

RESOLUTION NO. 2018 -50

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 6, 2018, AS CALLED ON JUNE 4, 2018 BY RESOLUTION NO. 2018-30, A PROPOSED MEASURE AMENDING DEVELOPMENT REGULATIONS FOR BEACHFRONT PROPERTIES

WHEREAS, a General Municipal Election for Tuesday, November 6, 2018, has been called by Resolution No. 2018-30, adopted on June 4, 2018; and

WHEREAS, pursuant to authority provided by statute, an initiative petition relating to amending development regulations for beachfront properties has been filed with the legislative body of the City of Del Mar, California ("City") and has been signed by not less than ten percent (10%) of the number of registered voters of the City; and

WHEREAS, City staff, in conjunction with the Registrar of Voters of the County of San Diego, examined the records of registration and ascertained that the petition has been signed by the requisite number of voters; and

WHEREAS, the City Clerk, as elections official, has certified the petition as sufficient, and presented the results thereof to the City Council on August 6, 2018, in accordance with Elections Code sections 9211 and 9114; and

WHEREAS, the City Council has not elected to adopt the ordinance; and

WHEREAS, the City Council desires to submit the proposed ordinance, without alteration, to the voters at the City's next regular municipal election (November 6, 2018) occurring not less than eighty-eight (88) days after the date of the order of election, in compliance with Elections Code section 9215.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to Charter Cities, there has been called and ordered to be held in the City of Del Mar, California, on Tuesday, November 6, 2018, a General Municipal Election for the purpose of electing two Members of the City Council for the full term of four years.

SECTION 2. That the City Council orders submitted to the voters at said General Municipal Election, the following question:

<p><i>Shall the measure proposing to amend development regulations for beachfront properties in Del Mar to exclude any area designated as a "Shoreline Protection Area" from the calculation of floor area ratio, which is used to determine maximum allowable construction and development, be adopted?</i></p>	YES
	NO

SECTION 3. That the measure to be placed before the voters is attached as Exhibit "A" hereto. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 4. That the City Clerk is authorized, instructed and directed to procure and furnish any and all election materials that may be necessary in order to properly and lawfully conduct the election.

SECTION 5. That the City requests for this measure to be treated by the County of San Diego pursuant to Resolution No. 2018-30, approved on June 4, 2018, wherein the City: requested that the County agree to consolidate the General Municipal Election with the Statewide General election; requested that the Registrar of Voters of the County of San Diego canvass the returns and hold the election as if it were only one election with one form of ballot; requested that the Board of Supervisors issue instructions to the Registrar of Voters to take any and all steps for the holding of the consolidated election; and agreed to reimburse the County for any additional costs to consolidate the election.

SECTION 6. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 7. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 8. That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the Registrar of Voters of the County of San Diego.

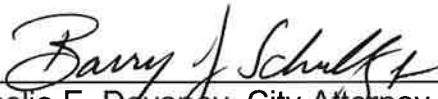
SECTION 9. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED the 6th day of August 2018 by the City Council of the City of Del Mar, State of California.



Dwight Worden, Mayor
City of Del Mar

APPROVED AS TO FORM:




Leslie E. Devarney, City Attorney
City of Del Mar

ATTEST AND CERTIFICATION:

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO
CITY OF DEL MAR

I, ASHLEY JONES, City Clerk of the City of Del Mar, California, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. 2018-50 adopted by the City Council of the City of Del Mar, at a Regular Meeting held the 6th day of August 2018, by the following vote:

AYES:	Mayor Worden, Deputy Mayor Druker, and Council Member Parks
NOES:	Council Member Sinnott
ABSENT:	Council Member Haviland
ABSTAIN:	None



Ashley Jones, Administrative Services
Director/City Clerk
City of Del Mar

EXHIBIT "A"

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The people of the City of Del Mar do ordain as follows:

SECTION 1. Title.

This initiative measure shall be known and may be cited as the “Shoreline Protection Initiative” (“Initiative”).

SECTION 2. Findings and Purpose.

A. Findings. The people of the City of Del Mar (“City”) find and declare the following:

1. The people of the City of Del Mar desire to ensure the fair and consistent protection of the City’s beaches and beachfront areas, consistent with the City of Del Mar Community Plan, the City of Del Mar Local Coastal Program, the requirements of the Coastal Act, and the historical application of the City’s Municipal Code requirements.

2. In 1988, the voters of the City of Del Mar approved “Measure D” – the “Beach Preservation Initiative.” The Beach Preservation Initiative created standards for the use and protection of the City’s beaches through, among other things, the establishment of the Shoreline Protection Area (“SPA”), which is generally located from south to north along the shoreline of the City and is defined in Section 30.50.040(A) of the Del Mar Municipal Code (“DMMC”). Within the SPA, only limited development is permitted, generally only when deemed necessary to protect persons and property. Public use of the SPA includes, for example, pedestrian or vehicular travel along, and public access to, the beach and the ocean. After the voters’ adoption of the Beach Preservation Initiative, therefore, the City understood the area of the SPA to be a thoroughfare dedicated for public use and so the equivalent of a street. As a result, when determining the potential development intensity (i.e., maximum floor-area ratio) for beachfront development projects, the City has in the past excluded the area of the SPA from the total area of a lot for the purposes of calculating a property’s maximum floor-area ratio.

3. In 2007, the City amended the DMMC provisions regarding the definition of “lot area” in a manner that arguably made it unclear whether the area of the SPA could instead be included in the total area of a lot and thus, used to increase a beachfront property’s maximum allowable development intensity. Notwithstanding these amendments, after 2007, the City continued to apply the definition of “lot area” consistent with its historical practice.

4. In about November 2017, however, the City Planning Commission “interpreted” the 2007 amendments to the DMMC in a manner that allowed for substantially increased potential building floor areas for certain beachfront properties in the Beach Commercial, Visitor Commercial, and Low-Density Beach Residential zones by allowing the SPA to be included in the calculations of lot area and subsequently, in the calculations of maximum potential floor-area ratio. Such an interpretation allows for a significant increase in development intensity and associated building bulk and mass along the beach,

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and poses a substantial risk to the public's enjoyment of the beach and Del Mar's unique community character in a manner that is inconsistent with the City of Del Mar Community Plan, the City of Del Mar Local Coastal Program, the requirements of the Coastal Act, and the historical application of the City's Municipal Code requirements.

5. Accordingly, in order to ensure the health and safety of its residents and the fair and consistent protection of the City's SPA and beachfront areas, the people of the City of Del Mar desire to amend, and thereby clarify, the requirements of the DMMC pertaining to the exclusion of the SPA from the calculations of lot area for beachfront properties.

6. Implementation of this Initiative will protect the public health, safety and welfare, and the quality of life for the people of the City of Del Mar.

- B. Purpose. The people of the City of Del Mar declare that our purpose and intent in enacting this Initiative is to make clarifying amendments to the City's Municipal Code to expressly state that the calculations for the allowable development intensity (i.e., maximum floor-area ratio) for beachfront lots within the City of Del Mar shall exclude the area known as the Shoreline Protection Area, which will not only provide for the orderly, fair, and consistent development of beachfront lots, but for the protection of the City of Del Mar's beach areas and coastline, consistent with the City of Del Mar Community Plan, the City of Del Mar Local Coastal Program, the requirements of the Coastal Act, and the historical application of the City's Municipal code requirements.

SECTION 3. Amendments to the Del Mar Municipal Code.

The Del Mar Municipal Code is hereby amended as follows (new language to be inserted into the Del Mar Municipal Code is shown as **bold underlined text**; text in regular type or *italics* reflects the existing Municipal Code text and is provided for informational/reference purposes):

- A. Subsection J. of section 30.04.120 ("L' Words and Phrases Defined"), Chapter 30.04 ("Definitions"), Title 30 ("Zoning") of the Del Mar Municipal Code is hereby amended as follows:
- J. *Lot Area, Gross* means the total area of a lot or parcel, including public rights-of-way, road easements and private streets, **but exclusive of any portion of such land designated as a Shoreline Protection Area.** "Lot Area, Gross" shall mean the same as "Land Area, Gross."
- B. Subsection K. of section 30.04.120 ("L' Words and Phrases Defined"), Chapter 30.04 ("Definitions"), Title 30 ("Zoning") of the Del Mar Municipal Code is hereby amended as follows:
- K. *Lot Area, Net* means the area of a lot or parcel, exclusive of any portion of such land devoted to or encumbered by a public right-of-way granted or

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condemned for the purposes of vehicular access or any portion of such land designated as a Shoreline Protection Area. Lot Area, Net is also exclusive of any portion of such land devoted to or encumbered by a private road or easement which provides vehicular access to five or more dwelling units, except that Lot Area, Gross shall not be reduced by the amount of private road or easement which provides public benefit when compared to a configuration which provides individual access to the dwelling units. Public benefit shall include but is not limited to: 1) a reduction in the extent of paving for vehicular access; 2) a reduction in the number of curb-cuts on or along a public right-of-way with a commensurate increase in the amount of on-street parking available to the public; 3) a reduction in the number of vehicular intersections with a commensurate reduction in the potential for vehicular accidents, and/or 4) avoidance of degradation to the existing environment. Public benefit shall be demonstrated to the satisfaction of the Director of Planning and Community Development.

- C. Section 30.72.030 (“Bulk Floor Area Ratio”) of Chapter 30.72 (“Bulk Floor Area Limitations”), Title 30 (“Zoning”) of the Del Mar Municipal Code is hereby amended as follows:

Bulk Floor Area Ratio is the numerical value, expressed as a percentage, obtained by dividing the total bulk floor area contained on a lot by the total area of the lot (i.e., the Lot Area, Gross).

- D. The definition of “Floor Area Ratio” within Section 23.20.030 (“Definitions”) of Chapter 23.20 (“Solar Energy”), Title 23 (“Building Construction”) of the Del Mar Municipal Code is hereby amended as follows:

Floor Area Ratio means the numerical value obtained by dividing the total floor area of a structure or structures by the total lot area of its lot or premises (i.e., the Lot Area, Gross) (see DMMC, Chapter 30, Article III).

SECTION 4. Internal Consistency.

It is the intent of the people of the City of Del Mar that the amendments contained in Section 3 of this Initiative be read and construed in full harmony with the rest of the Del Mar Municipal Code. To the extent that any provisions of the Del Mar Municipal Code, including the Zoning Regulations of the City of Del Mar, or any other ordinances of the City may be inconsistent with this Initiative, the provisions of this Initiative shall govern.

SECTION 5. Implementation of Initiative.

Upon the adoption of this Initiative, the City of Del Mar is directed to promptly take any and all appropriate actions needed to implement this Initiative. This Initiative is considered adopted

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upon the earliest date legally possible after the City Council adopts this Initiative or the Elections Official certifies the vote on the Initiative by the voters of the City of Del Mar, whichever occurs earlier.

SECTION 6. Effect of Other Measures on the Same Ballot.

In approving this Initiative, it is the voters' intent to amend, and thereby clarify, the Del Mar Municipal Code's provisions regarding the calculation of allowable development intensity on beachfront lots in the City. To ensure that this intent is not frustrated, this Initiative is presented to the voters as an alternative to, and with the express intent that it will compete with, any and all voter initiatives or City-sponsored measures placed on the same ballot as this Initiative which, if approved, would regulate the calculation of floor-area ratio on beachfront lots in the City in any manner or in any part whatsoever (each, a "Conflicting Measure"). In the event that this Initiative and one or more Conflicting Measures are adopted by the voters at the same election, then it is the voters' intent that only that measure which receives the greatest number of affirmative votes shall control in its entirety and said other measure or measures shall be rendered void and without any legal effect. In no event shall this Initiative be interpreted in a manner that would permit its operation in conjunction with the non-conflicting provisions of any Conflicting Measure. If this Initiative is approved by the voters but superseded by law in whole or in part by any other Conflicting Measure approved by the voters at the same election, and such Conflicting Measure is later held invalid, this Initiative shall be self-executing and given full force of law.

SECTION 7. Interpretation and Severability.

- A. This Initiative must be interpreted so as to be consistent with all federal and state laws, rules, and regulations. If any section, subsection, sentence, clause, phrase, part, or portion of this Initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this Initiative. The voters declare that this Initiative, and each section, subsection, sentence, clause, phrase, part, or portion thereof, would have been adopted or passed irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, parts, or portions are found to be invalid. If any provision of this Initiative is held invalid as applied to any person or circumstance, such invalidity does not affect any application of this Initiative that can be given effect without the invalid application.
- B. If any portion of this Initiative is held by a court of competent jurisdiction to be invalid or in conflict with another initiative or City-sponsored measure, the people of the City of Del Mar indicate our strong desire that: (i) the City Council use its best efforts to sustain and re-enact that portion; and (ii) the City Council implement this Initiative by taking all steps possible to cure any inadequacies or deficiencies identified by the court in a manner consistent with the express and implied intent of this Initiative, including but not limited to adopting or reenacting any such portion in a manner consistent with the intent of this Initiative.

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- C. This Initiative must be broadly construed in order to achieve the purposes stated above. It is the intent of the voters that the provisions of this Initiative be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Initiative.

SECTION 8. Amendment.

The amendments to the Del Mar Municipal Code set forth in Section 3 of this Initiative may be amended or repealed only by a majority of the voters of the City voting in an election held in accordance with state law.

SECTION 9. Exhibit.

The following exhibit is attached for informational purposes only:

Exhibit 1: Section 30.50.040 of the Del Mar Municipal Code

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Exhibit 1

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

Del Mar Municipal Code Section 30.50.040

30.50.040 - Definitions.

- A. *Shoreline Protection Area* shall mean that area which is within the Beach Overlay Zone and is located from south to north along the shoreline of the City being more particularly described as follows: All lands located westerly of the line as described in Exhibit B, incorporated herein by reference.
- B. *Development* shall mean the placement or construction of any solid material or structure on land, to include without limitation, any human directed alteration of the land and the planting, cultivation or maintenance of any vegetation.
- C. *Protective Structure* shall mean any privately or publicly owned development designed to protect property inland from such structure from ocean flooding or wave damage.

Exhibit B (to Del Mar Municipal Code Chapter 30.50)

FOLLOWING IS THE DESCRIPTION OF A LINE KNOWN AS THE "SHORELINE PROTECTION LINE" AS IS DEFINED IN THE CITY OF DEL MAR ZONING ORDINANCE, BEACH OVERLAY ZONE, D.M.M.C. CHAPTER 30; SAID LINE EXTENDING FROM THE NORTHERLY CORPORATE BOUNDARY TO THE SOUTHERLY CORPORATE BOUNDARY OF THE CITY OF DEL MAR IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 1 OF MAP 6838, SAID POINT BEING LOCATED ON THE SOUTHERLY EXTENSION OF THE CENTERLINE OF SIERRA AVENUE AND ON THE NORTHERLY CORPORATE BOUNDARY LINE OF THE CITY OF DEL MAR:

1. THENCE WESTERLY ALONG SAID NORTHERLY BOUNDARY LINE NORTH 89 DEGREES 35'36" WEST, 458.98 FEET (RECORD - NORTH 89 DEGREES 49'32" EAST) TO THE "TRUE POINT OF BEGINNING;"
2. THENCE LEAVING SAID NORTHERLY CORPORATE BOUNDARY LINE DUE SOUTH A DISTANCE OF 362.08 FEET;
3. THENCE SOUTH 12 DEGREES 58'16.0" EAST, 182.66 FEET;
4. THENCE SOUTH 54 DEGREES 11'22.8" EAST, 60.01 FEET;
5. THENCE SOUTH 23 DEGREES 58'07.5" EAST, 90.00 FEET TO A POINT COINCIDENT WITH THE NORTHEASTERLY CORNER OF THE CITY OF DEL MAR SEA BLUFF PRESERVE;
6. THENCE SOUTHERLY ALONG THE EASTERLY BOUNDARY LINE OF SAID SEA BLUFF PRESERVE, SOUTH 23 DEGREES 58'07.5" EAST, 428.26 FEET;
7. THENCE LEAVING SAID EASTERLY BOUNDARY LINE OF SAID SEA BLUFF PRESERVE, SOUTH 13 DEGREES 50'16.1" EAST, 987.41 FEET TO A POINT ON

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THE EAST FACE OF A SEAWALL AS IT EXISTED ON JANUARY 11, 1986, SAID SEAWALL LOCATED SOUTHERLY OF THE SAN DIEGUITO RIVER;

8. THENCE SOUTHERLY SOUTH 8 DEGREES 26'48.8" EAST, 273.20 FEET TO A POINT ON THE EASTERLY FACE OF SAID SEAWALL AS IT EXISTED ON JANUARY 11, 1986;
9. THENCE SOUTH 9 DEGREES 04'07.8" EAST, 269.57 FEET TO A POINT ON THE EASTERLY FACE OF SAID SEAWALL AS IT EXISTED ON JANUARY 11, 1986;
10. THENCE SOUTH 8 DEGREES 59'16.2" EAST, 449.91 FEET TO A POINT ON THE EASTERLY FACE OF SAID SEAWALL AS IT EXISTED ON JANUARY 11, 1986; SAID POINT BEING LOCATED ON THE SOUTHERLY RIGHT-OF-WAY LINE OF 29TH STREET AS SHOWN ON RECORD OF SURVEY 679,9056 & 9551;
11. THENCE WESTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF 29TH STREET, SOUTH 81 DEGREES 01'01" WEST, 0.89 FEET (RECORD - SOUTH 80 DEGREES 48' WEST);
12. THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE OF 29TH STREET, FOLLOWING A LINE PARALLEL TO AND 120.00 FEET WESTERLY OF THE CENTERLINE OF THE ALLEY KNOWN AS OCEANFRONT AS SHOWN ON RECORD OF SURVEY 9551, SOUTH 8 DEGREES 59'56.2" EAST, 440.00 FEET (RECORD SOUTH 9 DEGREES 10' EAST) TO A POINT LOCATED ON THE NORTH RIGHT-OF-WAY LINE OF 27TH STREET AS SHOWN ON RECORD OF SURVEY 9551;
13. THENCE EASTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF 27TH STREET NORTH 81 DEGREES 20'36.7" EAST, 10.21 FEET (RECORD - SOUTH 80 DEGREES 50' WEST);
14. THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE OF 27TH STREET AND CONTINUING ALONG A LINE COINCIDENT WITH THE EASTERLY RIGHT-OF-WAY LINE OF A 20.00 FOOT WIDE ALLEY AS SHOWN ON MAP 1737, SOUTH 9 DEGREES 00'34.3" EAST, 480.02 FEET (RECORD - SOUTH 9 DEGREES 10' EAST) TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 25TH STREET, SAID POINT COINCIDENT WITH THE SOUTHWEST CORNER OF LOT 26, MAP 1737;
15. THENCE CONTINUING ALONG THE EASTERLY RIGHT-OF-WAY LINE OF A 15 FOOT WIDE PUBLIC SIDEWALK AS SHOWN ON MAP 1450, SOUTH 9 DEGREES 00'34.3" EAST, 140 FEET (RECORD - SOUTH 80 DEGREES 50' EAST) TO AN ANGLE POINT, SAID ANGLE POINT BEING THE SOUTHWEST CORNER OF LOT 7, BLOCK 127, MAP 1450;
16. THENCE CONTINUING ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID PUBLIC SIDEWALK AS SHOWN ON MAP 1450, SOUTH 7 DEGREES 15'27.3" EAST, 102.13 FEET (RECORD - SOUTH 7 DEGREES 07' EAST) TO A POINT ON THE

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- NORTHERLY RIGHT-OF-WAY LINE OF 24TH STREET, SAID POINT COINCIDENT WITH THE SOUTHWEST CORNER OF LOT 13, BLOCK 127, MAP 1450;
17. THENCE CONTINUING ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID 15 FOOT PUBLIC SIDEWALK AS SHOWN ON MAP 1450, SOUTH 6 DEGREES 15'34.1" EAST, 690.00 FEET (RECORD - SOUTH 6 DEGREES 24' EAST) TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 21ST STREET, SAID POINT COINCIDENT WITH THE SOUTHWEST CORNER OF LOT 13, BLOCK 124, MAP 1450;
 18. THENCE EASTERLY ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF 21ST STREET, NORTH 83 DEGREES, 39'25.5" EAST, 20.10 FEET (RECORD - SOUTH 83 DEGREES 36' WEST);
 19. THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE OF 21ST STREET AND CONTINUING SOUTHERLY ALONG THE EASTERLY LINE OF LOT 22 AS SHOWN ON MAP 1277, SOUTH 6 DEGREES 15'32.2" EAST, 114.20 FEET (RECORD - SOUTH 56 DEGREES 24 FEET EAST) TO AN ANGLE POINT LOCATED ON THE WESTERLY LINE OF LOT 19, BLOCK 115, MAP 1277, A DISTANCE THEREON SOUTH 6 DEGREES 15'32.2" EAST, 19.00 FEET (RECORD - SOUTH 6 Degrees 24" EAST) FROM THE NORTHWEST CORNER OF SAID LOT 19;
 20. THENCE CONTINUING ALONG THE EASTERLY LINE OF LOT 22 AS SHOWN ON MAP 1277, SOUTH 3 DEGREES 20' 32.2" EAST, 293.20 FEET (RECORD - SOUTH 3 DEGREES 29' EAST) TO A POINT ON A NORTHERLY RIGHT-OF-WAY LINE OF 20TH STREET, SAID POINT COINCIDENT WITH THE SOUTHWEST CORNER OF LOT 11, BLOCK 115, MAP 1277;
 21. THENCE ALONG THE EASTERLY LINE OF SAID LOT 22, SOUTH 3 DEGREES 20' 32.2 EAST, 820.25 FEET (RECORD - SOUTH 3 DEGREES 29' EAST) TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 18TH STREET, SAID POINT COINCIDENT WITH THE SOUTHWEST CORNER OF LOT 11, BLOCK 113, MAP 1277;
 22. THENCE ALONG THE SOUTHERLY EXTENSION OF THE EASTERLY LINE OF SAID LOT 22, SOUTH 3 DEGREES 20' 32.2" EAST, 60.00 FEET (RECORD - SOUTH 3 DEGREES 29' EAST) TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF 18TH STREET, SAID POINT COINCIDENT WITH THE NORTHWEST CORNER OF LOT 20, BLOCK 112, MAP 1277;
 23. THENCE WESTERLY ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF 18TH STREET, SOUTH 86 DEGREES 39' 27.8" WEST, 7.00 FEET;
 24. THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY OF 18TH STREET SOUTH 3 DEGREES 20' 32.2" EAST, 350.00 FEET, TO THE NORTHERLY RIGHT-OF-WAY LINE OF 17TH STREET;

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25. THENCE WESTERLY ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF 17TH STREET SOUTH 86 DEGREES 39' 27.8" WEST, 11.72 FEET;
26. THENCE SOUTH 3 DEGREES 20' 32.2" EAST, 267.46 FEET;
27. THENCE SOUTH 7 DEGREES, 59' 14.8" WEST, 100.73 FEET;
28. THENCE SOUTH 6 DEGREES 02' 48.2" EAST, 1,133.67 FEET TO A POINT LOCATED ON THE APPROXIMATE CENTERLINE OF THE ATCHISON, TOPEKA, AND SANTA FE RAILWAY COMPANY TRACKS, SAID POINT BEING LOCATED ON AN APPROXIMATE 1,900 FOOT RADIUS CURVE, CONCAVE EASTERLY SAID POINT ALSO BEING ON THE WESTERLY PROLONGATION OF THE NORTHERLY LINE OF LOT 1 OF PARCEL MAP 10422, A DISTANCE THEREON, NORTH 72 DEGREES 34' 48.5" EAST, 256.59 FEET (RECORD - NORTH 72 DEGREES 33' 09" EAST) FROM THE NORTHEASTERLY CORNER OF SAID LOT 1;

THE FOLLOWING COURSES NUMBERED 29 THROUGH 35 ALL CONTINUE ALONG THE APPROXIMATE CENTERLINE OF THE ATCHISON, TOPEKA, AND SANTA FE RAILWAY COMPANY TRACKS AS IT EXISTED ON JANUARY 11, 1986;

29. THENCE CONTINUING ON THE APPROXIMATE CENTERLINE OF THE ATCHISON, TOPEKA, AND SANTA FE RAILWAY COMPANY TRACKS, THROUGH SAID 1,900 FOOT RADIUS CURVE, A CENTRAL ANGLE OF 6 DEGREES 44' 55.2", A DISTANCE OF 223.79 FEET;
30. THENCE SOUTH 11 DEGREES 34' 14.3 EAST, 947.56 FEET TO A POINT LOCATED AT THE BEGINNING OF A 5,500 FOOT RADIUS CURVE, CONCAVE EASTERLY;
31. THENCE THROUGH SAID CURVE A CENTRAL ANGLE OF 7 DEGREES 02' 53", A DISTANCE OF 676.56 FEET;
32. THENCE SOUTH 18 DEGREES 37' 10" EAST, 2,384.90 FEET TO A POINT LOCATED AT THE BEGINNING OF A 9,000 FOOT RADIUS CURVE, CONCAVE WESTERLY;
33. THENCE THROUGH SAID CURVE A CENTRAL ANGLE OF 6 DEGREES 20' 32", A DISTANCE OF 996.23 FEET;
34. THENCE SOUTH 12 DEGREES 16' 36.9" EAST, 1,767.95 FEET TO A POINT LOCATED AT THE BEGINNING OF A 2,400 FOOT RADIUS CURVE, CONCAVE EASTERLY;
35. THENCE THROUGH SAID 2,400 FOOT CURVE A CENTRAL ANGLE OF 8 DEGREES 46' 45.5", A DISTANCE OF 367.75 FEET MORE OR LESS TO A POINT LOCATED ON A LINE BEARING NORTH 46 DEGREES 32' 16" WEST, SAID LINE BEING THE NORTHEASTERLY LINE OF THE PUEBLO LANDS OF SAN DIEGO, AS SHOWN ON MAP THEREOF MADE BY JAMES PASCOE IN THE YEAR 1870, A CERTIFIED COPY OF SAID MAP BEING FILED IN SAN DIEGO COUNTY

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RECORDER'S OFFICE AS MISCELLANEOUS MAP NO. 36, SAID POINT OF INTERSECTION ALSO BEING STATION 813 AS SHOWN ON SHEET 18 OF THE CITY OF SAN DIEGO ENGINEERING DRAWING 47281 ON FILE IN THE CITY ENGINEER'S OFFICES OF SAID CITY; AND SAID LINE ALSO BEING THE SOUTHWESTERLY CORPORATE BOUNDARY LINE OF THE CITY OF DEL MAR.


THE BASIS OF BEARINGS FOR THE ABOVE DESCRIBED LINE WAS DEFINED BY ESTABLISHING A LINE BETWEEN UNITED STATES ARMY CORPS SURVEY BENCHMARK NUMBERS DM590 AND DM560, LOCATED IN THE CITY OF DEL MAR, SAID LINE BEARING NORTH 6 DEGREES 15' 54" WEST.

THE FOLLOWING RECORD MAPS INCLUDED IN THE DESCRIPTION OF THE ABOVE SURVEY LINE ARE RECORDED IN THE COUNTY RECORDER'S OFFICE OF SAN DIEGO COUNTY:

MAP 6838 DEL MAR BEACH CLUB
MAP 1737 NORTH STRAND MAP
MAP 1450 DEL MAR SUBDIVISION NO. 3
MAP 1277 DEL MAR RESUBDIVISION NO. 2
MAP 10422 DEL MAR SUBDIVISION 80-02
RECORD OF SURVEY 679
RECORD OF SURVEY 9056
RECORD OF SURVEY 9551

SIGNED STATEMENT OF PROPONENT
(Elec. Code § 9608)

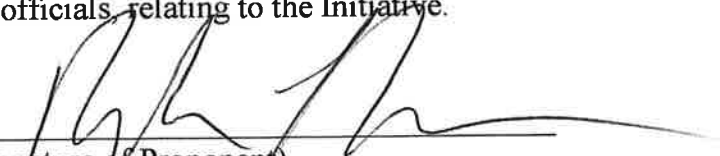
I, Richard "Rick" Thompson, acknowledge that it is a misdemeanor under state law (Section 18650 of the Elections Code) to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot. I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of the measure for the ballot.


(Signature of Proponent)

Dated this ____th day of April, 2018.

AUTHORIZATION FOR COUNSEL TO HANDLE PETITION FILING
(Elec. Code § 9210)

I, Richard "Rick" Thompson, the proponent of the Shoreline Protection Initiative (the "Initiative"), hereby authorize our legal counsel, Sean P. Welch, Hilary J. Gibson, and James E. Barolo of the Nielsen Merksamer law firm, to handle the filing of the Initiative for title and summary, filing of the Initiative petition, and any other actions and/or correspondence with your office, or any other elections officials, relating to the Initiative.


(Signature of Proponent)

Dated this ____th day of April, 2018.