

**SUMMARY SHEET: BEACH PRESERVATION INITIATIVE INFORMATION ITEM**  
**STAC Meeting February 22, 2018**

In 1988, the City of Del Mar adopted a voter initiative known as the “Beach Preservation Initiative” (Measure D) to regulate use of the Del Mar beach area and establish the City’s rules for seawall permits, emergency protective structures, removal of encroachments, conditions of approval, how rent is calculated, and a number of other matters. The implementing code regulations were incorporated in Chapter 30.50 of the Del Mar Municipal Code, which is part of the City’s certified Local Coastal Program.

In Del Mar, proposed development of a seawall is subject to the receipt of a Coastal Development Permit and a Setback Seawall Permit (if located on private property landward of the Shoreline Protection Area) or a Shoreline Protection Permit (if located on public property within the Shoreline Protection Area). Where the associated findings for permit approval can be made, the City of Del Mar allows seawalls to be built on private property, or to encroach on public property up to a maximum of 5 feet if a showing of necessity is made. The requirements to show necessity are strict.

Seawalls that encroach on public property are subject to payment of rent, or the equivalent, for the portion of public beach encroached upon and are subject to Coastal Commission approval. The Coastal Commission imposes conditions and fees on this type of seawall permit approval, which typically include a “sand mitigation fee” to compensate for the accelerated loss of beach sand caused by seawalls, and a recreation fee to compensate for the loss of public access to the portion of the beach covered by the seawall.

At the State level, the future rules for shoreline protection is an evolving topic that is complex and subject to some uncertainty. Coastal Commission staff should be consulted in regards to the standard of review for shoreline protective structures under the Coastal Act and the Commission’s latest policy position in regards to seawall permits.

REFERENCES:

**Beach Preservation Initiative Guidelines:**

<http://www.delmar.ca.us/DocumentCenter/View/2793>

**Beach Overlay Zone (DMMC Chapter 30.50):**

[https://library.municode.com/ca/del\\_mar/codes/municipal\\_code?nodetid=TIT30ZO\\_CH30.50BEOVZO](https://library.municode.com/ca/del_mar/codes/municipal_code?nodetid=TIT30ZO_CH30.50BEOVZO)

**Setback Seawall Permits (DMMC Chapter 30.51):**

[https://library.municode.com/ca/del\\_mar/codes/municipal\\_code?nodetid=TIT30ZO\\_CH30.51SESEPE](https://library.municode.com/ca/del_mar/codes/municipal_code?nodetid=TIT30ZO_CH30.51SESEPE)

**Coastal Development Permits (DMMC Chapter 30.75):**

[https://library.municode.com/ca/del\\_mar/codes/municipal\\_code?nodetid=TIT30ZO\\_CH30.75CODEPECD](https://library.municode.com/ca/del_mar/codes/municipal_code?nodetid=TIT30ZO_CH30.75CODEPECD)