

CAPISTRANO BAY DISTRICT
AGENDA REPORT
June 28th, 2018

Security

ITEM 6b

Fences/Barricades/Private Property Signs on the Beach

Some homeowners and/or long term renters have placed a variety of fences and barricades out on the beach side of several homes which impede the public's right of pass and repass along the beach during high tide events. Additionally, one home has posted PRIVATE PROPERTY signs out on the beach.

Lateral access easement language for many of Beach Road's homes provides for a public access easement that generally extends from the water's edge to a point, called a 'privacy buffer', within 10 – 15 feet of the homes, typically measured from the edge of the patio or deck.

However, the Coastal Act provides for safe passage along the beach by the public at times of extreme high tides when the normal beach area is underwater. The public must be permitted to seek safe high ground even to encroach into the privacy buffer zone onto a patio, if necessary, during such high tide events.

The District understands that some homeowners are continuously impacted by nearby rental properties where the weekly occupants do not respect the privacy of neighbors and they feel a need to put up a barrier of some kind to keep curious kids out of their yards. Such impacted residents are urged to contact security immediately, when this occurs so our officers can respond and intervene to control the problem.

While the District has no authority to impose an enforcement action on removal of these barricades and fences, the presence of such barriers draws unwanted attention to our beach by the Coastal Commission and their field inspectors.

The District asks all property owners to respect the public's right to pass and repass safely along the beach by removing the fences and barriers and if the owner feels a need to absolutely have a barrier, that it extend no further than 15 feet from the patio edge, to delineate the privacy buffer zone.