

It was moved by Commissioner Spieker and seconded by Commissioner Grewal to approve the meeting minutes for August 11, 2025. (VOTE 5-0)

Ayes: Chair Posner and Commissioners Leonard, Rittenbaum, Grewal and Spieker; Noes: 0; Recused: 0; Absent: 0; Abstain: 0.

UPDATES

Principal Planner Bator provided brief updates on the status of the Hillstone construction and the Watermark development permitting. He also let the Planning Commission know that the City Council introduced an ordinance to amend Del Mar Municipal Code (DMMC) Chapter 23.51 (Trees, Scenic Views, and Sunlight) on November 3, 2025, and would return to the City Council for adoption on November 17, 2025.

PLANNING COMMISSION/STAFF DISCUSSION (Non-Application Items)

None.

ITEMS NOT LISTED ON THE AGENDA (Oral Communications)

None.

DISCUSSION AND BRIEFING (Application Items)

Principal Planner Bator indicated that Agenda Item #1, the only item on the agenda, was not eligible for the Consent Calendar.

CONSENT CALENDAR:

None

NEW APPLICATION(S):

ITEM 1 **APN:** 299-200-74
V24-003 **Location:** Vacant Lot on Oribia Road (0 Oribia Road, Adjacent to 1439 Oribia Road)
Applicant: Reid and Beth Westburg
Applicant Representative: Kit Leeger, Leeger Architecture
Zone: R1-40 (Low Density Residential)
Overlay Zone: Bluff, Slope, and Canyon, Coastal Appeals
Environmental Status: Exempt
Staff Contact: Elizabeth Yee, Associate Planner
Description: A Variance is requested from DMMC Sections 30.10.070.C.1.a and b to reduce the required front and rear yards (setbacks) of a substandard-sized lot for the future development of a residential unit and detached garage located in the Wildland Urban Interface (WUI).

Associate Planner Yee provided a presentation to the Commission regarding the requested Variance to reduce the required front and rear yards (setbacks) of a substandard-sized lot for the future development of a residential unit and detached garage.

Planning Commissioners asked questions of staff regarding the creation of the subject lot, the Applicant's Fire Protection Plan, and environmental review.

Commissioner disclosures:

Commissioner Spieker – Disclosed she read the written materials, walked past the site, attended a staff briefing, and met with the Applicant's representative Bod Scott and Applicant Reid Westburg at the site.

Commissioner Leonard – Disclosed he read all written materials, attended a staff briefing and visited the site.

Vice Chair Grewal – Disclosed she read the written materials, attended a staff briefing, drove the area and walked on the Crest Canyon train behind the site.

Chair Posner – Disclosed he spoke with staff, attended a staff briefing, visited the site, and met with Applicant Reid Westburg, Kit Leeger, and Bob Scott at the site, and read all the written materials.

Commissioner Rittenbaum – Disclosed he read the written materials, attended a staff briefing and visited the site. He also disclosed that he knows the Applicant's through the Coalition for Safer Trains.

The Applicant's representative Bob Scott provided a presentation on behalf of the Applicants.

Chair Posner opened the public hearing and the following individuals spoke:

- Tate Scott, Oribia Road
- Wade Walker, 1440 Oribia Road
- Majid Kharrati, 1402 Oribia Road
- Eric Clark, 1441 San Dieguito Drive

Bob Scott provided a rebuttal on behalf of the Applicants.

The Planning Commission discussed fire and public safety concerns related to the project's location and the proposed uses, including emergency response access, circulation constraints, potential fire hazards to surrounding properties due to the Very High Fire Zone, traffic burdens due to increased density from the project, and potential environmental issues.

IT WAS MOVED BY CHAIR POSNER, SECONDED BY COMMISSIONER SPIEKER, TO DENY V24-003. (VOTE 4-1, COMMISSIONER LEONARD OPPOSED)

VOTE:

Ayes: Chair Posner and Commissioners Leonard, Rittenbaum, Grewal, and Spieker; Noes: Commissioner Leonard; Recused: 0; Absent: 0; Abstain: 0.

ADJOURNMENT

The meeting adjourned at 8:30 PM.



**CITY OF DEL MAR
PLANNING COMMISSION REGULAR MEETING
DRAFT ACTION MINUTES
January 13, 2026
Del Mar Town Hall
1050 Camino Del Mar, Del Mar, California**

The minutes set forth the actions taken by the Planning Commission on the matters stated. Audio/video recordings of the Planning Commission proceedings are retained for a period of ten years, in accordance with the City's Records Retention Schedule. Audio/video recordings, as well as written materials presented to the Planning Commission, including Red Dots (materials provided to the Planning Commission after the agenda has published), are available on the City's website at www.delmar.ca.us/AgendaCenter or by contacting the Planning Department at (858) 755-9313.

CALL TO ORDER

Chair Posner called the Regular Meeting to order at 6:00 p.m.

ROLL CALL

Chair Posner, Vice Chair Grewal, and Commissioners Rittenbaum, Spieker and Leonard were all present.

Staff Present: Planning and Community Development Director Karen Brindley, Assistant City Attorney Ralph Hicks, Principal Planner Amanda Lee, Associate Planner Nicole Morrow

APPROVAL OF MINUTES

No minutes were available for review. The meeting minutes for November 2025 will be provided at the February 2026 meeting.

UPDATES

The following updates were provided by Principal Planner Lee:

1. The Valley Farms Market in Del Mar Plaza is now open.
2. The City and developer are working on the Housing Agreement for the Watermark affordable housing project as necessary to finalize the building permit.
3. The Hillstone Restaurant project anticipates completion Summer 2026.
4. No change in 941 Camino del Mar mixed-use project.
5. The 2025 Annual Housing Element Progress Report will be presented to the City Council on March 3, 2026.
6. The San Dieguito Lagoon Shoreline Protection Project is a joint project with the San Dieguito River Park Joint Powers Authority using grant funding. The draft environmental document will be presented as an informational item at the February 3, 2026 City Council meeting.
7. The City's Capital Improvement Program (CIP) draft environmental document will be available for public review later this spring.
8. At next month's Planning Commission meeting the City will present the Environmental Justice Element General Plan Amendment.

The following updates were provided by Commissioners:

1. A new art gallery opened on Camino del Mar.
2. Vice Chair Grewal will not be available for the March Planning Commission meeting.
3. Commissioner Rittenbaum will not be available for the March Planning Commission meeting.

PLANNING COMMISSION/STAFF DISCUSSION (Non-Application Items)

Selection of Chair and Vice Chair for 2026:

- Motion by Commissioner Leonard, Second by Commissioner Spieker to nominate Chair Posner to retain the position. Chair Posner was appointed Chair for 2026.
- Motion by Commissioner Leonard, Second by Commissioner Spieker to nominate Vice Chair Grewal to retain the position. Vice Chair Grewal was appointed Vice Chair for 2026.

ITEMS NOT LISTED ON THE AGENDA (Oral Communications)

The following individuals spoke during non-agenda oral communications:

1. Tate Scott: Westburg Variance Application
2. Laura DeMarco: Westburg Variance Application and fire considerations

DISCUSSION AND BRIEFING (Application Items)

Principal Planner Lee announced the one item on the agenda is a public hearing for the Planning Commission to make a recommendation to the City Council on a general plan amendment.

CONSENT CALENDAR:

No items were eligible for the consent calendar.

NEW APPLICATION(S):

ITEM 1
GPA24-003

Location: Citywide

Applicant: City of Del Mar

Environmental Status: The proposed Safety Element amendments are consistent with the other elements of the Del Mar Community Plan (General Plan) including the 6th Cycle Housing Element and associated environmental document. The 6th Cycle Housing Element Final Program Environmental Impact Report (PEIR) and associated Mitigation, Monitoring, and Reporting Program was certified by the City Council on October 5, 2020 (State Clearinghouse (SCH) No. 2020029064). The proposed amendments will not result in significant effects on the environment or an increase in severity of effects on the environment as analyzed in the Final PEIR.

Staff Contact: Nicole Morrow, AICP, Associate Planner

Description: This is a Planning Commission recommendation hearing to consider proposed amendments to the Del Mar Community Plan (General Plan) to update the City's Safety Element. California Government Code Section 65302 requires local jurisdictions to adopt and maintain a General Plan Safety Element consistent with State law. The purpose of the Safety Element is to incorporate safety considerations into the planning process by establishing goals, policies, and implementation actions intended to minimize the risk of injury, loss of life, property damage, and environmental damage associated with natural and man-made hazards. The Planning Commission is asked to provide a recommendation to the City Council. The City Council will consider adoption of the proposed amendments at a future noticed public hearing.

Associate Planner Morrow provided the staff presentation detailing legal obligation to maintain the Safety Element, City's coordination with other State agencies, a summary of the draft Safety Element, and summary of the comments received as Red Dot correspondence. Morrow indicated the Geologic Survey requested a minor terminology edit to the Geology/Seismic Hazard section of the Safety Element.

Commissioner Disclosures:

All Commissioners stated they read the meeting materials and red dots and attended a briefing with staff. Chair Posner disclosed that he also had a call with Planners Lee and Morrow.

Planning staff answered questions from the Commission. Commissioners recommended minor edits to some of the the Safety Element Figures to improve the labeling of streets on the map figures.

Chair Posner opened the public hearing. There were two public speakers.

Janet Wilson (635 Hoska Drive) referred to her submitted Red Dot comments related to ladder fuels.

Laura DeMarco (544 Avenida Primavera) referred to her submitted Red Dot comments related concerns related to home hardening, a need for emergency helicopter access, locations with constricted road widths, and regarding delineation of roads on an emergency response map for the Oribia neighborhood.

Chair Posner closed the public hearing.

Planning staff and Assistant City Attorney Hicks answered questions from the Commission. Commissioner Rittenbaum proposed minor changes to various sections of the draft Safety Element related to plastics recycling, hazardous materials collection events, pedestrian safety at rail crossings, and SANDAG rail corridor improvements. Staff clarified that all input provided by the Commission and members of the public is being considered in coordination with the City's Fire Marshal prior to presentation of the Safety Element to City Council.

MOTION BY COMMISSIONER LEONARD, SECOND BY CHAIR POSNER, TO RECOMMEND TO THE CITY COUNCIL: 1) TO CONFIRM THE CEQA DETERMINATION, AND 2) ADOPT THE RESOLUTION TO RECOMMEND THE CITY COUNCIL ADOPT THE AMENDMENT TO THE DEL MAR COMMUNITY PLAN SAFETY ELEMENT (GENERAL PLAN AMENDMENT GPA24-003) AT A FUTURE NOTICED PUBLIC HEARING (VOTE 5-0)

VOTE:

Ayes: Chair Posner, Vice Chair Grewal, and Commissioners Rittenbaum, Leonard, and Spieker
Noes: 0; Recused: 0; Absent: 0; Abstain: 0.

ADJOURNMENT

The meeting adjourned at 7:43 PM.



City of Del Mar Staff Report

PLANNING COMMISSION
STAFF REPORT
February 10, 2026

APPLICATION: V25-002

REQUEST: A request for a Variance from: Del Mar Municipal Code (DMMC) Section 30.86.090(A)(1) to allow the retention of fencing and gates that exceed the allowed height in within the lot's required front and street-side yards (setbacks) and from DMMC Section 30.86.090(A)(4) to allow the retention of an entryway (arbor) structure in excess of the outer dimensions and openness allowed in the front yard setback.

APPLICANT/OWNER: Christian and Rosee Voigtlander

AGENT: Jim Sneed, Bokal and Sneed Architects

SITE LOCATION: 355 14th Street

ASSESSOR PARCEL NUMBER: 300-020-18-00

COMMUNITY PLAN: Low Density Residential

ZONE: R1-10 (Low Density Residential)

ENVIRONMENTAL STATUS: In accordance with requirements of the California Environmental Quality Act (CEQA), the Planning Commission's action to reject or disapprove a project is statutorily exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15270(a).

HOUSING IMPACT: The project does not include the demolition, alteration, or development of any housing units. Therefore, the approval of the requested discretionary development application would not have any adverse impact on the City of Del Mar's housing supply or housing affordability.

BACKGROUND:

The project site is located at 355 14th Street in the R1-10 Zone (see Exhibit A). The property is located at the southwest corner of 14th Street and Luneta Drive and abuts a 20-foot-wide alley to the south. The property, which fronts Luneta Drive, is approximately 17,186 square feet in size and measures approximately 110-feet (north/south along Luneta Drive) by 158-feet (east/west along 14th Street). The lot exceeds the 10,000 square feet minimum lot size and required dimensions of 75-feet wide by 100-feet deep of the R1-10 Zone. The property is developed with a nonconforming three-story, primary dwelling unit, and an attached two-story Accessory Dwelling Unit (ADU). Decks are located

on the main and upper levels of the residence. A pool and various yard improvements are located on the lower (walk-out basement) level. A spa is located on the main level north deck. The garage is located on the lower level and is accessed via the alley. Additional onsite parking is accessed via the alley on the southeast corner of the lot; the open parking in this front yard setback area is nonconforming since the DMMC 30.80 Parking Regulation only allows open parking to be tandem to a garage if there is no alley access.

The site's topography site steps down from Luneta Drive a couple of feet onto a relatively flat building pad where the residence is located on the eastern-half of the lot and then the lot steps down approximately 10-feet on the western-half of the lot where the pool and exterior fireplace are located.

Properties to the west are RM-Central (Medium Density Mixed Residential-Central) and properties to the east are R1-10 Zone. Surrounding uses are primarily single family-dwelling units one- and two-story in character with mostly open front yards, lower walls or vegetative screening. St. Peter's Episcopal Church is located approximately 100-feet to the northwest on 14th Street and the Central Commercial Zone is approximately 250-feet to the west.

Recent Development Approvals and Construction:

The Applicant completed a comprehensive remodel of the property in December 2024 which received approvals for Administrative Design Review (ADR) Permit ADR22-012 for the primary residence remodel, ADR23-003 for construction of a new pool and mechanical equipment, spa and exterior fireplace, and ADU23-008 for a new attached Accessory Dwelling Unit located on the north side of the residence. The primary residence, ADU, and yard structures comply with all yard setback and lot coverage requirements of the R1-10 Zone. However, the primary residence is nonconforming in that it exceeds the maximum allowed 25% Floor Area Ratio and exceeds the two-story limit and building height of 26-feet. The northeastern portion of the raised deck on which the spa is currently located is nonconforming in that these types of structures are not allowed within a street side yard setback. The Applicant's plans for the ADRs and ADU project did not include modifications to the existing nonconforming (previously removed) perimeter fencing, gates, and entry arbor which were nonconforming relative to the maximum dimensions permitted in DMMC 30.86.090.

On June 16, 2025, the City received several registered complaints that the Applicant had completely reconstructed fencing along Luneta Drive and 14th Street property boundaries that appeared to exceed the Municipal Code maximum height allowed in street yard setbacks. Pursuant to DMMC 30.76 (Nonconformities), a nonconforming structure once abated and removed may not be reconstructed in-kind except through approval of a Variance to allow a waiver from the current requirement(s).

PROJECT DESCRIPTION:

The Applicant filed an application for a Variance of the existing improvements and is requesting relief from DMMC Section 30.86.090 (A.1) to exceed the fence/wall height allowance within required front and street-side yard setbacks were a maximum height of 3.5 feet is allowed along Luneta Drive at the east (front yard) property line and 14th Street at the north (street-side yard)

property line, and 3.5 – 6 feet is allowed interior of the front property line. The Applicant’s request also seeks to exceed the maximum allowed entryway structure dimensions of DMMC Section 30.86.090 (A.1.). Plans depicting the Applicant’s reconstructed fencing/gates and entryway structure, requested to be retained, are included as Exhibit B. Site photos of the constructed fences are shown in Exhibit C.

The specific dimensions of the Applicant’s Variance request are summarized below:

- Fencing along Luneta Drive: 5.5-feet to 7-feet-high for a total linear span of 105 feet
- Fencing along 14th Street: 6.7-feet to 8-feet-high for a total linear span of 123 feet
- Fencing north of the parking area at the Southeast corner of the lot is 5.5 to 7.5 tall for a total linear span of 20 feet
- Entryway structure along Luneta Drive: 5’-10” wide, 11’-8” deep, 7’ high

Walls and fencing along the western property line (rear yard) and the alley are nonconforming and some places over-height, but they were not reconstructed by the Applicant and are not part of the Variance request. Those walls and fencing may remain nonconforming until such time that they are removed or need to be reconstructed beyond regular, non-structural maintenance and repair.

The table below summarizes the permitted fence/wall height limits in a residential zone pursuant to DMMC 30.86.090(A.1). The Applicant’s request is included for comparison.

Fence/Wall Height when a Required Yard (Setback) is abutting a Street	Fence/Wall Max. Height	Fence/Wall Height Variance Request
Located at the property line (PL)	3.5’ max.	*Front: 5.5’ to 7’ **Street Side: 6.7’ to 8’
Setback 2-feet from the PL	4.0’ max.	***Parking Area: 5.5’-6.3’
Setback 4-feet from the PL	4.5’ max.	***Parking Area: 7’-7.5’
Setback 6-feet from the PL	5.0’ max’	***Parking Area: 7’-7.5’
Setback 8-feet from the PL	5.5’ max’	***Parking Area: 7’-7.5’
Setback 10-feet from the PL	6.0’ max.	***Parking Area: 7’-7.5’

*Front Yard Setback is located along Luneta Drive

** Street Side Yard Setback is located along 14th Street

*** Parking Area is located at the southeast corner of the property

The table below summarizes the permitted entryway structure permitted in a front yard setback of a residential zone pursuant to DMMC 30.86.090 - Fences/Retaining Walls. (A.4). The Applicant’s request is included for comparison.

Entryway Structure	DMMC 23.86.090 Max.	Variance Request
Maximum Width (measured parallel to the street)	8-feet wide	11-feet, 8-inches
Maximum Depth (measured perpendicular to the street)	5-feet deep	5-feet, 10-inches
Maximum Height	10-feet high	7-feet*

* Complies with the DMMC; no Variance required.

Design Review Considerations

If the Variance is granted, the Applicant will be required to obtain the appropriate Design Review approvals for the proposed improvements. Pursuant to DMMC 23.08 the Design Review Ordinance, fence and walls exceeding 6-feet-high would not qualify for Administrative Design Review and would instead be reviewed by the Design Review Board at a noticed public hearing. As proposed, the project would be reviewed by the Design Review Board (DRB) for compliance with the City's Design Review Ordinance (DMMC 23.08).

ANALYSIS:

Del Mar Municipal Code Section 30.78.030 (A - D) stipulates that a Variance application must comply with the following four standards (findings). The required standards/findings are cited below and are followed by staff's proposed findings for the Variance. The Applicant's legal counsel has submitted suggested findings for the Commission's consideration and is included in Exhibit D. Based on the analysis provided in the proposed findings below, staff is not recommending Planning Commission approval of the Variance.

A. A Variance from the terms of the Zoning Ordinance shall be granted only when, because of the special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the Zoning Ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

Proposed Finding:

The Variance should not be granted because the lot is not constrained by special circumstances in terms of its size, shape, topography, location or surroundings. The property is located in the R1-10 Zone and is a rectangular corner lot located at the southwest corner of Luneta Drive and 14th Street. The property is approximately 17,186 square-feet in size and is approximately 110-feet wide by 158-foot deep, which exceeds the R1-10 Zone minimum lot size of 10,000 square feet, minimum lot width of 75-feet, and minimum lot depth of 100-feet. The property also abuts an alley, which pursuant to DMMC Section 30.86.200(D), allows half the width of the alley to measure the required side yard setback, which in this case results in a "zero- setback" along the alley.

The topography of 14th Street slopes naturally to the west, as do all properties along 14th Street. The topography of the lot steps down from Luneta drive and the building pad on the eastern-half and western-half are relatively flat, but the two halves are separated by approximately 10-feet of elevation difference. The property is developed with a recently remodeled nonconforming 3-story primary residence and an attached two-story Accessory Dwelling Unit (ADU) with recent yard improvements consisting of a pool, spa, fireplace and pool equipment. The existing improvements comply with all required yard setback requirements of the R1-10 Zone which requires a minimum setback of 20-foot front yard (Luneta Drive side), 10-foot street side yard (14th Street side), 25-foot rear yard (east side), and 0-lot line setback for the interior side yard abutting the 20-foot-wide alley.

The Applicant has recently planted a row of hedges on the inside of the property abutting the wall facing 14th Street and Luneta Drive, which in time will grow denser and higher, and can provide

privacy to the residence/ADU, pool and yards facing 14th Street and Luneta Drive, see Exhibit E. Additionally, the size of the lot provides opportunities to provide pool safety fencing outside of the required yards (setbacks), such as the five-foot-tall safety barrier (fence) shown in Exhibit F that was installed around the pool after its construction demonstrating compliance with California Building Code pool safety requirements.

Therefore, the Variance should not be granted to exceed the maximum fence heights permitted in DMMC 30.86.090(A), because the property does not have unusual or special circumstances related to lot size, shape, topography, location or surroundings. The property would not be deprived of privileges enjoyed by other properties in the vicinity under the R1-10, most of which have open yards incorporating landscaping, lower walls, or higher walls set further back from streets, and entryway structures that comply with the DMMC size limitations.

B. Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

Proposed Finding:

The Variance to allow fences/gates up to 8-feet-high and an entryway structure larger than current DMMC allows would grant special privileges due to the property's shape, topography, and location being similar to other properties in the R1-10 zone. Other properties in the vicinity in the R1-10 zone have open yards incorporating landscaping, lower walls, or higher walls set further back from streets, and entryway structures that comply with the DMMC size limitations.

C. A variance will not be granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by the zoning regulation governing the parcel of property. The provisions of this section shall not apply to conditional use permits.

Proposed Finding:

The proposed wall/fences/gates and entryway structure is a permitted associated use for an existing primary residence which is an allowed use in the R1-10 Zone.

D. No variance shall be granted if the inability to enjoy the privilege enjoyed by other property in the vicinity and under identical zoning classification:

1. Could be avoided by an alternate development plan;

Proposed Finding:

The project request could be avoided by an alternate development plan in that, pursuant to DMMC 30.86.090(A)(1), the Applicant would be able to locate an alternate 5-foot-high wall/fence that is setback 6-feet from the property lines fronting Luneta Drive and 14th Street to comply with the 5-foot-high pool enclosure Building Code requirements. As depicted in Exhibit F, another alternative is to install the required pool safety fencing around the pool itself, not the perimeter of the property.

The applicant can reduce the entryway arbor structure to comply with DMMC 30.86.090(A)(4) which allows one entryway structure within a street frontage setback if it does not exceed 10-feet high, 5-foot deep and 8-feet wide and meet the 50% openness on all vertical planes and overhead covering. The Applicant has also recently planted a row of privacy hedge on the inside of the property abutting the wall facing 14th Street and Luneta Drive, which in time will grow denser and higher and provide privacy to the residence/ADU, pool and yards facing 14th Street and Luneta Drive.

2. Is self-induced as a result of an action taken by the property owner or the owner's predecessor;

Proposed Finding:

In this case, the need for a Variance is self-induced, as the Applicant demolished and reconstructed significantly nonconforming perimeter site fencing when the provisions of DMMC Section 30.86.090 allow for the ability to construct privacy and pool security fencing with a modified design and locations. Like other properties in the vicinity subject to identical zoning, the Applicant could have placed walls/fencing further inside of the lot's property western, northern, and eastern property lines to achieve greater height for privacy and security.

3. Would allow such a degree of variation as to constitute a rezoning or other amendment to the zoning code; or

Proposed Finding:

The installed fencing along the north and east boundaries of the property was constructed to heights that far exceed the maximum standards of the DMMC and what would be allowed in any required yard (setback) within the City.

4. Would authorize or legalize the maintenance of any private or public nuisance.

Proposed Finding:

The request would not result in the authorization or legalization of a private or public nuisance since walls and fences are allowed uses in the R1-10 zone.

CORRESPONDENCE:

As of the writing of this report, the Planning Department has not received letters of concern or objection regarding the requested Variance.

RECOMMENDATION:

It is staff's recommendation, supported by analysis provided herein, that the Planning Commission adopt the draft Resolution of denial included with this report as Exhibit G, as required findings for approval of the Variance request cannot be made for the requested fences/gates and entryway structure to exceed the maximum heights allowed within required yard setbacks pursuant the DMMC.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Jean Crutchfield". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Jean Crutchfield
Associate Planner

EXHIBITS:

- Exhibit A - Location Map
- Exhibit B - Project Plans
- Exhibit C - Applicant's Site Photos
- Exhibit D - Applicant's Suggested Variance Findings
- Exhibit E - Staff Photos of Hedge
- Exhibit F - Photos of Pool Safety Fencing
- Exhibit G - Draft Resolution

EXHIBIT A



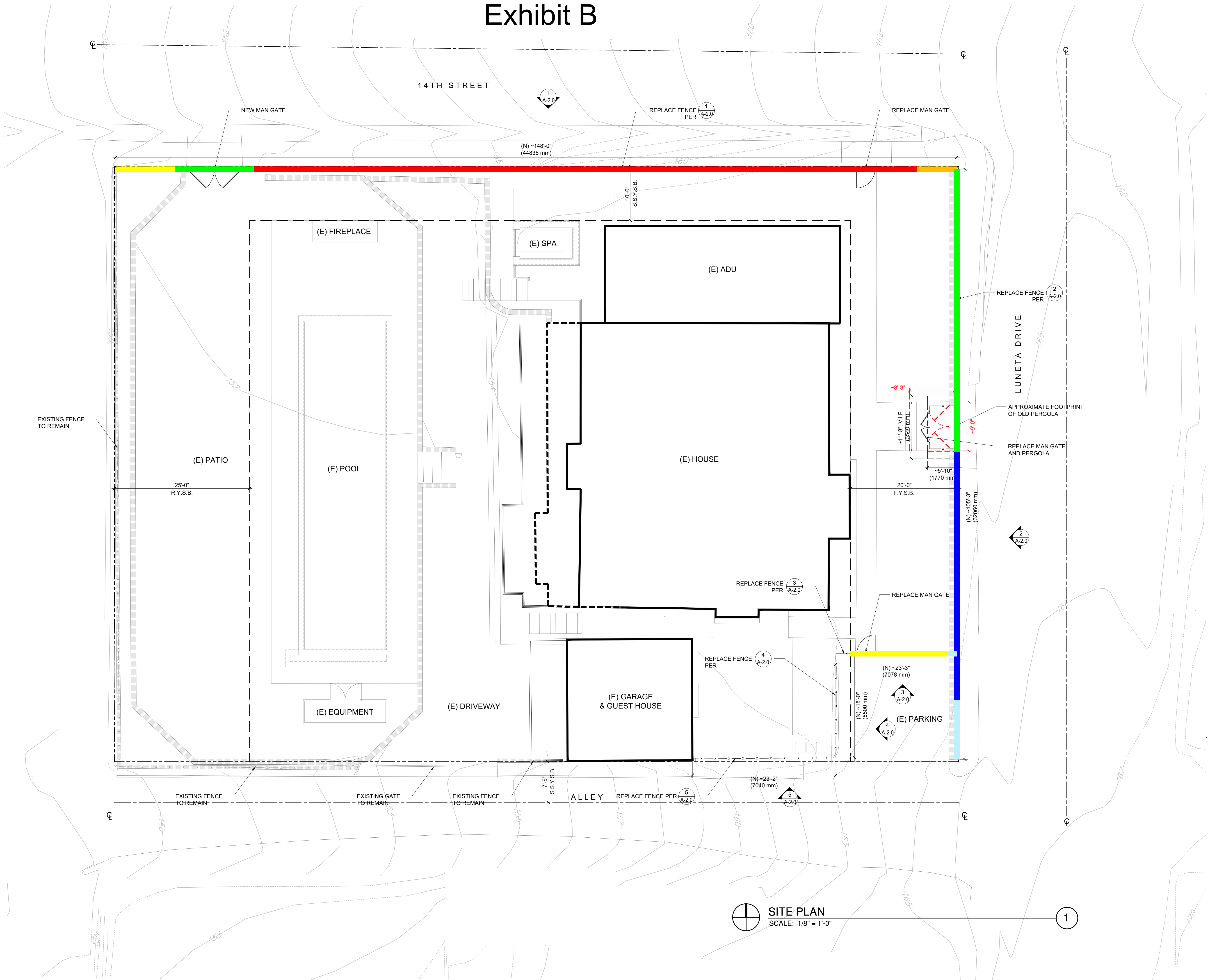
1" = 109 ft

355 14th Street

02/05/2026



Exhibit B



HEIGHT KEY	
█	5'-6" TO 6'-4" TALL
█	6'-0" TO 6'-4" TALL
█	6'-0" TO 7'-0" TALL
█	7'-0" TO 7'-6" TALL
█	6'-7" TO 8'-0" TALL
█	7'-0" TO 8'-0" TALL

VOIGTLANDER GUEST HOUSE

355 14TH STREET
DEL MAR, CA 92014

BOKAL & SNEED ARCHITECTS

244 Ninth Street
Del Mar, California 92014
(858) 481-8244
Fax (858) 481-8364

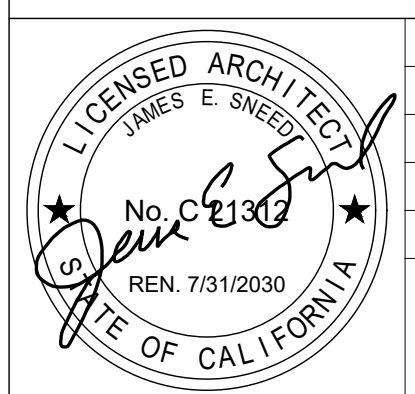
All ideas, designs, and arrangements indicated on these drawings are the property of Bokal & Sneed Architects and are intended to be used in connection with this specific project only and shall not otherwise be used for any purpose whatsoever without the written consent of Bokal & Sneed Architects. There shall be no changes or deviations from these drawings or the accompanying specifications without the written consent of Bokal & Sneed Architects.

VARIANCE APPLICATION

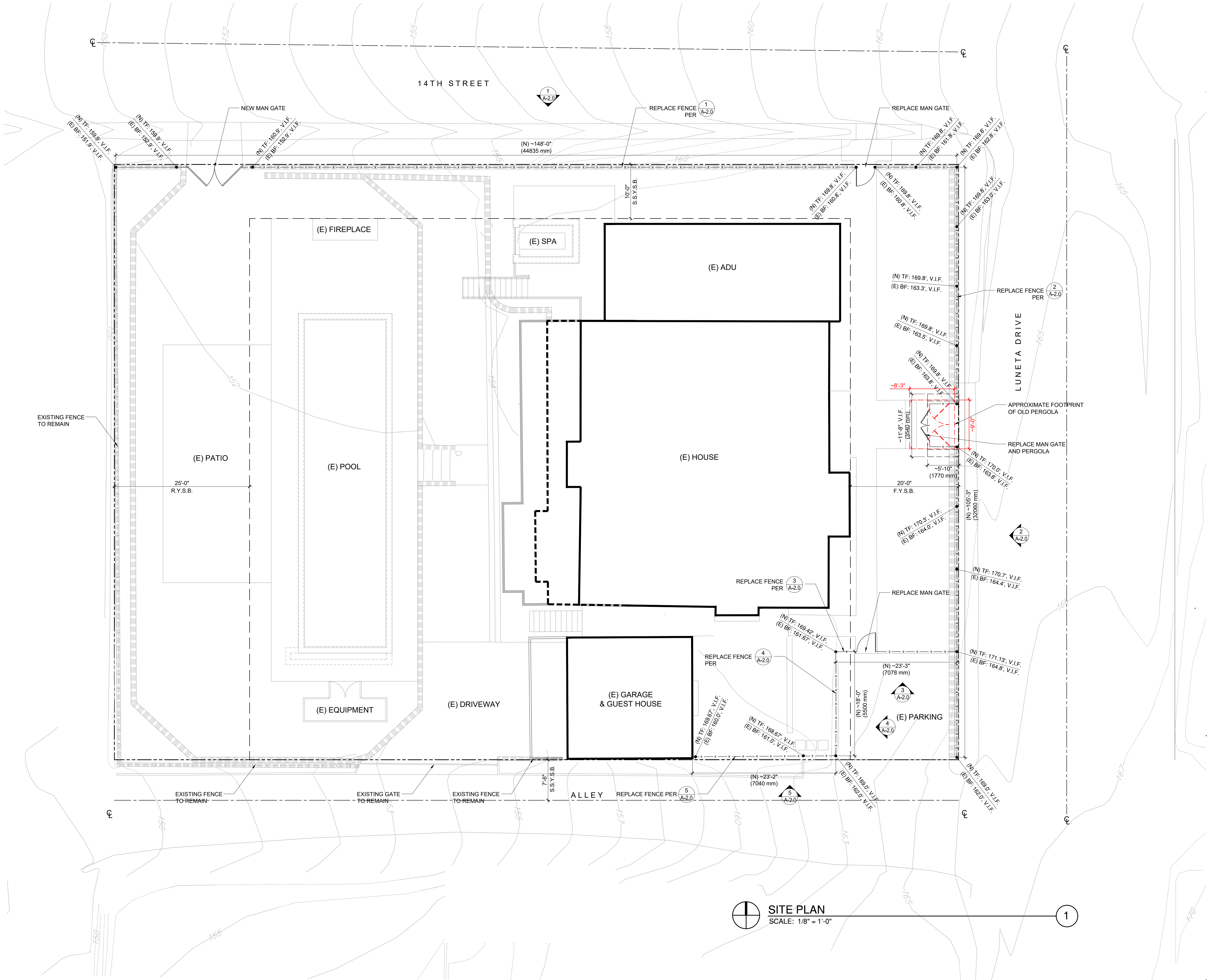
HEIGHT EXHIBIT

SITE PLAN
SCALE: 1/8" = 1'-0"

1



Scale	
Date	08-20-25
Drawn	CFS
Checked	JES
Job No.	1913
A-1.2	



PROJECT INFORMATION	
APPLICANT:	ROSEE & CHRISTIAN VOIGTLANDER
SITE ADDRESS:	355 14TH STREET DEL MAR, CA 92014
APN:	300-020-16-00
LOT SIZE:	17,186 S.F. / 0.394 ACRES
ZONING:	R1-10
SETBACKS:	20' (FRONT) 10' (STREET SIDE) 7.5' (ALLEY) 20' (REAR)
EXISTING LAND USE:	SINGLE-FAMILY RESIDENTIAL
PROPOSED LAND USE:	SINGLE-FAMILY RESIDENTIAL
CONSTRUCTION TYPE:	TYPE-V (NOT SPRINKLERED)

PROJECT SCOPE	
NEW PROPERTY LINE FENCE PER PLAN	
<ul style="list-style-type: none"> NO NEW LOT COVERAGE NO NEW SQUARE FOOTAGE NO NEW IMPERVIOUS AREA 	

SHEET INDEX	
A-1.0	SITE PLAN
A-2.0	ELEVATIONS

**VOIGTLANDER
GUEST HOUSE**

355 14TH STREET
DEL MAR, CA 92014

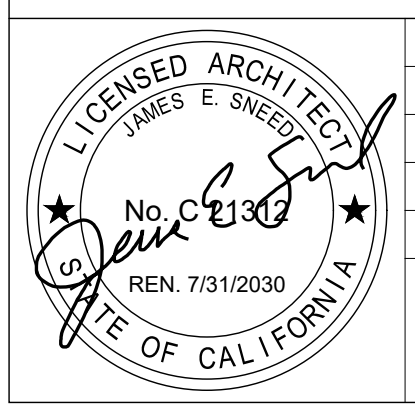
**BOKAL
& SNEED
ARCHITECTS**

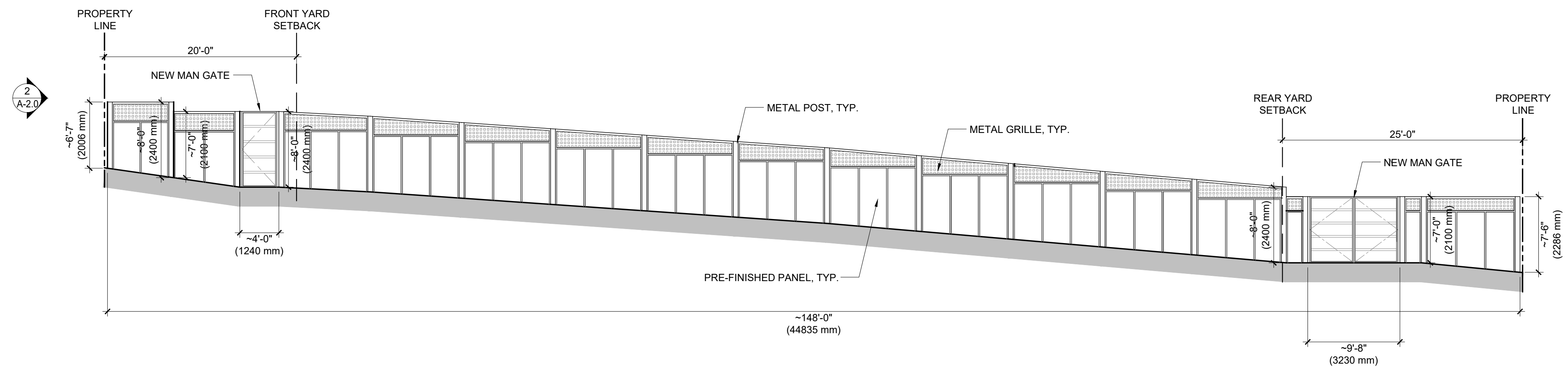
244 Ninth Street
Del Mar, California 92014
(858) 481-8244
Fax (858) 481-8364

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VARIANCE APPLICATION

SITE PLAN	
Scale	1/8" = 1'-0"
Date	08-20-25
Drawn	CFS
Checked	JES
Job No.	1913
A-1.0	

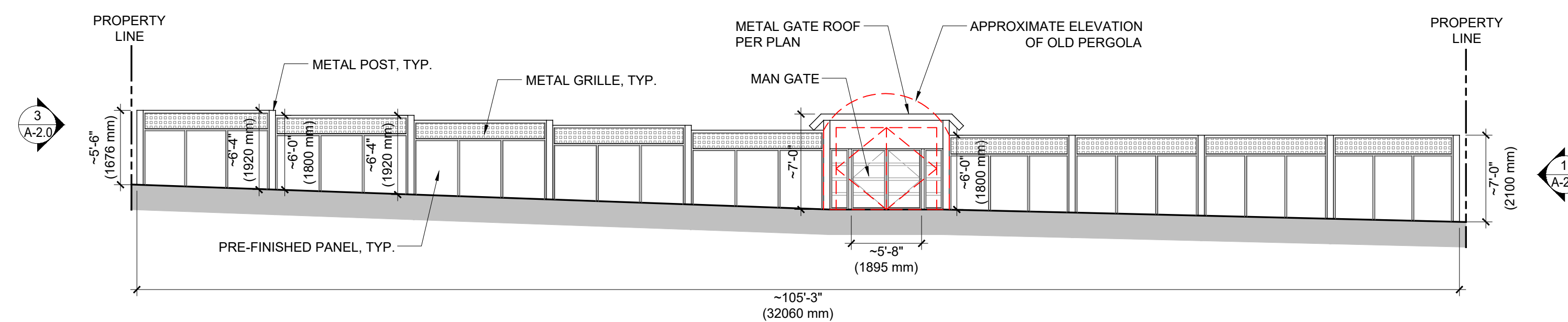




REPLACEMENT FENCE (AT 14TH STREET)

SCALE: 1/8" = 1'-0"

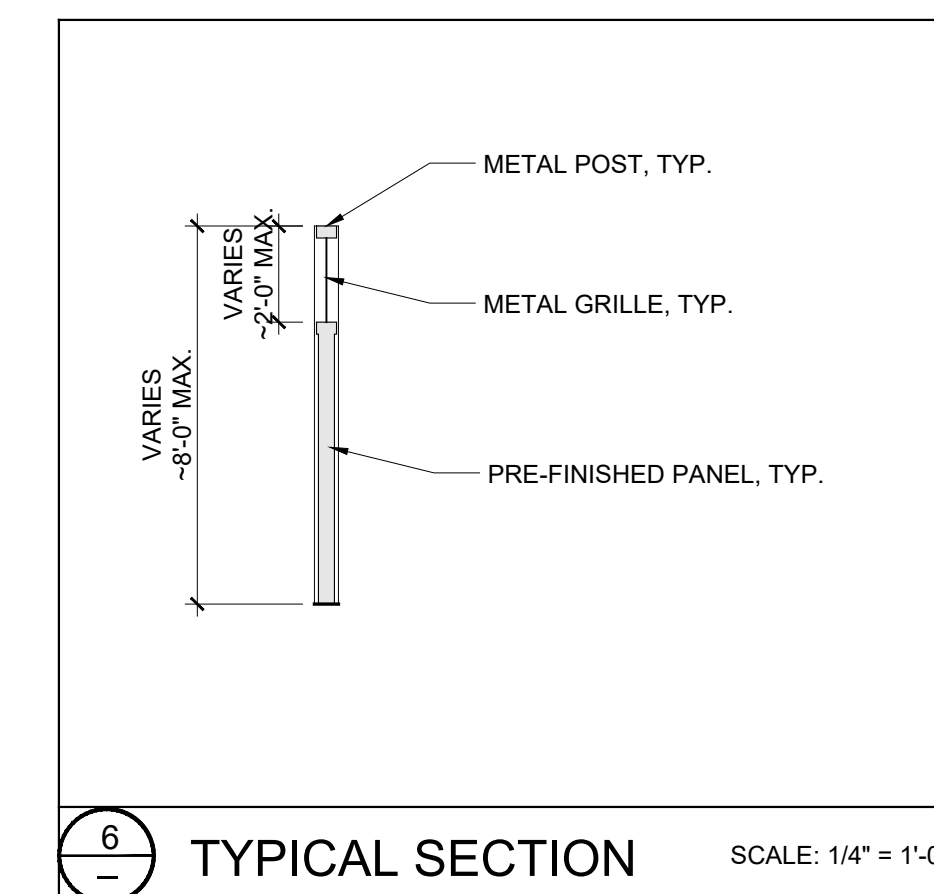
1



REPLACEMENT FENCE (AT LUNETTA DRIVE)

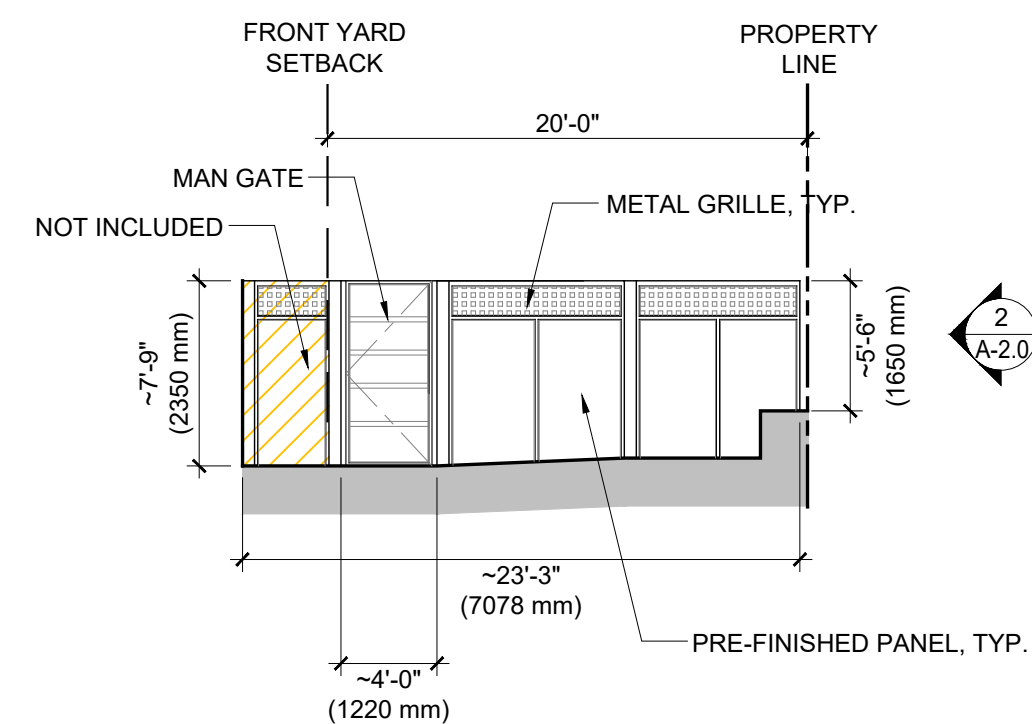
SCALE: 1/8" = 1'-0"

2



TYPICAL SECTION

SCALE: 1/4" = 1'-0"



REPLACEMENT FENCE (AT PARKING)

SCALE: 1/8" = 1'-0"

3

VOIGTLANDER GUEST HOUSE

355 14TH STREET
DEL MAR, CA 92014

BOKAL & SNEED ARCHITECTS

244 Ninth Street
Del Mar, California 92014
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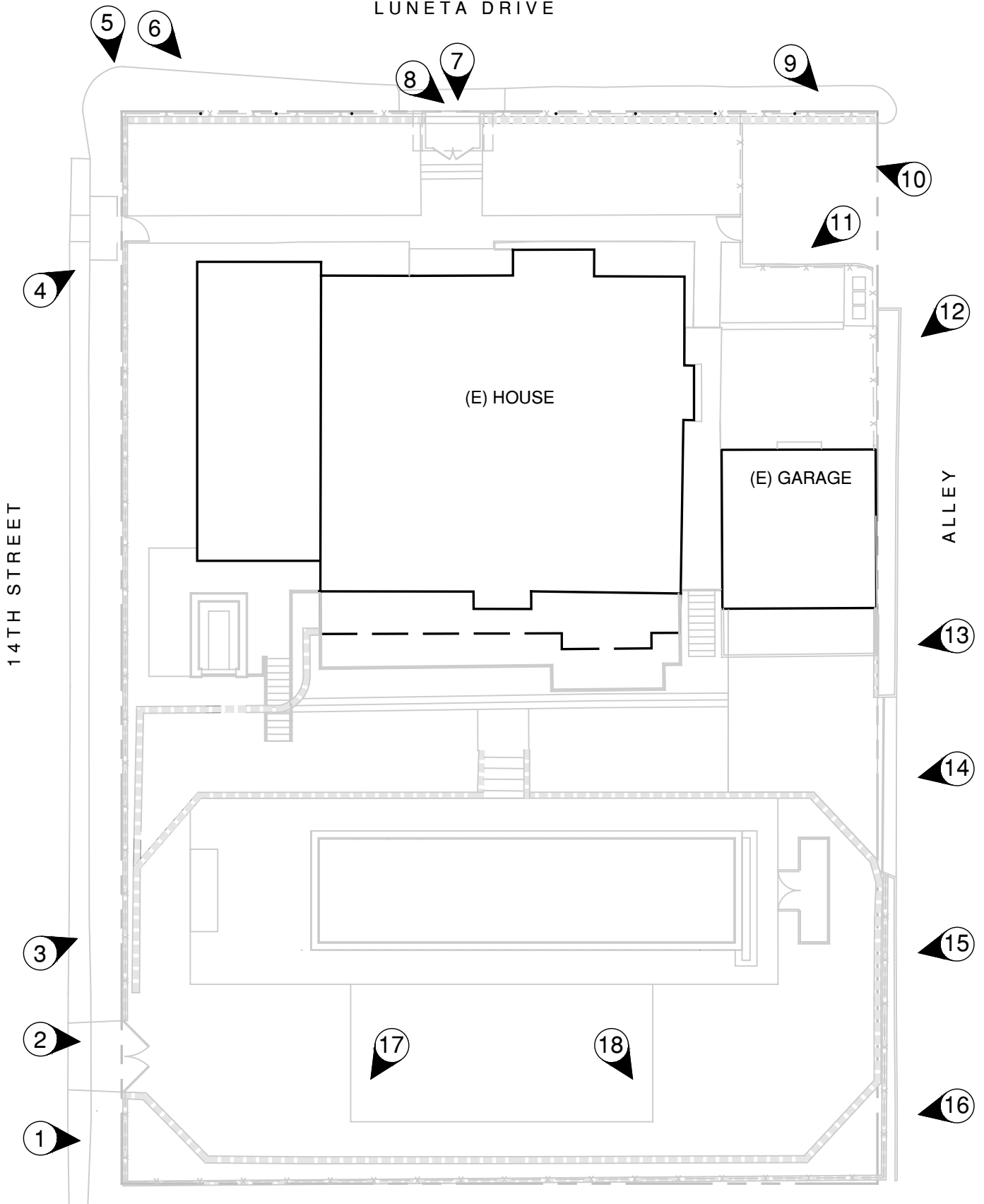
VARIANCE APPLICATION

ELEVATIONS

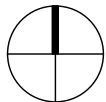
	Scale	
	Date	08-20-25
	Drawn	CFS
	Checked	JES
	Job No.	1913
		A-2.0

Exhibit C

LUNETTA DRIVE



BOKAL
& SNEED
ARCHITECTS



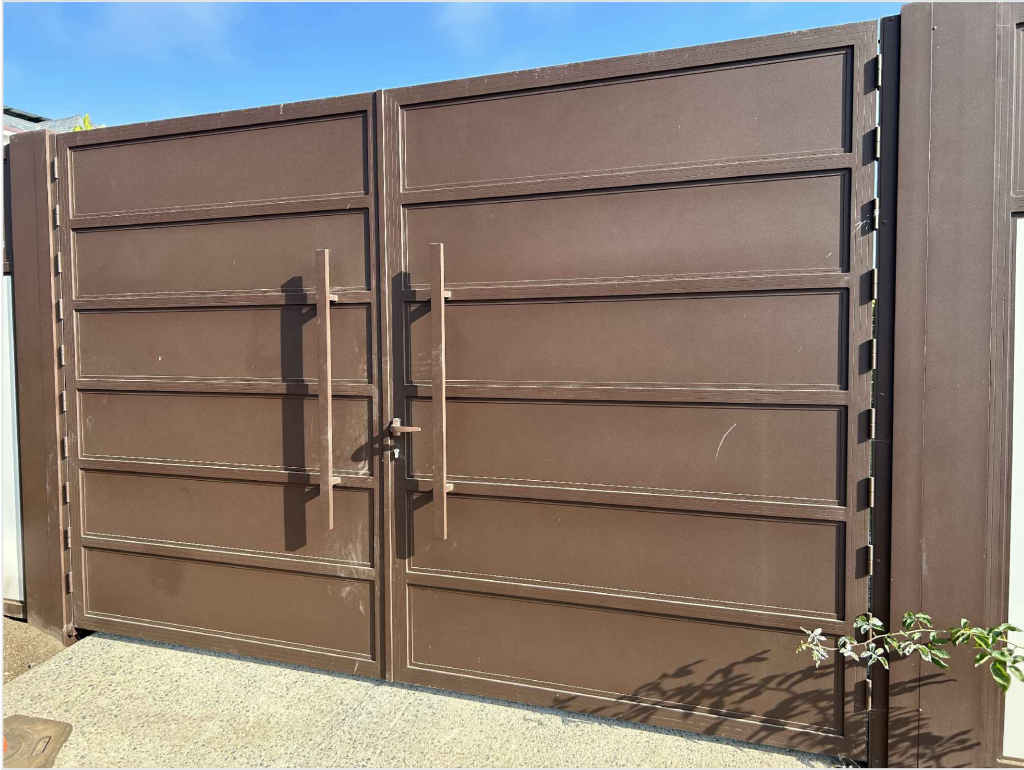
SITE PHOTO SURVEY KEY

Scale: N.T.S.

VOIGTLANDER RESIDENCE
355 14th Street
Exhibit 1 of 10



① TYPICAL FENCE (NW CORNER)



② REPLACE MAN GATE

BOKAL
& SNEED
ARCHITECTS

SITE PHOTO SURVEY

Scale: N.T.S.

VOIGTLANDER RESIDENCE
355 14th Street
Exhibit 2 of 10



③ TYPICAL FENCE @ 14TH STREET



④ MAN GATE @ 14TH STREET (NE CORNER)

BOKAL
& SNEED
ARCHITECTS

SITE PHOTO SURVEY

Scale: N.T.S.

VOIGTLANDER RESIDENCE
355 14th Street
Exhibit 3 of 10



⑤ TYPICAL FENCE @ NE CORNER



⑥ TYPICAL FENCE (LUNETA DRIVE)

BOKAL
& SNEED
ARCHITECTS

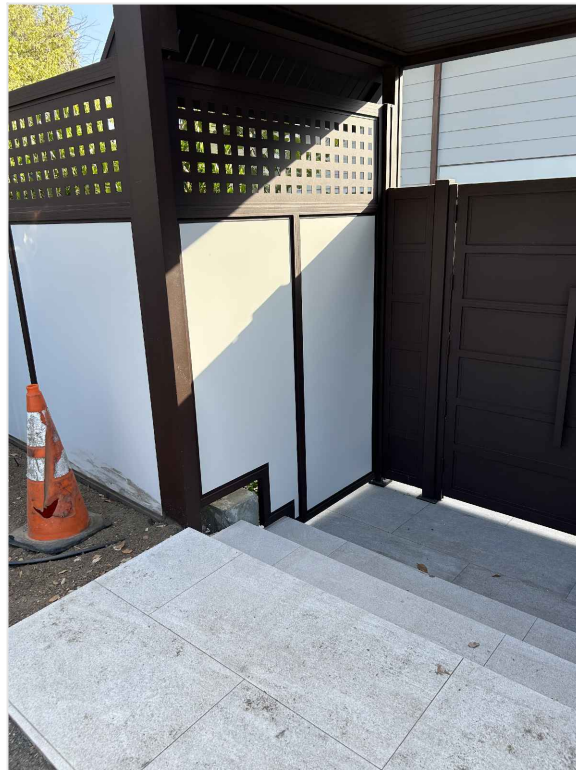
SITE PHOTO SURVEY

Scale: N.T.S.

VOIGTLANDER RESIDENCE
355 14th Street
Exhibit 4 of 10



⑦ MAN GATE @ LUNETTA DRIVE



⑧ MAN GATE RECESS

BOKAL
& SNEED
ARCHITECTS

SITE PHOTO SURVEY

Scale: N.T.S.

VOIGTLANDER RESIDENCE
355 14th Street
Exhibit 5 of 10



⑨ TYPICAL FENCE @ LUNETTA DRIVE



⑩ FENCE @ PARKING STALLS

BOKAL
& SNEED
ARCHITECTS

SITE PHOTO SURVEY

Scale: N.T.S.

VOIGTLANDER RESIDENCE
355 14th Street
Exhibit 6 of 10



⑪ FENCE AT PARKING STALLS



⑫ FENCE @ ALLEY

BOKAL
& SNEED
ARCHITECTS

SITE PHOTO SURVEY

Scale: N.T.S.

VOIGTLANDER RESIDENCE
355 14th Street
Exhibit 7 of 10



⑬ EXISTING FENCE @ ALLEY



⑭ EXISTING CAR GATE

BOKAL
& SNEED
ARCHITECTS

SITE PHOTO SURVEY

Scale: N.T.S.

VOIGTLANDER RESIDENCE
355 14th Street
Exhibit 8 of 10



⑮ EXISTING FENCE @ ALLEY



⑯ EXISTING FENCE @ ALLEY

BOKAL
& SNEED
ARCHITECTS

SITE PHOTO SURVEY

Scale: N.T.S.

VOIGTLANDER RESIDENCE
355 14th Street
Exhibit 9 of 10



⑰ EXISTING FENCE @ NEIGHBOR



⑱ EXISTING FENCE @ NEIGHBOR

BOKAL
& SNEED
ARCHITECTS

SITE PHOTO SURVEY

Scale: N.T.S.

VOIGTLANDER RESIDENCE
355 14th Street
Exhibit 10 of 10

Exhibit D



AANNESTAD ANDELIN & CORN LLP

160 CHESTERFIELD DRIVE • SUITE 102
CARDIFF-BY-THE-SEA • CALIFORNIA 92007
www.aac.law • (760) 944-9006

Coastal Property Rights, Land Use & Litigation

January 20, 2026

VIA EMAIL

Jean Crutchfield, Associate Planner
City of Del Mar Planning Department
1050 Camino del Mar
Del Mar, California 92014
jcrutchfield@delmar.ca.us

Re: Voigtlander variance application (V25-002)

Dear Ms. Crutchfield:

Thank you for your assistance with processing the Voigtlanders' variance application. To assist you in drafting your staff report, I am providing proposed findings for each of the elements.

- A. A variance from the terms of the Zoning Ordinance shall be granted only when, because of the special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the Zoning Ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.**

There are several special circumstances affecting this lot:

First, the lot is surrounded by streets on three sides (14th Street, Luneta Drive, and an unnamed alley), which allow only 3.5-ft fences along the property line. With 3.5-ft fences on three sides, the entire lot would be exposed and lack the privacy expected for a private residence and backyard. Regular lots have just one side with street frontage, allowing 6-ft privacy fences on the other three sides. Even most corner lots can at least have privacy fences on two sides. This lot therefore lacks the privacy of a normal residential lot.

Second, the lot is on an extremely busy corner compared to most residential neighborhoods in the city. There is constant traffic, and many employees and patrons of Del Mar Plaza park on these streets because parking is prohibited on the adjacent streets. The need for privacy is therefore greater than for other lots in the same zone.

Third, the lot is on a slope, and the existing principal and accessory structures, including the decks and hot tub, were designed and sited assuming the continued existence of the legal nonconforming

fence of 6.5–9 feet. Eventually, however, the old and dying vegetation became so intertwined with the fence that it could not be removed without causing further damage to the fence. Unfortunately, a car crashed through the fence near the front gate, forcing the Voigtlanders to do something about the fence. But replacing the nonconforming fence with a conforming fence would destroy the privacy that the site was designed to have. Anyone walking along Luneta Drive or down 14th Street or the alley would be able to look down directly into all the side yards and backyard.

Fourth, the yard facing Luneta Drive is below street grade and is protected by a small retaining wall parallel to the street. A conforming fence atop the retaining wall would be as short as 1–2 feet on the street side.

Fifth, the existing pool and hot tub require least a 5-ft fence and locking gate under the municipal code and state law. A 5-ft fence is prohibited without a variance.

Sixth, because of the existing development on the lot, there is not sufficient space to relocate the fence farther from the property line to gain the additional height allowed under subsection (1) of the fence ordinance.

B. Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

No special conditions are needed, but the Voigtlanders are willing to agree to a condition requiring at least the top 12-15 inches to be open to air and light to reduce the visual impact of the height.

C. A variance will not be granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by the zoning regulation governing the parcel of property. The provisions of this Section shall not apply to conditional use permits.

This property is zoned residential, and the existing use is residential. No unauthorized use is proposed.

D. No variance shall be granted if the inability to enjoy the privilege enjoyed by other property in the vicinity and under identical zoning classification:

1. Could be avoided by an alternate development plan;

The only possible alternative would be a shorter fence, which would destroy the privacy benefits of the existing design.

2. Is self-induced as a result of an action taken by the property owner or the owner's predecessor;

The Voigtlanders and their predecessor have no control over the situation of their lot with public rights-of-way on three sides, the volume of public parking on the streets, the slope of the lot, the existing development pattern on the lot, or the state law requiring at least a 5-foot fence protecting the pool.

3. Would allow such a degree of variation as to constitute a rezoning or other amendment to the zoning code; or

While the height of the fences would be as much as 3 to 4 feet above the maximum, the fence would be the same height as the fence it replaces, which existed for decades without complaint or issue. The height would also be similar to the height of fences on interior lot lines, thereby providing a comparable degree of privacy to the Voigtlanders. The applicant will providing under separate cover information on existing fence heights for other properties in the neighborhood.

4. Would authorize or legalize the maintenance of any private or public nuisance.

As noted, a fence of identical dimensions was in place for decades (according to our research, at least as far back as 1976 and probably further) without any complaint or issue.

Thank you for processing our application. Please do not hesitate to reach out if there is any further information that would be helpful to your analysis.

Very truly yours,

AANNESTAD ANDELIN & CORN LLP

Lee M. Andelin

cc: Jim Sneed
Christian Voigtlander
Rosee Voigtlander

History of the Fence at 355 14th Street

1. Overall conclusion:

Based on available records and photos, the property had a tall fence along the entire street frontage (Luneta and 14th Street) dating back to at least 1976 and possibly going back to the 1950s.

References to the height of the fence vary from 9 feet, 8 feet and 6.5+ feet, depending on the date/source.

The Voigtlanders replaced the existing fence like-for-like in April/May 2025.

2. Timeline and supporting evidence:

I. Voigtlander ownership (6/19/2019 to today)

- Like-for-like replacement in April/May 2025 to address major structural damage because of a car crashing into the fence on April 10, 2025; and based on the assumptions that the City had approved a “repair/replace in kind” approach as part of the overall remodeling project for the property
- Height of the replacement fence is at or below the height of the fence when the property was purchased in 2019 (see contractor documentation and before/after photos)
- Took great pains to replicate the exact measurement of each existing panel

II. Uke ownership (10/28/1994 to 6/19/2019) – “seismic reinforcement only”

- Listing sheet of the property in 2018 references “privileged privacy provided by the eight-foot wall around the property”
- Based on discussions with Alan Uke in June 2025, he only “seismically reinforced” the existing fence, by adding railroad posts on Luneta and 14th St to support the weight of the increasingly overgrown vegetation and offset the instability of the aging fence
- No building records pertaining to any work on the fence

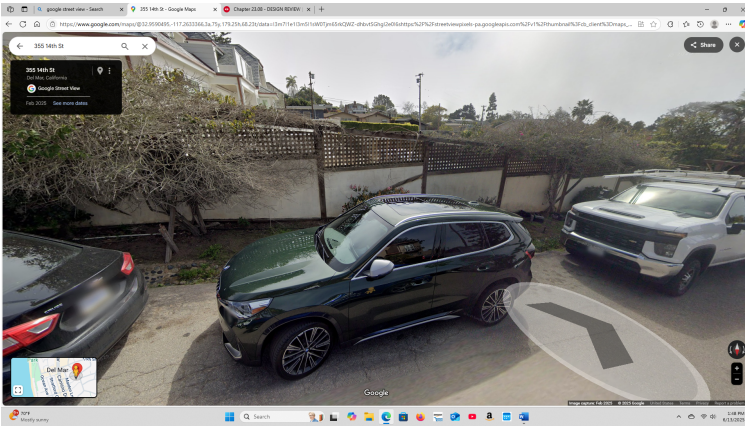
III. Watkins ownership (1/2/1981 to 10/28/1994) – “fence refurbishment”

- Page 1 of V-84-9 under “Findings for Approval” states that “The property currently enjoys rights to a nonconforming 6.5+ foot trellis/fence placed at or near the lot line along the property’s approximate 265-foot street frontage”
- Landscaping plans related to DRB V-82-10 show the existing North/East and South fence with a label “Existing Fence to be Refurbished”

IV. Pre-Watkins ownership (going back to 1950s)

- San Diego Building Record for 300-020-18-00 on page 2 under “Miscellaneous Structures” references a “Lattice fence” (9 hi by 400’ ?), appraised at \$500

- Based on page 1 of the same document and the review of the handwriting of different appraisers in the “Computation” table, the fence appraisal was NOT performed in 1983 by DODGE which is consistent with the DRB documents for the Watkins remodeling project (see above) that did not contain any changes to the existing fence
- Therefore, the fence appraisal took place in 1976 (prior appraisal entry) or earlier. Most likely, it was first recorded by Becker in 1958 in the row “Yard Imps” valued at \$500
- The oldest available satellite photo from 1953 (purchased on historicalaerials.com, original source USDA) very clearly shows a fence along the entire 14th street frontage, and a partial fence along Luneta Drive





14th street frontage





Luneta drive



Height in relation to the stop sign and cars at Luneta and 14th



Height in relation to stop sign



Honda sedan is approximately 55 inches tall



Exhibit E



Exhibit F

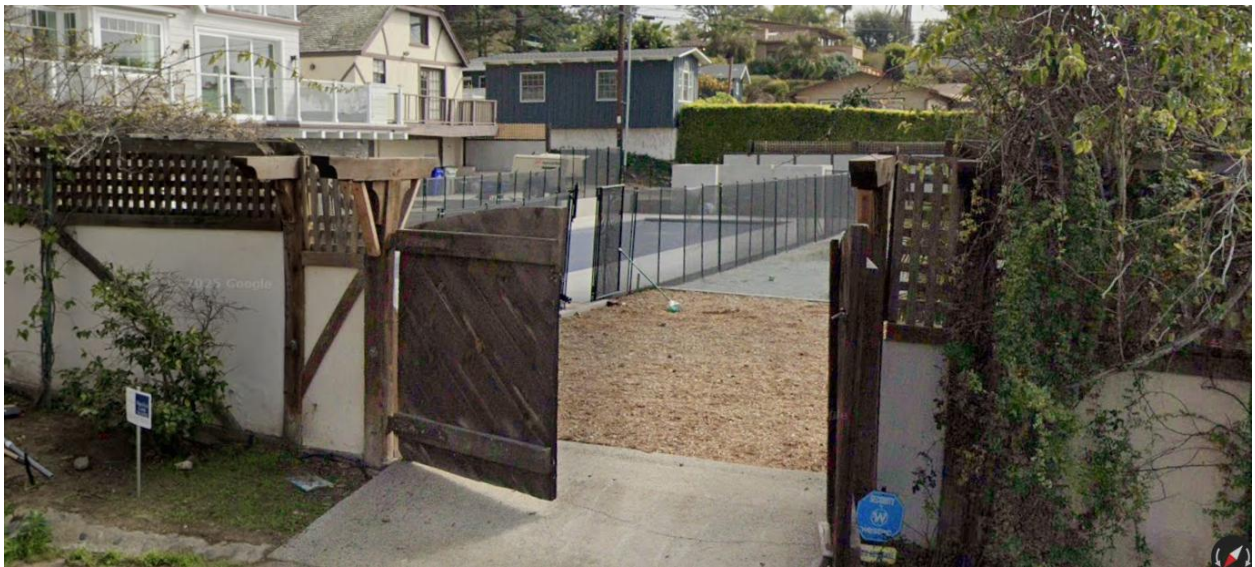


Exhibit G

RESOLUTION NO. PC-2025-xx

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DEL MAR, CALIFORNIA DENYING VARIANCE **V25-002** FROM DEL MAR MUNICIPAL CODE SECTION 30.86.090(A)(1), A REQUEST TO ALLOW THE RETENTION OF FENCING AND GATES UP TO 7-FEET IN HEIGHT AT THE FRONT AND UP TO 8-FEET IN HEIGHT IN THE STREET SIDE PROPERTY LINES WHERE A MAXIMUM HEIGHT OF 3.5-FEET IS ALLOWED, AND FROM DMMC SECTION 30.86.090(A)(2) AND DMMC SECTION 30.86.090(A)(4) TO ALLOW THE RETENTION OF AN ENTRYWAY (ARBOR) STRUCTURE IN EXCESS OF THE DIMENSIONS ALLOWED IN THE FRONT YARD SETBACK OF A PROPERTY IN THE R1-10 ZONE, LOCATED AT 355 14TH STREET, DEL MAR, CALIFORNIA.

APN: 300-020-18-00

WHEREAS, Christian and Rosee Voigtlander, (APPLICANT) are the owners of property located at 355 14th Street, Assessor's Parcel Number 300-020-18-00 (PROPERTY), Del Mar, California; and

WHEREAS, on June 16, 2025, the City received registered complaints which claimed that the Applicant had completely reconstructed (nonconforming) walls and fences along Luneta Drive and 14th Street property boundaries that appeared to exceed the Del Mar Municipal Code (DMMC) maximum height allowed in street yard setbacks; and

WHEREAS, the pursuant to DMMC 30.76-Nonconformities, a nonconforming structure inconsistent with the DMMC development standard(s) once removed and abated, may not be reconstructed in-kind, except through approval of a Variance pursuant to DMMC 30.78 - Variance; and

WHEREAS, on July 19, 2025, the Applicant applied for a Variance (V25-002) from Del Mar Municipal Code (DMMC) Section 30.86.090(A)(1) to allow the retention of fencing and gates up to 7-feet in height at the front and up to 8-feet in height in the street side property lines where a maximum height of 3.5-feet is allowed; DMMC Section 30.86.090(A)(2) to allow the retention of fencing and gates up to 7.5-feet in height in the rear yard setback where a maximum of 6-feet is allowed; and DMMC Section 30.86.090(A)(4) to allow the retention of an entryway (arbor) structure in excess of the dimensions allowed in the front yard setback of a property located at 355 14th Street, Del Mar, California (APN: 300-020-18-00); and

WHEREAS, in accordance with requirements of the California Environmental Quality Act (CEQA), the Planning Commission's action to reject or disapprove a project is statutorily exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15270(a); and

WHEREAS, on January 10, 2026, the Planning Commission of the City of Del Mar held a public hearing on the Variance application (V25-002) at which time all persons desiring to be heard were heard; and

WHEREAS, evidence was submitted and considered to include without limitation:

- a. Plans submitted by the Applicant.
- b. Written information submitted with the application.
- c. Oral testimony from Staff, the applicant, and the public.
- d. Staff report, dated **January 10, 2026**, which is incorporated by this reference, as though fully set forth herein.
- e. Additional information submitted during the hearing.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Del Mar that with regard to application V25-002, the Planning Commission makes the following findings:

A. A Variance from the terms of the Zoning Ordinance shall be granted only when, because of the special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the Zoning Ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

The Variance should not be granted because the lot is not constrained by special circumstances in terms of its size, shape, topography, location or surroundings. The property is located in the R1-10 Zone and is a rectangular corner lot located at the southwest corner of Luneta Drive and 14th Street. The property is approximately 17,186 square-feet in size and is approximately 110-feet wide by 158-feet deep, which exceeds the R1-10 Zone minimum lot size of 10,000 square feet, minimum lot width of 75-feet, and minimum lot depth of 100-feet. The property also abuts an alley, which pursuant to DMMC Section 30.86.200(D), allows half the width of the alley to measure the required side yard setback, which in this case results in a “zero- setback” along the alley.

The topography of 14th Street slopes naturally to the west, as do all properties along 14th Street. The topography of the lot steps down from Luneta drive and the building pad on the eastern-half and western-half are relatively flat, but the two halves are separated by approximately 10-feet of elevation difference. The property is developed with a recently remodeled nonconforming 3-story primary residence and an attached two-story Accessory Dwelling Unit (ADU) with recent yard improvements consisting of a pool, spa, fireplace and pool equipment. The existing improvements comply with all required yard setback requirements of the R1-10 Zone which requires a minimum setback of 20-foot front yard (Luneta Drive side), 10-foot street side yard (14th Street side), 25-foot rear yard (east side), and 0-lot line setback for the interior side yard abutting the 20-foot-wide alley.

The Applicant has recently planted a row of hedges on the inside of the property abutting the wall facing 14th Street and Luneta Drive, which in time will grow denser and higher, and can provide privacy to the residence/ADU, pool and yards facing 14th Street and Luneta Drive. Additionally, the size of the lot provides opportunities to provide pool safety fencing outside of the required yards (setbacks), such as the five-foot-tall safety barrier (fence) that was installed around the pool after its construction demonstrating compliance with California Building Code pool safety requirements.

Therefore, the Variance should not be granted to exceed the maximum fence heights permitted in DMMC 30.86.090(A), because the property does not have unusual or special circumstances related to lot size, shape, topography, location or surroundings. The property would not be deprived of privileges enjoyed by other properties in the vicinity under the R1-10, most of which have open yards incorporating landscaping, lower walls, or higher walls set further back from streets, and entryway structures that comply with the DMMC size limitations.

B. Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

The Variance to allow fences/gates up to 8-feet-high and an entryway structure larger than current DMMC allows would grant special privileges due to the property's shape, topography, and location being similar to other properties in the R1-10 zone. Other properties in the vicinity in the R1-10 zone have open yards incorporating landscaping, lower walls, or higher walls set further back from streets, and entryway structures that comply with the DMMC size limitations.

C. A variance will not be granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by the zoning regulation governing the parcel of property. The provisions of this section shall not apply to conditional use permits.

The proposed wall/fences/gates and entryway structure is a permitted associated use for an existing primary residence which is an allowed use in the R1-10 Zone.

D. No variance shall be granted if the inability to enjoy the privilege enjoyed by other property in the vicinity and under identical zoning classification:

1. Could be avoided by an alternate development plan;

The project request could be avoided by an alternate development plan in that, pursuant to DMMC 30.86.090(A)(1), the Applicant would be able to locate an alternate 5-foot-high wall/fence that is setback 6-feet from the property lines fronting Luneta Drive and 14th Street to comply with the 5-foot-high pool enclosure Building Code requirements. Another alternative is to install the required pool safety fencing around the pool itself, not the perimeter of the property.

The applicant can reduce the entryway arbor structure to comply with DMMC 30.86.090(A)(4) which allows one entryway structure within a street frontage setback if it does not exceed 10-feet high, 5-feet deep and 8-feet wide and meet the 50% openness on all vertical planes and overhead covering. The Applicant has also recently planted a row of privacy hedge on the inside of the property abutting the wall facing 14th Street and Luneta Drive, which in time will grow denser and higher

and provide privacy to the residence/ADU, pool and yards facing 14th Street and Luneta Drive.

2. Is self-induced as a result of an action taken by the property owner or the owner's predecessor;

In this case, the need for a Variance is self-induced, as the Applicant demolished and reconstructed significantly non-conforming perimeter site fencing when the provisions of DMMC Section 30.86.090 allow for the ability to construct privacy and pool security fencing with a modified design and locations. Like other properties in the vicinity subject to identical zoning, the Applicant could have placed walls/fencing further inside of the lot's property western, northern, and eastern property lines to achieve greater height for privacy and security.

3. Would allow such a degree of variation as to constitute a rezoning or other amendment to the zoning code; or

The installed fencing along the north and east boundaries of the property was constructed to heights that far exceed the maximum standards of the DMMC and what would be allowed in any required yard (setback) within the City.

4. Would authorize or legalize the maintenance of any private or public nuisance.

The request would not result in the authorization or legalization of a private or public nuisance since walls and fences are allowed uses in the R1-10 zone.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Planning Commission of the City of Del Mar that application V25-002 is denied.

PASSED AND ADOPTED by the Planning Commission of the City of Del Mar, this
10TH day of January 2026 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Philip M. Posner, Chair
Del Mar Planning Commission

ATTEST:

Karen Brindley
Planning and Community Development Director



City of Del Mar Staff Report

PLANNING COMMISSION
STAFF REPORT
February 10, 2026

APPLICATION: CUP25-003, CDP25-023

REQUEST: A request for approval of Conditional Use Permit CUP25-003 and Coastal Development Permit CDP25-023 to remodel an existing two-story residence in the Lagoon Overlay to include a new door and landing and exterior lights on the east side of the property and to install a new skylite on the existing roof.

*Note: The property is located within the Coastal Commission's appeal jurisdiction.

APPLICANT/OWNER: Andrew Donner, Donnor Trust 2002 UAD 05-02-2002

AGENT: Rich Bokal, Bokal and Sneed Architects

SITE LOCATION: 3004 Sandy Lane

ASSESSOR PARCEL NUMBER: 299-020-41-00, 299-020-42-00, and 299-020-43-00

COMMUNITY PLAN DESIGNATION: Low Density Residential-Beach

ZONE: R1-10B

OVERLAY ZONE: Floodplain Overlay Zone, Lagoon Overlay Zone

ENVIRONMENTAL STATUS:

Pursuant to requirements of the California Environmental Quality Act (CEQA), the Project has been determined to be Categorically Exempt per Section 15301 Class 1 (e) (1) (Existing Facilities) in that the Project proposes remodeling of an existing residence that does not result in any additional square footage to the house, and further; it has been determined that none of the six exceptions to the use of a Categorical Exemption are applicable (Guidelines Section 15300.2).

HOUSING IMPACT:

The approval of the requested discretionary development application would have no impact on the City of Del Mar's housing supply or housing affordability.

COMMUNITY PLAN AND ZONING DESIGNATIONS:

The Community Plan designates R1-10B Zone for Low Density Residential – Beach and is designed to provide for an area of one-family residential development at a density level of 1-4 units/net acre. The standards of the zone are intended to preserve an open and uncrowded character and protect the unique residential environment of Del Mar. The standards are intended to promote and protect those special amenities associated with a district of single-family homes.

The site is also located within the Lagoon Overlay Zone which applies to properties located directly in, or in proximity to the Los Penasquitos and San Dieguito Lagoons. The purpose of the Lagoon Overlay Zone regulations (Chapter 30.53) is “to protect the wetland resources of these lagoon areas and their sensitive upland habitats by requiring that all development activities taking place in the zone are designed and implemented in a manner that is consistent with wetland habitat protection and enhancement.”

BACKGROUND:

The project site is located at 3004 Sandy Lane, in the R1-10B Zone, Floodplain Overlay Zone, and Lagoon Overlay Zone. The property is not located within a Fire Hazard Severity Zone. The property is one of twelve properties which comprise the Del Mar Sandy Lane Association, a gated community located on the west side of Camino del Mar and south of the San Dieguito River. The property is accessed via Sandy Lane, a private road located just west of Camino del Mar that serves the Association and over an easement located on the eastern side of private property at 2998 Sandy Lane. The property has a common vehicular access easement for the HOA roadway located across the western side of the property. The property is 10,200 square feet in area (gross lot) inclusive of all road easements. Surrounding development in the HOA are predominantly two-story residences. An aerial photograph of the subject site and surrounding properties have been included as Exhibit A.

The property is currently developed with a two-story, single dwelling unit and includes an approved attached second-story Accessory Dwelling Unit currently under construction on the southwest portion of the residence. The existing residence is mostly screened from view by mature vegetation located west of the Sandy Lane HOA wall that abuts Camino Del Mar.

PROJECT DESCRIPTION:

The Applicant is requesting a Conditional Use Permit (CUP25-003) and Coastal Development Permit (CDP25-023) to allow development located in the Lagoon Overlay Zone associated with a single-family residential remodel and to allow a reduced wetland buffer of 61.5-feet where 100 feet is normally required per the Lagoon Overlay Zone.

The applicant is proposing to remodel an existing two-story residence to include a new door and landing and exterior lights on the east side of the property within the required 100-foot wetland buffer required by the Lagoon Overlay, and to install a new skylight in the existing roof. The exterior lights would be downward directed with a shielded bulb as shown on Sheet ADR-2 of the plans. The new skylight would include a film to reduce light emittance from the exterior of the home at night.

Following approval of the CUP and CDP the project will be required to additionally receive Administrative Design Review (ADR) approval for the improvements requested.

CONDITIONAL USE PERMIT:

The proposal is subject to the receipt of a Conditional Use Permit (CUP) due to the subject property's location within the Lagoon Overlay Zone.

Conformance with the Lagoon Overlay Zone/ Reduced Wetland Buffer:

The Lagoon Overlay Zone was incorporated into the Zoning Ordinance as a part of the Implementing Ordinances to the City's Local Coastal Program which gives authority to the City to authorize Coastal Development Permits. This overlay zone is intended to protect the wetland resources of the San Dieguito and the Los Penasquitos Lagoon and their sensitive upland habitats.

In reviewing such CUP applications, the Planning Commission is to analyze a proposal to determine if any impact is proposed within a wetland area; the appropriateness of any requested reduction of a wetland buffer with the concurrence of the California Department of Fish and Wildlife; and the retention of wetland areas in open space easements with appropriate mitigation measures. In addition, for requests of a reduction of the wetland buffer less than 100-feet, the PC shall make findings pursuant to **DMMC Section 30.53.100- B. "That the physical characteristics of the site, such as the size and dimensions of the property are adequate to protect the resources of the adjacent wetlands, based on site-specific factors."**

Staff is recommending the following CUP findings can be made to approve the reduced wetland buffer of 61.5-feet:

Proposed Finding:

While the subject parcel is located within the L-OZ, the property and residence are not located within any wetlands of the San Dieguito Lagoon. The project site is located within a fully developed and gated/walled residential neighborhood and no additional site disturbance is proposed outside the existing development footprint for the project site.

The Applicant submitted a Biological Resources Technical Memorandum prepared by SWCA Environmental Consultants, dated October 2025, (Exhibit B) that depicts the offsite wetland delineation, biological inventory of the nearby wetlands, an analysis of proposed project, and mitigation measures recommended for incorporation for the project. The applicant's biologists determined the project's development area would be maintained within the existing development footprint of the project site and that up to a 50 foot buffer reduction would be appropriate. The report concludes that the proposed project, with mitigation incorporated, would avoid adverse impacts to the wetland resources in the San Dieguito Lagoon.

Planning staff is recommending additional conditions to implement SWCA's recommendations (Conditions SC-2) for mitigation measures to protect nearby wetland resources to include: maintaining a 50-foot construction setback at the top-of-bank of the intertidal wetland, performing a

preconstruction nesting bird survey conducted no more than 14-days prior to work for any vegetation removal or grading occurring during nesting bird season (February 1 through August 31) and any active nests be avoided until fledging. With the implemented conditions, the request to reduce the wetland buffer to 61.5-feet would not (directly or indirectly) adversely affect the wetland resources in the San Dieguito Lagoon, and is therefore, consistent with the Lagoon Overlay Zone and City's Local Coastal Program.

In compliance with DMMC 30.53 (Lagoon Overlay Zone) the California Department of Fish and Wildlife reviewed and provided concurrence for the approval of a reduced wetland buffer of 61.5 feet on January 13, 2026. Letter of concurrence has been included as Exhibit C to the report.

CONDITIONAL USE PERMIT FINDINGS:

Pursuant to Chapter 30.60. of the DMMC, each determination granting a Conditional Use Permit shall be supported by the five findings shown below in bold face. Below each of the required findings, staff has provided draft text that may be used by the Commission in its consideration of the CUP application. The suggested findings are in support of the application.

- 1. That the use for which the Conditional Use Permit is applied for is permitted within the zone in which the property is located.**

Proposed Finding: The remodel of a single-family residence and accessory improvements are permitted uses in the R1-10B Zone, Floodplain Overlay Zone, and Lagoon Overlay Zone.

- 2. That the granting of such Conditional Use Permit will not be detrimental to the public health, safety, comfort, convenience and general welfare, will not adversely affect the established character of the surrounding neighborhood, and will not be injurious to the property or improvements on such vicinity and zone in which the property is located.**

Proposed Finding: The granting of the Conditional Use Permit would not adversely affect the public health, safety, comfort, or general welfare of the community or the established character of the surrounding neighborhood within the Sandy Lane neighborhood, a gated/walled residential community in the R1-10B Zone. The remodeling of an existing two-story residence, associated uses, and site improvements are allowed uses and would not adversely affect the surrounding neighborhood character of single-family residences in the R1-10B Zone. The project is also located within the Lagoon Overlay Zone but not located within any wetlands of the San Dieguito River, as determined by the Applicant's Biological Resources Technical Memorandum prepared by SWCA Environmental Consultants, dated October 2025. The project has been reviewed and approved by the California Department of Fish and Wildlife for a reduced wetland buffer of 61.5-feet, which would be limited to the existing development footprint for the project site. No additional site disturbance located outside the existing development footprint is proposed. The reduced wetland buffer request would be conditioned and therefore would mitigate and avoid adverse impacts to nearby

wetland and sensitive natural resources of the San Dieguito River. The project would implement the conditions recommended in the SWCA Report to include: maintaining a 50-foot construction setback at the top-of-bank of the intertidal wetland, perform and submit a preconstruction nesting bird survey conducted no more than 14-days prior to work for any vegetation removal or grading occurring during nesting bird season (February 1 through August 31) and any active nests be avoided until fledging.

- 3. That the proposed use is properly located in relation to the community as a whole and to other land uses and to transportation and service facilities in the vicinity; and further, that the use can be adequately served by such public facilities and street capacities without placing an undue burden on the streets.**

Proposed Finding: The proposed use is properly located within the community in an established residential neighborhood in the R1-10B Zone. An existing dwelling unit currently occupies the site that is adequately served by existing transportation and service facilities. The project would not place an undue burden upon public streets since the project provides the required garage and onsite parking and is accessed via the main Sandy Lane HOA entrance and a private road within the Sandy Lane HOA.

- 4. That the site is of sufficient size to accommodate the proposed use and all yards, open spaces, walls and fences, parking, loading, landscaping, and such other features as are required by this chapter or as are needed, in the opinion of the Planning Commission, or the City Council on appeal, are properly provided to be compatible and harmonious with nearby uses.**

Proposed Finding: The requirements of the R1-10B Zone call for a minimum lot size of 10,000 square feet. The project site is 10,200 square-feet in area and is of sufficient size to accommodate a residence on the property to include all required yards, parking, fences, and landscaping. The proposed project is compatible and harmonious with nearby residential development.

- 5. That the granting of such Conditional Use Permit will not be contrary to the adopted Community Plan, including its goals, objectives, or policies, or to the objectives of any ordinance, regulation, or plan in effect to implement said Community Plan.**

Proposed Finding: This Conditional Use Permit request is in conformance with the Community Plan. As proposed and conditioned, the project would be consistent with: the use, density and property development standards of the R1-10B Zone; the FEMA floodplain development standards; the standards for protection of sensitive natural resources of the Lagoon Overlay Zone; and the access, public view and resource protection standards of the City's Local Coastal Program (LCP). The parcel is in an urbanized area that is surrounded by existing residential development and the project would be consistent with the existing residential character.

PROJECT CONFORMANCE WITH THE LOCAL COASTAL PROGRAM (LCP):

The project site is located within the California Coastal Zone and Lagoon Overlay Zone and therefore the proposed project requires a Coastal Development Permit (CDP). The standards of review for the CDP application are found in DMMC Chapter 30.75 (CDPs). Pursuant to Chapter 30.75, each determination granting a Coastal Development Permit shall be supported by the seven findings shown below in bold face. Below each of the required findings, staff has provided draft text that may be used by the Commission in its consideration of the CDP application. The suggested findings are in support of the application.

COASTAL DEVELOPMENT PERMIT FINDINGS:

The seven findings in DMMC Section 30.75.140 are required to grant the CDP. Recommended findings for approval are included below:

- 1. That the use for which the Coastal Development Permit is applied is permitted within the zone in which the property is located.**

Proposed Finding: The proposed residential use is consistent with the R1-10B Zone, Floodplain Overlay Zone, Lagoon Overlay Zone, the Del Mar Community Plan, and Local Coastal Program.

- 2. That the proposal meets the criteria of the applicable chapters of this Title.**

Proposed Finding: The proposed project is consistent with the uses allowed for the underlying R1-10B Zone, Floodplain Overlay Zone and Lagoon Overlay Zone; and that the proposed development meets the criteria and is consistent with the provisions of the certified Local Coastal Program, including those provisions regarding protection of wetlands and sensitive resources of the San Dieguito River, preservation of public views, and provision of public access opportunities, where appropriate.

- 3. That the granting of such Coastal Development Permit will be in conformity with the certified City of Del Mar Local Coastal Program.**

Proposed Finding: The project is consistent with the applicable provisions of the LCP, specifically the resource protection, avoidance of hazards, protection of public views and public access standards.

- 4. That for all development proposals located seaward of the first public roadway, the proposed development is consistent with and implements the applicable requirements for provision of public access contained in this Title and in the public access and public recreation policies of Chapter 3 of the California Coastal Act.**

Proposed Finding: In regard to the public access standards, the project is located between the sea and the first public roadway. As such, the development is subject to review under the public access standards of Chapter 30.61 of the LCP Implementing Ordinances (and the corresponding chapter of the Zoning Code). No existing public access exists on the project site as the site is located within a gated and walled residential community. Public access in proximity to the project site and located on the west side of Camino Del Mar at the south side of the San Dieguito River would not be affected. Public parking is available on both sides of Camino Del Mar.

5. **That for all development proposals involving the construction or placement of a shoreline protection device, that the proposed development is consistent with and implements the applicable requirements of the Beach Overlay Zone and Setback Seawall Zone provisions contained in this Title and is consistent with and implements the provisions of the Chapter Three Policies of California Coastal Act.**

Proposed Finding: The project is not located within the Beach Overlay Zone and is not proposing a seawall, therefore, this provision is not applicable.

6. **That the proposal is consistent with and implements the provisions of public view protection policies IV-22 through IV-27 of the City of Del Mar LCP Land Use Plan.**

Proposed Finding: The proposed project would remodel an existing two-story residence. The proposed remodel would not impact existing building height and would maintain existing public scenic views from public viewing areas. Therefore, the project is consistent with the provisions of public view protection policies IV-22 through IV-27 of the City's LCP Land Use Plan.

7. **That for all development proposals on sites with identified wetland resources, that the proposed development is consistent with and implements the provisions of the Lagoon Overlay Zone as contained within the City of Del Mar Local Coastal Program Implementing Ordinances and Land Use plan.**

Proposed Finding: The subject property is adjacent to the San Dieguito River, and therefore, is within the Lagoon Overlay Zone. Based on the applicant's Biological Resources Technical Memorandum prepared by SWCA Environmental Consultants, dated October 2025, the property is not located within a wetland. The project site is in an established neighborhood within the Sandy Lane HOA, a gated/walled residential community in the R1-10B Zone. No additional site disturbance located outside the existing development footprint is proposed. The project is requesting a Conditional Use Permit for the development project and is requesting a reduced wetland buffer of 61.5-feet. The California Department of Fish and Wildlife has approved the applicant's request for wetland buffer of 61.5-feet. Further the project would implement the conditions recommended in the SWCA Report to include maintaining a 50-foot construction setback at the top-of-bank of the intertidal wetland, perform and submit a

preconstruction nesting bird survey conducted no more than 14-days prior to work for any vegetation removal or grading occurring during nesting bird season (February 1 through August 31) and any active nests be avoided until fledging.

In accordance with the certified LCP, the City's action on the Coastal Development Permit will be reported to the California Coastal Commission's Executive Director. The project is located in a Coastal Development Permit appeals area. Therefore, the City's action on the CDP application is appealable to the California Coastal Commission.

CORRESPONDENCE:

No correspondence has been received regarding this project.

RECOMMENDATION:

Staff recommends the Planning Commission approve the Resolution in Exhibit D based on the recommended findings for approval of the Conditional Use Permit CUP25-003 and Coastal Development Permit CDP25-023. This recommendation is based on the project design and its compliance with the Lagoon Overlay Zone and Local Coastal Program policies and regulations for resource protection, avoidance of hazards, protection of public views, and public access.

Respectfully submitted,



Jennifer Gavin
Associate Planner

- Exhibit A – Aerial Photo
- Exhibit B – Biological Resources Technical Memorandum, SWCA Environmental Consultants
- Exhibit C – Concurrence with California Fish and Wildlife
- Exhibit D – Draft Resolution



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Biological Resources Technical
Memorandum for
3004 Sandy Lane, Del Mar, CA.

OCTOBER 2025

PREPARED FOR

Rich Bokal

PREPARED BY

SWCA Environmental Consultants

***BIOLOGICAL RESOURCES TECHNICAL
MEMORANDUM
FOR
3004 SANDY LANE, DEL MAR, CA.***

Prepared for

Bokal & Sneed Architects
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Prepared by

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SWCA Project No. 97675

October 2025

EXECUTIVE SUMMARY

This Biological Resources Technical Memorandum presents the results of a reconnaissance-level field survey conducted in October 2025 by SWCA biologist Omar Moquit at 3004 Sandy Lane, Del Mar, California. The purpose of the survey was to identify and map the approximate extent of potential wetland areas and associated buffer zones to support the proposed installation of a sliding glass door.

Under Section 30.53.120 of the Del Mar Municipal Code, a map prepared by qualified biological and hydrological professional is required to show wetland boundaries and associated buffer zones on the project site. Section 30.53.100 prescribes a 100-foot wetland buffer measured from the outer edge of delineated wetlands, which may be reduced to no less than 50 feet based on site-specific conditions with concurrence from the California Department of Fish and Wildlife (CDFW).

The survey relied on standard indicators, including hydrophytic vegetation, hydric soil characteristics, and evidence of surface water flow, to approximate wetland boundaries. The client-provided site plan served as the base for field mapping. A formal jurisdictional delineation under U.S. Army Corps of Engineers (USACE) or CDFW guidelines was not conducted, therefore, the results are for reconnaissance purposes only and are not suitable for federal permitting.

One potentially jurisdictional aquatic resource, the San Dieguito River intertidal zone, was identified approximately 60 feet east of the proposed project footprint. No freshwater or non-tidal wetland features were observed within the Study Area. Project impacts are expected to be confined to the project footprint and outside the minimum 50-foot buffer. Indirect impacts to nesting birds during the breeding season are possible and should be mitigated with preconstruction surveys. These findings will inform Conditional Use Permit and Coastal Development Permit applications and any future requests for buffer reductions under applicable City and State protocols.

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1 INTRODUCTION

1.1 Regulatory Background

1.1.1 Federal Regulations

Section 404 of the Clean Water Act requires authorization from the U.S. Army Corps of Engineers (USACE) for the discharge of dredged or fill material into Waters of the United States, including wetlands. Jurisdictional determinations are made using the *Corps of Engineers Wetlands Delineation Manual* (USACE 1987) and applicable regional supplements. Recent federal memoranda may further clarify jurisdictional interpretation or permit review processes (USEPA and USACE 2024). Section 401 of the Clean Water Act requires that any project receiving a federal permit for discharges to Waters of the United States obtain water quality certification from the California Regional Water Quality Control Board, consistent with state procedures for dredge or fill discharges (State Water Resources Control Board and Regional Water Quality Control Boards 2020).

1.1.2 State Regulations

Fish and Game Code Section 1602 requires notification to, and agreement with, the California Department of Fish and Wildlife before altering or obstructing the bed, bank or flow of any river, stream or lake.

The California Coastal Act obligates project proponents to obtain a Coastal Development Permit from the local government under a certified Local Coastal Program, enforcing consistency with Coastal Act Chapter 3 policies.

The Porter-Cologne Water Quality Control Act vests the State and Regional Water Boards with authority to regulate waste discharges and protect water quality in all State waters.

Where listed aquatic species or sensitive habitats occur, compliance with the California Endangered Species Act (Fish and Game Code § 2050 et seq.) and the federal Endangered Species Act is required.

1.1.3 Local Regulations

Del Mar Municipal Code Chapter 30.53 (Lagoon Overlay Zone) applies to all “development”, including new construction, grading and vegetation removal within the overlay boundary. Section 30.53.070 triggers Conditional Use Permit and Coastal Development Permit review for any development activity. Section 30.53.120 mandates submittal of a wetland-boundary and buffer map prepared by qualified biology and hydrology professionals. Section 30.53.100 prescribes a 100-foot buffer standard, reducible to no less than 50 feet only with demonstration of site-specific conditions and concurrence from CDFW.

1.2 Project Setting and Study Area

The project site consists of the portion of the property at 3004 Sandy Lane where the proposed sliding glass door installation will occur. The project footprint is approximately 0.03 acres, with the Study Area defined as the project site plus a 100-foot buffer to capture potential indirect effects on nearby aquatic resources.

The project site lies within 100 feet of mapped saltwater tidal estuarine and marine wetlands and within 200 feet of the Pacific Ocean. The project site is fully developed, with residential dwellings, driveways, and associated utility infrastructure. Surrounding land use is predominantly residential and transportation infrastructure. The San Dieguito River is located approximately 500 feet north of the site, discharging into the Pacific Ocean. Del Mar North Beach, James Scripps Bluff Preserve, and Del Mar City Beach are located within 0.5 mile and are designated as protected in the California Protected Areas Database (CPAD).

2 LOCATION

The project site is located in the northwestern portion of the City of Del Mar, San Diego County, California. It is depicted on the U.S. Geological Survey 7.5-minute Del Mar OE W quadrangle map (2020 edition). The approximate center of the site is positioned at latitude 32°58'27.1" N and longitude 117°16'09.5" W (Figure 1).

Primary vehicular access to the site is provided from State Route 101 (Camino Del Mar). From Camino Del Mar, access is obtained by turning north onto Sandy Lane and continuing approximately 270 feet to the project location.

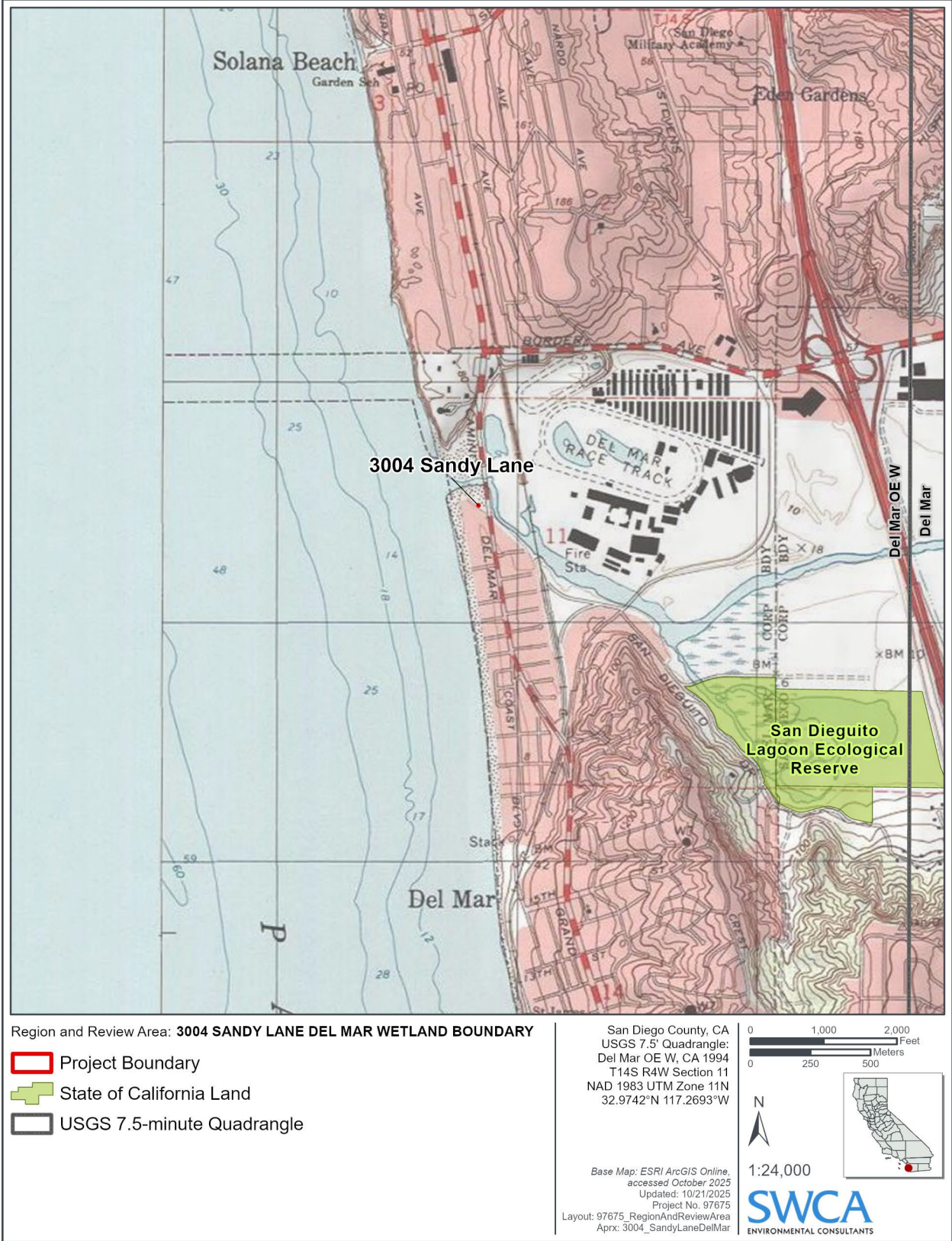


Figure 1. Region and Study Area on USGS 7.5-minute quadrangle base map.

3 METHODS

3.1 Existing Desktop Data Review and Synthesis

The U.S. Army Corps of Engineers (USACE) *Wetlands Delineation Manual* (USACE 1987) and associated regional supplemental guidance were utilized to conduct preliminary data compilation and review. These sources guided the identification and evaluation of existing information relevant to assessing site conditions, extracting pertinent data, and synthesizing findings prior to field investigations. The following data sources were reviewed:

- U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) and Natural Resources Conservation Service (NRCS) maps to review the potential location and classification of resources to assess hydrologic regime, flooding, and soil saturation characteristics (USFWS 2025);
- Google Earth Pro historic and current aerial imagery to review potential wet areas, streams, stream connectivity, and other physical features potentially affecting flow (Google Earth Pro 2025);
- CalFlora plant database to review recorded plants found within or near the Study Area (CalFlora 2025); and

3.2 Field Survey

On October 15, 2025, a reconnaissance-level field survey was conducted within the Study Area by SWCA Biologist Omar Moquit. Meandering transects were used throughout the area to identify and characterize any potentially jurisdictional aquatic resource features. Surface water observations included documentation of tidal inundation limits and ephemeral channel flow associated with the San Dieguito River.

Survey effort included evaluation of potential habitat for special-status plant and wildlife species. Evaluation also included assessment of suitable nesting habitats potentially capable of supporting waterbirds, passerines, and raptors protected under the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code Section 3503.

4 RESULTS

4.1 Aquatic Resources

The reconnaissance-level survey identified one aquatic resource within the Study Area, the San Dieguito River intertidal zone (Figure 2). This feature is classified as an estuarine intertidal unconsolidated shore with sandy substrate, subject to periodic saltwater inundation and lacking rooted vegetation. No freshwater or non-tidal wetlands were observed within the Study Area. The location of this resource is approximate; no formal delineation was conducted. The intertidal zone lies approximately 60 feet east of the proposed project footprint.



Figure 2. Vicinity and Study Area on aerial base map.

4.2 Potential Impacts to Resources

Project-related impacts from the sliding glass door installation are expected to be confined to the project footprint, which lies outside the minimum 50-foot buffer of the intertidal shore. No direct impacts on jurisdictional aquatic resources are anticipated.

Indirect impacts could occur during the avian breeding season due to increased noise or human activity. Non-native ornamental vegetation and existing infrastructure in the Study Area may provide nesting substrate for passerines and waterbirds. These impacts are expected to be temporary and limited to the construction period. Preconstruction nesting bird surveys are recommended if construction occurs between February 1 and August 31.

5 SUMMARY AND RECOMMENDATIONS

5.1 Summary

The Study Area contains one potentially jurisdictional aquatic resource, the San Dieguito River intertidal shore. No additional aquatic resources were identified within the 100-foot buffer.

5.2 Recommendations

A minimum construction setback of 50 feet from the limit of the intertidal shore should be maintained to prevent direct impacts to aquatic resources. If vegetation removal or ground-disturbing activities occur during the nesting bird season (February 1 through August 31), a preconstruction nesting bird survey should be completed within 14 days prior to the start of work. Any active nests identified must be protected until the young have fledged.

If site-specific constraints necessitate a buffer reduction, coordination with the California Department of Fish and Wildlife (CDFW) is recommended to obtain formal concurrence for a reduced buffer not less than 50 feet. The final wetland boundary map and buffer plan must be submitted with the Conditional Use Permit and Coastal Development Permit applications to demonstrate compliance with DMMC Chapter 30.53.

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APPENDIX A

Photographs



Photograph 1: Northeast-facing view of the Project site.



Photograph 2: Northwest-facing view of the Project site (indicated by red arrow), showing its proximity to the San Dieguito River intertidal zone.

Jennifer Gavin

From: Fisher, Kelly@Wildlife <Kelly.Fisher@wildlife.ca.gov>
Sent: Tuesday, January 13, 2026 10:29 AM
To: Jennifer Gavin
Subject: RE: Wetland Buffer Reduction Request

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Jennifer,

Thank you for following up on this. I concur with the buffer reduction for this project.

Thanks,

Kelly Fisher
Environmental Scientist
Cell (858) 354-5083
kelly.fisher@wildlife.ca.gov

California Department of Fish and Wildlife
3883 Ruffin Road
San Diego, California 92123

Every Californian should conserve water. Find out how at: SaveOurWater.com · Drought.CA.gov

From: Jennifer Gavin <jgavin@delmar.ca.us>
Sent: Tuesday, January 6, 2026 5:02 PM
To: Fisher, Kelly@Wildlife <Kelly.Fisher@wildlife.ca.gov>
Subject: RE: Wetland Buffer Reduction Request

You don't often get email from jgavin@delmar.ca.us. [Learn why this is important](#)

WARNING: This message is from an external source. Verify the sender and exercise caution when clicking links or opening attachments.

Hi Kelly,

Happy New Year! Just checking in on the question below, please let me know if there is someone different to coordinate with.

Thank you,

Jennifer Gavin | Associate Planner
City of Del Mar | Planning and Community Development
1050 Camino del Mar

Del Mar, CA 92014
☎ 858.793.6148 | 📠 858.755.2794 | ✉ jgavin@delmar.ca.us

City Hall is open to the public for in-person public services including general walk-in services and payments Monday-Thursday, from 7:30 AM- 5:30 PM. Planning and Building services at the City Hall public counter are available Monday and Wednesday between 1:00 PM to 5:30 PM. All remote services will continue to be provided during regular City hours. Please check our City website at www.delmar.ca.us for more information.

Please note that City Hall will be closed for the holidays between December 24- January 1. I will be returning on Monday, January 5 as January 2 will be my Friday off. Happy Holidays!

From: Jennifer Gavin
Sent: Tuesday, December 16, 2025 3:52 PM
To: 'kelly.fisher@wildlife.ca.gov' <kelly.fisher@wildlife.ca.gov>
Subject: Wetland Buffer Reduction Request

Hi Kelly,

I have a project located at 3004 Sandy Lane here in Del Mar that is an existing developed lot with existing fencing and barriers to the adjacent San Dieguito River. They are looking to improve their property and are seeking a buffer reduction to 61.5' (where 100' is normally required). Please see attached Biological Resources Technical Memorandum which supports a reduction of up to 50' given the nature of the existing lot and its distance from the wetland.

I believe you recently worked with my colleague, Jean Crutchfield, on a similar request for concurrence for the property to the South- 2998 Sandy Lane. We are now looking for concurrence on buffer reduction for this property as well.

Please let me know if you concur with the buffer reduction or if you would like to set up a call to discuss further. Please also let me know if there is someone else from your agency that I should coordinate with.

Thank you!

Jennifer Gavin | Associate Planner
City of Del Mar | Planning and Community Development
1050 Camino del Mar
Del Mar, CA 92014
☎ 858.793.6148 | 📠 858.755.2794 | ✉ jgavin@delmar.ca.us

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Please note that City Hall will be closed for the holidays between December 24- January 1. I will be returning on Monday, January 5 as January 2 will be my Friday off. Happy Holidays!

RESOLUTION NO. PC 2026-xx

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DEL MAR, CALIFORNIA APPROVING A CONDITIONAL USE PERMIT (CUP25-003) AND COASTAL DEVELOPMENT PERMIT (CDP25-023) TO REMODEL AN EXISTING TWO-STORY RESIDENCE THAT INCLUDES: A NEW DOOR AND LANDING AND EXTERIOR LIGHTS ON THE EAST SIDE OF THE PROPERTY AND TO INSTALL A NEW SKYLITE ON THE EXISTING ROOF. THE PROJECT INCLUDES APPROVAL OF A REDUCED WETLAND BUFFER OF 61.5 FEET FOR PROPERTY LOCATED AT 3004 SANDY LANE, CALIFORNIA (APNs: 299-020-41-00, 299-020-42-00, and 299-020-43-00)

WHEREAS, Andrew Donnor, Trustee of the Donnor Trust 2002 UAD 05-01-2002 (Applicant), is the owner of real property commonly referred to as 3004 Sandy Lane. (APNs: 299-020-41-00, 299-020-42-00, and 299-020-43-00) (Property); and

WHEREAS, the Applicant filed applications for an Administrative Design Review Permit (ADR25-049), Conditional Use Permit (CUP25-003) and Coastal Development Permit (CDP25-023) (collectively referred to as Project), to remodel an existing two-story residence to include a new door and landing and exterior lights on the east side of the property and to install a new skylite on the existing roof. The project includes a request for a reduced wetland buffer of 61.5 feet for property located at 3004 Sandy Lane, California (APNs: 299-020-41-00, 299-020-42-00, and 299-020-43-00); and

WHEREAS, pursuant to requirements of the California Environmental Quality Act (CEQA), the Project has been determined to be Categorically Exempt per Section 15301 Class 1 (e) (1) (Existing Facilities) in that the Project proposes remodeling of an existing residence that does not result in any additional square footage to the house, and further; it has been determined that none of the six exceptions to the use of a Categorical Exemption are applicable (Guidelines Section 15300.2); and

WHEREAS, on February 10, 2026, the Planning Commission of the City of Del Mar held a public hearing on applications CUP25-003 and CDP25-023 at which time all persons desiring to be heard were heard; and

WHEREAS, evidence was submitted and considered to include without limitation:

- a. Plans submitted by the applicant.
- b. Written information submitted with the application.
- c. Oral testimony from Staff, the applicant, and the public.
- d. Staff report, dated August 12, 2025, which is incorporated by this reference, as though fully set forth herein.
- e. Additional information submitted during the hearing; and

WHEREAS, the Administrative Design Review Permit is required to be processed separately prior to building permit issuance.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Del Mar that with regard to application Conditional Use Permit (CUP25-003), the Planning

Commission makes the following findings pursuant to Del Mar Municipal Code Chapter 30.74.020:

1. That the use for which the Conditional Use Permit is applied for is permitted within the zone in which the property is located.

The remodel of a single-family residence and accessory improvements are permitted uses in the R1-10B Zone, Floodplain Overlay Zone, and Lagoon Overlay Zone.

2. That the granting of such Conditional Use Permit will not be detrimental to the public health, safety, comfort, convenience and general welfare, will not adversely affect the established character of the surrounding neighborhood, and will not be injurious to the property or improvements on such vicinity and zone in which the property is located.

The granting of the Conditional Use Permit would not adversely affect the public health, safety, comfort, or general welfare of the community or the established character of the surrounding neighborhood within the Sandy Lane neighborhood, a gated/walled residential community in the R1-10B Zone. The remodel of an existing two-story residence, associated uses and site improvements is an allowed use and would not adversely affect the surrounding neighborhood character of single-family residences in the R1-10B Zone. The project is also located within the Lagoon Overlay Zone but not located within any wetlands of the San Dieguito River, as determined by the Applicant's Biological Resources Technical Memorandum prepared by SWCA Environmental Consultants, dated October 2025. The project has been reviewed and approved by the California Department of Fish and Wildlife for a reduced wetland buffer of 61.5-feet, which would be limited to the existing development footprint for the project site. No additional site disturbance located outside the existing development footprint is proposed. The reduced wetland buffer request would be conditioned and therefore would mitigate and avoid adverse impacts to nearby wetland and sensitive natural resources of the San Dieguito River. Further the project would implement the conditions recommended in the SWCA Report to include: maintaining a 50-foot construction setback at the top-of-bank of the intertidal wetland, perform and submit a preconstruction nesting bird survey conducted no more than 14-days prior to work for any vegetation removal or grading occurring during nesting bird season (February 1 through August 31) and any active nests be avoided until fledging.

3. That the proposed use is properly located in relation to the community as a whole and to other land uses and to transportation and service facilities in the vicinity; and further, that the use can be adequately served by such public facilities and street capacities without placing an undue burden on the streets.

The proposed use is properly located within the community in an established residential neighborhood in the R1-10B Zone. An existing dwelling unit currently occupies the site that is adequately served by existing transportation and service facilities. The project would not place an undue burden upon public streets since the project provides the required garage and onsite parking and is accessed via the main Sandy Lane HOA entrance and a private road within the Sandy Lane HOA.

4. **That the site is of sufficient size to accommodate the proposed use and all yards, open spaces, walls and fences, parking, loading, landscaping, and such other features as are required by this chapter or as are needed, in the opinion of the Planning Commission, or the City Council on appeal, are properly provided to be compatible and harmonious with nearby uses.**

The requirements of the R1-10B Zone call for a minimum lot size of 10,000 square feet. The project site is 10,200 square-feet in area and is of sufficient size to accommodate a residence on the property to include all required yards, parking, fences, and landscaping. The proposed project is compatible and harmonious with nearby residential development.

5. **That the granting of such Conditional Use Permit will not be contrary to the adopted Community Plan, including its goals, objectives, or policies, or to the objectives of any ordinance, regulation, or plan in effect to implement said Community Plan.**

This Conditional Use Permit request is in conformance with the Community Plan. As proposed and conditioned, the project would be consistent with: the use, density and property development standards of the R1-10B Zone; the FEMA floodplain development standards; the standards for protection of sensitive natural resources of the Lagoon Overlay Zone; and the access, public view and resource protection standards of the City's Local Coastal Program (LCP). The parcel is in an urbanized area that is surrounded by existing residential development and the project would be consistent with the existing residential character.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Del Mar that with regard to application Conditional Use Permit (CUP25-003), the Planning Commission makes the following findings pursuant to Del Mar Municipal Code Chapter **30.53.100-B** for a reduced wetland buffer of 61.5-feet based on site specific factors, and concurrence with the California Department of Fish and Wildlife:

1. While the subject parcel is located within the L-OZ, the property and residence are not located within any wetlands of the San Dieguito Lagoon. The project site is located within a fully developed and gated/walled residential neighborhood, and no additional site disturbance is proposed outside the existing development footprint for the project site; and
2. The applicant submitted a Biological Resources Technical Memorandum prepared by SWCA Environmental Consultants, dated October 2025, that depicts the offsite wetland delineation, biological inventory of the nearby wetlands, an analysis of proposed project, and mitigation measures recommended for incorporation for the project. The applicant's biologists determined the project's development area would be maintained within the existing development footprint of the project site and is located 61.5-feet from the wetlands. The report concludes that the proposed project, with mitigation incorporated, would avoid adverse impacts to the wetland resources in the San Dieguito Lagoon; and
3. The California Department of Fish and Wildlife has reviewed and approved the request, for a reduced wetland buffer with the inclusion of project conditions with

mitigation measures to protect the nearby wetland resources of the San Dieguito River, based on the site conditions of the property which does not contain any wetlands or sensitive resources, and is located within a fully developed and gated residential neighborhood, and no additional site disturbance is proposed for the residential remodeling project and associated site improvements located outside the existing development footprint; and

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Planning Commission of the City of Del Mar that with regard to application Coastal Development Permit (CDP25-023), the Planning Commission makes the following findings pursuant to Del Mar Municipal Code Chapter 30.75.140:

- 1. That the use for which the Coastal Development Permit is applied is permitted within the zone in which the property is located.**

The proposed residential use is consistent with the R1010B Zone, Floodplain Overlay Zone, Lagoon Overlay Zone, the Del Mar Community Plan, and Local Coastal Program.

- 2. That the proposal meets the criteria of the applicable chapters of this Title.**

The proposed project is consistent with the uses allowed for the underlying R1-10B Zone, Floodplain Overlay Zone and Lagoon Overlay Zone; and that the proposed development meets the criteria and is consistent with the provisions of the certified Local Coastal Program, including those provisions regarding protection of wetlands and sensitive resources of the San Dieguito River, preservation of public views, and provision of public access opportunities, where appropriate.

- 3. That the granting of such Coastal Development Permit will be in conformity with the certified City of Del Mar Local Coastal Program.**

The project is consistent with the applicable provisions of the LCP, specifically the resource protection, avoidance of hazards, protection of public views and public access standards.

- 4. That for all development proposals located seaward of the first public roadway, the proposed development is consistent with and implements the applicable requirements for provision of public access contained in this Title and in the public access and public recreation policies of Chapter 3 of the California Coastal Act.**

In regard to the public access standards, the project is located between the sea and the first public roadway. As such, the development is subject to review under the public access standards of Chapter 30.61 of the LCP Implementing Ordinances (and the corresponding chapter of the Zoning Code). No existing public access exists on the project site as the site is located within a gated and walled residential community. Public access in proximity to the project site and located on the west side of Camino Del Mar at the south side of the San Dieguito River would not be affected. Public parking is available on both sides of Camino Del Mar.

5. **That for all development proposals involving the construction or placement of a shoreline protection device, that the proposed development is consistent with and implements the applicable requirements of the Beach Overlay Zone and Setback Seawall Zone provisions contained in this Title and is consistent with and implements the provisions of the Chapter Three Policies of California Coastal Act.**

The project is not located within the Beach Overlay Zone and is not proposing a seawall, therefore, this provision is not applicable.

6. **That the proposal is consistent with and implements the provisions of public view protection policies IV-22 through IV-27 of the City of Del Mar LCP Land Use Plan.**

The proposed project would remodel an existing two-story residence. The proposed remodel would not exceed the existing building height and would maintain existing public scenic views from public viewing areas. Therefore, the project is consistent with the provisions of public view protection policies IV-22 through IV-27 of the City's LCP Land Use Plan.

7. **That for all development proposals on sites with identified wetland resources, that the proposed development is consistent with and implements the provisions of the Lagoon Overlay Zone as contained within the City of Del Mar Local Coastal Program Implementing Ordinances and Land Use plan.**

The subject property is located adjacent to the San Dieguito River, and therefore, is within the Lagoon Overlay Zone. Based on the applicant's Biological Resources Technical Memorandum prepared by SWCA Environmental Consultants, dated October 2025, the property is not located within a wetland. The project site is in an established neighborhood within the Sandy Lane HOA, a gated/walled residential community in the R1-10B Zone. No additional site disturbance located outside the existing development footprint is proposed. The project is requesting a Conditional Use Permit for the development project and is requesting a reduced wetland buffer of 61.5-feet. The California Department of Fish and Wildlife has approved the applicant's request for wetland buffer of 61.5-feet. Further the project would implement the conditions recommended in the SWCA Report to include maintaining a 50-foot construction setback at the top-of-bank of the intertidal wetland, perform and submit a preconstruction nesting bird survey conducted no more than 14-days prior to work for any vegetation removal or grading occurring during nesting bird season (February 1 through August 31) and any active nests be avoided until fledging.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Planning Commission of the City of Del Mar that Conditional Use Permit CUP25-003 and Coastal Development Permit CDP25-023 are approved, subject to the following conditions:

[Note: The conditions listed below may have intentional gaps in numbering or lettering.]

GENERAL CONDITIONS:

G-3 *[Development authorization limited to plan set]*

This Permit for Conditional Use Permit (CUP25-003) and Coastal Development Permit (CDP25-023) is granted based on submitted plans dated **December 11, 2025** and so

identified by the staff of the Del Mar Planning Department. Revisions to these plans and/or any proposals for modification shall require review and prior authorization from the appropriate entities of the City of Del Mar.

G-13 *[Permit Expiration]*

This Permit for Conditional Use Permit (CUP25-003) and Coastal Development Permit (CDP25-023) shall expire three years from the date of approval, on **February 10, 2029** unless a Building Permit has been issued and substantial construction has been accomplished in reliance upon the permit. Pursuant to the DMMC, substantial construction is defined as: completion of a minimum of 10% of the total amount of construction authorized by the permit, based on the monetary value of construction costs including grading, site preparation and construction but specifically excluding all costs associated with the acquisition of interest in the project site and all costs associated with the preparation and processing of permits or plans.

LOCAL COASTAL PROGRAM

LCP-1 *[Prohibition on Grading During the Rainy Season]*

In accordance with DMMC Section Lagoon Overlay Zone [30.53.140-C] no grading shall occur between November 15th of any year and March 15th of the following year, unless specifically authorized through the written approval of the Planning and Community Development Department Director.

LCP-2 *[Coastal Development Permit Appealable]*

This project is located within the Coastal Appeal Zone. The City's action on the requested Coastal Development Permit application may be appealed to the California Coastal Commission pursuant to Coastal Act Section 30603 and Chapter 30.75 of the City of Del Mar Municipal Code.

SPECIAL CONDITIONS

SC-1 *[Need for Design Review Approval]*

The Applicant shall receive approval of ADR25-049 prior to issuance of Building Permits and comply with all conditions of approval.

SC -2 *[Compliance with Mitigation Measures outlined in Biological Resources Technical Memorandum prepared by SWCA Environmental Consultants, dated October 2026 – Reduced Wetland Buffer]*

Prior to commencement of project, the Applicant shall demonstrate to the Planning and Community Development Director the following to avoid impacts to wetland resources: maintain a 50-foot construction setback at the top-of-bank of the intertidal wetland; perform and submit a preconstruction nesting bird survey conducted no more than 14-days prior to work for any vegetation removal or grading occurring during nesting bird season (February 1 through August 31) and any active nests be avoided until fledging.

PASSED AND ADOPTED by the Planning Commission of the City of Del Mar, this **10th day of February 2025** by the following vote:

AYES:

NOES:

RECUSED:

ABSENT:

ABSTAIN:

Philip Posner, Chair
Planning Commission
City of Del Mar, California

ATTEST:

Karen Brindley
Planning and Community Development Director
City of Del Mar, California



City of Del Mar Agenda Report

PLANNING COMMISSION
STAFF REPORT
February 10, 2026

APPLICATION: City of Del Mar Community Plan Environmental Justice Element – General Plan Amendment (GPA24-002)

REQUEST: The Planning Commission adopt a resolution (Exhibit A) providing a recommendation to the City Council to confirm the environmental determination and adopt the proposed Environmental Justice Element component of the City of Del Mar Community Plan (General Plan) at a future noticed public hearing.

APPLICANT: City of Del Mar

STAFF CONTACTS: Nicole Morrow, AICP, Associate Planner and Amanda Lee, Principal Planner

LOCATION: Citywide

EXECUTIVE SUMMARY:

The Environmental Justice Element is a policy document that is a standalone component of the Del Mar Community Plan, which is the General Plan for the City of Del Mar. The purpose of this policy document is to outline goals, policies, and implementation actions that demonstrate the City's commitment to maintain a healthy, inclusive, and accessible community for all residents and visitors. The Environmental Justice Element identifies City initiatives supporting civic engagement, equity, and fair treatment; the minimization of pollution exposure; promotion of safe and healthy homes; and access to public facilities, resources, and amenities.

The Environmental Justice Element is being adopted to satisfy the City's 6th Cycle Housing Element (Program 6E). State law requires a noticed public hearing of the Planning Commission to provide a recommendation to the City Council prior to adoption of the General Plan amendment. The Del Mar City Council will consider the proposed Environmental Justice Element in a future noticed public hearing that is anticipated to occur by April 2026.

The draft Environmental Justice Element is available for review on the City's website at the following link: <https://www.delmar.ca.us/DocumentCenter/View/11860/City-of-Del-Mar-EJ-Element---February-2026---Draft-2?bidId=>

BACKGROUND:

The Del Mar Community Plan is in process of being amended to add a new Environmental Justice Element. The proposed Environmental Justice Element is proposed as a standalone document component of the Community Plan similar to how the existing Housing Element and Recreation Element are published. The Planning Commission reviewed and recommended approval of the

Safety Element on January 13, 2026. On January 26, 2026, the Sustainability Advisory Committee reviewed and recommended approval of both the Safety Element and Environmental Justice Element documents. Input is being collected throughout the process and either incorporated into updated iterations of the draft or flagged as additional items for City Council consideration.

The existing Del Mar Community Plan does not currently have an Environmental Justice Element. California Senate Bill 1000 (2018) State law requires jurisdictions with disadvantaged communities to prepare an Environmental Justice Element addressing unique or compounded health risks in disadvantaged communities. ‘Disadvantaged communities’ are areas of the state which the State has identified as compromised for their disproportionate burdens such as poverty, high unemployment, air and water pollution, presence of hazardous waste as well as high incidence of asthma and heart disease. While Del Mar ranks in the 95th percentile of all communities statewide for overall community health and access and does not have any disadvantaged communities; in its certified 6th Cycle Housing Element (Program 6E), the City committed to prepare an Environmental Justice Element to address fair housing. The proposed Environmental Justice Element addresses local efforts to affirmatively furthering fair housing and other required components of an Environmental Justice Element consistent with State guidance that address potential hazards and public health.

The draft Environmental Justice Element has been posted for public review since December 11, 2025. An updated draft of the Environmental Justice Element including comments received at the January 26, 2026 Sustainability Advisory Committee, was published to the City’s website on February 3, 2026. The revisions reflect new regulations including the bike and e-bike safety regulations (Ordinance No. 1020 - July 2025) and prohibition of polystyrene and single-use non-compostable plastic disposable food service ware (Ordinance No.1025 - January 2026).

Public notice was mailed to the tribes on December 11, 2025, in compliance with State law to offer consultation prior to final action by the City Council. An article was posted and distributed as part of the City’s weekly update newsletter on December 12, 2025. Per State law, the Planning Commission Notice of Public Hearing was mailed to the required list of recipients for General Plan Amendments on January 21, 2026. The public notice of the Planning Commission hearing was also published in Coast News on January 30, 2026, and posted at City Hall.

DISCUSSION:

The proposed Environmental Justice Element addresses the topics of equity, community health, and public access to resources in a manner that is consistent with other elements in the Del Mar Community Plan, the Municipal Code, Local Coastal Program, and State guidance. It provides a wholistic overview of the community, its assets, and resources; identifies various ways the City ensures the protection and fair treatment of people and minimizes environmental pollution exposure; and identifies essential community assets and facilities such as transportation networks and parks and trails which provide residents crucial access to public resources and recreational areas. The Environmental Justice Element also highlights fair housing and inclusive zoning strategies from

the City’s Housing Element that are being implemented to accommodate new housing choices at a greater range of affordability levels.

The Environmental Justice Element chapters are summarized below:

<p>Chapter 1 – Executive Summary</p>	<ul style="list-style-type: none"> • Overview of the main components and takeaways of the Environmental Justice
<p>Chapter 2 - Introduction</p>	<ul style="list-style-type: none"> • Affirms intent to promote fair treatment, meaningful public involvement, and protection of public health for all residents.
<p>Chapter 3 - Context of Environmental Justice in Del Mar</p>	<ul style="list-style-type: none"> • Provides a detailed overview of demographic, environmental, and overall public health conditions. • Confirms Del Mar is a high-opportunity community and does not meet the definition of a disadvantaged community. • Identifies local efforts to address environmental conditions through legislative positions and declaration of a local emergency related to climate change.
<p>Chapter 4 - Local Initiatives Supporting Civic Engagement, Equity, and Fairness</p>	<ul style="list-style-type: none"> • Documents the City’s commitment to inclusive civic engagement and transparent decision-making. • Describes public participation opportunities through public meetings of the City Council and advisory committees, compliance with the Brown Act, and policies that promote civil and respectful public discourse. • Highlights initiatives such as translation and interpretation services, volunteer advisory committees, public participation requirements in planning processes, and tribal outreach. • Identifies partnerships with community-based organizations, such as Del Mar Community Connections, which provide local support and services to populations in-need.
<p>Chapter 5 - Minimize Pollution Exposure</p>	<ul style="list-style-type: none"> • Identifies vehicle transportation, energy use, and waste systems as primary sources of pollution within the City. • Identifies strategies to reduce exposure to environmental pollutants that can adversely affect health. • Identifies programs to protect air quality, including smoking restrictions and support for alternative transportation; protect water quality through stormwater management and regional coordination; and implementation of the City’s Climate Action Plan energy conservation, greenhouse gas reduction, and waste diversion strategies.
<p>Chapter 6 - Promote Safe and Healthy Homes</p>	<ul style="list-style-type: none"> • Identifies housing-related environmental justice considerations, including affordability, housing cost burden, and access to jobs, schools, groceries, services, and transit.

	<ul style="list-style-type: none"> • Describes the City’s Housing Element programs that promote inclusive zoning and access to safe, sanitary, and affordable housing across range of income levels. • Emphasizes the City’s commitment to preserve existing housing, facilitate new housing opportunities, and provide resources to members of the public who may be experiencing housing instability, and further fair housing.
<p>Chapter 7 – Improve Access to Public Facilities, Resources, and Amenities</p>	<ul style="list-style-type: none"> • Goal to ensure that all residents can safely and conveniently access public resources, regardless of age, ability, or income. • Identifies access to public facilities, healthy food options, and parks and trails that support health and quality of life. • Highlights City investments in pedestrian, bicycle, and transit infrastructure; protection and enhancement of parks, beaches, and scenic trails; and partnerships that improve access to food and other basic needs.

ENVIRONMENTAL STATUS:

This action is covered by the City’s Housing Element Final Program Environmental Impact Report (PEIR) and associated Mitigation, Monitoring, and Reporting Program (MMRP) certified by the City Council on October 5, 2020 (State Clearinghouse (SCH) No. 2020029064). The proposed amendment to the City’s General Plan will not result in significant effects to the environment or an increase in the severity of effects on the environment as previously analyzed and identified in the Final PEIR. Therefore, pursuant to CEQA Guidelines Section 15162 no further environmental documentation is necessary. The Final PEIR is available online at: www.delmar.ca.us/DocumentCenter/View/7171/Final-PEIR-91020.

HOUSING IMPACT:

The Environmental Justice Element will not result in any loss of housing production in comparison with the level of housing production currently allowed under the City’s State-certified 6th Cycle Housing Element and State-certified Local Coastal Program. The goals and policies of the Environmental Justice Element address the City’s commitment to affirmatively further fair housing.

CORRESPONDENCE:

Aside from the feedback received at the Sustainability Advisory Committee on January 26, 2026, no public correspondence has been received.

RECOMMENDATION:

Staff recommends the Planning Commission adopt the attached Resolution (Exhibit A) that includes the CEQA determination for the project and a recommendation to the City Council to adopt the Environmental Justice Element at a future noticed public hearing in order to complete the required adoption process in accordance with State law.

EXHIBITS:

Exhibit A – Planning Commission Resolution No. PC26-XX

RESOLUTION NO. **PC 2026-XX**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DEL MAR, RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF DEL MAR CONFIRM THE ENVIRONMENTAL DETERMINATION AND ADOPT THE ENVIRONMENTAL JUSTICE ELEMENT AS AN ADDED COMPONENT OF THE DEL MAR COMMUNITY PLAN (GENERAL PLAN AMENDMENT GPA24-002) AT A FUTURE NOTICED PUBLIC HEARING

GPA24-002 – ENVIRONMENTAL JUSTICE ELEMENT

WHEREAS, State law requires every City to adopt and maintain a General Plan comprised of various required ‘elements’ in order to provide a comprehensive, long-range plan for the development and use of property within the City’s jurisdiction;

WHEREAS, the City of Del Mar Community Plan is the General Plan for the City of Del Mar; and

WHEREAS, the Environmental Justice Element is intended to establish goals and policies which reinforce that the City is committed to maintaining a healthy, inclusive, and accessible community for all residents and visitors; and

WHEREAS, pursuant to Government Code Section 65350 and the State Public Resources Code, the adoption of the Environmental Justice Element update constitutes a General Plan Amendment that is subject to a review by the Planning Commission prior to adoption by the City Council; and

WHEREAS, the City’s 6th Cycle Housing Element was adopted by the City Council on April 3, 2023, and certified by the California Housing and Community Development Department on May 31, 2023; and

WHEREAS, the City committed to the preparation of an Environmental Justice Element under Housing Element Program 6E in order to affirm the City’s commitment to create opportunities for diverse, integrated housing at all affordability levels and maintain a healthy, equitable, and accessible community for all residents and visitors; and

WHEREAS, the draft Environmental Justice Element is consistent with Government Code Section 65302(h); and

WHEREAS, on December 11, 2025, pursuant to Government Code Sections 65352 – 65352.5 the City mailed notices to all California Native American tribes provided by the Native American Heritage Commission and other entities listed to offer consultation prior to final action; and

WHEREAS, the public was notified of the availability of the draft Environmental Justice Element for public review and comment beginning on December 11, 2025; and

WHEREAS, the draft Environmental Justice Element was posted on the City's website for public review beginning on December 10, 2025; and

WHEREAS, the Planning Commission Notice of Public Hearing was mailed to the required notification list for General Plan Amendments per State law on January 22, 2026; and

WHEREAS, a public notice of the Planning Commission hearing was published in Coast News on January 30, 2026 and posted at City Hall; and

WHEREAS, on February 10, 2026, the Planning Commission of the City of Del Mar held a duly noticed public hearing to review the Environmental Justice Element and the associated environmental determination in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, this action is covered by the City's Housing Element Final Program Environmental Impact Report (PEIR) and associated Mitigation, Monitoring, and Reporting Program (MMRP) certified by the City Council on October 5, 2020 (State Clearinghouse (SCH) No. 2020029064) and the proposed amendment to the City's General Plan will not result in significant effects to the environment or an increase in the severity of effects on the environment as previously analyzed and identified in the Final PEIR, therefore, pursuant to CEQA Guidelines Section 15162 no further environmental documentation is necessary; and

WHEREAS, the proposed Environmental Justice Element is consistent with the other elements of the Del Mar Community Plan including the State-certified 6th Cycle Housing Element and consistent with the Del Mar Municipal Code and State-certified Local Coastal Program; and

WHEREAS, the recommendation of the Planning Commission to confirm the environmental determination and adopt the Environmental Justice Element Community Plan amendment will be presented to the City Council for final adoption at a duly noticed public hearing; and

WHEREAS, oral and written testimony was submitted and considered to include without limitation:

- a. Written correspondence submitted prior to the hearing;
- b. Staff Report, dated **February 10, 2026**; and
- c. Additional information submitted during the hearing.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Del Mar does hereby RECOMMEND adoption of this Resolution on this **10th day of February, 2026** by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSED:

Philip Posner, Chair
Planning Commission
City of Del Mar, California

ATTEST:

Karen Brindley
Planning and Community Development Director
City of Del Mar, California

City of Del Mar
Environmental Justice Element

Draft

February 2026~~December 2025~~

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Figure 12: City of Del Mar Healthy Food Access

[Table 1: San Diego County Sheriff's E-Bike Classifications](#)

Draft

1 EXECUTIVE SUMMARY

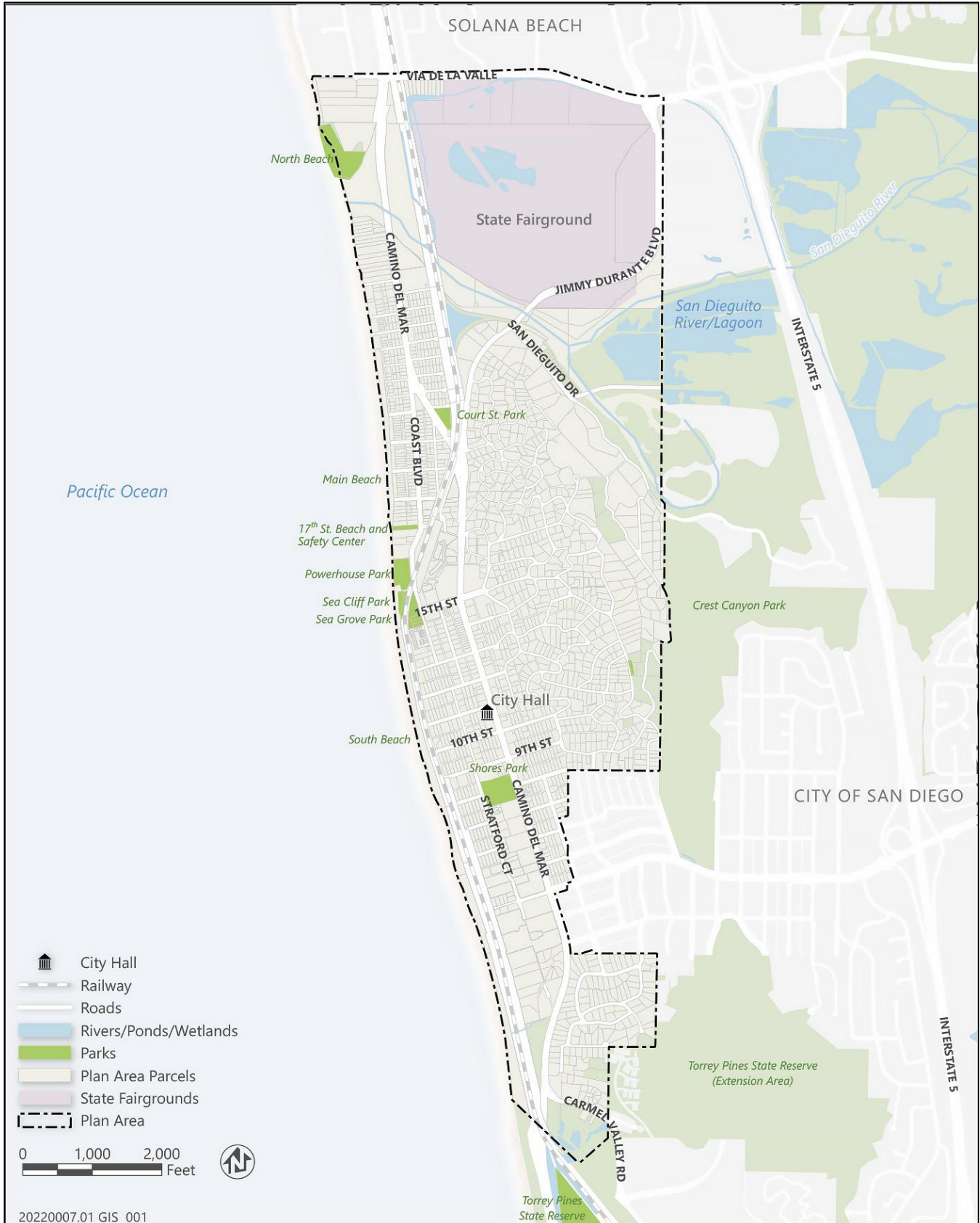
Environmental justice is defined in State law as the “fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.”¹ Although the City of Del Mar does not have any designated disadvantaged communities, and therefore is not mandated to adopt an Environmental Justice Element, the City recognizes the importance of environmental justice within the Del Mar community and across the region and is committed to doing its part to advance equity and protect human health.

The Environmental Justice Element was prepared to demonstrate the City of Del Mar’s commitment to maintain a healthy, sustainable environment and quality of life for its residents, including a commitment to affirmatively further fair housing and provide new opportunities for affordable housing in environmentally healthy areas. It identifies goals, policies, and actions such as:

- Continue to support civic engagement, equity, and fair treatment through local policies and initiatives.
- Facilitate public participation in the City’s planning processes through a diverse variety of community-based outreach strategies.
- Remove barriers to public participation and increase the accessibility of the materials on the City’s website by adhering to ADA Laws and by offering materials in multiple languages.
- Maintain a healthy environment that protects the public health and safety and minimizes pollution exposure.
- Partner with local, State, and Federal agencies to continue monitoring for pollutants and implementing mitigation measures as necessary.
- Update and align City planning documents and processes to incorporate research and practices that increase community resilience against natural disasters and the effects of climate change.
- Provide information that informs residents on how they can take proactive steps to protect their homes and themselves against wildfires, floods, and other natural disasters.
- Promote safe and healthy homes through preservation of existing housing and creation of new housing opportunities at a range of income levels.
- Provide information to the public on the availability of housing and legal assistance for people of all incomes.
- Identify opportunities for adequate sites, partnerships, and funding that will facilitate the development of affordable housing.
- Protect and maintain the quality of community resources in a manner that respects the history of Del Mar through protection of historic resources and cultural resources and inclusion of Native American tribes in the land use and development process.
- Support and promote local organizations that provide access to healthy food, hygiene products, and programs for people and families in need.
- Promote alternative forms of transportation such as walking and biking as strategies to improve public health and reduce vehicle pollution.
- Improve public access to Del Mar’s public facilities, resources, and amenities including the Del Mar beaches, parks, preserves, and blufftops along the ocean, San Dieguito Lagoon, Fairgrounds, and connecting public trails.

¹ The full definition of “environmental justice” in California State Law is found in California Government Code Section 65040.12(e). The Federal EPA defines environmental justice similarly, the full definition can be found at: <http://www.epa.gov/environmentaljustice/>

Figure 1: City of Del Mar, Plan Area



Source: Ascent, adapted by City of Del Mar 2025

2 INTRODUCTION

The City of Del Mar is a small, but vibrant coastal community consistent of approximately 4,000 residents that serves over a million visitors annually. The City uses data from multiple sources to gain insight into the demographics, baseline conditions, trends, and needs of the community. These sources include CalEnviroScreen, California Healthy Places Index, the City's Housing Element, and the Climate Action Plan (CAP). The data demonstrates that the City is a high opportunity area in the San Diego region that does not meet the definition of "disadvantaged community", and therefore is not mandated by the State to adopt an Environmental Justice Element into the General (Community) Plan. However, the City's 6th Cycle Housing Element identifies a commitment to adopt an Environmental Justice Element that demonstrates the City's commitment to continue to implement and enforce environmental justice policies. This occurs through a variety of local plans, policies, regulations, and programs, including those to create and maintain affordable housing options for individuals and households at all income levels. This Element also supports continued environmental protection, provision of resources to address persons experiencing housing instability, and maintaining the Del Mar community as a scenic, safe, healthy and high-quality place to live and work.

2.1 PURPOSE AND SCOPE

Environmental justice policies aim to avoid inequity in communities and ensure development does not create disparate impacts that place burdens on residents disproportionately. Environmental justice is defined by the State of California as "the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies" (Government Code Section 65040.12(e)). The intent is to ensure that all people are equally and equitably valued, protected, and served.

As of January 1, 2020, State law requires that jurisdictions with disadvantaged communities adopt an Environmental Justice Element into their General Plan (California Senate Bill 1000, 2016 Planning for Healthy Communities Act). The California Environmental Protection Agency (CalEPA) defines a disadvantaged community as "a low-income area that is disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation" (Government Code Section 65302 (h)(4)(A)).

The City conducted a screening analysis in accordance with the Governor's Office of Land Use and Climate Innovation (LCI) guidance, formerly the State Governors Office of Planning and Research (OPR), and the results identified that the City of Del Mar is a "Healthy Place" with a high quality of life and does not have any disadvantaged communities. While Del Mar is exempt from SB 1000, the City voluntarily committed to adopt an Environmental Justice Element, as part of the Del Mar Community Plan (General Plan) to demonstrate its commitment to affirmatively furthering housing and upholding the principles of environmental justice to reduce inequities and provide new opportunities for economically and socially diversified housing choices. This commitment was done through the 6th Cycle Housing Element, Program 6E. Furthermore, the City's environmental justice policies are intended to set forth policies to support the community's vision for a more diverse, sustainable, and balanced community.

The Environmental Justice Element is organized into the following sections, which identify the local context and the City's policies and objectives for promoting environmental justice:

- Local Initiatives to Support Civic Engagement, Equity, and Fair Treatment
 - Facilitating Civic Engagement
 - Incorporating Public Participation into Planning Processes
 - Local Advisory Committees
 - City Policies Promoting Equity and Fair Treatment

-
- Community Resources
 - Minimize Pollution Exposure
 - Air Quality
 - Water Quality
 - Energy Conservation
 - Waste Diversion
 - Climate Action Plan
 - Promote Safe and Healthy Homes
 - Housing Affordability
 - Implementing Fair Housing Practices
 - Housing Element Goals and Programs
 - Improve Access to Public Resources and Amenities
 - Access to Community Facilities
 - Access to Public Transportation
 - Access to Public Parks and Trails
 - Access to Healthy Food

2.2 REGULATORY CONTEXT AND STATUTORY REQUIREMENTS

In 2016 Senate Bill 1000 (SB 1000) amended California Government Code Section 65302(h) to require General Plans incorporate environmental justice into local land use planning processes under specified circumstances. This Environmental Justice Element was added to the Del Mar Community Plan (General Plan) in accordance with this criteria to address social equity, the potential types of pollution and other hazards that may impact households in Del Mar, and proactively plan for fair housing and access to public resources and amenities.

Consistent with the objectives in State law, this Environmental Justice Element includes goals and policies to reduce unique or compounded health risks and pollution exposure, improve air quality and water quality, and promote public facilities, food access, safe and healthy (sanitary) homes, physical activity, and civic engagement in public decision making. The goals, policies, and implementation programs include actions to monitor progress, establish priorities for funding, establish partnerships, and other actions as appropriate to address environmental justice issues.

2.3 RELATIONSHIP TO OTHER ADOPTED ELEMENTS

The Del Mar Community Plan is the City's General Plan, which is a long-range plan that is required by State law for each local jurisdiction. It includes policies that specify the City's goals and objectives for growth and development to maintain the quality of life in Del Mar and for protection of the public health, safety, and welfare.

The City's General Plan collectively includes the Del Mar Community Plan adopted by the Del Mar voters in 1976, which is organized into three main sections (Environmental Management, Community Development, and Transportation Sections) as further described below as well as the Housing Element, Safety Element, Recreation Element, and if adopted, Environmental Justice Element, which are standalone documents that are published separately.

The Environmental Management section of the Del Mar Community Plan includes both the Conservation Element and Open Space Element policies for the preservation of natural resources, protection of areas and people susceptible to

seismic and flooding hazards, and preservation and enhancement of open space. The Environmental Management section identifies hazards and includes policies for protection from natural and manmade hazards.

The Community Development section of the Del Mar Community Plan includes the Land Use Element, which establishes the location, type, intensity, and distribution of land uses throughout the City, and defines the land use build-out potential. It identifies land use designations that apply to real property and specifies where residential is an allowed primary use, including the associated density range that applies, lands that are designated for a range of commercial and office uses, lands that are designated open space or building-restricted, lands in areas prone to natural hazards, and specific plan areas.

The Transportation section of the Del Mar Community Plan includes the City's Circulation Element and Noise Element. The circulation element policies within this section promote a balanced circulation system that accommodates pedestrians, bicycles, automobiles, and public transit. This section of the plan is related to the Environmental Justice Element goals, policies, and objectives that ensure safe access to public transportation and pedestrian and bicycle safety throughout the community.

Housing Element: The Housing Element is a mandatory element of the General Plan that sets forth the City's housing goals, policies, objectives, and action programs for each eight-year housing cycle. Building practices and codes addressed in the Housing Element were developed to ensure there is sufficient residential capacity available to meet the minimum needs established by the state at various income levels. The 6th Cycle Housing Element applies to the planning period for the years 2021-2029.

A Program Environmental Impact Report (PEIR) was prepared for the 6th Cycle Housing Element with analysis of the environmentally significant factors and potential hazards in the City. The 6th Cycle Housing Element PEIR and associated Mitigation, Monitoring, and Reporting Program was certified by the City Council on October 5, 2020 (State Clearinghouse (SCH) No. 2020029064). The Final PEIR is available at: www.delmar.ca.us/DocumentCenter/View/7171/Final-PEIR-91020

Safety Element. The Safety Element is a mandatory element of the General Plan that sets forth the City's goals, policies, and objectives to protect the public from risks associated with various hazards including but not limited to seismic, geologic, flooding, and fire hazards. The Safety Element supports environmental justice by identifying hazards to people and infrastructure and includes safety considerations in the planning and decision-making process by establishing policies related to future development that will minimize the risk of personal injury, loss of life, property damage, and environmental damage associated with natural and human-caused hazards.

Recreation Element: The Recreation Element of the Community Plan is intended to be used as a guide for the acquisition and development of a city-wide system of parks and recreation areas, and for the coordination of the recreation programs of government, private organizations, and individuals. This is not a mandatory element per General Plan law. The Recreation Element supports environmental justice through ensuring sufficient park and recreation areas and access throughout all areas of the City.

3 CONTEXT OF ENVIRONMENTAL JUSTICE IN DEL MAR

3.1 COMMUNITY OVERVIEW

Del Mar is a community where individuals of any income level can thrive with access to a healthy environment and quality of life. The City used data from multiple sources to gain insight into the demographics, baseline conditions, trends, and needs of the community. These sources include CalEnviroScreen, California Healthy Places Index, the City's Housing Element, and the Climate Action Plan (CAP). The data demonstrates that the City is a high opportunity area in the San Diego region and that the City does not meet the definition of "disadvantaged community".

As previously noted, the City of Del Mar is not mandated by the State to adopt an Environmental Justice Element into the General (Community) Plan, however, the City's certified 6th Cycle Housing Element committed to adopt an Environmental Justice Element to demonstrate the City's commitment to continue to implement and enforce environmental justice policies. Del Mar has historically been a community with housing choices that are unaffordable to individuals of lower incomes. Since 2021 the City has maintained a variety of local plans, policies, regulations, and programs to create and maintain affordable housing options for individuals and households at all income levels, including lower income households.

The determination of whether or not a community is "disadvantaged" considers the presence or absence of the following types of pollutants: ozone, particulate matter, diesel particulate matter, pesticides, toxic releases, traffic, drinking water contaminants, lead in housing, cleanups, groundwater threats, hazardous waste, impaired water, and solid waste, consistent with the definition established by Senate Bill 100.

CalEnviroScreen Results. In the 2021 CalEnviroScreen study, the top three pollutants identified in Del Mar were impaired water, diesel particulate matter, and solid waste as further described below:

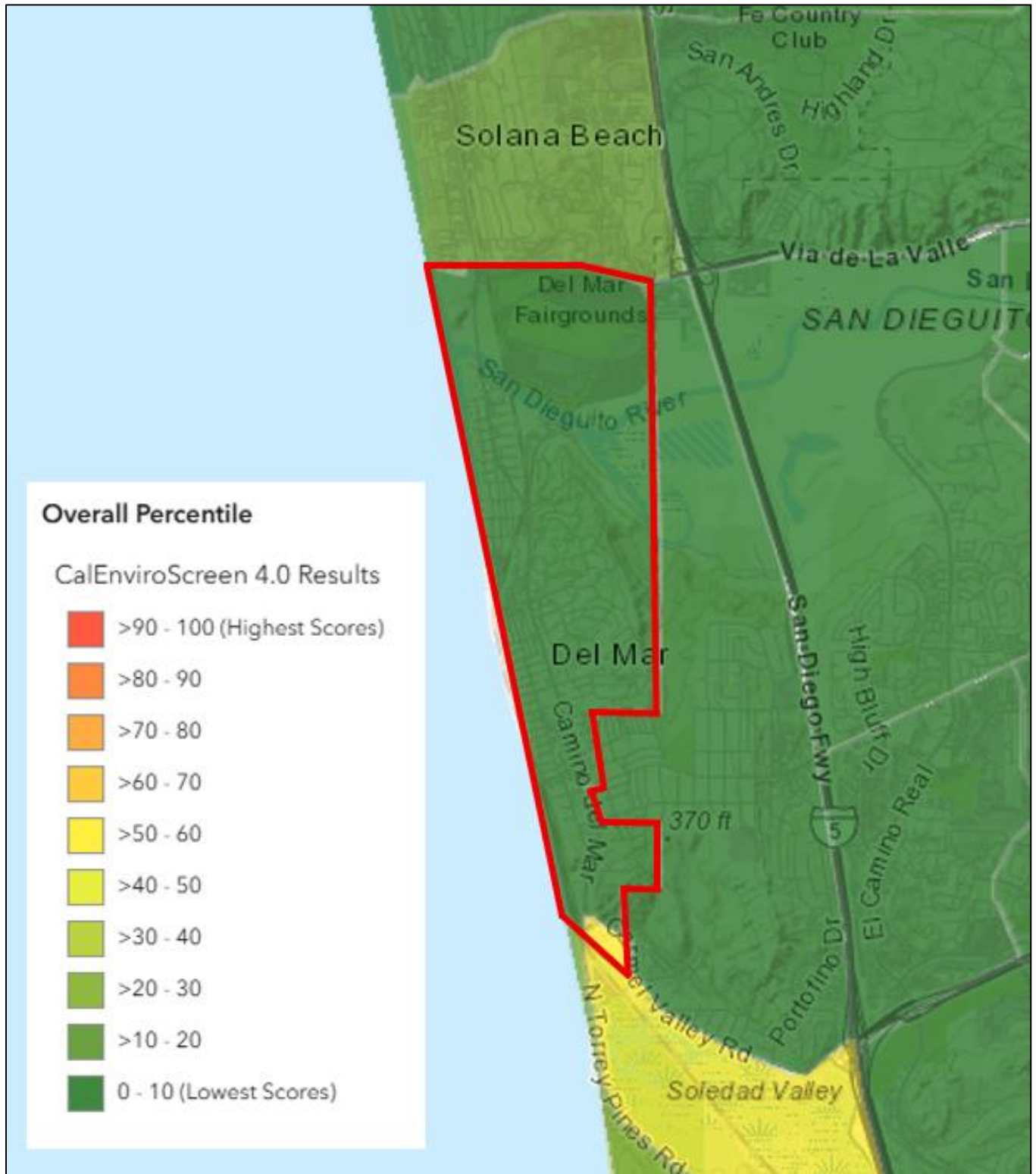
- Impaired Water - The finding related to impaired water is based on stormwater runoff data as it relates to water quality testing results in the local watershed including the San Dieguito River and Lagoon, which connects to the Pacific Ocean at the northern end of the City. The CalEnviroScreen study identifies that these water bodies in Del Mar had nine impairments during the 2010-2022 timeframe evaluated. In an effort to minimize stormwater impacts, the City's Clean Water Program enforces stormwater control regulations, which require that all storm water discharge sources be managed and controlled through implementation of best management practices (i.e., directing stormwater into natural filtration systems, gutters, and storm drains). Figure 3 illustrates the data generated by CalEnviroScreen related to impaired water.
- Diesel Particulate Matter – The finding related to diesel particulate matter accounts for diesel pollution from vehicles and equipment (i.e., exhaust from vehicles and trains traveling through Del Mar or diesel-powered leaf blowers). The City utilizes multiple strategies to reduce diesel pollution including increased public access to electric vehicle charging stations, bicycle racks and lockers, and other incentives to facilitate use of greener, alternative fuels; adoption of measures to protect existing open space, mature trees, and vegetation; investment in the planting and maintenance of trees and landscape on public property, including the public right-of-way along Camino del Mar which is the main vehicular access road connection in Del Mar. Figure 4 illustrates the data generated by CalEnviroScreen related to diesel particulate matter.
- Solid Waste - Solid waste facilities are places where household garbage and other types of waste are collected, processed, or stored. Landfills, transfer stations, and composting facilities are considered solid waste sites. These facilities can release air pollutants and impact water quality if compounds present in refuse leach into soils. The finding related to solid waste is misleading because the CalEnviroScreen study incorrectly assumed there are two solid waste facilities within the City's jurisdiction; however, there are no solid waste facilities in Del Mar. The majority of the City's solid waste is transported and sent to the Miramar Landfill located within the City of San Diego, however, a portion of the City's organic waste, in accordance with Senate Bill 1383, is being diverted from the landfill and is instead sent to an organics processing facility.

The determination of whether or not a community is “disadvantaged” also considers population-based factors that are associated with increased vulnerability to pollution, including the following: Asthma, Low Birth Weight, Cardiovascular Disease, Education, Linguistic Isolation, Poverty, Unemployment, and Housing Burden. Of the vulnerable population characteristics listed, “housing burden” is the most significant vulnerability factor applicable to the City of Del Mar. Housing burden typically refers to households that experience rent burden. The U.S. Department of Housing and Urban Development (HUD) defines “rent burdened” as households spending more than 30 percent of the household income on housing and “severely rent burdened” as households spending more than 50 percent of the household income on housing. CalEnviroScreen reports that 16 percent of people in the same census tract as the City of Del Mar are low-income households that are housing-burdened. To further reduce and minimize this vulnerability, the City is implementing a variety of actions in accordance with the adopted Housing Element to create new housing options for lower income households and connect individuals with housing assistance services, as further described in the Fair Housing and Safe and Healthy Homes section of this Element.

California Healthy Places Index. Developed by the Public Health Alliance of Southern California, the California Healthy Places Index (HPI) addresses inequities that affect community life expectancy. Del Mar is considered a healthy place with a high quality of life (95th percentile), meaning it has healthier community conditions than 95 percent of other California census tracts. This score combines economic, education, social, transportation, neighborhood, housing, clean environment, and health care access conditions. Del Mar is considered a high opportunity area with access to needs and resources for households of all income levels. Figure 5 illustrates the data generated by the California Healthy Places Index.

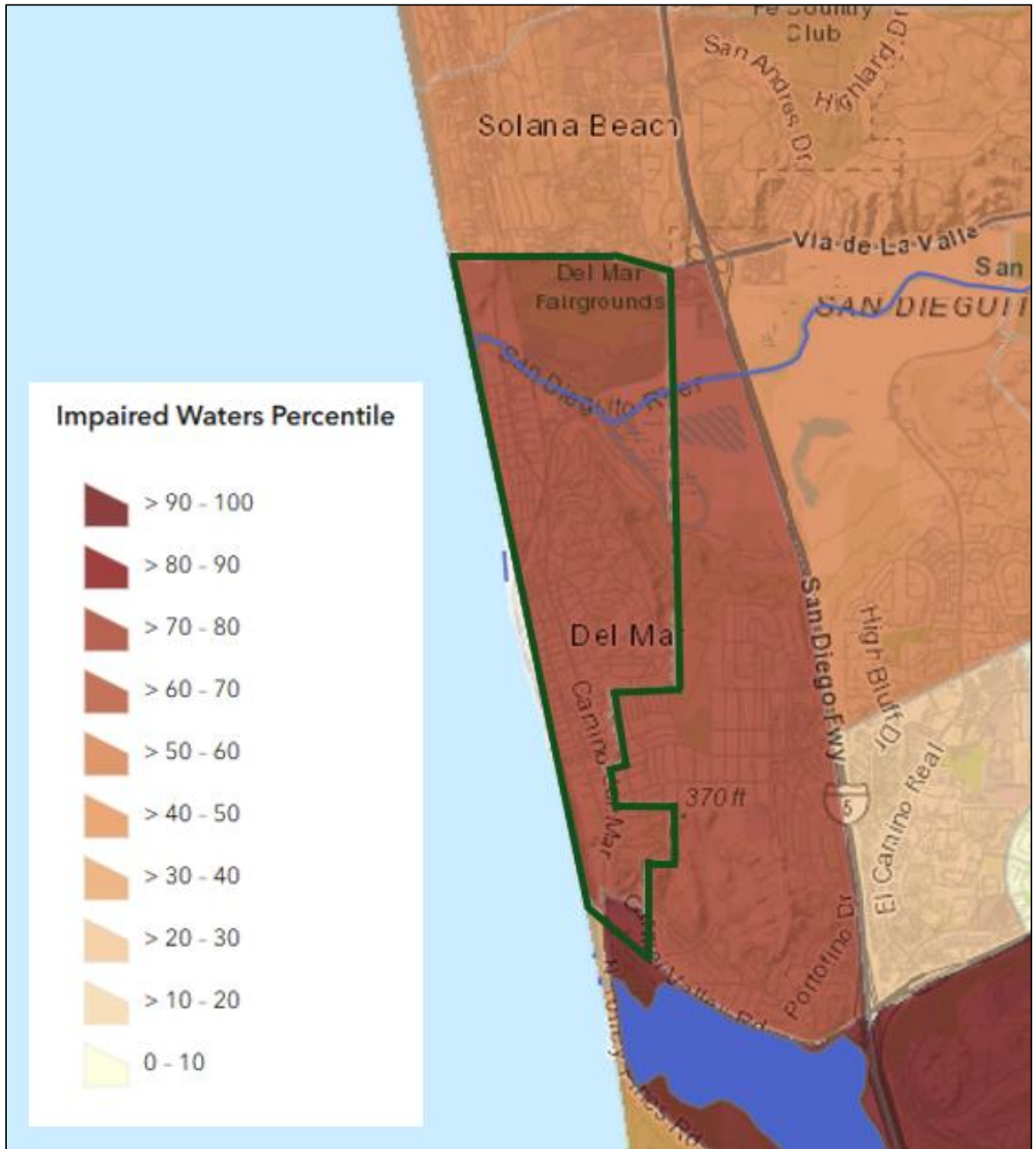
According to the California Healthy Places Index, the City of Del Mar has a population of roughly 4,331 people and is a predominantly white community. Acknowledging the City’s race and ethnicity breakdown is critical to assessing environmental justice since, historically, low-income residents, communities of color, tribal nations, and immigrant communities experience inequal burdens and disadvantages.

Figure 2: City of Del Mar – CalEnviroScreen 4.0



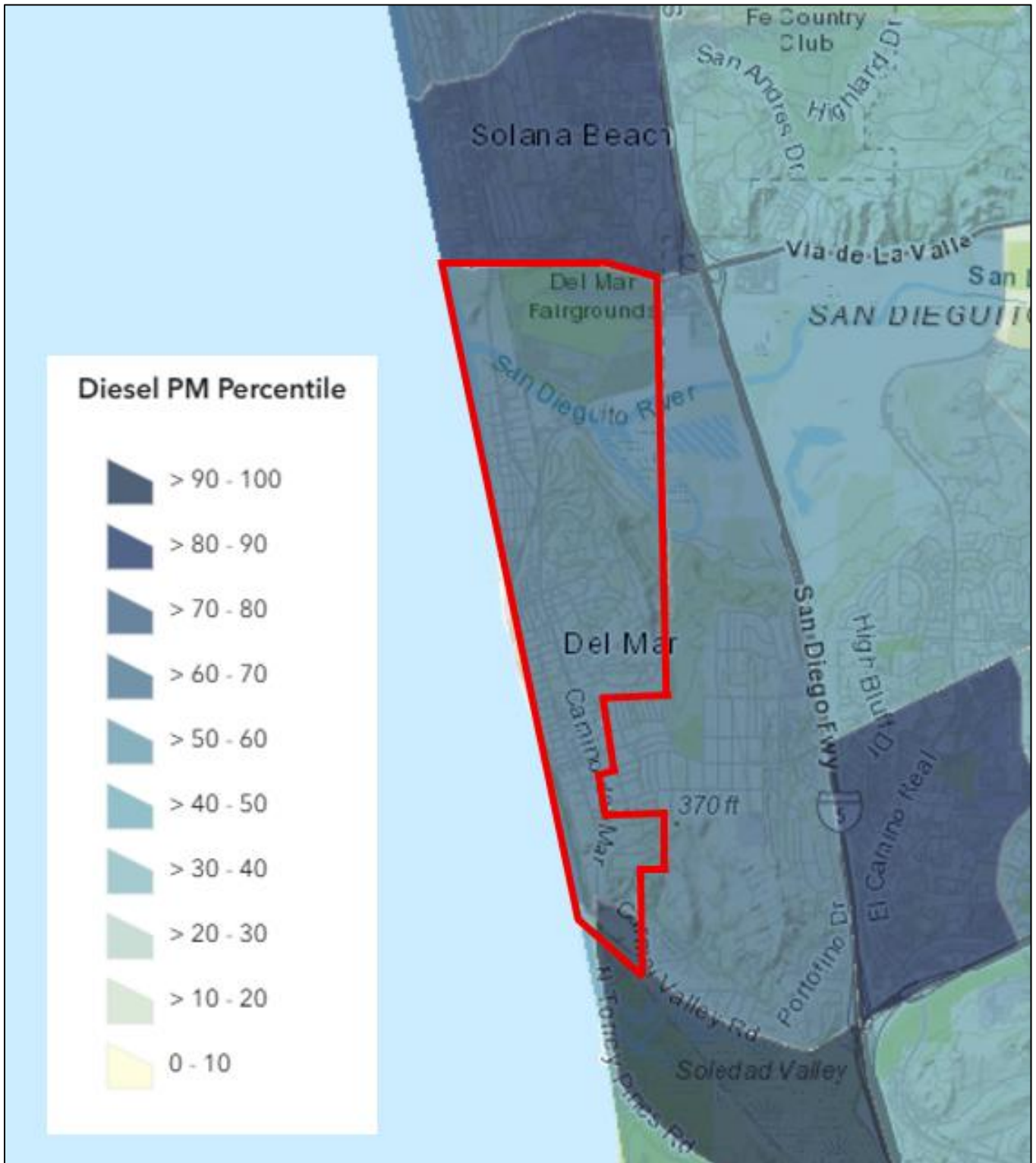
Source: CalEnviroScreen 4.0, adapted by City of Del Mar 2025

Figure 3: City of Del Mar – CalEnviroScreen Results, Impaired Water



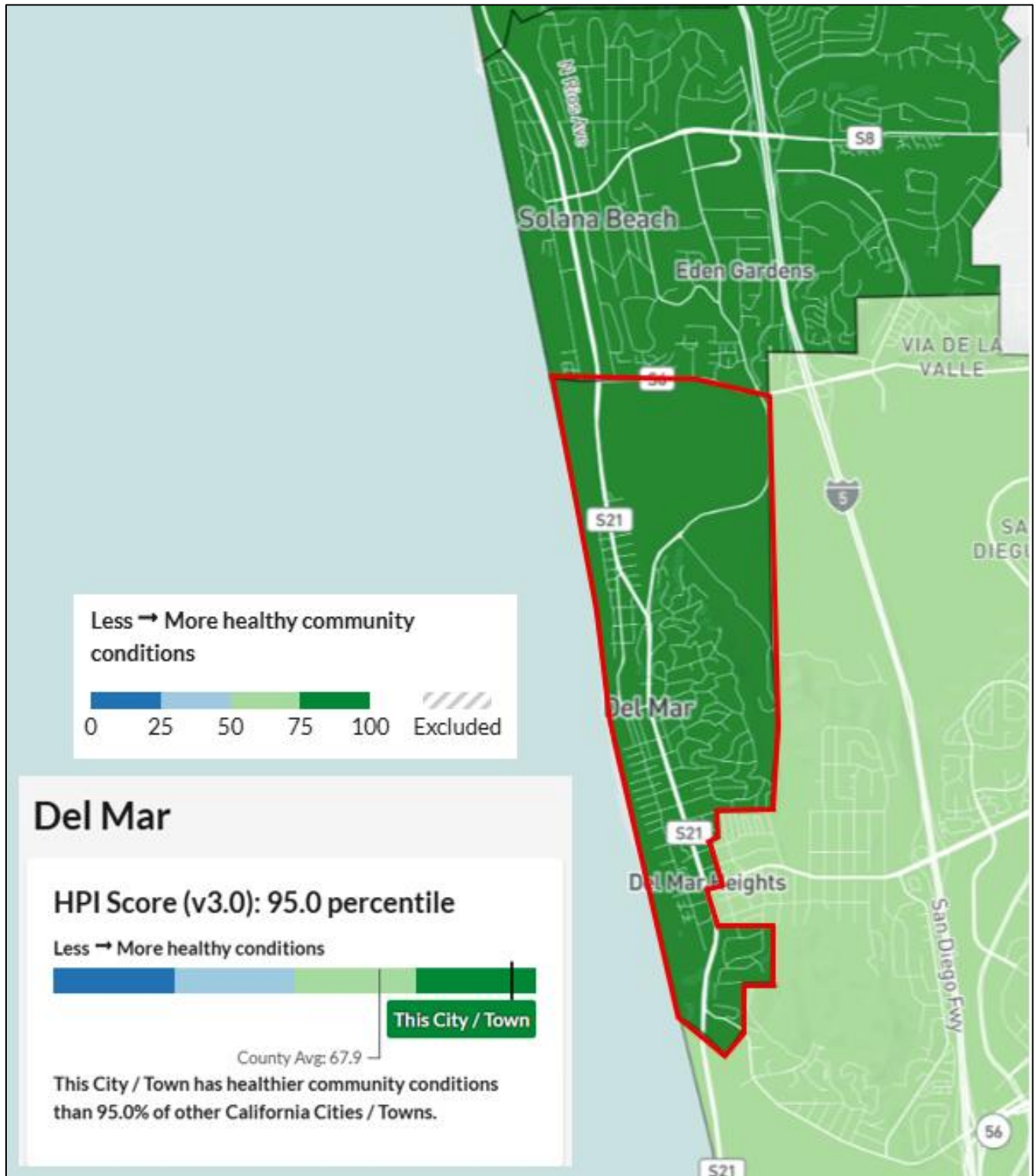
Source: CalEnviroScreen 4.0, adapted by City of Del Mar 2025

Figure 4: City of Del Mar – CalEnviroScreen Results, Diesel Particulate Matter



Source: CalEnviroScreen 4.0, adapted by City of Del Mar 2025

Figure 5: City of Del Mar, California Healthy Places Index



Source: California Healthy Places Index, adapted by City of Del Mar 2025

3.2 CITY COUNCIL LEGISLATIVE POLICY GUIDELINES

The City of Del Mar City Council adopts and maintains Legislative Policy Guidelines intended to expressly state City policy positions on key topics relating to land use and development and other topics. The 2025 Legislative Policy Guidelines, emphasize protection of the environment and quality and character of the community. Legislative Policies that address resources and the environment include:

California Environmental Quality Act. Oppose legislation that would weaken or substitute the CEQA requirements in favor of a lesser process, such as National Environmental Policy Act (NEPA).

Offshore Drilling. 1) Oppose legislation that includes any San Diego coastal areas in the lease sale program. 2) Support legislation that provides for oil spill prevention and response. 3) Support legislation that creates a Coastal Sanctuary that prohibits a state agency from entering into a new lease for the extraction of oil in state waters. 4) Oppose any legislation that increases gas or oil drilling off the coast of California.

Waterfront. 1) Support legislation that provides funding for waterfront coastal restoration, protection, and enhancement. 2) Support efforts to protect the San Dieguito Lagoon and the Los Penasquitos Lagoon. 3) Support legislation, administrative action, and provisions of funding to assist in implementation of the City's Sea Level Rise Adaption Plan.

Water. 1) Support legislative efforts to improve the potable water quality in San Diego County. 2) Support legislation to provide Southern California with a stable source of water. 3) Support legislation that would provide incentives and funding for alternative water sources and for water conservation measures sponsored by local agencies. 4) Support legislation that would advance the opportunity to secure and utilize reclaimed/recycled water. 5) Support legislation that will require a showing of the availability of potable water in connection with any new development in San Diego County. 6) Support legislation, policies or practices that would decrease pollution to the ocean or waterways.

Storm Drain and Sewer. 1) Support legislation to provide funding for mitigation measures and projects to reuse, recharge, divert, or treat urban runoff. 2) Oppose legislation that imposes more stringent requirements on storm drain runoff without providing funding and/or consideration of the feasibility of monitoring and mitigation of such requirements. 3) Monitor any new or reviewed requirements by State or Federal agencies for testing water quality and water body closures. 4) Support state and federal legislation and administrative action to encourage reclamation and recycling of wastewater from the Metro Waste Water System and the San Elijo Joint Powers Authority for potable and purple pipe reuse.

Regional Growth Management. 1) Support legislation that would produce additional resources, including adequate funding, to local agencies to address regional growth and transportation issues. 2) Support legislation and administrative action that would encourage managing growth in a manner that is consistent with State and local climate action goals of reducing vehicle miles travelled and greenhouse gas emissions.

Air Quality. 1) Support legislation to improve the air quality in San Diego County. 2) Support legislation that allocates State and/or Federal funds for compliance with Federal and State air quality standards. 3) Support legislation that would provide funding for zero emission vehicles and their support infrastructure.

Wetlands. 1) Oppose legislation that adversely impacts the wetlands. 2) Support legislation that provides funding for the acquisition, enhancement, and protection of wetlands and wildlife habitat. 3) Support legislative and administrative action to allow wetlands to adapt to climate change and rising sea levels without loss of habitat value.

Energy. 1) Support legislation that effectively stabilizes energy availability and reduces energy costs. 2) Support legislation that would provide funding for alternative energy sources, energy efficiency, energy storage, and conservation measures. 3) Support legislation that provides for the safe decommissioning/removal of nuclear material at the San Onofre Nuclear Generating Station (SONGS). 4) Support legislation at the federal and state levels to allow for removal of nuclear waste from SONGS to a safe inland temporary storage location pending federal identification of a permanent storage option. Oppose ongoing storing this waste on the beach at SONGS. 5) Support Community Choice Aggregation (CCA) [also known as Community Choice Energy (CCE)] and the Clean Energy Alliance to allow residents and businesses the option to purchase clean energy from renewable sources and oppose any efforts to

impede CCA's/CCE's, including but not limited to, increased departure charges. 6) Support CCA programs including the Clean Energy Alliance that pursue distributed energy, community solar, micro grid projects, and similar local programs of benefit to the city.

Land Use. 1) Oppose legislation that takes a punitive approach to City General Plan Housing Element and the imposition of any extraordinary powers in State agencies with regard to City Housing Elements. 2) Support legislation to allow local governments flexibility in how they meet their state mandated housing goals. 3) Support legislation that allows jurisdictions to review, validate, and raise concerns regarding Regional Housing Needs Allocation (RHNA) data and methodologies prior to approval and takes into consideration unique situations (e.g., Fairgrounds). 4) Oppose legislation, or other agency actions, that would usurp local control of land use decision-making. 5) Oppose legislation that would impose State-mandated development standards or procedures that are contrary to the Del Mar Community Plan or local land use policy. 6) Oppose legislation that is inflexible and cannot be modified through local review. 7) Monitor proposals that would alter air traffic systems that would impact Del Mar. 8) Support legislation to reaffirm that regulation of short-term rentals is a local matter. 9) Oppose legislation to reduce or encroach upon the autonomy of Charter Cities as to home rule powers, including as to land use, housing, and zoning.

Sea-Level Rise and Climate Change. 1) Support legislation that continues to monitor sea-level rise and climate change and the effect on local jurisdictions. 2) Support legislation that would provide local jurisdictions funding for resilience and response to sea-level rise and climate change. 3) Support legislation that allows local governments flexibility in how they implement sea level rise and climate change adaptation goals and meet federal and state flood management standards. 4) Support legislation and administrative action at the federal and state level to provide funding and assistance to coastal cities addressing adaptation to sea level rise and increased flooding risks. 5) Support legislation and administrative action at the federal and state level to increase funding for local governments implementing sand replenishment and other adopted strategies for addressing sea level rise. and 6) Support legislation, funding, and administrative action to remove sediment accumulation in the regions coastal lagoons and upstream behind dams and use it for beach sand replenishment.

3.3 CLIMATE EMERGENCY AND THE NEED FOR ACCELERATED ACTION TO ADDRESS THE CLIMATE CRISIS

This City Council first adopted Resolution No. 2020-33 in 2020, declaring a climate emergency for the City of Del Mar and the need for accelerated action to address the climate crisis. In November 2023, the Del Mar City Council adopted Resolution No. 2023-43 Reaffirming a Declaration of a Climate Emergency and the Need for Accelerated Action to Address the Climate Crisis. The resolution acknowledges that climate change is an urgent unfolding crisis that presents a serious long-term threat to human existence, and that the City of Del Mar, like the rest of California, already suffers from the impacts of climate change such as drought, extreme heat, risk of wildfires, species stress, dying Torrey Pines, shrinking kelp forest, coastal erosion sea level rise, and flooding, and these impacts will become more severe as global GHG emissions continue to increase. More must be done to combat the effect of climate change, but the City has made significant strides in adopting the CAP and resolutions that help to address climate change, such as:

- Resolution Supporting Senate Bill (SB) 1137. In May 2024, the City of Del Mar City Council adopted a resolution (Resolution No. 2024-21) in support of SB 1137 which includes retaining health and safety setbacks of 3,200 feet from homes, schools, daycare centers, parks, healthcare facilities, and businesses and endorsing the Campaign for a Healthy and Safe California. The Campaign for a Safe and Healthy California is a coalition of public health professions, environmental justice groups, community and faith leaders, and youth joining together to make sure that no Californians have to endure health hazards from living near dangerous oil wells, and they strongly support retention of SB 1137.
- San Onofre Nuclear Generating Station (SONGS) The City of Del Mar City Council adopted Resolution No. 2012-57 regarding the San Onofre Nuclear Generating Station (SONGS), which is located south of San Clemente, California. SONGS is a nuclear power plant that was shut down in 2013, due to defects found in replacement steam generators. The plant is currently being decommissioned. At the time of the resolution the City of Del Mar took a stance on the need to create and implement strong contingency plans for alternative power sources like San

Onofre, especially those deriving from conservation, energy efficiency and renewable resources, per the State of California's Loading Order, state mandated targets, and Governor Brown's Clean Energy Plan. Resolution No. 2012-57 the City of Del Mar strongly supports the California Public Utilities Commission in: 1) expeditiously initiating and completing an Order Instituting Investigation regarding the costs and reliability of the San Onofre Nuclear Generating Station, and 2) comparing the reliability and costs of the San Onofre facility to a future based on alternatives, including efficiency, load management, demand response, renewable energy, and energy storage. This resolution was adopted prior to the closing of the plant, but the health of both the environment and the people are of concern through the decommissioning of the nuclear plant.

Draft

4 LOCAL INITIATIVES SUPPORTING CIVIC ENGAGEMENT, EQUITY, AND FAIR TREATMENT

Inclusive civic engagement is a core value to the City of Del Mar. Communities that are underrepresented in the planning process often have relevant perspectives that deserve to be considered in local outreach strategies to ensure community success. It is common that these same communities have cultural or demographic differences that act as an impediment to participation. For example, these could include individuals for whom English is not a first language, audio and visual impediments, lack of internet access, or geographically isolated communities.

Government Code §65302 requires this Element to identify objectives and policies to promote civic engagement in the public decision-making process. Continually developing new opportunities for improved communication with residents and the public is a priority for the City, including additional efforts to better engage with minority communities, especially households that speak limited or no English. Transparent communication is particularly necessary to establish equitable access to City-provided opportunities, resources, and programs related to residents' safety and capacity for influencing City decision-making.

4.1 LOCAL INITIATIVES SUPPORTING CIVIC ENGAGEMENT

Civic engagement within the City of Del Mar is welcomed and encouraged for all public meetings. Public meetings are conducted by a number of legislative bodies that include the City Council, Planning Commission, and Design Review Board, among other advisory committees.

The Brown Act. The Brown Act was adopted in 1953 and the public hearing provision within the Act is that "All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise exempt by the Act." Additionally, Proposition 59 was voted into law in the November 2004 election and amends the California Constitution to include a public right of access to government information.

The City of Del Mar City Council Policy Book provides a mechanism for articulation methods and procedures for the conduct of the City business. The policy regarding Oral Communications from the public during City Council meetings is intended to provide a reasonable structure for the public to submit oral comments to the City Council in accordance with the laws of the State of California and the policies of the City of Del Mar. Meeting attendees are invited to sign up to provide oral comments at various points throughout meetings on both agenda and non-agenda items.

The Planning Commission and the Design Review Board have similar requirements for Oral Communication as outlined within the Procedure/Protocol document for each body. Additionally, trainings are provided to the Board and Commissions on the Brown Act to ensure compliance.

Additionally, the City Council Policy Book provides an opportunity for the public to submit written comments for an upcoming meeting after the agenda has been published and prior to the meeting taking place. These communications are delivered to City Councilmembers or Commissioners and staff and are posted on the City's webpage for public review.

Civility Works. In 2016, the City of Del Mar City Council adopted "Civility Works: The Del Mar Code of Civil Discourse" to promote respectful and inclusive communication practices during City public meetings and workshops. In 2021, the Del Mar City Council adopted the Supplemental Policy to the Code of Civil Discourse establishing clear expectations for conduct of committee members and chairs during public meetings, establishing a process for the filing of public complaints, and the process for Council review and actions that may be taken (Resolution No. 2021-51). The Code of Civil Discourse, along with the Supplemental Policy to the Code, provide standards for conduct of elected officials and boards and committee members and states that "together we will: promote inclusion, listen to, understand, show respect, be clear and fair, and focus on the issue." The "Civility Works" language is additionally listed on each City Council public meeting agenda and displayed at the Del Mar Town Hall as a reminder to the public and the officials to

adhere to the Del Mar principles and standards of conduct that promote inclusion, mutual respect, and productive civic engagement.

Translation Services. In November 2025, the City of Del Mar entered into an agreement with an on-call interpretation and translation service Propio. Propio provides access to real-time interpreters 24/7, available in 350+ languages, including American Sign Language (ASL). The service can be used to assist walk-in customers, as well as help with pre-scheduled meetings and teleconferences. The service is available over phone and on virtual calling platforms.

Volunteer Committees. The City of Del Mar benefits greatly from a robust advisory committee system made up of talented volunteers. The City has a number of volunteer committees that act as advisory to the City Council, as well as legislative committees such as the Planning Commission and a Design Review Board. These positions are appointed by the City Council, and participation from any and all members of the public is encouraged. Some committees have variable membership categories allowing both residents and non-residents to serve. The City invites volunteers to participate by advertising committee vacancies on the City website for a minimum of 10 (ten) calendar days, and at least once in the Del Mar Weekly and/or through CivicSend eblast. Upcoming vacancies may also be announced by the City Manager or Council Members at City Council meetings. Volunteering and serving on City committees is highly valued and appreciated by the City, and all qualified community members are encouraged to apply for available vacancies. The committees/commissions include the Design Review Board, Finance Committee, the Lagoon Committee, Measure Q Citizen Oversight Committee, Parks and Recreation Committee, Planning Commission, San Diego Water Authority (SDCWA) Representative, Metro Wastewater Joint Powers Authority (JPA) Representative, Shores Park Master Plan Ad-Hoc Advisory Committee, Sustainability Advisory Committee, Traffic and Parking Advisory Committee, and the Undergrounding Program Advisory Committee. A complete list of volunteer opportunities, additional information on the responsibilities of the Committee and Commissions, and instructions for applying can be found on the City of Del Mar website. <https://www.delmar.ca.us/140/About-City-Advisory-Committees>

4.2 PUBLIC PARTICIPATION IN PLANNING PROCESSES

The City of Del Mar engages the public through various sources during the planning process for a range of permits and processes. For example, public notices are sent to potentially affected properties for permits and land use processes. The City of Del Mar maintains a list of public notices on the City website, and an option to sign up for alerts when new notices are posted. Public notices are issued to make the public aware of current proposals, discretionary applications and upcoming hearings, and gives the citizens an opportunity to comment and ask questions about a particular project.

Citizens' Participation Program. Chapter 23.08.065 of the DMMC outlines the process and the requirements for the Citizens' Participation Program (CPP), which ensures that applicants for projects requiring the receipt of a Design Review Permit conduct efforts to notify potentially affected parties of proposed developments early in the design phase of a project. This is intended to facilitate dialogue among applicants and neighbors early in the development review process and give the applicants and their agents the opportunity to understand and respond to concerns raised about the project's potential impacts on the community.

Public Participation in Element Updates. The 6th Cycle Housing Element Update (planning period years 2021-2029) was adopted by the City Council in March of 2021. Through this process, the City engaged in a significant public participation outreach efforts to ensure that every resident had the opportunity to participate in the process. An Ad-Hoc Citizens' Task Force was appointed by the City Council with the mission of (1) Aid the City in the processing and development of the 6th Cycle Housing Element Update in preparation of the associated environmental document for compliance with the California Environmental Quality Act (CEQA); (2) Help to educate and encourage Housing Element participation amongst fellow Del Mar citizens; and (3) Discuss and provide feedback on potential goals, policies, programs, and objectives to be included within the 6th Cycle Housing Element during preparation of the associated CEQA document. Efforts also included:

- Dedicated web page on City's website.

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- Update and presentations to the City Council and Planning Commission and informational discussion sessions with the City Council and Planning Commission
 - Nine meetings with the 6th Cycle Housing Element Ad-Hoc Citizens' Task Force (one of which was an in-person Community Workshop)
 - One Saturday Community Workshop
 - Small Group meetings (in-person and via phone or zoom)
 - One community housing survey via Metroquest
 - Email-blasts announcing draft document availability and public outreach information on upcoming public meetings and opportunities for public participation.
 - Articles in the City Managers weekly updates (emailed and posted to web page)
 - Numerous mailers and newspaper ads
 - Noticed public hearings

Throughout the entire process, project materials, including summaries from community workshops and public meetings, notices, and documents for public review were made readily available on the City's dedicated Housing Element webpage on the City's website.

The City's public outreach exceeded State law requirements in Section 65583 of the Government Code, which states that, "The local government shall make diligent efforts to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort." The City continues to provide robust public outreach and meaningful community participation opportunities for implementation of its Housing Element Programs, including those required in connection with the City's efforts to Affirmatively Further Fair Housing.

Local Tribes and Tribal Consultation Process. Del Mar and the San Diego region have a rich history that dates back to the first documented habitants of the San Dieguito tribe and the La Jollans who occupied the area in roughly 9000 b.c. In 1929 a skull of a La Jollan, known today as the Del Mar man, was found in the North Bluff and radiocarbon dated the skull to be roughly 5,400 years old, (Ewing, 1988). The Yuman peoples located in the Del Mar area were known by the Spaniards that arrived to the area as Dieguitos, known today as the Ipai (occupied the areas north of the Los Peñasquitos Lagoon) and the Kumeyaay (occupied areas south of the Los Peñasquitos Lagoon). The Ipai, were located in present day Del Mar.

Communicating with tribal groups about public and private developments occurring on native land is crucial to upholding the principles of environmental justice. Indigenous tribes are historically underrepresented in the planning process; therefore, the City maintains close relations with affected tribal groups through its tribal consultation policy.

The City will request a consultation with any California Native American Tribe that is traditionally and culturally affiliated with the geographic area of the development (California Public Resources Code § 21080.3.1) when one of the following actions occurs:

- (1) SB18-The adoption or amendment of general plans or specific plans, or designation of open space. (Gov. Code § 65352.3(a)(1)) or
- (2) AB52- All CEQA projects for which a Notice of Preparation, Notice of Mitigated Negative Declaration, or Notice of Negative Declaration is filed or issued (Pub. Res. Code § 21080.3.1). The City will also contact the Native American Heritage Commission for assistance in identifying any California Native American Tribes. The City will then provide formal notice for each Tribe, including the location, description of the proposed development, and an invitation to engage in scoping consultation.

Adoption of General Plan Amendments, including this Element of the Del Mar Community Plan, requires Tribal Consultation in accordance with State requirements (SB18). The following Tribes were offered consultation: Manzanita Band of Kumeyaay Nation, Viejas Band of Kumeyaay Indians, Sycuan Band of the Kumeyaay Nation, Lipay Nation of

Santa Ysabel, La Posta Band of Mission Indians, Kwaaymii Laguna Band of Mission Indians, Jamul Indian Village, Ewiiapaayp Band of Kumeyaay Indians, and Campo Kumeyaay Nation.

4.3 SUSTAINABILITY ADVISORY COMMITTEE

The Sustainability Advisory Committee (SAC) advises the Del Mar City Council on climate change, sustainability, and other environmental issues. The Committee informs the update process of the City's CAP and assists in informing Del Mar residents and businesses regarding implementation of the City's CAP and climate action issues. SAC monitors the activities of the Clean Energy Alliance (CEA) and provides recommendations to the City Council. Del Mar provides CAP-informed programming and resources to residents and businesses, such as biannual recycling events in partnership with the City's contracted waste hauler, EDCO, and complimentary mulch and compost made from recycled organics. The CAP will be updated in the 2025-2026 and 2026-2027 fiscal year workplan, and Greenhouse Gas inventories will be developed to help the City understand local contributions to climate change and the role of the CAP in mitigating those negative climate effects.

4.4 POLICY STATEMENTS SUPPORTING EQUITY AND FAIR TREATMENT

The City of Del Mar is committed to support racial equity, fair treatment, and justice for all. The City Council has adopted numerous resolutions to further this commitment. Examples of such policy statements include:

Americans with Disabilities Act. In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA") and Section 504 of the Rehabilitation Act (504), the City of Del Mar ("City") will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. <https://www.delmar.ca.us/862/Americans-with-Disabilities-Act-ADA>

Equal opportunity Employer. The City of Del Mar is committed to hiring and developing talented, productive and motivated employees. The City welcomes diversity, encourages innovation, and rewards employee performance. The City is an Equal Opportunity Employer and does not discriminate against any person on the basis of race, color, religion, sex (including pregnancy status), gender, gender identity and/or expression, sexual orientation, marital status, age, genetic information, mental or physical disability (whether perceived or actual), ancestry, military or veteran status, citizenship status, medical condition, and/or national origin.

Title VI Compliance. It is the policy of the City of Del Mar that no person shall on the grounds of race, color, national origin, sex, disability, or age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any operation of the City of Del Mar as provided by Title VI of the Civil Rights Act of 1964 and related statutes. <https://www.delmar.ca.us/923/Title-VICompliance>

Black Lives Matter. The City does not tolerate discrimination and stands in solidarity with its Black residents and communities of color. In adopting Resolution No. 2020-56, the City works proactively to create a community that acknowledges current and historical truths and works diligently to eradicate injustice. As well as review its policies and practices to ensure alignment with equitable justice, the City continuously works with the Sheriff to review policing policies to ensure safety and protection for all. During the six-year period from 2013 to 2018, zero incidents of hate crimes were reported in Del Mar (6th Cycle Housing Element 3-89).

Prohibition of Ghost Guns. In response to the increasing gun problem in the nation and Southern California, the Del Mar City Council adopted a resolution supporting the prohibition of the sale of ghost guns at the State Fairgrounds (Del Mar Fairgrounds owned by the State 22nd District Agricultural Association). Ghost guns are an untraceable firearm that are assembled from unregulated firearm parts and components by the purchaser to avoid gun control regulations, including identification of the gun with the serial number, any kind of registration, a waiting period, background checks or other buyers' qualifications, and age restrictions. The resolution was adopted on March 9, 2020 and requested that the 22nd District Agricultural Association (22nd DAA) prohibit the sale of unregulated firearm parts, components and/or gun build kits at the Del Mar Fairgrounds. California passed AB 879 in 2019, which required handgun frames and unfinished receivers to be sold by licensed vendors upon a state background check being conducted. However, the

State Legislation did not go into effect until July 1, 2024. The resolution passed by the Del Mar City Council helped to ensure a local prohibition took effect more immediately in 2020.

4.5 COMMUNITY RESOURCES

Del Mar Community Connections. Del Mar Community Connections (DMCC) is a local nonprofit organization which serves the senior population in Del Mar. The organization is primarily volunteer-driven, and services include offering transportation and housing solutions, as well as cultural and social activities. DMCC offers a few options of transportation services for seniors in the community who no longer drive, including those who use wheelchairs. DMCC has a team of volunteers that provide free rides to medical and essential appointments. They also offer a grocery shuttle which provides free door-to-door transportation to local grocery and drug stores. DMCC also administers the Del Mar Rental Assistance Program on behalf of the City. The program is available to all low-income households in the city including low-income elderly and or disabled individuals. It covers a portion of the rent, paid on behalf of the families directly to their landlords. On occasion the City has enlisted volunteers from DMCC to create capacity for community outreach and to solicit public participation.

Del Mar Foundation. The Del Mar Foundation is Del Mar's community foundation and its oldest 501(c)(3) nonprofit organization. It is an active, hands-on organization powered by inspired volunteers and generous donors from a broad cross-section of the community. The foundation sponsors a wide range of programs and events, raises and manages funds for the community, makes community grants, and manages over \$8 million in endowment and reserve funds to benefit Del Mar and the San Dieguito Lagoon.

Del Mar Village Association. Since 2005, the City has partnered with the Del Mar Village Association (DMVA) to provide economic development and business support services to the Del Mar business community. The City contracts with DMVA for specific services, including to support new business development in the Del Mar Village, maintain and implement new programs to drive commerce in Downtown Del Mar, partner with the City on Downtown improvements and programming, and implement sustainability initiatives, among others. The Mayor and Deputy Mayor represent the City at DMVA Board meetings, and the City Manager meets regularly with the DMVA CEO, ensuring a close and thriving partnership benefitting residents, businesses, and visitors alike.

Saint Peters Church. St. Peter's is an Episcopal Church, a member of the Episcopal Diocese of San Diego. St. Peter's Church plays a multifaceted role as both a religious facility and a provider of community services in the Del Mar area. St. Peter's is also a member of the Interfaith Shelter Network providing shelter and other resources to homeless individuals and families in the San Diego region. St. Peter's Episcopal Church in Del Mar offers a Helping Hands program to provide services throughout the calendar year to individuals experiencing homelessness. These services include assistance with acute health problems, advocacy services, and connections to supportive housing/service settings. The City of Del Mar will continue to support and encourage St. Peter's Church to continue its Helping Hands Program. To fulfill the requirements of the Housing Element, the City has committed to creating and maintaining a current list of resources for vulnerable populations.

4.6 GOALS AND POLICIES - CIVIC ENGAGEMENT, EQUITY, AND FAIR TREATMENT

The City of Del Mar is committed to local initiatives that promote inclusivity, fair treatment for all, and civic engagement. Goals and policies that further current initiatives include:

Goal 4: Ensure all residents of Del Mar are adequately informed about City matters and facilitate opportunities for public participation.	
Policy 4.6.1	<p>Ensure the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins with respect to civic engagement and public processes for development, adoption, implementation, and enforcement of new policies, regulations, and laws.</p> <ul style="list-style-type: none"> Implementation Action 4.6.1: Continue to process advocacy letters in accordance with adopted City Council legislative policies and adopt formal resolutions of the City Council as applicable.
Policy 4.6.2	<p>Facilitate public participation of residents, businesses, City employees and organizations in all aspects of the City's governmental planning process using a variety of community - based strategies and diverse methods of outreach.</p> <ul style="list-style-type: none"> Implementation Action 4.6.2.A: Partner with local organizations that are connected to the community to support outreach efforts. Implementation Action 4.6.2.B: Evaluate City ADA compliance and implement solutions to maintain compliance with applicable laws. Implementation Action 4.6.2.C: Continue to facilitate the collaboration of citizen advisory committees such as the Sustainability Advisory Committee.
Policy 4.6.3	<p>Prioritize transparency in all City processes to help ensure that community members may be well-informed.</p> <ul style="list-style-type: none"> Implementation Action 4.6.3: Provide regular updates and robust public outreach to keep the community informed of local news, events, and meetings such as through the Del Mar Weekly Update distribution and postings at delmarweekly@delmar.ca.us.
Policy 4.6.4	<p>Bolster and support the prioritization of key issues including community driven initiatives and the inclusion of disadvantaged residents.</p> <ul style="list-style-type: none"> Implementation Action 4.6.4: Provide regular opportunities for non-agenda public comment, orally and in writing, at City of Del Mar public meetings as well as the formal public process held annually at the start of each calendar year for members of the public to identify priorities for City Council consideration.

5 MINIMIZE POLLUTION EXPOSURE

Exposure to polluting substances in the air, water, and soil can have a significant impact on health. Certain diseases, including heart disease, cancer, birth defects, asthma, reproductive disorders, and neurological disorders have been directly associated with pollutant exposure. Pollution comes from both natural and anthropogenic sources. According to the 2019 CAP Monitoring Report, the leading sources of pollution in Del Mar are on-road transportation, electricity, natural gas, solid waste, water, and wastewater.

5.1 AIR-QUALITY

Air quality is an important factor that affects community health and the environment. Research has consistently linked toxic air contaminants to incidences of respiratory diseases, including asthma and lung cancer. According to CalEnviroScreen, an estimated 9 people per 10,000 in Del Mar visited an emergency department for asthma between 2015 and 2017. In that same period, 7.42 people per 10,000 visited an emergency department for heart attacks (cardiovascular disease). While these numbers are relatively low, the City is committed to protecting the health and wellbeing of the community and preventing these numbers from rising.

The city is located in the San Diego Air Basin which is managed by the San Diego County Air Pollution Control District. The District regulates and enforces the emissions of air contaminants - including smoke, dust, and odors which have the potential to cause injury, nuisance or annoyance. According to the Climate Action Plan analysis, the greatest internal threat to air quality in Del Mar would appear to be vehicular emissions. In order to accurately determine changes in air quality, efforts would have to be made to establish a monitoring location within the community.

City Smoking Ban. Secondhand smoke exposure occurs when people breathe in smoke breathed out by people who smoke or from burning tobacco products like cigarettes, cigars, hookahs, vapes, and pipes. According to the Center for Disease Control (CDC), there is no safe level of exposure to secondhand smoke. Health problems caused by secondhand smoke in adults that do not smoke include coronary heart disease, stroke, and lung cancer, as well as adverse reproductive health effects in women. To further improve air quality and help to reduce the exposure to secondhand smoke, the City adopted Ordinance 835, which prohibits smoking in the following locations:

- Enclosed public places;
- Places of employment and within a reasonable distance of the outside entrances, operable windows, and ventilation systems of places of employment*. This prohibition shall apply to all portions of the places of employment, including but not limited to: common work areas, meeting rooms, offices, elevators, hallways, food service or storage areas, closets, employee lounges, stairwells, and restrooms;
- City carpool vehicles;
- Taxi cabs operating under a valid City of Del Mar Taxicab Operations Permit issued pursuant to Chapter 6.32 of the Del Mar Municipal Code;
- Child Day-Care Facilities
- Parks, Benches, and seawalls, and in or on the sidewalks, stairs, or bulbed street ends adjacent to parks, beaches, and seawalls;
- All sidewalks and those segments of any street lined with sidewalk. This provision applies to all streets and sidewalks to which the public is provided regular access, but does not apply to private residential property;
- All portions of outdoor seating areas of an eating establishment and within a reasonable distance of all outdoor seating areas of an eating establishment including adjacent sidewalks and/ or streets and roads*. This prohibition bans smoking in any area approved for operation pursuant to a City of Del Mar Sidewalk Café Permit;

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- All public plazas and public, semi-public spaces identified in a Specific Plan as approved by the City of Del Mar.
 - All outdoor arenas, stadiums, and amphitheaters and in any bleachers and grandstands used by spectators of such arenas, stadiums, and amphitheaters;
 - All public transportation station facilities such as, train platforms and bus shelters; and within a reasonable distance* of such facilities
 - Any property designated in the City's Zoning Map as being within the Public Facilities (PF) Zone and regulated by Chapter 30.31 of the Del Mar Municipal Code; and
 - All portions of private residences licensed by the State of California as a child day-care facility. This prohibition applies to all portions of the child-day care facility, enclosed or unenclosed, where children may be exposed to smoke.

* Reasonable distance is defined under Section 11.08.020 of the Del Mar Municipal Code

5.2 WATER QUALITY

Water quality is a regional issue, and when contaminated it can affect communities in many ways. Lack of access to safe, clean, and affordable drinking water and polluted streams, rivers, and other bodies of water make outdoor recreation and water access hazardous to humans and wildlife. For Del Mar, clean water ties directly to quality of life and is key not only to the city's health and recreation but also to property values, tourism and visitor spending.

Domestic Water. Domestic water supply in the City of Del Mar is provided by the Santa Fe Irrigation District (SFID) and the City of San Diego via the San Diego County Water Authority (SDCWA).

SFID is a Special District formed in 1923 that serves a population of 19,839 across the City of Solana Beach and communities of Rancho Santa Fe and Fairbanks Ranch. SFID delivers an average of 500-acre feet of recycled water per year, all of which is supplied by the San Elijo Joint Powers Authority (SEJPA). SFID operates 150 miles of pipelines and has a total storage capacity of six million gallons. It jointly owns (in conjunction with the San Dieguito Water District) the R.E. Badger Filtration Plant, which has a capacity of 40 million gallons per day (SFID 2018).

The SDCWA purchases water from a variety of sources as well as producing its own water. SDCWA is the largest member of the Metropolitan Water District of Southern California and it receives a large amount of its water from this agency. In partnership with the member agencies and stakeholders, the SDCWA meets the region's water supply needs by providing a safe and reliable water supply; diversifying the region's water supply sources, and building, maintaining, and operating critical water facilities in a cost-effective and environmentally sensitive manner (SDCWA 2015). The City of San Diego treats more than 360 million gallons of water per year for Del Mar and transports the water approximately 14 miles to Del Mar from the Lake Miramar Treatment Plant (Santa Fe Irrigation District, 2019). The San Diego County Water Authority is responsible for providing safe drinking water to its twenty-four (24) retail member agencies and their customers, including the City of Del Mar. The member agencies are represented on a 36-member Board of Directors. A member of the Board of Supervisors also serves as a non-voting representative to the Water Authority Board.

City Infrastructure. The Del Mar Public Works Department provides water service to nearly 1,900 metered accounts; this includes water services to single-family residential, multi-family residential, irrigation, commercial, public facilities, and the State Fairgrounds. The system includes: 27 miles of water mains, four storage reservoirs totaling 4 million gallons of capacity, 664 valves, and 275 fire hydrants. In maintaining the City's water system, the important goals are public health and safety, and reliability as well as economic efficiency.

Clean Water Program. The Del Mar Planning and Community Development Department is responsible for the City's Clean Water Program, which protects the quality of lagoons, beaches and the ocean. The Clean Water program prohibits all non-storm water discharge such as irrigation run-off, vehicle washing, swimming pool discharges, and sewer overflows from entering the City's collection system. To prevent pollutants from entering local watersheds and

maintain good public health, the City has established an online Urban Runoff Report where residents can report any violations to ensure immediate clean up.

5.3 ENERGY CONSERVATION

Energy use is the City's biggest contributor to GHG emissions. Energy conservation is important in preserving non-renewable fuels to ensure that these resources are available for use by future generations. Reducing energy consumption through increasing the efficiency of energy technologies, reducing energy use, and using alternative sustainable sources of energy are effective ways to conserve energy and reduce GHG emissions. Energy efficiency also provides opportunities for cost-savings and improved air quality. To implement the Climate Action Plan the City is expanding access to renewable energy, increasing energy efficiency and promoting resilient design in the built environment through the following actions and programs:

Clean Energy Alliance. Many local governments across the state have opted to form Community Choice Aggregation (CCA) programs, also known as Community Choice Energy (CCE) programs. These programs provide alternative energy resources and offer an alternative to investor-owned utilities, such as San Diego Gas & Electric. Clean Energy Alliance (CEA) follows a community choice energy model that allows its member cities to purchase power to meet their community's electricity needs. CEA members currently include Carlsbad, Del Mar, Escondido, Oceanside, San Marcos, Solana Beach and Vista. Because Clean Energy Alliance (CEA) is locally managed and not-for-profit, any excess revenue is reinvested into the member communities through on-bill savings and innovative energy projects and programs, including rebates and other incentives, low-cost energy programs, job training and more.

Home Energy Savings (HES) Program. The Del Mar Home Energy Savings (HES) Program was a short-term program developed to connect residents that often experience difficulties with energy savings assistance and energy efficiency upgrades. It was designed to help implement the CAP. The program aimed to address common obstacles that might impose difficulty or challenges for this target group to make home upgrades that could lower the overall residential energy use and greenhouse gas emissions of Del Mar. These hurdles were identified as lower rates of computer literacy and social media use, as well as lower mobility. Additionally, it was assumed that some would be living in older homes in need of energy efficient upgrades, resulting in higher cost and variable energy bills for fixed-income households.

Through the program, the City worked with Del Mar Community Connections (DMCC) and Del Mar Rotary Club (DMRC) to conduct outreach, introduce subsidy programs, perform in-home energy audits, and assist clients in applying for rebates and subsidies related to energy efficiency. Door-to-door promotion of energy-efficiency upgrades and HES Program support was conducted, reaching 27 residents and attempting 140 residences. Through the HES Program, in-home energy audits were provided to seven senior Del Mar residents, including assessments on potential energy efficiency upgrades and information on subsidy programs, rebates and incentives. In total, 55 seniors were reached through the HES Program and the City developed a better understanding of effective means of outreach to all members of the community in support of Strategy 5: Ensure outreach about CAP implementation is designed to appeal to all residents.

Sustainable Facilities. The Del Mar Civic Center opened in 2018 with numerous sustainability features to further demonstrate a commitment to sustainability within the City. Most of the Civic Center's electricity comes from a 71-kW photovoltaic system. Additionally, natural lighting, insulation and smart thermostats add to the Civic Center's energy efficiency. Electric vehicle parking is available at the Del Mar Civic Center and at the Beach Safety Center. Additional sustainable Public Works initiatives include:

- Installed "No idling" signs at the streets ends. Crew are reminded to minimize idling times in vehicles.
- Recycled aggregate base on paving projects.
- Favors drought-resistant plants for landscaping.
- Superintendent/Inspector drive electric vehicles during the work day.
- Replaced all diesel equipment with high-efficiency, Tier 4 approved engines.

- Purchasing lighter, more fuel-efficient four-seater trucks
- Encourages workers to carpool and utilize a 9/80 work shift to reduce the number of vehicles and employees commuting on a daily basis.
- Encourages contractors to have onsite staging and storage areas to reduce road times to the job site.
- Developed a comprehensive routine for the beach team to collect trash and recycle simultaneously to reduce trips.

5.4 WASTE DIVERSION

The City of Del Mar generates about 9,800 tons of solid waste annually, which accounts for 5 (five) percent of total greenhouse gas emissions from residents and businesses. Approximately 3,200 tons of this waste is recycled. In Del Mar, residential and commercial waste and recycling collection is provided by EDCO.

In the Climate Action Plan, Del Mar aims to exceed state requirements for waste diversion, which CalRecycle defines as "any combination of waste prevention (source reduction), recycling, reuse and composting activities that reduces waste disposed at landfills and recycling facilities." The City has adopted the following local ordinances to divert waste from landfills:

- Del Mar Single Use Plastic Bag Ban – Chapter 11.36 of the Municipal Code
- ~~Del Mar Styrofoam Ban – Chapter 11.40 of the Municipal Code~~
- Plastic Straws and Stirrers Ban - Chapter 11.44 of the Municipal Code
- Del Mar Balloon Ban- Chapter 11.48 of the Municipal Code
- ~~Del Mar Construction and Demolition Waste Recycling Ordinance- Chapter 23.70~~
- [Del Mar Ban on Expanded Polystyrene and Single-Use, Non-Compostable Disposable Food Service Ware and Single-Use Plastic Beverage Bottles at City Facilities and City-Sponsored Events – Chapter 11.40](#)

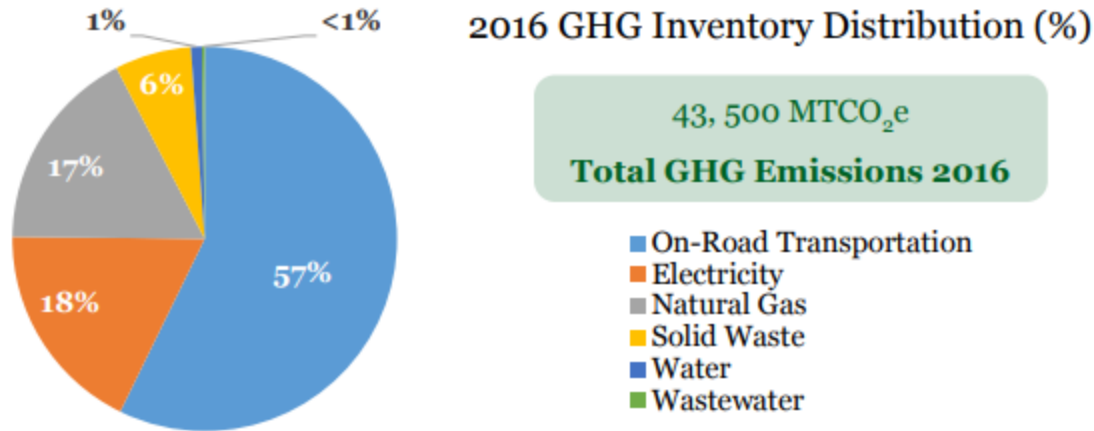
~~In FY24-25, the Sustainability Advisory Committee researched and made recommendations for a more comprehensive plastics ordinance. Staff anticipates taking the draft ordinance to the City Council in early 2026.~~

Food Waste Diversion is critical to reaching these goals. In 2022, Del Mar introduced food waste recycling programs for all residential and commercial customers. A list of edible food recovery organizations and services are available on the City's website: <https://www.delmar.ca.us/DocumentCenter/View/8009/Del-Mar-Edible-Food-Recovery-Organizations-and-Services>.

5.5 CLIMATE ACTION PLAN

The City's Climate Action Plan (CAP) identifies the local strategy and efforts completed to reduce pollution emissions and exposure. The CAP's goal for 2035 is to reduce greenhouse gas (GHG) generation to at least 50 percent below Del Mar's baseline 2012 values and to continue further reductions to meet the state goal of 80 percent reduction below statewide 1990 values by 2050. The City is steadily making progress toward this goal, already surpassing 15 percent below 2012 baseline levels (2020 CAP Annual Report). The CAP identifies 22 goals to help the City meet its greenhouse gas reduction targets. According to the 2020 CAP Monitoring Report, Del Mar has already met its 2020 target of 15 percent below 2012 baseline levels and is steadily moving toward its 2035 target of below 50 percent. While the City's CAP activities and policy decisions have reduced emissions in Del Mar, a significant portion of the reductions can be attributed to climate action on the regional and state level. With this in mind, prioritizing local climate action to garner community support, understanding, and collaboration while supporting regional and state efforts is key to success. This is particularly vital for sectors such as transportation, the City's main GHG emissions contributor, as shown in Figure 6.

Figure 6: 2016 Greenhouse Gas Inventory Distribution



Source: City of Del Mar, 2016

Social Equity. The CAP also recognizes that certain constraints and barriers can prevent individuals from accessing the housing, employment, and resources the City has to offer. In particular, individuals “sensitive” to extreme temperatures and other environmental conditions and special needs populations such as children under the age of five, individuals over the age of 65, individuals with disabilities, and individuals living in low-income households. The Social Equity chapter of the CAP identifies eight strategies to address the needs of these populations. These strategies focus on establishing green jobs and identifying areas of CAP implementation that can advance social equity in Del Mar through prioritizing accessible, clean transportation, developing energy efficiency programming for low income and senior residents, and ensuring CAP outreach is available for all. Covering only 2.2 square miles and with a small population, there is a strong network in Del Mar between residents, businesses, and community groups and their support and collaboration is critical for understanding the needs of the community and advancing social equity. The City of Del Mar and local non-profits like Del Mar Community Connections (DMCC) and the Del Mar Foundation provide support services for seniors and low-income residents, including rental assistance and free transportation, that work in tandem with CAP implementation. Overall, the City has taken considerable strides to reduce local pollution by taking actions to:

- Reduce residential energy usage,
- Provide renewable energy options,
- Divert waste,
- Facilitate recycling and use of composting,
- Increase use of alternative transportation,
- Complete public improvements for pedestrian and bicycle mobility,
- Protect wetlands, and
- Protect Torrey Pines, Monterrey Cypress, and mature trees in the urban tree canopy.

5.6 GOALS AND POLICIES - MINIMIZE POLLUTION EXPOSURE

Goals and Policies to further the City's commitment to reduce pollution exposure and improve environmental conditions include:

Goal 5: Continue to implement the Climate Action Plan (CAP) goals, objectives, and policies to reduce pollution emissions and exposure and minimize risk for vulnerable populations.	
Policy 5.6.1	<p>Monitor pollutants and implement measures to reduce pollutant emissions and exposure.</p> <ul style="list-style-type: none"> • Implementation Action 5.6.1.A: Continue to implement annual water, sewer, stormwater, and road improvement Capital Improvement Program (CIP) projects to reduce potential for water quality impacts through improvements to City infrastructure. • Implementation Action 5.6.1.B: Partner with Federal, State, and local agencies to regularly monitor air and water quality and implement mitigation measures to reduce potential impacts.
Policy 5.6.2	<p>Continue to prioritize actions that address risks associated with climate change (i.e. increasing temperatures and heat related effects, wildfires, and sea level rise).</p> <ul style="list-style-type: none"> • Implementation Action 5.6.2.A: Prioritize implementation of Del Mar's Sea Level Rise Adaptation Plan, including the pursuit of nature-based shoreline management along the north and south banks of the San Dieguito River to provide flood resilience, habitat enhancement, and improved public trail access. • Implementation Action 5.6.2.B: Support multimodal transportation to limit vehicle emissions and encourage active transportation (i.e., access via walking, cycling, skateboarding, or wheelchair) for travel or leisure to reduce air quality impacts. • Implementation Action 5.6.2.C: Evaluate the possibility of increasing solar capacity on City-owned properties. • Implementation Action 5.6.2.D: Partner with organizations like the Clean Energy Alliance or the Center for Sustainable Energy to install solar on multi-unit lower-income housing to meet renewable energy goals in the CAP. • Implementation Action 5.6.2.E: Update the Local Coastal Program (LCP) by January 1, 2034, to incorporate the City's plan for sea level rise in accordance with SB 272, which will involve preparation of an updated vulnerability assessment, analysis of vulnerable populations, and economic impact analysis.
Policy 5.6.3	<p>Increase community awareness about the risks associated with climate change and steps residents can take to increase their property's resilience and protect themselves.</p> <ul style="list-style-type: none"> • Implementation Action 5.6.3: Encourage individuals to make voluntary changes that lead to environmental benefits and greater protection by sharing information at community events, the planning counter, and on the City's website.
Policy 5.6.4	<p>Encourage transportation demand management (TDM) measures (i.e., transit subsidies, bicycle facilities, ride sharing, alternative work schedules) to reduce vehicle miles traveled.</p> <ul style="list-style-type: none"> • Implementation Action 5.6.4: Require new development to incorporate TDM strategies consistent with local California Environmental Quality Act (CEQA) Guidelines for Transportation Impact Analysis.

6 PROMOTE SAFE AND HEALTHY HOMES

Del Mar is a community that is a desirable place to live for households of all income levels. The shortage of affordable housing opportunities in Del Mar and coastal communities across the state is felt disproportionately by households with lower incomes due to high land values, housing costs, and cost of living. Consistent with the demographics of other coastal jurisdictions, the Del Mar community is predominately white and has higher resident incomes compared to other jurisdictions in the San Diego region. The City of Del Mar is committed through its Housing Element to create new housing opportunities at a range of income levels, that are more inclusive of moderate income, lower income, and special needs households, and ensure that all housing is maintained in compliance with applicable codes to protect the public health, safety, welfare, and well-being of residents.

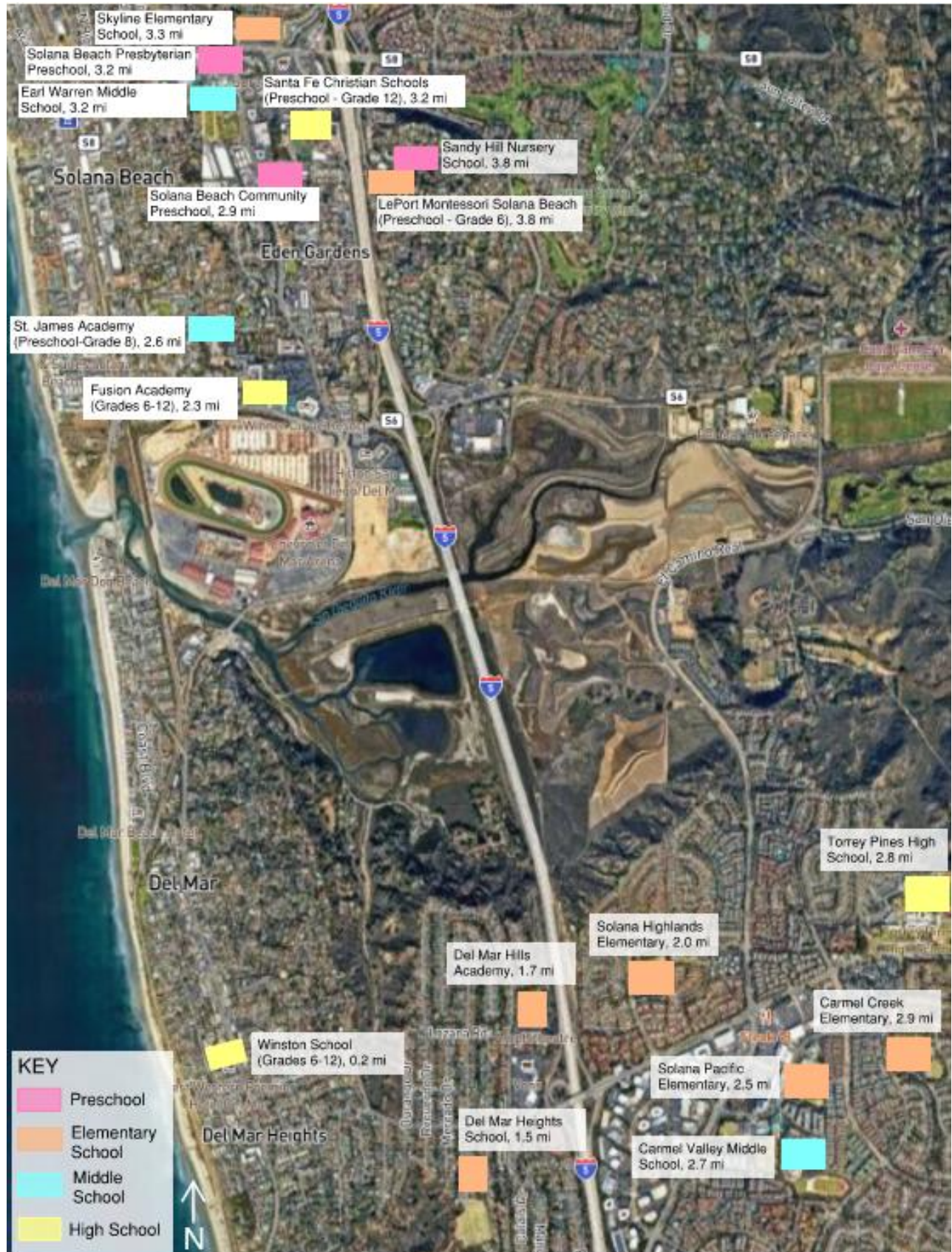
6.1 HOUSING LOCATION

Del Mar is a high opportunity community that offers residents access to high performing public and private schools, public beaches and parks, and a healthy and safe environment with coastal resources, amenities, and programs that enhance the quality of life and make Del Mar a desirable place to live for households of all income levels. Location of housing plays a central role in how individuals and families engage in their communities. Community amenities and access to opportunities are inherently spatial in nature and are not always accessible or attainable due to different types of social, cultural, and economic barriers in our society. The geographic relationship of affordable family-supporting housing in relation to community amenities as well as environmental health hazards is an important component of environmental justice, fair housing choice, and the overall commitment to affirmatively further fair housing throughout the region.

Access to Jobs. Employment has a demonstrable impact on local housing needs. Incomes associated with different types of employment and the number of workers in a household affect housing affordability and choice. High housing costs can make it hard for many people to afford basic housing, let alone homeownership. Many households make serious tradeoffs amid high housing costs to afford living in desirable communities. Workers in California's coastal communities often commute 10 percent further each day than commuters elsewhere, largely because limited housing options exist near major job centers. The City of Del Mar is an affluent community, with higher resident incomes and costs of living compared to the San Diego Region. Housing in Del Mar is generally more expensive than the average cost of housing statewide. The main commercial services and retail businesses in the City are specifically related to tourism and the accommodation of visitors. According to census data, retail and tourism related occupations offer lower income salaries. While the City of Del Mar employs persons in the retail, service and tourism industries, there is a lack of affordable housing in the community to accommodate these potential needs. Therefore, persons working in these industries may not have the opportunity to live in the city where they work. Opportunities to help provide and encourage lower income housing opportunities are outlined with the Housing Element.

Access to High-Quality Public and Private Schools. Figure 7 demonstrates that there is a range of high-quality schools in the area that provide education and childcare for children from preschool through high school.

Figure 7: City of Del Mar Access to Schools



Source: City of Del Mar 2025

6.2 HOUSING QUALITY

There are various factors that affect housing needs for different households. Housing units in Del Mar are well maintained, which has a positive impact to the quality of life of residents in the community. The City's development standards and regulations ensure the quality and safety of new residential development, while enforcement measures work to ensure that the existing housing stock remains safe for all individuals.

Substandard Living Conditions. The analysis for the 6th Cycle Housing Element (planning years 2021-2029) identified that more than half of the housing stock in the City was built between 1950 and 1970. Generally, housing units built over 30 years ago may be assumed to benefit from renovations or upgrades. As of 2024, about 85 percent of housing in the City was built more than 30 years ago. However, this data does not reflect the renovations and upgrades that are consistently made to the existing stock via the City's design review process that applies to housing development. Due to the generally high income of households in the City, maintenance and upgrades are generally not an impediment to home improvements for many households within the City of Del Mar.

Overcrowding. The federal government defines an overcrowded household as one with more than one occupant per room, excluding bathrooms, kitchens, hallways, and porches. Severely overcrowded households are households with greater than 1.5 persons per room. An overcrowded household results from either a lack of affordable housing (which forces more than one household to live together) and/or a lack of available housing units of adequate size. The incidence of overcrowded and severely overcrowded households can lead to neighborhood deterioration due to the intensive use of individual housing units leading to excessive wear and tear, and the potential cumulative overburdening of community infrastructure and service capacity. Furthermore, overcrowding in neighborhoods can lead to an overall decline in social cohesion and environmental quality. Such decline can often spread geographically and impact the quality of life and the economic value of property and the vitality of commerce within a city. The combination of lower incomes and high housing costs result in many households living in overcrowded housing conditions. Because of Del Mar's demographic profile (older population, smaller household size), overcrowding historically has not been an issue. In 2025, less than two percent of Del Mar households live in overcrowded conditions. The incidence of overcrowding among renters and homeowners was approximately the same (one percent of renters versus less than one percent of owners).

Code Enforcement. The City of Del Mar Planning and Community Development Department administers the Code Enforcement program. Code Compliance staff responds to citizen complaints, City Council requests for service, referrals for investigation/compliance, and inter-governmental enforcement agency referrals. Staff conduct field inspections, prepares written notices/orders for code compliance, verifies compliance measures and requests for action by nuisance abatement, and educates the public on storm water compliance. Code Compliance staff issues warnings, Notices of Violations, and other enforcement measures as needed to obtain compliance. The enforcement program highlights voluntary non-judicial compliance with an emphasis upon public awareness of governmental regulatory provisions.

Department of Environmental Health. The County of San Diego, Department of Environmental Health (DEH) is the housing enforcement agency in Del Mar. The Food and Housing Division enforces state laws pertaining to sanitation, maintenance, ventilation, and occupancy. The County provides resources to the public related to housing disputes and environmental health concerns within rental housing (i.e., mold, vermin control, and lead poisoning). Tenants are advised to notify the landlord or property owner/management company if an environmental health concerns problem exists. If the problem is not resolved after owner/landlord notification, a complaint can be filed with the County of San Diego, Department of Environmental Health, Food and Housing Division for field investigation. Information related to these programs and resources is available on the City's Fair Housing Resources web page: <https://www.delmar.ca.us/884/Fair-Housing-Resources>

6.3 HOUSING AFFORDABILITY

In 2025, the median household income in the County of San Diego was \$130,800 (HUD 2025). According to real estate data sets, the median sale price of a home in Del Mar was \$3.0M in August 2025, in comparison to the county median sale price which was \$920,000. Most homes in the City are owner-occupied single-family houses. In addition, the City

has 775 units within existing apartment and multi-unit condominium complexes, which makes up approximately 30 percent of the existing housing stock. High housing costs can make it hard for people to afford basic housing, let alone homeownership. Resources such as the San Diego Housing Commission Rental Assistance Wait List have been inundated with demand to the point that the commission has identified that they will not be able to assist new applicants for several years. Many households make tradeoffs amid high housing costs to afford living in desirable communities. Workers in California's coastal communities often commute 10 percent further each day than commuters elsewhere, largely because limited housing options exist near major job centers.

Cost Burden and Overpayment. State and federal standards indicate that a household paying more than 30 percent of its income for housing is overpaying. Severe overpayment is indicated when greater than 50 percent of income is allocated to housing costs. Determining overpayment (referred to as cost burden) provides an indicator of the ability to sustain a household budget in consideration of other factors beyond housing costs (utilities, food, maintenance, etc.). Whenever households pay an excessive amount of their income for housing, it decreases the amount of income available for other needs. This indicator is an important measurement of local housing market conditions as it reflects the affordability of housing in the community. Federal and state agencies utilize overpayment indicators to determine the amount of funding allocated to a community to assist with housing opportunities. Per the 6th Cycle Housing Element, approximately 92 percent of the lower income households (extremely low, very low, and lower income) in the City overpaid for housing versus just 25 percent of moderate and above moderate-income households. Overpayment among very low-income and low-income households was most severe, with both reporting 100% rates of a cost burden greater than 30%.

Addressing Homelessness. Approximately 120 people, or 1.5 percent of the population, are experiencing homelessness in the portion of the North County region that includes Del Mar, Encinitas, Solana Beach, and San Dieguito (6th Cycle Housing Element). Del Mar is a small, predominately residential community, and most resources and institutions to help individuals experiencing homelessness are located in commercial areas located outside Del Mar's jurisdiction that are generally connected to Del Mar via public transit (i.e., bus transit). The City continues to support non-profits and contribute its fair share for the annual point in time count, including participation in activities for the Regional Task Force on Homelessness. The City allocates approximately \$110,000 annually to local non-profits (i.e., Del Mar Community Connections, Del Mar Foundation, and Community Resource Center) to support local seniors and households who qualify as lower income. These organizations help to provide resources and benefits to assist households with payment towards rent, utilities, transportation, medicine, and groceries to help keep them in their homes.

The City's overall housing policy goal in the 6th Cycle Housing Element is to "Inspire a more diverse, sustainable, and balanced community through implementation of strategies and programs that will result in economically and socially diversified housing choices that preserve and enhance the special character of Del Mar." The Housing Element recognizes the need to address homelessness, which has become an increasingly important issue as housing costs continue to rise. The Plan includes policies to preserve existing housing stock, create new housing opportunities within the community for lower income and special needs households, and provision of resources related to Emergency Shelter/Bridge housing, transitional housing, permanent supportive housing, and other resources to help individuals and families exit homelessness, return to housing, and maintain long term housing stability (referred to as rehousing).

6.4 AFFIRMATIVELY FURTHERING FAIR HOUSING

Under State law, affirmatively further fair housing means "taking meaningful actions, in addition to combatting discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics." These characteristics can include, but are not limited to race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability. Pursuant to Assembly Bill (AB) 686, the city committed to affirmatively further fair housing by taking meaningful actions, in addition to resisting discrimination, through actions that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected classes, as defined by State law. As part of the 6th Cycle Housing Element update, the City analyzed existing conditions and contributing factors associated with the

community's historical demographics and housing patterns. While many factors are beyond the control of the City, it is acknowledged that actions can be taken to 1) create new housing opportunities at a range of income levels and remove barriers, 2) increase awareness and incorporate AFFH into decision-making and promote diversity and inclusiveness, and 3) create greater access to housing assistance resources. Housing Programs, as described below, are being implemented in the City to demonstrate the City's commitment to furthering fair housing. One example of such programs is the commitment to adopt an Environmental Justice Element. The Housing Element identifies a range of housing resources and assistance programs that are currently available for low-income households and other special needs populations and additional actions to be taken to further support fair housing.

Reasonable Accommodations. Both the Federal Fair Housing Amendment Act (FHAA) and the California Fair Employment and Housing Act directly require governments to make reasonable accommodations (that is, modifications or exceptions) in their zoning laws and other land use regulations to afford disabled persons an equal opportunity to housing. State law also requires cities to analyze potential and actual constraints to the development, maintenance, and improvement of housing for persons with disabilities. The City's Housing Element includes programs that remove constraints or provide reasonable accommodation for housing designed for persons with disabilities (6th Cycle Housing Element).

Fair Housing Resources. The City maintains a Fair Housing Resources web page to help connect the public with available resources relating to the California Fair Employment and Housing Act (FEHA), United States Department of Housing and Urban Development (HUD), Community Assistance Programs and Housing Resources, San Diego Housing Federation, County Public Housing Resources, CARE Court Legislation and Update on Efforts Addressing Homelessness, Legal Aid Society of San Diego Fair Housing Center, Resources for Filing Housing Complaints and Resolution of Housing Disputes, Healthy and Safe Homes Housing Resources, National Conflict Resolution Center – Community Services, the County's Security Deposit Assistance Program, and the HUD Section 8 Housing Choice Voucher Program: <https://www.delmar.ca.us/884/Fair-Housing-Resources>

Fair Housing Trainings. The City conducts an annual fair housing training for its staff to provide education on the provisions and liabilities of fair housing laws as well as the process for recording and referring fair housing complaints. Due to the small population size of Del Mar, fair housing issues and financial assistance are typically handled as part of a larger county consortium rather than at the local level. The Legal Aid Society of San Diego (LASSD) is a nonprofit law firm that provides free legal services to lower income San Diego residents. In addition, LASSD provides fair housing services to the City of Del Mar and the greater San Diego region. LASSD conducts outreach, provides education, and supports enforcement of both federal and State fair housing laws. LASSD conducts fair housing tests to determine if, and to what extent, discriminatory business practices exist in apartment rental housing and related markets. Some San Diego County jurisdictions with affordable housing agencies have begun to conduct fair housing testing routinely. This approach will similarly be implemented in the City of Del Mar in the future once deed restricted affordable housing units are constructed and become available for rent and occupancy.

6.5 HOUSING ELEMENT

To further fair housing, the City's Housing Element is focused on creating new housing opportunities and a range of housing choices. This involves implementation of a variety of strategies, including incentive programs to create new smaller, accessory dwelling units (i.e., tiny homes). For example, this could provide new housing choices meet the needs of seniors and adult children who want to remain in the community or the needs of people seeking to move to Del Mar to access good schools, jobs, services, beaches, and parks.

The Housing Element identifies goals and actions for the City to increase its stock of quality housing for households of all income levels through a smart growth, infill approach that connects housing, transit, and land use to create healthy, vibrant neighborhoods.. The Housing Element inventory of suitable sites to meet the Regional Housing Needs Allocation (RHNA) for all income categories (extremely low income, very low income, low income, moderate income, and above moderate-income units) relies upon vacant or underutilized properties in developed areas and generally avoids development in environmentally sensitive resource locations.

To help address the need, the City is implementing more inclusive zoning policies to accommodate new housing choices and options at a greater range of affordability levels:

- The City implemented upzones (density increases) to allow multiple dwelling unit development at a density of 20 dwelling units per acre as a permitted use in the North Commercial (NC) Zone, Professional Commercial Zone (PC), Central Commercial (CC) Zone, and Public Facilities (PF) Zone. This resulted in creation over 100 additional housing opportunities for moderate income, lower income, and special needs households beyond the assigned RHNA.
- The City is developing affordable housing on two City-owned sites.
- The City continues to coordinate with the California 22nd Agricultural District to develop a lower income affordable housing development on State Fairgrounds property within the City of Del Mar.
- The City has approved permits for over 100 accessory dwelling units (ADUs) to facilitate independent living in a unit as an accessory use on the same site as an allowable primary use. This includes City Council adoption of two incentive programs including 1) an ADU amnesty program to encourage residents to bring existing, unpermitted accessory dwelling units into compliance, and 2) an ADU incentive program that offers incentives to help property owners offset the investment needed to create rent restricted units.
- The City created incentives to encourage existing multi-unit apartment and condominium complexes to deed restrict a certain number of existing units in exchange for the ability to build new market rate units on-site above the allowable density applicable to the site.
- The City Council adopted a local density bonus ordinance that clarifies the permit process and procedures for implementation of State housing law regulations that incentivize development of affordable housing units within multi-unit developments in a manner that harmonizes the State Density Bonus law and the California Coastal Act consistent with State law.
- The City Council also adopted an inclusionary housing ordinance that requires new development projects reserve a portion of the units within the project for lower income households. The inclusionary housing ordinance requires that projects creating at least two net-new dwelling units, SB 9 projects, and condominium conversion projects all provide at least one lower income unit per project.
- The City is also processing amendments to the City of Del Mar Municipal Code and Local Coastal Program related to residential care facilities, supportive housing, and transitional housing and will be preparing associated fair housing-related materials to help connect persons in need with available resources in the City and greater region to demonstrate the City's commitment to providing housing resources for all individuals.

6.6 GOALS AND POLICIES - PROMOTE SAFE AND HEALTHY HOMES

Del Mar is a healthy place to live for individuals of any income level. Through implementation of adopted plans and special projects, the City continues to demonstrate its commitment to fair housing. Goals and Policies within the Environmental Justice Element help to further the Housing Element goals, policies, and programs and other Elements of the adopted Community Plan include:

Goal 6: Foster healthy living conditions and housing opportunities for people of all backgrounds and incomes.	
Policy 6.6.1	<p>Ensure local policies and regulations are free from barriers that have historically minimized housing options for a greater diversity of residents, including lower income households.</p> <ul style="list-style-type: none"> • Implementation Action 6.6.1.A: Partner with organizations such as the Legal Aid Society of San Diego Fair Housing Center to provide annual fair housing training to City staff and assist with review and referral of discrimination complaints. • Implementation Action 6.6.1.B: Amend the Del Mar Municipal Code to remove any impediments or barriers to fair housing in accordance with State law. • Implementation Action 6.6.1.C: Prepare materials identifying programs and resources related to housing assistance for people of all incomes, races, cultures, and national origins and make fair housing resource materials available in English and Spanish, as well as all other languages offered through the City website’s translation services extension. • Implementation Action 6.6.1.D: Create a central location on the City’s website for the public to access available fair housing resources, resources for individuals experiencing homelessness, and information about service providers within the San Diego region.
Policy 6.6.2	<p>Continue to promote creation of units for lower income households through a variety of strategies.</p> <ul style="list-style-type: none"> • Implementation Action 6.6.2.A: Identify housing sites consistent with the City’s Smart Growth Urban Infill Strategy to facilitate development of affordable housing. • Implementation Action 6.6.2.B: Regularly update the Accessory Dwelling Unit (ADU) Incentive Program, as needed.
Policy 6.6.3	<p>Establish partnerships to develop lower income housing on publicly-owned sites.</p> <ul style="list-style-type: none"> • Implementation Action 6.6.3.A: Continue to coordinate with the California 22nd District Agricultural Association to develop affordable housing on Fairgrounds property. • Implementation Action 6.6.3.B: Secure agreements with affordable housing developers or other partnerships to create affordable housing units on City-owned properties.
Policy 6.6.4	<p>Apply for and secure housing funding from available regional, state, and federal programs.</p> <ul style="list-style-type: none"> • Implementation Action 6.6.4: Continue to seek State Housing Acceleration Program (HAP) grant opportunities through SANDAG’s Regional Early Assistance Program (REAP) and other opportunities such as Encampment Resolution Funding (ERF) grants.

7 IMPROVE ACCESS TO PUBLIC FACILITIES, RESOURCES, AND AMENITIES

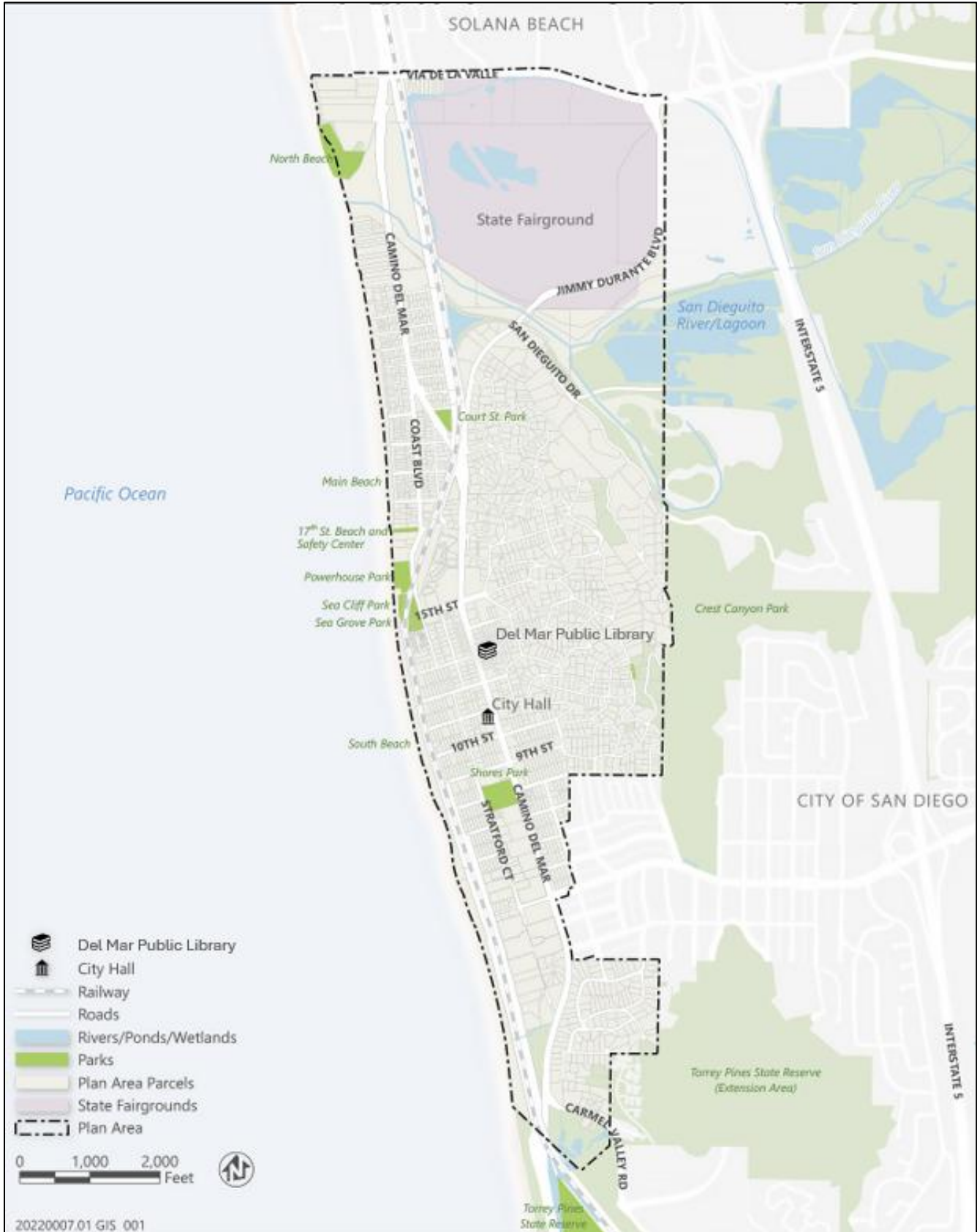
The City of Del Mar is a small community but well equipped with public facilities, amenities, and opportunities for activity, which are described below. SB 1000 refers to public facilities as “public improvements, public services, and community amenities” pursuant to California Government Code Section 66000. This includes a variety of public buildings and infrastructure, such as community centers, schools, parks, and open space, and emergency services. The prevalence of these public facilities plays an important role in providing residents amenities and services that enhance community resilience, health, and wellbeing. With the recent addition of a small-scale market within the Plaza, the citizens of Del Mar have direct access to fresh and healthy food options,

7.1 COMMUNITY FACILITIES AND SERVICES

Located along Camino del Mar, the Del Mar Civic Center and Del Mar Public Library are two valuable assets to the community. The Civic Center outside of City Hall is a pleasant open space overlooking the ocean with seating, shade structures, bike racks, picnic tables, public restrooms, and free public parking.

The Del Mar Public Library is a branch of the San Diego County library system that provides computer and language learning services to the community and is a welcoming space to recreate and explore its catalog of books, magazines, and movies. During inclement weather, the Del Mar Public Library serves as a Cool Zone Site where the public can access a safe, air-conditioned space. Figure 7 illustrates where the Del Mar Civic Center and the Del Mar Public Library are located.

Figure 7: City of Del Mar Community Facilities and Services



Source: Ascent, adapted by City of Del Mar 2025

7.2 PUBLIC TRANSPORTATION

Public transportation is readily accessible to the Del Mar population. The primary public transportation service within City limits is the North County Transit District (NCTD) 101 Breeze Bus. It has one bus route running north/south on Camino del Mar with 9 total stops. The 101 operates every day and travels from Oceanside to UTC Transit Center. [NCTD Bus Route 308 also operates within Del Mar, however, there are no stops located within city boundaries. Riders can take Route 308 from the Solana Beach Transit Station to the designated stop at Valley Avenue and Waterford Drive for access to the Del Mar Fairgrounds.](#)

AllTransit is an analytic tool which accounts for and evaluates transit frequency, routes, and access to produce an overall transit score at the city, county, and regional levels. Geographic regions (e.g., cities, counties, Metropolitan Statistical Areas (MSAs)) are scored on a scale of 0 to 10, with 10 being complete transit connectivity. As shown in Table 1, Del Mar scored a 5.1 AllTransit performance score, illustrating a low to moderate combination of trips per week and number of jobs accessible that enable a low to moderate number of people to take transit to work. According to AllTransit, 96.7 percent of the population of Del Mar lives within 1/2 mile of transit. Figure 9 illustrates where the transit stops within Del Mar are located.

Table 1: AllTransit Performance Scores, Del Mar

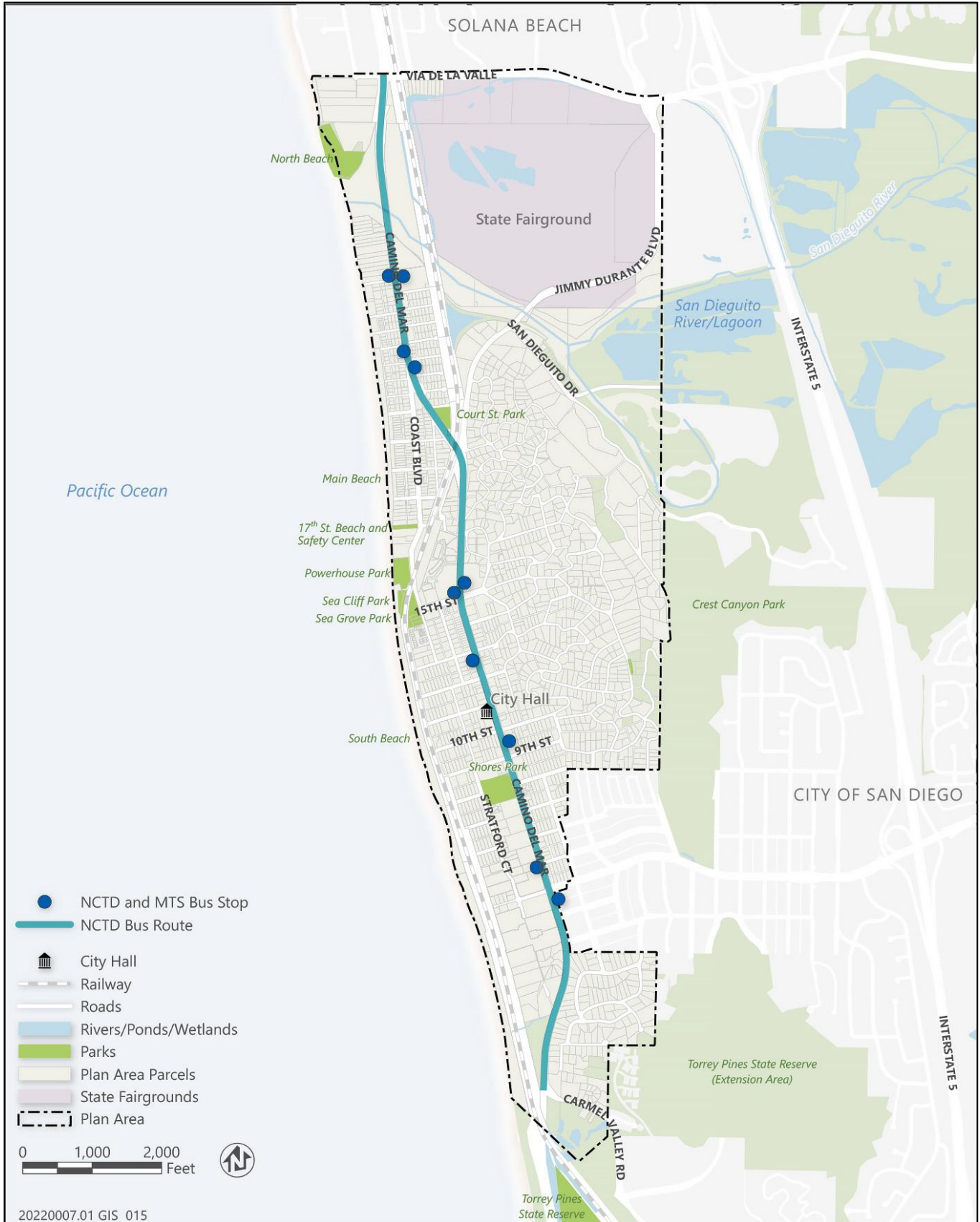
All Transit Performance Score	Households within 1/2 mile of transit	Jobs Accessible in 30-min trip	Commuters who use Transit	Transit Routes within 1/2 mile
4.9	96.7%	63,231	1.82%	1

Source: 2025 AllTransit Data.

Just one mile north of the City in Solana Beach, there is a transit station where transit riders can board the NCTD Coaster or Amtrak Pacific Surfliner. Both are passenger trains, with the latter offering travel options outside San Diego County.

In addition to the public transportation options offered by NCTD, local volunteer organization Del Mar Community Connections provides senior residents with transportation services. These services include the Sassy Chassis, which sponsors social and educational outings, and a Grocery Shuttle that runs twice weekly.

Figure 9: City of Del Mar Transit Stops



Source: Ascent 2025

7.3 COMPLETE STREETS INITIATIVE



Adopted in 2017, the City of Del Mar Complete Streets Policy sets a standard for development that prioritizes mobility and creates a safe, balanced multimodal street system. The recent Downtown Streetscape Project, which transformed seven blocks on Camino del Mar, provides better sidewalks, lighting, street furniture, landscaping, and drainage. As shown in Figure 3, an extensive bicycle network runs through the City, equipped with racks and repair stations. Roughly six miles, or 25 percent of Del Mar road miles, are bicycle lanes (2019 CAP Annual Progress Report). The Downtown Streetscape Project enhanced bicycle access through expanded bike lanes extending Northbound and Southbound at a minimum of five feet wide. More information on the City’s bicycle network can be found on the City website at: <https://www.delmar.ca.us/436/Bike-Routes-Racks>. Figure 10 illustrates where bike routes and bike racks are located within the city.

[Bicycles and E-Bikes -](#)

[The City adopted Ordinance No. 1020 in 2025 to codify safety regulations for bicycle and e-bike riders in the City of Del Mar. The City regulates the use of bikes and e-bikes to maintain public safety by designating the areas where riders are allowed to ride and the rules which are intended to apply to riders. Generally, bicycle and e-bike riders are expected to follow the same rules of the road as motorists, ride in the bicycle lane when available, and adhere to the regulations which restrict the use of bicycles in parks, preserves, on sidewalks in commercial areas, and on most trails around the San Dieguito Lagoon. The City’s website has additional information for bicycle and e-bike riders at: https://www.delmar.ca.us/924/Bike-E-Bike-Safety](#)

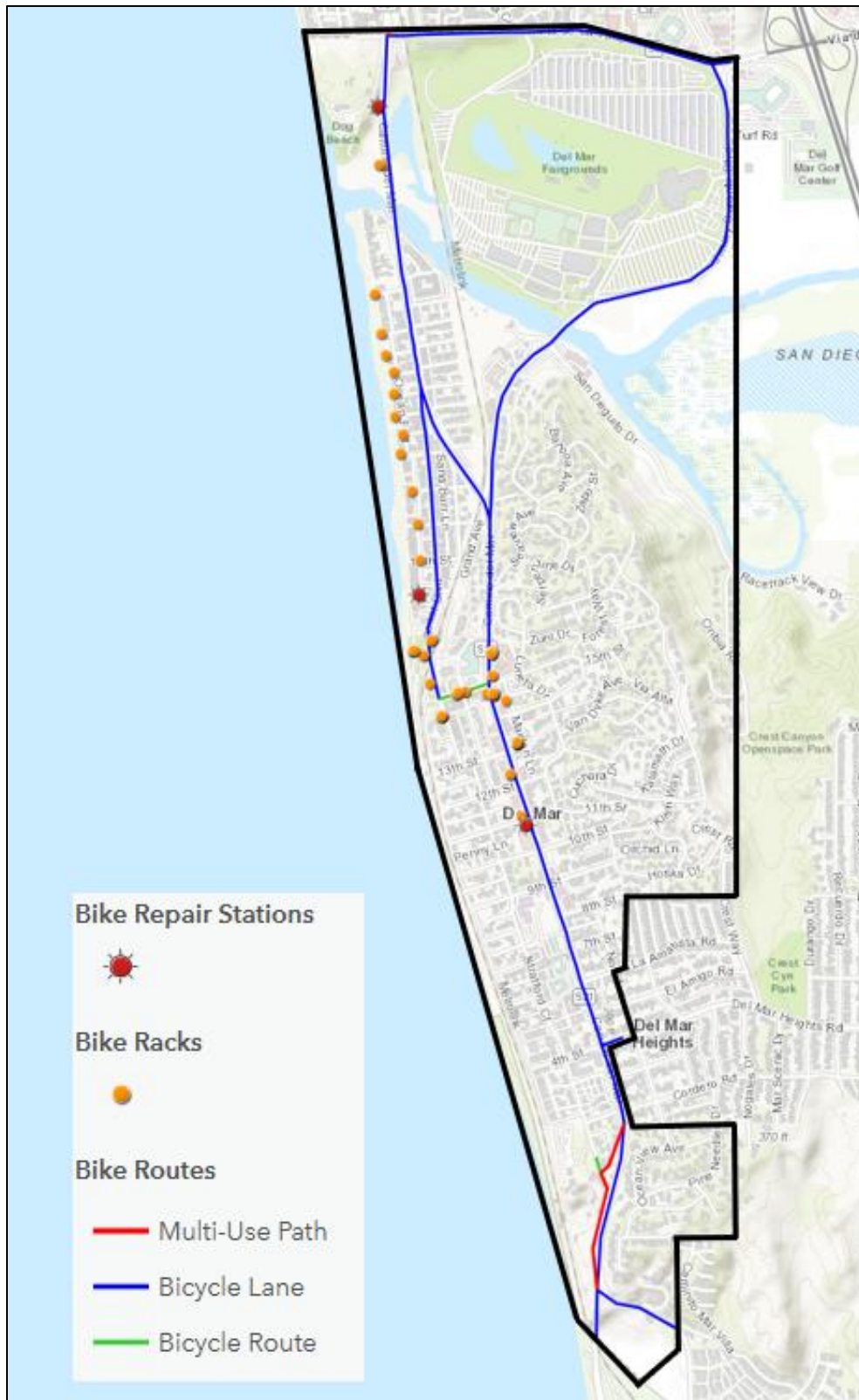
[Additionally, e-bike riders are expected to adhere to the regulations which apply to the classification of e-bike they own. As identified in Table 1 below, regulations vary based on e-bike classification. For more information on e-bike classifications, visit the San Diego County Sheriff’s Office website at: https://www.sdsheriff.gov/resources/bicycle-safety](#)

Table 1: San Diego County Sheriff’s E-Bike Classifications

				
	Pedal Bike	Class 1	Class 2	Class 3
Pedal assist		●	●	●
Throttle			●	
Max speed	Speed limit	20 mph	20 mph	28 mph
Minimum age	None	None	None	16
Driver’s license	No	No	No	No
Helmet required	Under 18	Under 18	Under 18	All ages
Helmet recommended	All ages	All ages	All ages	All ages

Source: [San Diego County Sheriff’s Office](#)

Figure 10: City of Del Mar Bike Routes and Rack Facilities



Source: City of Del Mar 2025

7.4 PUBLIC PARKS AND SCENIC TRAILS

Public parks and scenic trails provide opportunities for exercise and recreation for residents and visitors. Convenient and safe access to these places has a direct correlation to exercise and physical activity in the community. The importance of providing high-quality recreation areas has been demonstrated through the City's adoption of the Recreation Element in 1985. The adopted Recreation Element supports environmental justice through ensuring sufficient park and recreation areas and access throughout all areas of the City. Figure 11 illustrates where public parks and trails are located within the city.

Public Parks - Del Mar has three coastal parks, Seagrove Park, Sea Cliff Park, and Powerhouse Park. Overlooking over two miles of sandy beaches, these parks offer a great place to recreate with plenty of open space, Seagrove Park benches, bike racks, water fountains, and outdoor showers to accommodate its visitors. Powerhouse Park is part of a community center which hosts public and private events year-round. Both parks have direct access to the beach where people can enjoy over two miles of sandy shore. The beach presents opportunities for all kinds of activities including walking, running, swimming, surfing, kayaking, fishing, and more. There is also a barefoot, kid-friendly Tot Lot which provides children with a safe space to play. The Tot Lot is adjacent to Sea Cliff Park, a pocket park that offers benches and pathways for visitors to walk through native plantings overlooking the ocean. In addition, Del Mar is home to a Giant Sea Kelp Forest and Dog Beach that is available to explore.

Court Street Park is a neighborhood park located east of Camino del Mar and south of 21st Street. Two tennis courts and a half-court basketball court are open to the public from sunrise to sunset daily. Public restrooms are also available on-site.

Shores Park is a roughly 5.3-acre park that is located west of Camino del Mar, south of 9th Street, and east of Stratford Court. This park was purchased by the City in 2008 and is currently used for informal recreation and an intermittent dog park. Additionally, a portion of the property is leased by the private Winston School, which has been on site since 1988. A master planning process to develop the long-term vision for the park's development is currently underway. The master planning process involves significant public input and preliminary plans include the school site, a youth sports field, dog park, and multi-use sport court. The Master Plan will also include an updated Del Mar Community Building on the Shores Property. The Community Building houses non-profit groups including Del Mar Community Connections, the Del Mar Foundation, and the Del Mar Historical Society.

Scenic Trails - The City has several miles of trails and paths traveling through coastal, canyon, and lagoon terrains. These trails vary in length and difficulty. Some of the most frequented trails in Del Mar include the Riverpath Trail and Coast to Crest Trail. The Riverpath Trail runs adjacent to San Dieguito River before connecting to Crest Canyon. Although Crest Canyon is just outside city limits, it is still easily accessible and offers access to a diverse network of trails. The Coast to Crest Trail is a regional project spanning 70 miles that connects the Del Mar coast to the Volcan Mountain Summit. So far, 49 miles have been constructed with the Riverpath Trail making up part of that mileage.

Connection The Scripps Bluff Preserve, North Torrey Pines State Park, and San Dieguito Lagoon are all destination sites with access points throughout the City which connect to nature preserves within and adjacent to the city. Residents and visitors of Del Mar can enjoy the native plants, scenic views, and wildlife they have to offer.

ADA Accessible Beach Access - The City of Del Mar provides rental of a beach wheelchair, as part of a commitment to helping all residents of the state experience the beach firsthand. The wheelchair is equipped with large, wide wheels which can roll across the sand without sinking.

Low Income Parking Pass - The City, in collaboration with the California Coastal Commission, offers an annual beach parking pass free of charge to qualified applicants. The intent of the program is to provide more inclusive public access to the City's public beach and coastal parks by allowing parking in the City's metered public parking areas. Under the program, individuals who qualify for other low-income programs such as Medicaid/Medi-Cal, CalFresh, Supplemental Security Income or San Diego County's rental assistance programs will be able to obtain a pass to park for free in Del Mar. The pass may be used to park free of charge at City of Del Mar parking meters and Pay & Display Zones except on Maiden Lane, L'Auberge Del Mar Hotel meters, and the Seagrove Parking Lot. Applicants can apply for the parking

pass online on the City of Del Mar website or in person at the Beach Safety Center at 1700 Coast Blvd. from 9 a.m. to 5 p.m., Monday to Friday.

One-Mile Art Walk - The one-mile art walk in Downtown Del Mar provides a unique opportunity for people to explore the city center and embrace the arts. The Temporary Outdoor Sculpture Program is supported by the City's adopted Public Arts Policy.

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Figure 11: City of Del Mar Public Paths and Trails



Source: City of Del Mar, 2025

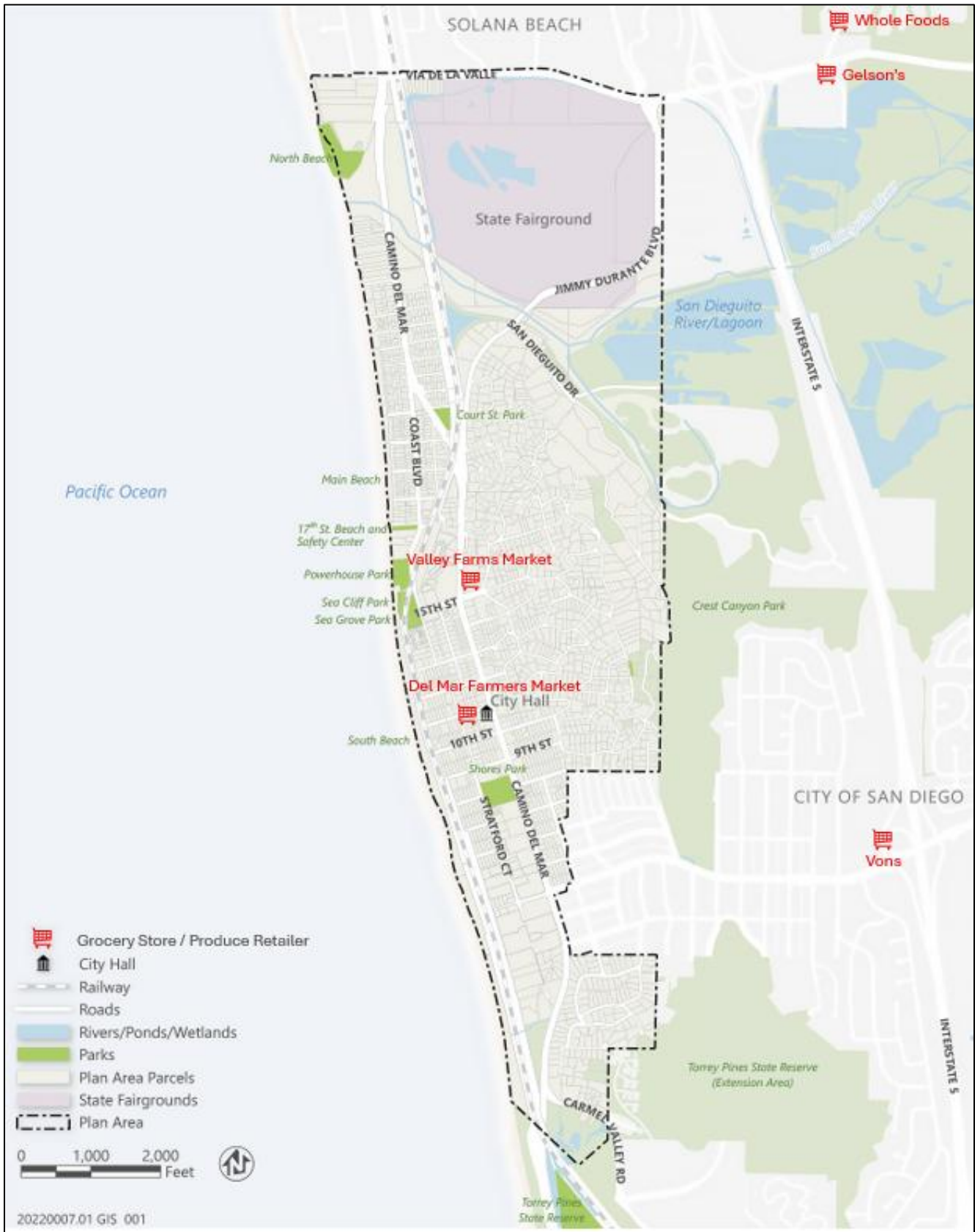
7.5 HEALTHY FOOD ACCESS

Del Mar has traditional grocery stores (i.e., Vons, Whole Foods, and Gelsons) in locations outside of the City boundary within the neighboring cities of San Diego and Solana Beach, as shown in Figure 5. Due to the small size of the Del Mar community, it has historically not been economically feasible for a traditional grocery store to locate within Del Mar, however, the City is served by two main locations that provide access to healthy foods including the Del Mar Farmers Market and the Specialty Market (Valley Farms Market) at Del Mar Plaza. Figure 12 identifies retail locations within and adjacent to Del Mar which offer access to healthy foods and produce.

Valley Farms Market (Del Mar Plaza). The Del Mar Plaza is a community-oriented retail center that initially included a 9,000-square-foot food market, imposed as a 25-year obligation for the approval of the development of the property. Several food markets have occupied the space over the years, but due to the exponentially higher cost of rent within Del Mar compared to food markets of comparable size in other jurisdictions it has been difficult to attract and maintain a local grocery tenant. Valley Farms Market is anticipating opening in the Del Mar Plaza in early 2026 and would provide a local grocery option within the City of Del Mar. Valley Farm Market, is a specialty gourmet market and butcher shop that sells groceries, has a butcher shop and fish market, as well as a full-service delicatessen with fresh-caught seafood items.

Del Mar Farmers Market. The Del Mar Farmers Market is held weekly in the Civic Center parking lot each Saturday from 1-4 pm, providing a local option for food and products grown and produced in the region. CalFresh (nationally known as SNAP) is a public benefits food assistance program that provides qualifying households with an EBT debit card to buy groceries. Farmers Markets are able to accept EBT to further provide access to local food options within the State of California, and the City of Del Mar. Additionally, Market Match (sometimes referred to as Bonus Bucks) is a California healthy food incentive program that matches federal nutrition assistance benefits, like CalFresh and WIC, at farmers markets.

Figure 12: City of Del Mar Healthy Food Access



Source: City of Del Mar 2025

7.6 GOALS AND POLICIES - PUBLIC RESOURCES, FACILITIES AND AMENITIES

Goals and policies to promote physical activities, healthy food access, and access to public facilities, not only ensure that the City of Del Mar is an inclusive community but also further the goals of the Community Plan.

Goal 7: Ensure that all residents and visitors have safe and adequate access to public facilities, transportation, recreational spaces, healthy food, and community services.	
Policy 7.6.1	Collaborate with local community groups to identify amenities the public would be interested in incorporating into local parks and trails, such as the redevelopment of Shores Park.
Policy 7.6.2	<p>Ensure equitable access to public facilities and park and recreation opportunities for people of all races, cultures, incomes, and national origins, including residents as well as visitors.</p> <ul style="list-style-type: none"> Implementation Action 7.6.2: Develop policies and implement actions, as needed, to remove any impediments or barriers to ensure equitable access.
Policy 7.6.3	<p>Promote physical activity and programs to reduce rates of obesity, heart disease, diabetes, and other health-related illnesses for residents of all ages, cultural backgrounds, and abilities.</p> <ul style="list-style-type: none"> Implementation Action 7.6.3: Collaborate with local organizations, such as Del Mar Community Connections, to provide health and recreation programs that are inclusive and meet community needs.
Policy 7.6.4	<p>Promote walking and biking as safe, healthy, and fun alternatives for individuals of all ambulatory abilities.</p> <ul style="list-style-type: none"> Implementation Action 7.6.4: In collaboration with community-based organizations, identify public safety needs and interventions to improve public access. Implementation Action 7.6.5: Continue to issue beach parking passes to eligible low-income visitors through the City's Low-Income Parking Pass program.
Policy 7.6.5	<p>Continue to support and promote local options for access to healthy foods such as the Farmers Market at Del Mar's Civic Center and Valley Farms Market at the Del Mar Plaza.</p> <ul style="list-style-type: none"> Implementation Action 7.6.5: Actively encourage local businesses to accept public assistance benefit payments using Electronic Benefit Transfer (EBT) debit cards.
Policy 7.6.6	<p>Promote the collection and redistribution of surplus edible food to communities in need.</p> <ul style="list-style-type: none"> Implementation Action 7.6.6: Continue to support the Community Resource Center's Food and Nutrition program that provides nutritious fresh meals, produce, meat, and dairy, non-perishable food, and hygiene items to assist lower income households.
Policy 7.6.7	<p>Prevent food waste through programs that encourage or require recycling of food waste (i.e., Solana Center Food Cycle program).</p> <ul style="list-style-type: none"> Implementation Action 7.6.7: Continue enforcement of the City's Recycling Services and Edible Food Collection program.