

#59
06/14/2022

(O-2022-109)
COR. COPY

ORDINANCE NUMBER O- 21468 (NEW SERIES)

DATE OF FINAL PASSAGE JUN 27 2022

AN ORDINANCE AMENDING CHAPTER 6, ARTICLE 3,
DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY
ADDING NEW SECTION 63.0102(f), RELATING TO THE USE
OF POINT LA JOLLA AND BOOMER BEACH.

WHEREAS, on May 24, 2022, the Council of the City of San Diego directed the City Attorney's Office to return with a draft Ordinance amending the San Diego Municipal Code to prohibit any dog at any time, except for service dogs while in service, to be on the beach and rocky area of Point La Jolla and Boomer Beach, defined as the rocky area between La Jolla Cove and Boomer Beach; and

WHEREAS, the proposed amendment prohibits public access to Point La Jolla and Boomer Beach during California sea lion pupping season; and

WHEREAS, the proposed amendment specifies that it is unlawful for any person to be on Point La Jolla or Boomer Beach from May 1 to October 31; and

WHEREAS, the proposed amendment makes it lawful for persons to traverse the Ocean Access Corridor from May 1 through October 31 for ocean swimming access only, and provides that any other use of the Ocean Access Corridor is unlawful; 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 adding section 63.0102(f), to read as follows:

§63.0102 Use of Public Parks and Beaches Regulated

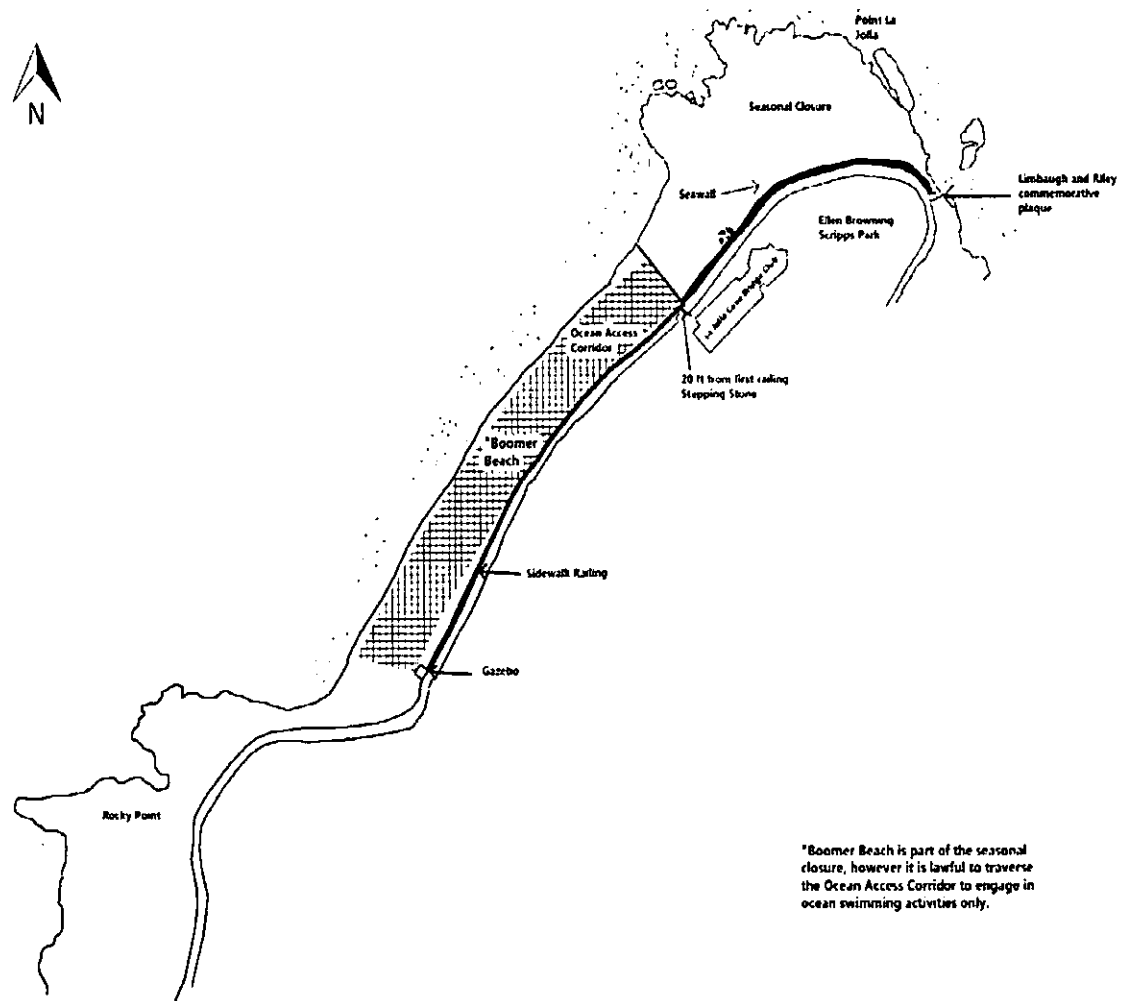
(a) through (e) [No change in text.]

(f) 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 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 shown on 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)(4), and shown in Figure 2, from May 1 through Oct 31.
- (3) It is lawful for persons to traverse a portion of the *closure area*, as described in San Diego Municipal Code section 63.0102(f)(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 wall 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) *Closure area* means the area with the following borders: 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, 560 feet to the northeast along the fence and wall that separates the bluffs from the sidewalk adjacent to Ellen Browning Scripps Park and the La Jolla Bridge Club; and from the water up to the ocean side of the fence and seawall that separates the bluffs from the sidewalk adjacent to the Ellen Browning Scripps Park and the La Jolla Bridge Club, as shown in Figure 2.

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 not take effect until a permit for its use is issued
by the California Coastal Commission.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Jane M. Boardman
Jane M. Boardman
Deputy City Attorney

JMB:nja
03/18/2022
06/14/2022 COR. COPY
Or. Dept: Park & Rec.
Doc. No.: 3004783

I hereby certify that the foregoing Ordinance was passed by the Council of the City of
San Diego, at this meeting of JUN 14 2022.

ELIZABETH S. MALAND
City Clerk

By Connie Patterson
Deputy City Clerk

Approved: 6/21/22
(date)

Todd Gloria
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,
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ADDING NEW SECTION 63.0102(f), RELATING TO THE USE
OF POINT LA JOLLA AND BOOMER BEACH AREAS.

§63.0102 Use of Public Parks and Beaches Regulated

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

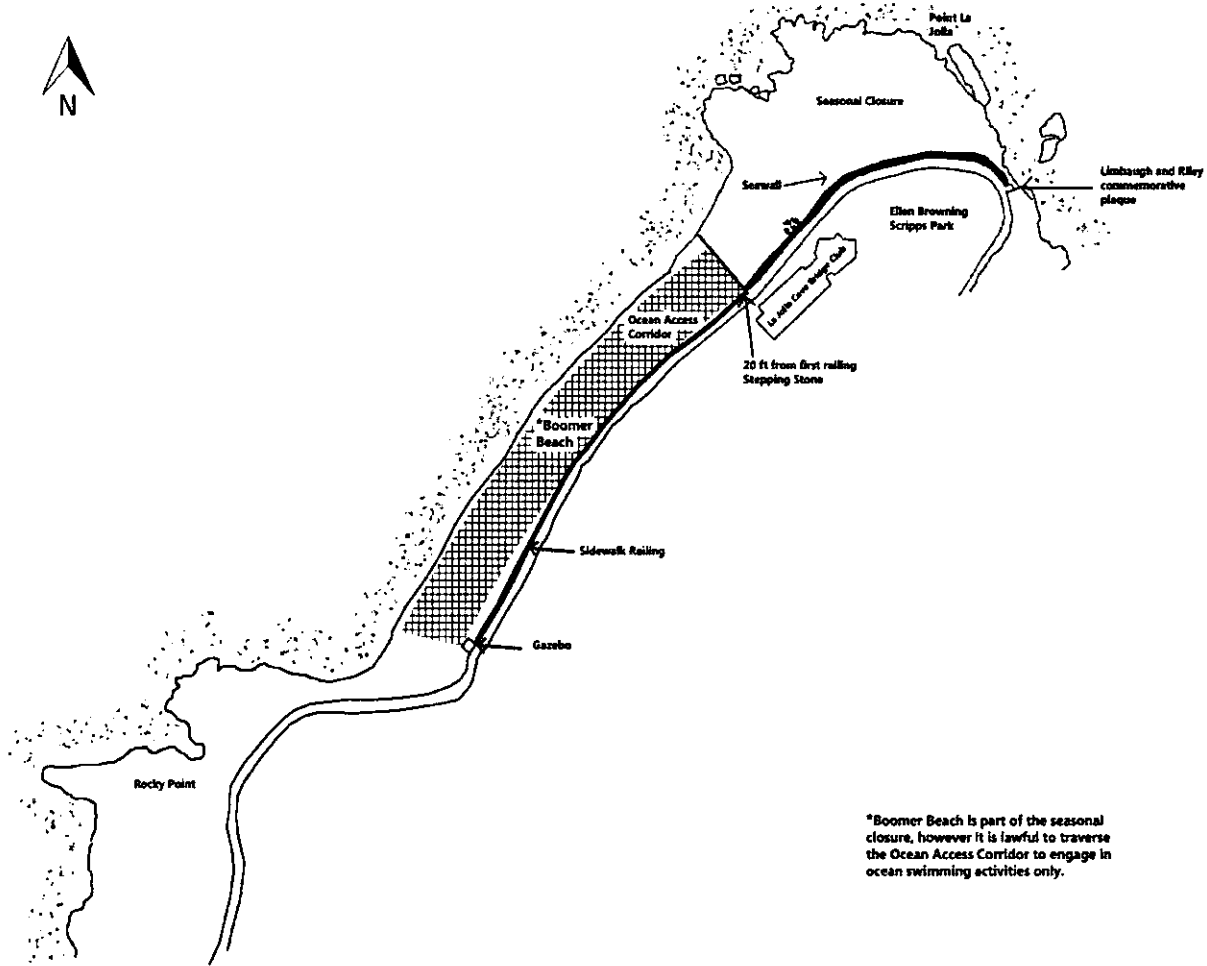
(f) Regulations for the Use of Point La Jolla and Boomer Beach Areas

- (1) It is unlawful for any dog at any time, except for service dogs while in service, to be on 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 shown on 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)(4) and shown in Figure 2, from May 1 through Oct 31.**
- (3) It is lawful for persons to traverse a portion of the closure area, as described in San Diego Municipal Code section 63.0102(f)(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 wall 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) Closure area means the area with the following borders: 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, 560 feet to the northeast along the fence and wall that separates the bluffs from the sidewalk adjacent to Ellen Browning Scripps Park and the La Jolla Bridge Club; and from the water up to the ocean side of the fence and seawall that separates the bluffs from the sidewalk adjacent to the Ellen Browning Scripps Park and the La Jolla Bridge Club, as shown in Figure 2.

Figure 2:



*Boomer Beach is part of the seasonal closure, however it is lawful to traverse the Ocean Access Corridor to engage in ocean swimming activities only.

JMB:nja
03/16/2022
Or. Dept: Park & Rec.
Doc. No.: 2925360

Passed by the Council of The City of San Diego on JUN 14 2022, 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"/>
Chris Cate	<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 JUN 27 2022

AUTHENTICATED BY:

TODD GLORIA

Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

By Connie Patterson, 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

MAY 24 2022

, and on

JUN 27 2022

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)

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 21468