

CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST AREA
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Staff: GDC-SD
Staff Report: January 16, 1996
Hearing Date: February 6-9, 1996

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-95-161

Applicant: 22nd District Agricultural
Association

Agent: Patricia A. Butler

Description: Demolition of existing 76-stall barn and construction of new 76-stall barn with attached two-story tackrooms containing 32 living spaces.

Lot Area	156.84 acres (subject parcel only)
Building Coverage	25,000 sq. ft. (approx./project only)
Parking Spaces	approx. 14,000
Zoning	Fairgrounds/Racetrack
Plan Designation	Fairgrounds/Racetrack
Ht abv fin grade	20 feet

Site: 2260 Jimmy Durante Blvd., Del Mar Fairgrounds (in northeast corner of developed area), Del Mar, San Diego County.
APN 299-030-01.

Substantive File Documents: 1985 Master Plan Update and Draft Public Works Plan. CCC File Nos: 6-83-436, 6-88-201, 6-89-348 and 6-91-29

STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

I. Approval.

The Commission hereby grants a permit for the proposed development on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions.

See attached page.

III. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description/Visual Impacts. The applicant is proposing to remove an existing approximately 19,000 sq. ft., 76-stall barn and construct a new approximately 25,000 sq. ft., 76-stall barn with attached two-story tackrooms including 32 living spaces. The new structure, while approximately 125 feet longer than the existing structure, will be located in roughly the same location as the existing barn and will be identical in design to the barn located directly east of the subject development.

Section 30251 of the Coastal Act provides for the protection of scenic coastal areas and for the compatibility of new and existing development. The Fairgrounds is gradually replacing the older barns, tackrooms and related improvements and the Commission has approved several similar proposals over the past few years. The new structure will be visually compatible with the other replacement buildings, and is, in fact, of identical design. Furthermore, the new barn will be located in the interior portion of the racetrack-affiliated structures, and, although the proposed tackroom sections are twenty-feet tall, with the barn slightly lower, all new structures will be below the grade of Via de la Valle, the nearest public street. No landscaping improvements are proposed, but the development is within a non-public area of the Fairgrounds, and is not readily visible from any public roadway. Additionally, the area between buildings is used for overflow parking during the Fair. Because of its low visibility, the Commission finds the proposal will not adversely impact public views or scenic resources and is consistent with Section 30251 of the Act.

2. Hydrology/Flood Hazards. The Del Mar Fairgrounds is located within the 100-year floodplain of the San Dieguito River. Section 30253 of the Coastal Act is applicable to the proposed project and requires that new development minimize risks to life and property in areas of high geologic, flood, and fire hazard, and assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area.

A large number of permanent and temporary structures already exist on the site, many of them pre-dating the Coastal Act. Current floodplain and floodway policies prohibit the placement of fill or permanent structures within such areas, except as allowed for designated developments considered compatible with periodic inundation. In this particular case, the improvements proposed are consistent with the Fairgrounds/Racetrack zoning of the site. Furthermore, the entire Fairgrounds complex is comprised of structures which are, and will continue to be, inundated occasionally from severe winter storms.

The Master Plan for the Fairgrounds and the Draft Public Works Plan envision expansion of the backstretch facilities, both with regard to stables and to housing, dining and recreational structures for racetrack personnel. Any additional fill or net increases in building footprints could result in changes to the hydrology of the adjacent river channel. Modifications to the current flooding patterns, in which a large portion of the 100-year flood waters are contained on the Fairgrounds property, could result in increased flood hazards to existing developments south of the river, and could, in turn, lead to proposals for further river channelization. This probability should be evaluated prior to Commission action on any major projects for the 22nd District Agricultural Association. However, the proposed project is in-fill development located parallel to many similar-sized barns to the east and west and, as a replacement project, will not substantially increase building footprints (i.e., amount of floodplain coverage). Therefore, no potential for significant adverse affects to flood flows are anticipated. The Coastal Commission thereby finds the subject project consistent with Section 30253 of the Act.

3. Local Coastal Planning. Section 30604 (a) also requires that a coastal development permit shall be issued only if the Commission finds that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program (LCP) in conformity with the provisions of Chapter 3 of the Coastal Act. Such a finding can be made for the subject development.

The 22nd District Agricultural Association has an updated Master Plan for overall development of the Fairgrounds. The Master Plan has not been subject to review by either the Coastal Commission or the local jurisdictions involved. The District, a State agency, manages land lying within the purview of the Cities of Del Mar, Solana Beach and San Diego. Portions of the site, although not the specific project location, are included within the Commission-approved San Dieguito Lagoon Enhancement Plan which is a component of the certified Del Mar Land Use Plan. However, the 22nd District Agricultural Association which owns and operates the actual Fairgrounds is a State agency, and, thus is not under the jurisdiction of the City of Del Mar. The District has completed an updated Master Plan and Draft Public Works Plan. The replacement structure herein proposed is included as a capitol improvement project in both the updated Master Plan and the Draft Public Works Plan. Therefore, the Commission finds that approval of the proposed development will not prejudice the planning abilities of the involved local jurisdictions or the District itself. Furthermore, the proposed development has been found consistent with all applicable Chapter 3 policies of the Coastal Act which are the controlling factors in the Commission's review..

4. California Environmental Quality Act (CEQA). Section 13096 of the California Code of Regulations requires Commission approval of a coastal development permit to be supported by a finding showing the permit to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.

As discussed herein, the proposed project will not cause significant adverse impacts to the environment. Specifically, the project has been found consistent with the provisions of the Updated Master Plan, Draft Public Works Plan and the Coastal Act. There are no feasible alternatives or mitigation measures available which would substantially lessen any significant adverse impact which the proposed activity may have on the environment. Therefore, the Commission finds the proposed project is the least environmentally-damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgement. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

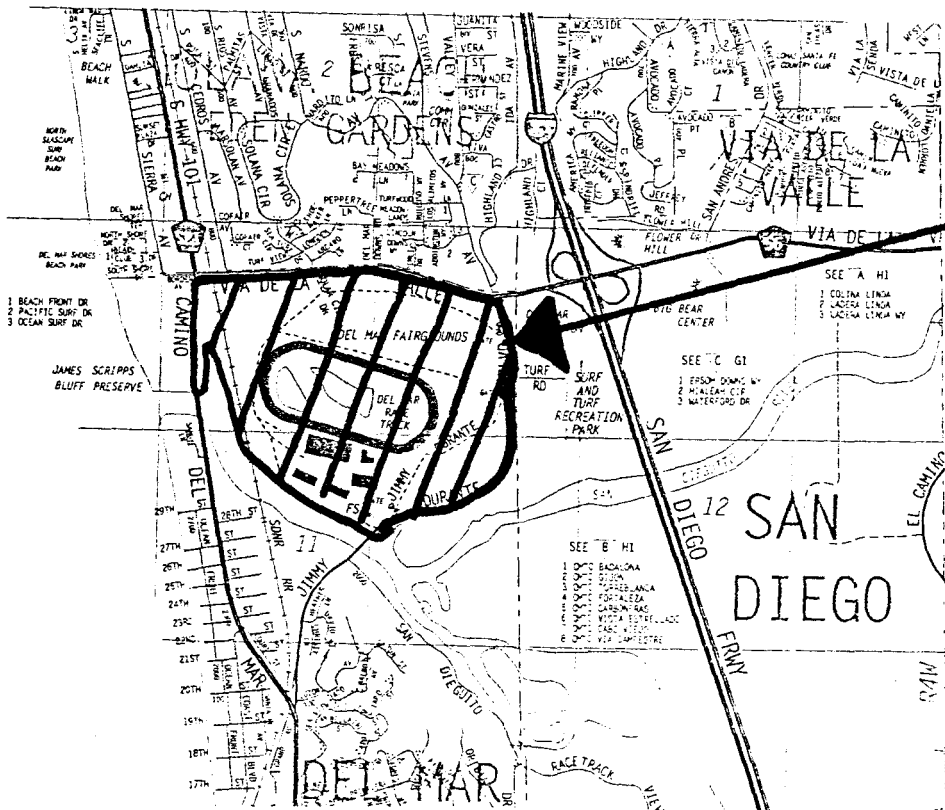
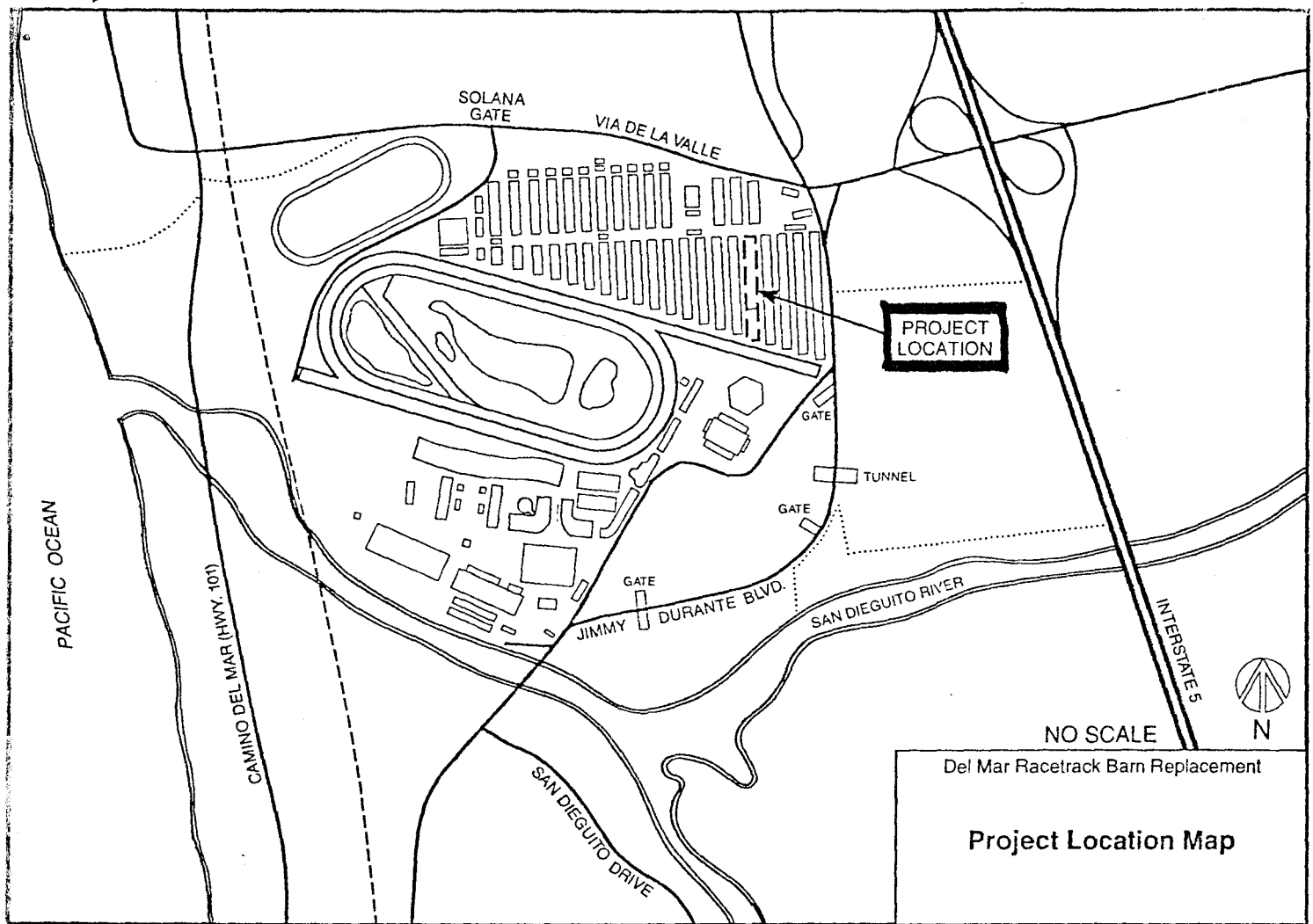


EXHIBIT NO. <u>1</u>
APPLICATION NO. <u>6-95-161</u>
Site & Vicinity MAPS
California Coastal Commission

