



City of Del Mar
Department of Planning and Community Development
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Del Mar, CA 92014

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Hours: M-TH 1:00 pm – 5:30 pm
FRI 1:00 pm – 4:30 pm
www.delmar.ca.us

SHORELINE PROTECTION PERMIT

An applicant's guide to the process

The following information is intended to provide information on the City of Del Mar's process for review of a Shoreline Protection Permit. Please contact the Planning Department to obtain any additional information.

PURPOSE

Initiative D passed by the voters of Del Mar in April 1988 created the Beach Overlay Zone. The Beach Overlay Zone is established to regulate the uses of the Del Mar Beach area, a district and valuable natural resource, for the benefit of present and future generations. The regulations of the Initiative shall be administered to protect public access to and along the shoreline, while promoting public safety, health and welfare and providing for the protection of public property.

The Initiative was designed to regulate development both existing and proposed on or west of the Shore Protection Area (SPA) line as described in the Initiative. Any development on the SPA line or west requires the approval of a Shoreline Protection Permit (SPP).

PROCESS

Step 1 – Pre-application Conference

In order to process an application most effectively, a pre-application conference with a member of the Planning Staff is recommended. The applicant and/or applicant's representative should bring to the pre-application conference, all available information on the site/structure in question, including but not limited to, plans or sketches of the proposed site/structure.

Step 2 - Filing of Application

Favored seawall applications will be given first priority over all other applications. A favored seawall is a vertical seawall within the parameters of the EIR and constructed on or east of the SPA line.

Applications may be filed Monday through Friday between the hours of 1:00 p.m. to 4:00 p.m.

Planning Staff will review each application for completeness. For an application to be accepted, it must contain all information listed below. Incomplete submittals will not be accepted. Please note that a submitted application is a matter of public record. Therefore, any portion of the application, including plan sets, may be re-produced and distributed to City Staff, other discretionary bodies, and the general public for use in reviewing the project proposal.

The following items must be submitted at this time:

1. Completed and signed application form;
2. Current Preliminary Title Report and Grant Deed;
3. Application fee (see Fee Schedule);

4. Eight (8) copies of the site plan with (24" x 36" folded to 8 1/2" x 11") containing the following information:
 - Scale and north arrow (north at top of page)
 - Name and address of applicant, engineer and/or architect, etc.
 - Date
 - All easements
 - Building(s) location
 - Survey by a Registered Civil Engineer or Licensed Land Surveyor showing the property line, Shore Protection Line and all structures east and west of the SPA Line;
 - Location and amount of existing/proposed rip rap;
 - Dimensions of offsets between proposed protective structure and protective structures on properties to north and south;
 - Dimensioned location of point of vehicular egress;
 - Dimensioned distances between buildings and protective structure;
 - Height of all major points of structure;
 - Location, height, and materials of protective structure;
 - Location of all buildings within 100 feet of subject properties;
 - A vicinity map showing major cross streets;
 - A summary table indicating the following information:
 - Site acreage
 - Existing zone and land use
 - Total area of proposed Shoreline Protective structure
 - Landscaping
 - North arrow
5. Engineering drawings and specifications showing a typical section and plan view of the protection structure. If it is an existing structure, the plans should be signed and stamped by a registered civil/structural engineer and indicated as "record" drawing if they reflect what was constructed. The plans should clearly show the proposed or existing methods of providing flank protection or structurally tying-in with the shore protection structure on the adjacent properties.
6. A report addressing the oceanographic design criteria, specific to the site including water levels, wave conditions, wave run up elevation, and beach erosion depths. A registered engineer experienced in coastal analysis and design should prepare the report.
7. A soils engineering report based upon field exploration and testing, and specific to the project being proposed, should be prepared. This report should include the depth and extent of cobbles and/or bedrock.
8. All eight (8) plans to be collated into sets. An additional set of plans to be reduced to 8 1/2" x 11".
9. Photos, from beach, of location of proposed (or existing) protective device.

10. The applicant acknowledges that the applicant assumes full liability for any damages which may result to the benefited property, nearby private or public properties or persons as a result of the installation of the proposed Shoreline Protective device, and shall provide proof of liability insurance in the amount of not less than \$100,000, naming the City as co-insured and providing 30 days notice of termination/cancellation to the City from the carrier.
11. Applicant agrees to indemnify and hold the City of Del Mar harmless from all claims arising out of the activity of the permittee, the issuance of this permit and permittee's Shoreline Protective device.
12. Applicant on behalf of the applicant, applicant's successors, assigns and heirs, waives all claims against the City of Del Mar, known and unknown, future and present, arising out of the subject matter of this permit, and permittee's Shoreline Protective device.
13. The applicant expressly acknowledges that the City of Del Mar has made no warranty or representation that any approved application or designs will afford adequate protection to the applicant's property or to adjacent property.

14. **Public Noticing Package** consisting of:

*For a fee, City staff will prepare the Notice Map and Notice List and will supply the required envelopes. For additional information, see the City's separate handout on Public Noticing requirements.

Noticing Map - *A 300' radius map drawn on assessor's parcel maps and spliced together (when necessary) showing the 300' radius measured from the exterior boundaries of the property of the subject property.

Noticing List - *A typewritten list of property owners that corresponds to the radius map required above. The list shall contain the names, addresses, and assessor's parcel number for all parcels within the radius area (including the applicant and/or owner). For a fee, the City can provide this list for you.

Noticing Envelopes - *Stamped business size envelopes with typed address labels for all parties listed on the property owner's list required above. The envelopes must also include a City of Del Mar return address.

Affidavit – Certification that the Public Notice Mailing List is accurate and up to date.

Step 3 – Environmental Review

After the application is submitted to the Planning Department, the site plans will be sent to the appropriate public agencies involved in the project, for their review and comment. After the completion of an Environmental Initial Study, an environmental determination will be made on the project. If no significant environmental impacts are anticipated, a Negative Declaration will be prepared. If it is determined that the project will have a significant environmental impact, an EIR will be prepared (at the applicant's expense) and circulated for public review and comment.

Step 4 – Design Review

The Design Review Board will hold an administrative hearing. The applicant or his/her agent must attend the public hearing. Applicant or his/her agent should obtain a copy of the Staff Report from the Planning Department prior to the hearing date. The Design Review Board will either approve the Shoreline Protection Permit as submitted, approve with conditions, or deny.

Step 5 – City Council Hearing

The City Council will hold a public hearing. The applicant or his agent must attend. Applicant or his agent should obtain a copy of the Staff Report from the Planning Department prior to the hearing date. The City Council will either approve the Shoreline Protection Permit as submitted, approve with conditions, or deny. If the City Council authorizes the issuance of a Shoreline Protection Permit, the authorization will be based on findings that the proposed protective structure:

- a. Is required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion and when designed to eliminate or mitigate adverse impacts to local shoreline sand supply;
- b. Will minimize risks to life and property in areas of flood hazards;
- c. Will assure stability and structural integrity and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area, not in any way substantially alter natural landforms along bluffs and cliffs;
- d. Is in conformity with the certified Coastal Program, after certification of the Local Coastal Program;
- e. Is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act;
- f. Has material and design which are consistent with good engineering practices;
- g. Will, if there is a vertical wall element in the proposed protective structure, have the seaward face of the vertical wall located within the shoreline protective area only if there is no other feasible location for effectively protecting a principle structure; there is no feasible, less environmentally damaging alternative; and feasible mitigation measure have been provided to minimize adverse environmental effects; but in no event have the seaward face of the vertical wall more than five feet westward of the shoreline protection area line;
- h. Will, if other than a vertical wall, meet all the conditions of subsection g, above;
- i. Will, if there is a riprap element in the proposed structure;
 1. Have the riprap extending no more than 20 feet westward from the shoreline protection area line.
 2. Have a westward slope beginning no higher than a 5.7 foot elevation (NGVD) at the shoreline protection area line, decreasing in height at a minimum rate of one vertical foot for every one and one-half feet of lateral distance, the riprap extends westerly of the SPA line.

If the Shoreline Protection Permit is approved, any required conditions will be recorded in such a manner to bind successors in interest.

Step 6 – Exemption

If substantial construction has not been completed in reliance upon a granted Shoreline Protection Permit within one (1) year, the permit will expire.