

**CALENDAR ITEM  
C79**

A 78  
S 39

12/02/13  
PRC 7233.9  
K. Foster

**GENERAL LEASE - PUBLIC AGENCY USE**

**APPLICANT:**

City of Del Mar  
1050 Camino Del Mar  
Del Mar, CA 92014

**LAND TYPE AND LOCATION:**

Sovereign land in the Pacific Ocean, in the city of Del Mar, San Diego County.

**AUTHORIZED USE:**

Preservation of wooden piling remnants from the historic Casa Del Mar Hotel Bathhouse and an adjacent saltwater bathing pool.

**LEASE TERM:**

30 years, beginning August 1, 2013.

**CONSIDERATION:**

The public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

**SPECIFIC LEASE PROVISIONS:**

**Insurance:** Liability insurance in the amount of no less than \$2,000,000 per occurrence.

**Other:** The city of Del Mar will remove any existing improvements if the Commission determines that any such improvements are adverse to the public interest.

**OTHER PERTINENT INFORMATION:**

1. Applicant owns the upland adjoining the lease premises.

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2. On August 10, 1988, the Commission authorized the issuance of Lease No. PRC 7233.9, a General Permit – Public Agency Use for a 25-year term to the city of Del Mar for the preservation of the remains of the Del Mar Hotel Bath House. The Lease expired on July 31, 2013. The Applicant is now applying for a new General Lease – Public Agency Use.
3. On April 18, 1988, the Del Mar City Council declared the remains of the Casa Del Mar Hotel Bathhouse, originally constructed in 1880, to be a historic landmark. The remains of the Casa Del Mar complex are located on the beach near the ends of 9<sup>th</sup> to 12<sup>th</sup> Streets and currently consist of a series of wooden piling remnants that originally supported elements of the Bathhouse and an adjacent 'Natatorium', or saltwater bathing pool. The piling remnants are periodically uncovered or buried by sand movement from ocean waves.
4. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).  
  
Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.
5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

**EXHIBITS:**

- A. Land Description
- B. Site and Location Map

CALENDAR ITEM NO. **C79** (CONT'D)

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

**SIGNIFICANT LANDS INVENTORY FINDING:**

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

**AUTHORIZATION:**

Authorize Issuance of a General Lease – Public Agency Use to the city of Del Mar beginning August 1, 2013, for a term of 30 years, for the preservation of wooden piling remnants from the historic Casa Del Mar Bathhouse and an adjacent saltwater bathing pool as described in Exhibit A attached and by this reference made a part hereof, and as shown on Exhibit B (for reference purposes only); ); consideration being the public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest; and liability Insurance in the amount of no less than \$2,000,000 per occurrence.

**EXHIBIT A**

**PRC 7233.9**

**LAND DESCRIPTION**

Two parcels of tide and submerged land situate in the Pacific Ocean in the City of Del Mar, County of San Diego, State of California, more particularly described as follows:

**PARCEL 1**

**BEGINNING** at the point having a Geographic Coordinate of 32.955793° North Latitude and 117.267483° West Longitude NAD 1983; thence from said point of beginning in a clockwise direction through the following three (3) points:

1. 32.954574° North Latitude 117.267207° West Longitude NAD 1983;
2. 32.954542° North Latitude 117.267400° West Longitude NAD 1983;
3. 32.955763° North Latitude 117.267676° West Longitude NAD 1983;

thence continuing to the **POINT OF BEGINNING**.

**EXCEPTING THEREFROM** any portion located landward of the ordinary high water mark of said Pacific Ocean.

**PARCEL 2**

A parcel of tide and submerged land in the City of Del Mar, San Diego County, California, said parcel being more particularly described as follows:

All that land lying immediately beneath the remains of the Natatorium, said remains being located between westerly extensions of 9<sup>th</sup> St. and 11<sup>th</sup> St. in Del Mar.

**EXCEPTING THEREFROM** any portion located landward of the ordinary high water mark of said Pacific Ocean.

**END OF DESCRIPTION**

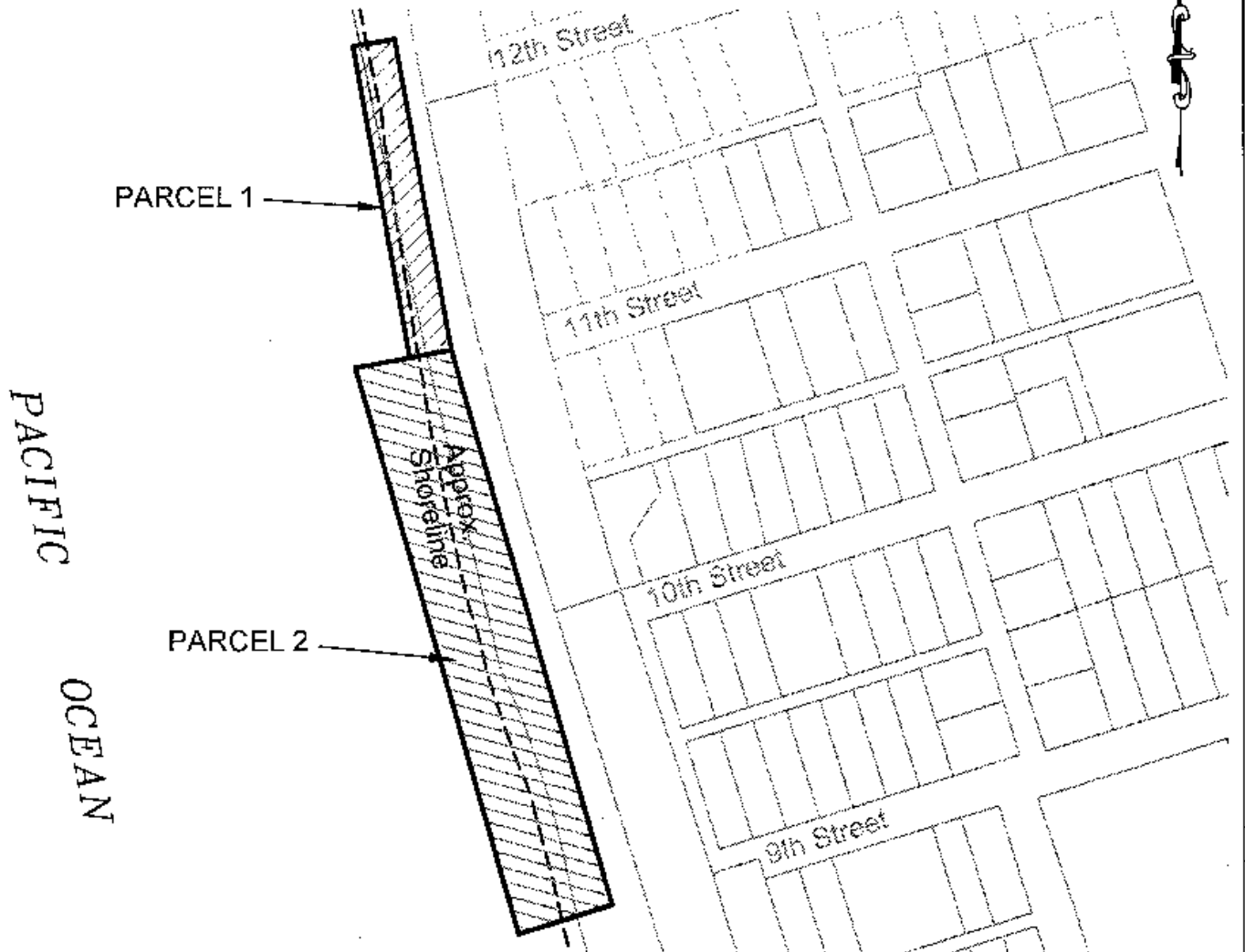
The North American Datum 1983 Geographic Coordinates provided by the City of Del Mar.

Parcel 1 prepared by the California State Lands Commission Boundary Unit 10/10/13.  
Parcel 2 based on original description prepared by BIU 1 on June 8, 1988 as found in W 24166 file.



NO SCALE

### SITE



NEAR THE END OF 9th & 12th STREETS, DEL MAR

NO SCALE

### LOCATION



MAP SOURCE: USGS QUAD

**Exhibit B**  
 PRC 7233.9  
 CITY OF DEL MAR  
 GENERAL LEASE -  
 PUBLIC AGENCY USE  
 SAN DIEGO COUNTY



TS 10/10/13

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.