

City Attorney's Impartial Analysis of Measure P

Measure P proposes a charter amendment (“Amendment”) to amend Section 201 of the Del Mar City Charter (“Charter”) and to add Section 202. If adopted, the Amendment allows the City to exercise maximum legal control over local land use decisions consistent with the City’s General Plan (known in Del Mar as the “Community Plan”).

Section 201 of the Charter currently adopts State general law to govern most legal matters in Del Mar. The Amendment changes that section to provide for local control as to those matters described in a new Charter section, Section 202. Section 202 grants the City maximum local control over land use decisions. Adoption of the Amendment exempts the City from all State land use and zoning laws except those cases in which State preemption applies. Further, the Amendment allows maximum local flexibility for the City in meeting its state-mandated affordable housing requirements.

If adopted, the Amendment allows the City to adopt its own local ordinances regulating land use and zoning and the processes used by the City for granting land use entitlements. This ability applies to specific plans, zoning, subdivisions, the City’s local coastal program, housing and implementation of the housing element, and other land use regulations. All actions taken by the City under the Amendment require consistency with the Community Plan.

The Del Mar City Council approved Measure P at its meeting of July 16, 2018 and requested that San Diego County place Measure P on the ballot at the November 6, 2018 general election.

A “Yes” vote means the Charter amendment is approved as proposed. A “No” vote means the Charter should not be amended as proposed and no changes will be made to the Charter. The Amendment becomes effective if a majority of those voting on it vote “Yes.”

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