

ORDINANCE NUMBER O- **21729** (NEW SERIES)

DATE OF FINAL PASSAGE ~~OCT 04 2023~~

AN ORDINANCE AMENDING CHAPTER 6, ARTICLE 3,
DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY
AMENDING SECTION 63.0102 RELATING TO USE OF
PUBLIC PARKS AND BEACHES.

WHEREAS, to prevent harassment of sea lions, on April 8, 2022 the California Coastal Commission (CCC) issued a seven-year Coastal Development Permit (CDP) (CDP No. 6-22-0113) to the City for a seasonal closure of Point La Jolla and Boomer Beach, from May 1 to October 31, subject to certain conditions; and

WHEREAS, on October 31, 2022, the City submitted its preliminary long-term management plan for addressing the harassment of sea lions at Point La Jolla and Boomer Beach to the CCC; and

WHEREAS, on March 9, 2023, during its monthly meeting, the CCC directed the City to amend CDP No. 6-22-0113 to allow for the year-round closure of Point La Jolla and Boomer Beach until additional long-term strategies geared toward preventing the harassment of sea lions, including the installation of cameras in the area, could be implemented; and

WHEREAS, on March 31, 2023, the City submitted its long-term management plan for addressing the harassment of sea lions at Point La Jolla and Boomer Beach to the CCC; and

WHEREAS, on July 7, 2023, the City submitted a CDP amendment application to the CCC requesting the year-round closure of Point La Jolla and Boomer Beach until additional long-term strategies including the installation of cameras in the area could be implemented; and

WHEREAS, if the City's CDP application to the CCC is approved, the City must amend the San Diego Municipal Code to prohibit any dog on the closure area of the beach and rocky area of Point La Jolla and Boomer Beach; state that it is unlawful for any person to be on Point

La Jolla or Boomer Beach except employees or agents of the City of San Diego performing maintenance, repair or rescue activities; and provide that it is lawful for persons and service dogs while in service to traverse the Ocean Access Corridor for ocean swimming access only, but that any other use of the Ocean Access Corridor is unlawful; and

WHEREAS, the Office of the City Attorney has drafted this ordinance based on the information provided by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That Chapter 6, Article 3, Division 1 of the San Diego Municipal Code is amended by amending sections 63.0102 to read as follows:

§63.0102 Use of Public Parks and Beaches Regulated

(a) through (f) [No change in text.]

(g) Regulations for the Use of Point La Jolla and Boomer Beach Areas

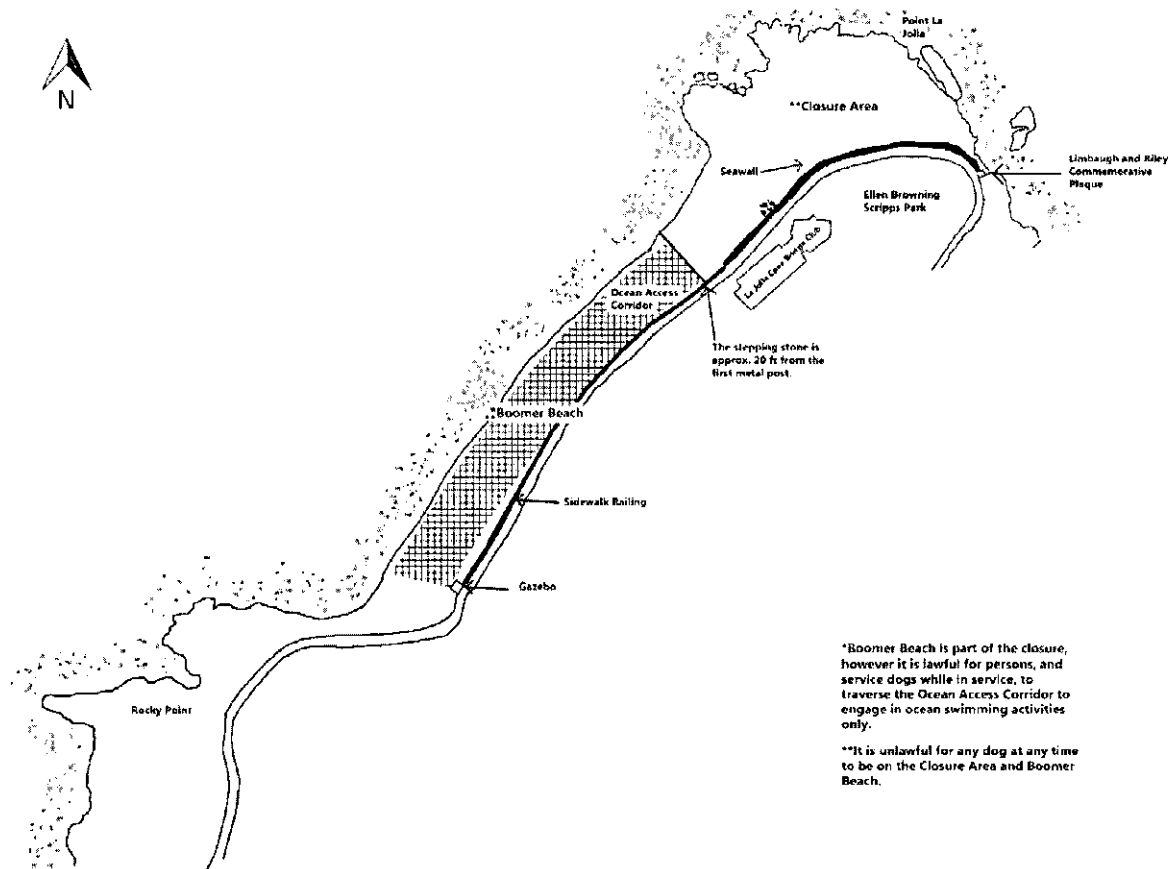
- (1) It is unlawful for any dog at any time to be on the *closure area* of Point La Jolla and Boomer Beach, as described in San Diego Municipal Code section 63.0102(g)(4) and shown in Figure 2.
- (2) It is unlawful for any person to be on or to cause any person to be on the *closure area* of Point La Jolla and Boomer Beach, as described in San Diego Municipal Code section 63.0102(g)(4) and shown in Figure 2, except employees or agents of the City of San Diego performing maintenance, repair, or rescue activities.
- (3) It is lawful for persons, and service dogs while in service, to traverse a portion of the *closure area*, as described in San Diego

Municipal Code section 63.0102(g)(4), and shown in Figure 2, designated as the “Ocean Access Corridor,” to engage in ocean swimming activities only. The Ocean Access Corridor begins at the stepping stone twenty feet northeast of the first metal fence post directly to the west of the La Jolla Bridge Club located at 1160 Coast Boulevard, La Jolla, CA 92037 and ends at the last gazebo above Boomer Beach northeast of Rocky Point, 560 feet to the northeast along the fence and seawall that separates the bluffs from the sidewalk adjacent to Ellen Browning Scripps Park located at 1100 Coast Boulevard, La Jolla, CA 92037 and extends perpendicular to the water. Any other use of the Ocean Access Corridor is unlawful.

(4) [No change in text.]

Figure 1 [No change in text.]


Figure 2



Section 2. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

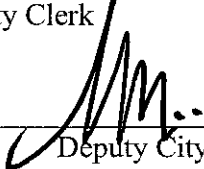
APPROVED: MARA W. ELLIOTT, City Attorney

By 
Jane M. Boardman
Deputy City Attorney

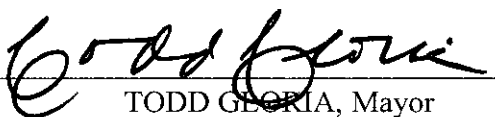
JMB:nja
08/01/2023
Or. Dept: Parks and Recreation Dept.
Doc. No.: 3396959

I hereby certify that the foregoing Ordinance was passed by the Council of the City of
San Diego, at this meeting of OCT 03 2023.

DIANA J.S. FUENTES
City Clerk

By _____
Deputy City Clerk

Approved: 10/4/23
(date)

_____
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

STRIKEOUT ORDINANCE

OLD LANGUAGE: ~~Struck-Out~~

NEW LANGUAGE: Double Underline

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

AN ORDINANCE AMENDING CHAPTER 6, ARTICLE 3,
DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY
AMENDING SECTION 63.0102 RELATING TO USE OF
PUBLIC PARKS AND BEACHES.

§63.0102 Use of Public Parks and Beaches Regulated

(a) through (f) [No change in text.]

(g) Regulations for the Use of Point La Jolla and Boomer Beach Areas

(1) It is unlawful for any dog at any time, ~~except for service dogs~~
~~while in service~~, to be on the closure area of Point La Jolla and
Boomer Beach ~~from the Conrad F. Limbaugh and Harold F. Riley~~
~~commemorative plaque northwest of La Jolla Cove to the last~~
~~gazebo above Boomer Beach northeast of Rocky Point~~, as
described in San Diego Municipal Code section 63.0102(g)(4) and
shown in Figure 2.

(2) It is unlawful for any person to be on or to cause any person to be
on the *closure area* of Point La Jolla and Boomer Beach, as
described in San Diego Municipal Code section 63.0102~~(f)~~(g)(4),
and shown in Figure 2, ~~from May 1 through Oct 31~~, except
employees or agents of the City of San Diego performing
maintenance, repair or rescue activities.

- (3) It is lawful for persons, and service dogs while in service, to traverse a portion of the *closure area*, as described in San Diego Municipal Code section 63.0102(~~f~~)(g)(4), and shown in Figure 2, designated as the “Ocean Access Corridor,” ~~from May 1 through October 31~~ to engage in ocean swimming activities only. The Ocean Access Corridor begins at the stepping stone twenty feet northeast of the first metal fence post directly to the west of the La Jolla Bridge Club located at 1160 Coast Boulevard, La Jolla, CA 92037 and ends at the last gazebo above Boomer Beach northeast of Rocky Point, 560 feet to the northeast along the fence and seawall that separates the bluffs from the sidewalk adjacent to Ellen Browning Scripps Park located at 1100 Coast Boulevard, La Jolla, CA 92037 and extends perpendicular to the water. Any other use of the Ocean Access Corridor is unlawful.
- (4) [No change in text.]

Figure 1 [No change in text.]

Figure 2

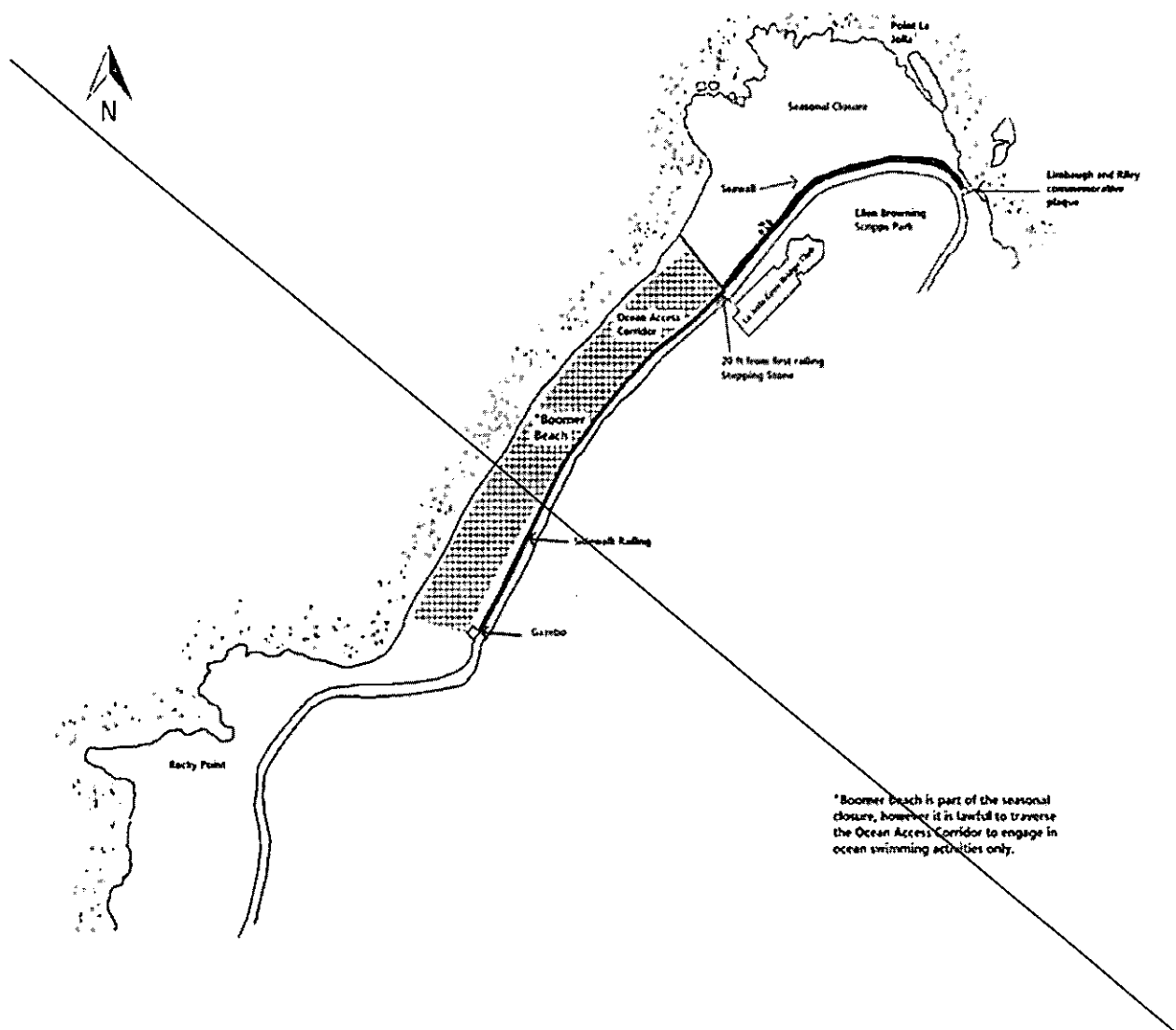
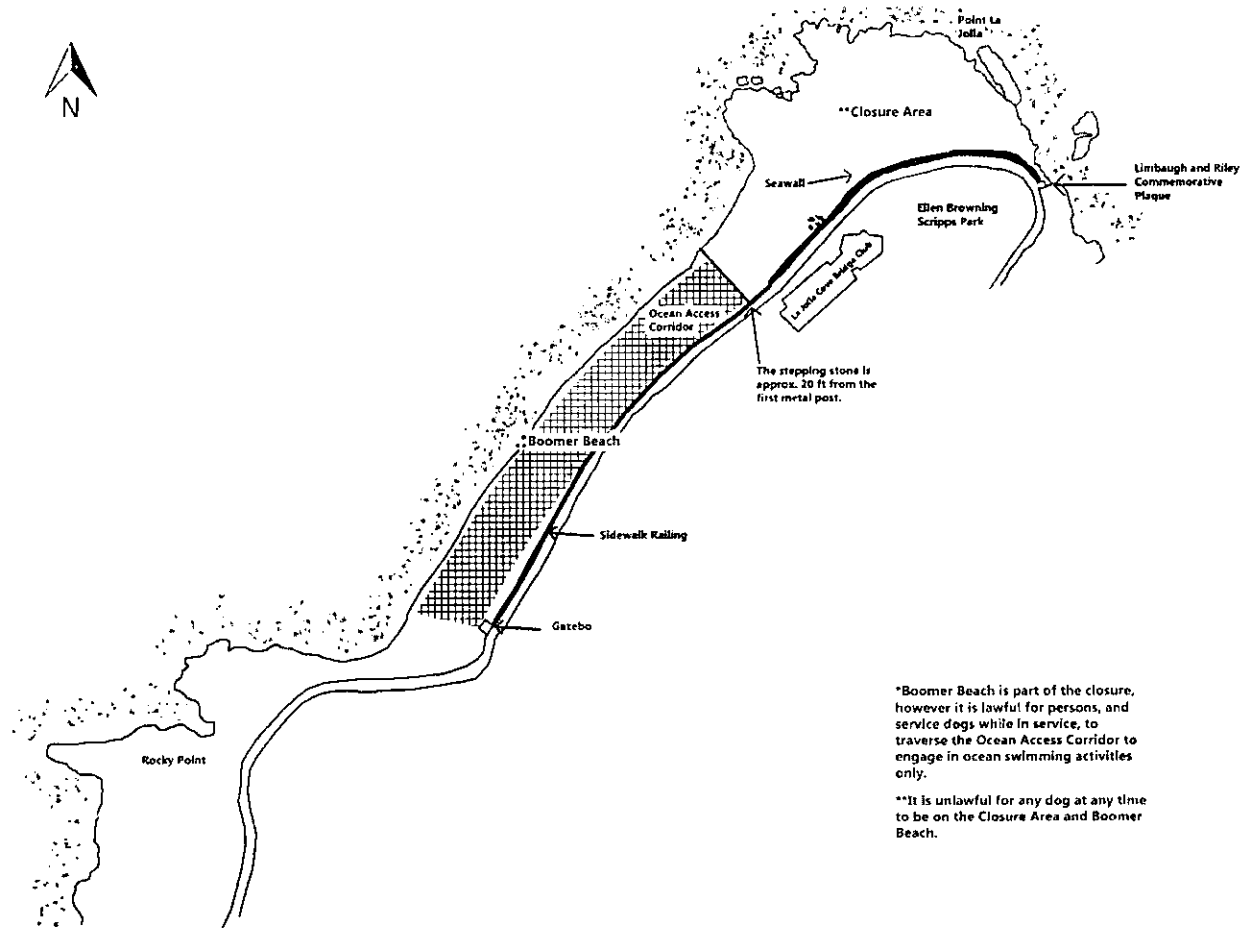


Figure 2



JMB:nja
08/01/2023
Or. Dept: Park & Recreation Dept.
Doc. No.: 3395284

Passed by the Council of The City of San Diego on OCT 03 2023, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage OCT 04 2023

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

DIANA J. S. FUENTES
City Clerk of The City of San Diego, California.

By [Signature], Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

SEP 18 2023, and on OCT 04 2023.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

DIANA J. S. FUENTES
City Clerk of The City of San Diego, California.

By [Signature], Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 21729