

From: Mulloy, Richard <richard.mulloy@us.dlapiper.com>
Sent: Sunday, February 8, 2026 1:55 PM
To: Jean Crutchfield; Planning Mail Box; asmulloy3@icloud.com
Subject: Variance V25-002; 355 14Th Street

Follow Up Flag: Follow up
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Dear Members of the Del Mar Planning Commission:

I am writing in support of the fence variance application for 355 14th Street. My wife and I live at 345 14th Street, which is next door to the property.

We have followed the Voigtlander remodeling project closely over the past 6 years. To say that they have invested substantial time, effort and resources into the modernization of their home is a massive understatement. Whereas the prior house, fence and yard were run-down and a refuge for rodents and other pests, the new, remodeled home enhances the neighborhood and our 14th Street community.

As far as the fence is concerned, it has been there for as long as we have owned our property. The recently replaced fence is much nicer than the prior fence, which was propped up by dilapidated wooden beams and bougainvillea plants that were not maintained and only further contributed to the rodent problem. We cannot see any difference in the height of the fence even though we have a reference point as a result of the connection between the Voigtlanders' 14th Street fence and the backyard fence that separates our two properties. In addition, requiring any additional work on the fence at this point will be disruptive to us and other neighbors on 14th Street.

We hope that you will consider supporting the Voigtlanders' request to maintain what has always been there.

If you can please confirm receipt of this correspondence, we would appreciate it. Thank you for your consideration.

Best regards,
Rick and Andrea Mulloy
345 14th Street
(619) 743-4787

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From: Janet Wilson <janet@silverhook.com>
Sent: Saturday, February 7, 2026 12:59 PM
To: Planning Mail Box
Cc: JGrewal@delmar.ca.us; PPosner@delmar.ca.us; PLeonard@delmar.ca.us; MRittenbaum@delmar.ca.us; MSpieker@delmar.ca.us; Karen Brindley; Amanda Lee; Jean Crutchfield
Subject: Planning Commission Meeting - Item 1 - Variance V25-002

Follow Up Flag: Follow up
Flag Status: Completed

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.

Dear Planning Commissioners,

I am writing to support the staff recommendation to deny Variance Request V25-002. In general, I do not support any variance unless it improves public safety, and that is not the case here.

As the applicant states, the area is extremely busy because many Del Mar Plaza employees and customers park on these streets. Busy intersections require greater visibility. Additionally, the area lacks sidewalks, forcing pedestrians to walk in the street, where the only “safe harbor” is to step between parked cars. I have experienced this situation many times while walking with my dogs to the plaza.

For many years, the sightlines at both corners and along the driveways at this property have been obstructed. As noted in the staff report, the applicant has reconstructed the significantly over-height perimeter wall without prior approval and is now seeking a variance to retain those improvements.

Granting this variance would normalize a build-first, seek-permission-later approach, and the tall walls would continue to compromise public safety.

Cities have sightline ordinances because blocked visibility is a well-documented contributor to preventable accidents. In fact, Del Mar has many regulations requiring clear lines of sight at intersections, driveways, and pedestrian walkways:

30.86.150 - Street Corner Sight Distance

No structure, plant material, or other object shall be erected, placed, planted, or allowed to grow within 20 feet of the intersection of arterial streets or arterial-collector streets, as measured from the center of the nearest curb return or, where there is no curb, from the edge of pavement, in such a manner as to materially obstruct or impede vision from passing automobiles.

https://library.municode.com/ca/del_mar/codes/municipal_code?nodeId=TIT30ZO_CH30.86SURE_30.86.150STCOSIDI

23.08.074 - Regulatory Conclusions—Traffic, Parking and Pedestrian Circulation.

(G) The proposed development provides inadequate sight distances for motorists and pedestrians entering or exiting the property.

(H) The proposed development interferes with off-site circulation safety or efficiency.

https://library.municode.com/ca/del_mar/codes/municipal_code?nodeId=TIT23BUCO_CH23.08DERE_23.08.074RECORAPAPECI

30.92.040 - Development Standards

(B)(5)(e) ... Any vegetation proposed to be planted adjacent to a driveway shall be selected and located so as to maintain adequate sight lines to and from the property, and along the property frontage to the public street(s) and intersection(s).

https://library.municode.com/ca/del_mar/codes/municipal_code?nodeId=TIT30ZO_CH30.92HOELIMOVZO_30.92.040DEST

The staff report also notes that a new hedge has been planted along the street-facing walls and is “expected to grow denser and higher over time”. This new hedge, when fully grown, will further block sightlines, and if planted in the public right-of-way, it requires an encroachment permit. Any vegetation obstructing the specified pedestrian 5-foot “safe harbor” in the public right-of-way is prohibited.

23.28.040 - Prohibited Encroachments

4. Any Encroachment would create a trip hazard or other impediment that would interfere with safe pedestrian passage; and

5. Any Encroachment that would create an unsafe line of sight for pedestrians or motorists.

https://library.municode.com/ca/del_mar/codes/municipal_code?nodeId=TIT23BUCO_CH23.28ENPE_23.28.040PREN

110 Private Encroachments into the City Rights-of-Way

1.c) Interfering with or not accommodating safe pedestrian passage (retention/provision of a continuous, minimum five-foot-wide “safe harbor” along the edge of the paved roadway is the standard applied by the City)

<https://www.delmar.ca.us/DocumentCenter/View/1956/110-Private-Encroachments-Into-City-Rights-of-Way-PDF>

Finding D(4) Would authorize or legalize the maintenance of any private or public nuisance. Approving this variance would allow excessively tall perimeter walls to continue obstructing sightlines, raising concerns under Finding D(4) because those blockages may constitute a public nuisance.

Del Mar’s regulations consistently emphasize preserving sightlines and visibility at street edges to ensure safe passage for pedestrians, and they serve a clear purpose. Approving this variance would be inconsistent with their intent and would introduce foreseeable risk to public safety.

Thank you for your time and effort on this important public safety issue.

Janet Wilson

Hoska Dr.

Neighbor Opposition to Variance Request V25-002 – 355 14th Street

City of Del Mar
Administrative Services Dept.

Dear Members of the Del Mar Planning Commission,

We write on behalf of concerned Del Mar Neighbors to respectfully urge the Planning Commission to **deny Variance Request V25-002** for the property located at **355 14th Street**, concerning fencing and entryway structures along **14th Street and Luneta Drive**.

The applicants are requesting multiple variances from the Del Mar Municipal Code, including:

- A variance from **DMMC Section 30.86.090(A)(1)** to allow the retention of fencing and gates up to **8 feet in height** at the front and street-side property lines, where the maximum permitted height is **3.5 feet**;
- A variance from **DMMC Section 30.86.090(A)(2)** to allow the retention of fencing and gates up to **8 feet in height** within the rear yard setback, where the maximum permitted height is **6 feet**; and
- A variance from **DMMC Section 30.86.090(A)(4)** to allow the retention of an **entryway structure exceeding the dimensions allowed** within the front yard setback.

We believe approval of these variances would be inconsistent with both the **intent of the Municipal Code** and the **established character of the surrounding neighborhood**.

First, no other property in the hills of Del Mar has a **6- to 8-foot-high metal fence placed directly on the property line**, particularly along front or street-side yards. Granting this variance would establish a precedent wholly out of scale with the surrounding neighborhood and contrary to long-standing community standards.

Second, the existing fence is an **enormous, stark metal structure** that visually resembles fencing more appropriate to an **industrial or commercial setting**, not a quaint residential neighborhood such as Del Mar. Its height, materiality, and massing are jarring and out of character with the community's coastal, open, and landscaped aesthetic.

Third, if every home along **14th Street or Luneta Drive** were to install similar fencing on the property line, pedestrians would effectively be walking through a **corridor or tunnel of metal walls**. This would dramatically degrade the public realm, eliminate visual openness, and fundamentally destroy the character of the neighborhood that the zoning code is intended to protect.

Finally, it is not valid to argue that the proposed fence should be allowed simply because a prior fence existed. While a prior fence may have been present, it bore little resemblance to the current structure. The previous fence visually functioned more like a **well-manicured hedge**, with a substantially lower solid portion and a more transparent upper element. In contrast, the current fence has a **much taller and more dominant solid metal component**, making it significantly

more noticeable, imposing, and incompatible with the neighborhood. As demonstrated in the exhibits attached hereto, these differences are material and meaningful and undermine any claim that the current installation is equivalent to what existed before.

The Del Mar Municipal Code's fencing and setback regulations exist to preserve neighborhood character, visual openness, and compatibility between private development and the public streetscape. Granting the requested variances would contradict those objectives and invite similar requests in the future, eroding the unique character that makes Del Mar special. **Moreover, approving a variance after the applicable regulations were disregarded and construction completed would set an especially concerning precedent.**

For these reasons, we respectfully request that the Planning Commission **deny Variance Request V25-002.**

Thank you for your time, consideration, and continued service to the Del Mar community.

Sincerely,
Concerned Del Mar Neighbors

Hawey Cherkoway

428 Van DeKe Ave
PO Box 3011
Del Mar, CA 92014

Neighbor Opposition to Variance Request V25-002 – 355 14th Street

FEB 09 2025

City of Del Mar
Administrative Services Dept.

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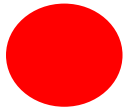
For these reasons, we respectfully request that the Planning Commission **deny Variance Request V25-002.**

Thank you for your time, consideration, and continued service to the Del Mar community.

Sincerely,
Concerned Del Mar Neighbors

Anne Checkoway

422 Van Dyke Ave.
PO Box 3011, Del Mar, CA
92014



February 9, 2026

City of Del Mar
 Planning and Community
 Development Department
 1050 Camino Del Mar
 Del Mar, CA 92014
 Attn: Nicole Morrow, Associate Planner
Nmorrow@delmar.ca.us

Subject: SANDAG Comments on the Environmental Justice Element – General Plan Amendment GPA24-002 (Public Review Draft, December 2025)

Thank you for the opportunity to comment on the Environmental Justice Element prepared as part of the General Plan Amendment (GPA24-002) for the City of Del Mar (City). San Diego Association of Governments (SANDAG) appreciate the City's efforts to integrate equity, public health, and environmental considerations into long-range planning. The following comments are provided to help strengthen clarity, implementation, and equity outcomes within the Environmental Justice Element.

Public Participation in the Planning Process (Section 4.2, Page 17)

The discussion of public participation would benefit from explicitly referencing consultation and communication with tribal groups regarding both public and private development projects. In addition, it would be helpful to clarify whether the City consulted with any tribal governments or organizations during preparation of the General Plan amendments, rather than only offering consultation opportunities. Providing this context would improve transparency and demonstrate meaningful engagement.

Policy Statements Supporting Equity and Fair Treatment (Section 4.4, Page 18)

To strengthen this section, we recommend including examples of how the policy statements are operationalized through corresponding action items or implementation measures. Linking high-level policy goals to specific actions would help demonstrate how equity considerations will be carried out in practice.

Additionally, the reference to the prohibition of ghost guns appears out of place in this section, as it does not clearly relate to environmental justice or land use planning considerations. The City may wish to reconsider its placement or provide additional context explaining its relevance.

Goals and Policies – Civic Engagement, Equity, and Fair Treatment (Section 4.6, Page 20)

For Policy 4.6.1, the City may wish to reference the resources identified in Section 4.5 and emphasize collaboration with community partners that serve people of all races, cultures, incomes, and national origins, similar to the approach described in Policy 4.6.2 implementation actions.

For Policies 4.6.3 and 4.6.4, we recommend emphasizing partnerships with community-based organizations that serve diverse populations. These organizations can play a key role in outreach, education, and ensuring that disadvantaged residents are informed and meaningfully included in civic processes.

Goals and Policies – Promote Safe and Healthy Homes (Section 6.6, Page 33)

Policy 6.6.4 references pursuing State Housing Acceleration Program (HAP) grant opportunities through SANDAG’s Regional Early Assistance Program (REAP). The policy would benefit from clarifying and streamlining this language to avoid confusion and clearly describe how the City intends to pursue and coordinate these funding opportunities.

Air Quality (Section 5.1, Page 21)

This section could be strengthened by expanding the discussion of primary air pollutant exposure sources that intersect with sensitive populations, such as senior centers or schools located near major roadways. Consider also addressing indoor air quality concerns, particularly in older housing units with gas appliances.

Additionally, the City may wish to identify potential investments that reduce exposure to air pollutants, such as zero-emission municipal fleets, incentives for electric landscaping equipment, or other targeted mitigation measures.

Water Quality (Section 5.2, Page 22)

We recommend expanding the discussion to address how climate-driven risks—such as intensified runoff, flooding, and storm events—can create episodic water quality challenges and exposure risks for users of public coastal resources.

This section could also highlight opportunities for regional coordination to advance climate-resilient water quality planning.

Energy Conservation (Section 5.3, Page 23)

Consider including strategies to support renters who may experience energy burdens but have limited ability to implement energy efficiency upgrades in their units.

While the Home Energy Savings (HES) Program is described, this section would be strengthened by clarifying next steps, such as whether the program was a pilot, whether it will be expanded, or whether the City intends to pursue similar efforts in the future.

In addition, the City may wish to address how energy efficiency investments can improve resilience to extreme events, such as fire-related power outages that can disproportionately impact seniors and medically vulnerable populations.

Waste Diversion (Section 5.4, Page 24)

To ensure waste reduction ordinances are implemented equitably, we recommend identifying investments in education and technical assistance, particularly for renters and multifamily properties that may experience lower diversion rates.

The discussion of food waste diversion could also be expanded to highlight co-benefits such as local food security and reductions in methane emissions.

Climate Action Plan (Section 5.5, Pages 24–25)

The Environmental Justice Element would benefit from highlighting the co-benefits of Climate Action Plan measures beyond greenhouse gas reduction, such as improvements in air quality and public health, and clarifying how implementation prioritizes vulnerable populations.

Additionally, consider describing how the City's Climate Action Plan aligns with and is implemented in coordination with regional efforts, including the SANDAG San Diego Regional Climate Action Roadmap.

Goals and Policies – Monitoring and Implementation (Section 5.6, Page 26)

For Policy 5.6.1, we recommend clarifying how monitoring data will be used to inform decision-making, such as triggering mitigation actions, prioritizing capital investments, or guiding program updates.

For Policy 5.6.2, consider adding language that clarifies how areas and populations with the greatest risk and least capacity to respond will be prioritized.

To further strengthen Policy 5.6.2, Implementation Action 5.6.2.D, the City may wish to emphasize that these actions aim to reduce energy burdens and increase access to the benefits of clean energy.

Finally, for Policy 5.6.4, we recommend framing transportation demand management strategies to include co-benefits such as improved safety, reduced air pollution, and enhanced public health outcomes.

SANDAG appreciates the opportunity to provide these comments and remains committed to collaborating with the City of Del Mar and our regional partners to advance environmental justice and equitable outcomes in San Diego County. Please feel free to contact Anna Millar at amill@sandag.org for any clarification or discussion regarding these recommendations.

Sincerely,



Anna Millar
Associate Environmental Planner
SANDAG