



City of Del Mar Agenda Report

TO: Honorable Mayor and City Councilmembers

FROM: Ashlea Houston, Management Analyst
Clem Brown, Assistant City Manager
Via Ashley Jones, City Manager

DATE: July 7, 2025

SUBJECT: Adoption of an Ordinance to Regulate Bicycles, Including Electric Bicycles, in the City of Del Mar

REQUESTED ACTIONS/RECOMMENDATION:

Staff recommends that the City Council adopt the ordinance (Attachment A) amending Chapter 8.12, San Dieguito Lagoon and River, and adding Chapter 14.54, Bicycles, to the Del Mar Municipal Code (DMMC) regulating the use of bicycles, including e-bikes, in the City of Del Mar.

BACKGROUND:

In Del Mar, as in other neighboring jurisdictions, the rise in e-bike use has highlighted the need for local regulations to enhance safety for pedestrians and cyclists. Bicycles, including e-bikes, are regulated by the California Vehicle Code (CVC); however, cities may adopt local regulations by ordinance for their specific needs.

The San Diego County Sheriff's Department (Sheriff's Department) supports consistent enforcement across the North Coastal Sheriff's Station cities of Del Mar, Encinitas, and Solana Beach. Encinitas and Solana Beach adopted updated e-bike regulations in 2023. As a result, the Fiscal Year (FY) 2024-25 City Council Work Plan includes a Tier 2 item to align Del Mar's e-bike regulations with those cities.

On April 7, 2025, the City Council held a public hearing to introduce an ordinance to add Chapter 14.54 to the DMMC, regulating bicycle/e-bike activity in the City. The Sheriff's Department collaborated with City staff on the proposed regulations, which were substantively similar to those of Encinitas and Solana Beach. During the public hearing, the Council voted to approve the introduction of the ordinance with a minor amendment described in option two of a public communication prepared by staff after the posting of the agenda packet (i.e., staff Red Dot). The amendment clarified when a cyclist must ride in a bike lane, and when exceptions apply under the CVC. The Council also directed staff to return with more information about how to regulate bikes on sidewalks. The April 7 agenda report and Red Dots for Item 10 may be accessed in the following link: <https://www.delmar.ca.us/DocumentCenter/View/9910/04072025-Item-10-Agenda-Report-Red-Dots>.

City Council Action:

On June 2, 2025, the item returned for a Council discussion and direction regarding trail and sidewalk restrictions for bicycles and e-bikes. For trails, staff proposed amending DMMC Chapter 8.12 to expressly permit bicycles, including class 1 and 2 e-bikes, on the portion of the Coast to Crest Trail located in the City of Del Mar. This amendment would align Del Mar with neighboring jurisdictions and promote consistent enforcement. For sidewalks, staff presented multiple options for City Council consideration. The options, ordered from least to most restrictive were as follows:

1. Prohibit bicycles on sidewalks in business districts and when a bike lane is present.
2. Prohibit bicycles on all sidewalks, with exceptions for specified areas, and when reasonably necessary to leave the road to avoid debris or other hazardous conditions.
3. Prohibit bicycles on all sidewalks.

Option 1 maintains the same restrictions proposed on April 7, aligning with those of Encinitas and Solana Beach. Option 2 establishes citywide sidewalk restrictions, with exceptions for specified areas and hazardous conditions. Option 3 establishes citywide sidewalk restrictions.

The City Council discussed the proposed options and identified option 2 as their preferred approach to balance pedestrian safety and cyclist mobility on sidewalks. The Council directed staff to incorporate the sidewalk restrictions in option 2, along with Del Mar's proposed bicycle regulations for the Coast to Crest Trail, into a revised ordinance for Council consideration at an upcoming meeting. The June 2 agenda report for Item 14 may be accessed in the following link:

https://www.delmar.ca.us/DocumentCenter/View/9923/06022025_Item-14---Bike-and-E-Bike-Regulations.

DISCUSSION/ANALYSIS:

On June 16, 2025, the City Council held a public hearing to re-introduce an ordinance amending Chapter 8.12 and adding Chapter 14.54 to the DMMC to regulate bicycles/e-bikes in Del Mar. The ordinance incorporated the provisions of the original ordinance introduced on April 7, with revisions to address the updated trail and sidewalk regulations discussed on June 2. The June 16 agenda report and Red Dot for Item 8 may be accessed in the following link:

<https://www.delmar.ca.us/DocumentCenter/View/9942/06162025-Item-8-Agenda-Report-and-Red-Dot>

Prior to the meeting, the San Diego Bike Coalition submitted a written public comment opposing the proposed sidewalk restrictions because they would be more restrictive than the sidewalk regulations in Encinitas and Solana Beach and could lead to confusion among riders and law enforcement in determining when road conditions are considered hazardous. Additional public comment and Council discussion led to a reconsideration of Del Mar's regulations for bikes on sidewalks to align them with Encinitas and Solana Beach, as proposed in option 1 of the June 2 agenda report and the original April 7 ordinance.

Council also discussed including the sidewalks adjacent to Powerhouse Park and 15th Street south of Camino del Mar as areas where bikes on sidewalks should not be allowed due to high pedestrian use. The City Council then voted to introduce the ordinance with an amendment to incorporate the sidewalk restrictions outlined in option 1 of the June 2 agenda report, and prohibit bikes on the sidewalks adjacent to Powerhouse Park and along 15th Street south of Camino del Mar.

Upon further review with the City Attorney, staff determined that the sidewalk adjacent to Powerhouse Park is next to a bike lane and would therefore be prohibited under the provisions of option 1. Additionally, the definition of "Business District" in the amended Ordinance (Attachment A) includes the southern section of 15th Street due to its location within the Village Center District of Del Mar.

In summary, the amended Ordinance (Attachment A) adds Chapter 14.54 to the DMMC, which defines bicycles and e-bikes based on the CVC; specifies regulations applicable to riders and their passengers; gives the Sheriff's Department authority to divert first-time bicycle/e-bike offenders to a bicycle safety training program rather than issuing a citation; and amends Chapter 8.12 to expressly permit bicycles, including class 1 and 2 e-bikes, on the Coast to Crest Trail.

If adopted by the City Council, the ordinance would be effective 30 days after adoption.

FISCAL IMPACT:

There is no fiscal impact or action to be taken related to this agenda item.

ENVIRONMENTAL IMPACT:

The proposed City Council action does not constitute a "project" under the definition set forth in California Environmental Quality Act (CEQA) Guidelines Section 15378 because it will not have a potential to result in a direct or indirect physical change in the environment and is, therefore, not subject to CEQA. No further action under CEQA is required.

NEXUS TO CITY COUNCIL GOALS AND PRIORITIES:

E-Bike Safety – Municipal Code Amendments is a Tier 2 City Council priority for FY 2024-2025.

ATTACHMENTS:

Attachment A – Proposed Ordinance to Regulate Bicycles/E-Bikes

ORDINANCE No. XXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, AMENDING THE DEL MAR MUNICIPAL CODE CHAPTER 8.12 SAN DIEGUITO LAGOON AND RIVER, AND ADDING CHAPTER 14.54 BICYCLES, REGULATING BICYCLES, INCLUDING ELECTRIC BICYCLES, IN THE CITY OF DEL MAR

WHEREAS, the City of Del Mar (City) enacted Title 8 of the Del Mar Municipal Code (DMMC) to regulate beaches, waterways, and parks within the City; and

WHEREAS, the City enacted Title 14 of the DMMC to regulate traffic within the City; and

WHEREAS, violations of DMMC Title 8 and 14 provisions are generally punishable as infractions, unless otherwise expressly stated; and

WHEREAS, the City has seen an increase in the use of electric bicycles, also commonly referred to as “e-bikes”, within the City; and

WHEREAS, the City Council desires to adopt provisions regulating the use of bicycles within the City, including e-bikes, to continue protecting the public health, safety and welfare of the community and its residents and visitors, including by enhancing traffic and pedestrian safety; and

WHEREAS, the City Council further desires to allow first-time offenders who violate any such provisions with an opportunity to take an approved bicycle training safety course in lieu of receiving a citation.

NOW, THEREFORE, the City Council of the City of Del Mar, California, does hereby ordain as follows:

SECTION ONE:

The above recitals are true and correct and are incorporated by reference into this action.

SECTION TWO:

That Subsection (D) of Section 8.12.030 be amended in the Del Mar Municipal code as follows:

Chapter 8.12 – San Dieguito Lagoon and River

8.12.30 Prohibited Activities.

- D. Bicycles and similar non-motorized vehicles shall be permitted only on trails and walkways designated and signed as permitting bicycle access, with the exception of the Coast to Crest Trail, which shall expressly permit bicycles, including class 1 and class 2 electric bicycles as defined by California Vehicle Code Section 312.5, as that Section may be amended from time to time.

SECTION THREE:

That a new Chapter 14.54 be added to the Del Mar Municipal Code as follows:

Chapter 14.54 – Bicycles

14.54.010 – Purpose. The purpose of this Chapter is to establish regulations regarding the use of Bicycles and Electric Bicycles on any public roadway, street, highway, parkway, right-of-way, alley, or other public property within the City of Del Mar.

14.54.020 – Definitions. For purposes of Chapter 14.54, the following definitions shall apply:

Bicycle shall have the same meaning as ascribed in California Vehicle Code Section 231, as that section may be amended from time to time. The term Bicycle as used herein shall include Electric Bicycles, as defined below.

Electric Bicycle (E-bike) shall have the same meaning as ascribed in California Vehicle Code Section 312.5, as that section may be amended from time to time.

Business District shall mean the Village Center District, as outlined in the Community Plan (General Plan), and any commercial zone in the City of Del Mar.

14.54.030 – Laws Applicable to Persons Operating and/or Riding Bicycles.

- A. Any person operating or riding a Bicycle shall exercise reasonable care and safety, and shall observe all applicable laws, including, but not limited to, yielding to pedestrians and obeying the instructions of official traffic control signals, signs, and other devices applicable to vehicles.
- B. Any person operating or riding a Bicycle upon a roadway shall be granted those rights and subject to those duties established by the laws of the State of California and by this Title, which are applicable to persons operating or riding in a vehicle, except for those provisions that, by their nature, can have no application.
- C. It shall be unlawful for any person required by the California Vehicle Code to wear a helmet while operating or riding a Bicycle to wear the helmet in any way other than the fashion for which the helmet is designed to be worn, including, but not limited to, the use of straps and strap closure mechanisms.
- D. It shall be unlawful for any person operating or riding a Bicycle to cling or attach themselves or the Bicycle to any other moving vehicle.

14.54.040 – Areas Where Riding Bicycles is Prohibited.

Within the City of Del Mar, it shall be unlawful for any person to ride a Bicycle in, on or upon:

- A. Any sidewalk in a Business District.

- B. Any sidewalk posted with signs prohibiting such riding.
- C. Any street or sidewalk with a designated bicycle path or way, requiring such riding to be within the designated bicycle lane, unless an exception applies in accordance with Section 21208 of the California Vehicle Code, as that Section may be amended from time to time.
- D. Any park or preserve (consistent with Section 8.04.090 of this Municipal Code).
- E. Any trail or walkway within the confines of the San Dieguito Lagoon and River Valley, unless designated and signed as permitting Bicycle access, with the exception of the Coast to Crest Trail, which shall expressly permit Bicycles, including class 1 and class 2 Electric Bicycles as defined in California Vehicle Code Section 312.5, as that Section may be amended from time to time (consistent with Section 8.12.030 of this Municipal Code).

14.54.050 – Enforcement.

In lieu of the imposition of the penalties authorized by this Title and/or the filing of charges in a court of competent jurisdiction, the Sheriff or Chief of Police or designee may allow a first-time violator of this Chapter to complete an agency-approved bicycle training safety course, if and when such a program is available.

SECTION FOUR:

The City Council finds that approval of this Ordinance is exempt from the preparation of an environmental document pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15378. This action does not constitute a “project” under the definition set forth in CEQA Guidelines Section 15378 because it will not have a potential to result in a direct or indirect physical change in the environment and is, therefore, not subject to CEQA. No further action under CEQA is required.

SECTION FIVE:

This Ordinance was introduced by the City Council on June 16, 2025.

SECTION SIX:

The City Clerk is directed to prepare and have published a summary of this Ordinance no less than five days prior to the consideration of its adoption and again within 15 days following adoption indicating votes cast.

SECTION SEVEN:

If any section, subsection, subdivision, paragraph, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance.

SECTION EIGHT:

Upon adoption, the Ordinance will take effect and be in force 30 days from the date that the City Council takes action to adopt the Ordinance.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Del Mar, California, at a regular meeting held on the 7th day of July 2025.

Terry Gaasterland, Mayor
City of Del Mar

APPROVED AS TO FORM:

Leslie E. Devaney, City Attorney
City of Del Mar

ATTEST AND CERTIFICATION:

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO
CITY OF DEL MAR

I, SARAH KRIETOR, Administrative Services Manager/City Clerk of the City of Del Mar, California, DO HEREBY CERTIFY, that the foregoing is a true and correct copy of Ordinance No. XXXX, which has been published pursuant to law, and adopted by the City Council of the City of Del Mar, California, at a Regular Meeting held the 7th day of July 2025, by the following vote:

AYES:

NOES:

RECUSE:

ABSENT:

ABSTAIN:

Sarah Krietor, Administrative Services
Manager/City Clerk
City of Del Mar