MINUTE ITEM
This Calendar Item No. C27
was approved as Minute Item
No. 27 by the State Lands
Commission by a vote of 3
to 0 at its 12/17/92
meeting

CALENDAR ITEM

C27

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12/17/92
PRC 2859
PRC 3044
PRC 3391
PRC 5423
J. Sekelsky

REVISION OF RENT

PARTIES:

Chambers Landing Homeowners Association
Cedar Point Homeowners Association
Dollar Point Subdivision Homeowers Association
Chinquapin Homeowners Association

BACKGROUND:

At its meeting of September 23, 1992, the Commission considered four applications for various amendments and/or assignments of the following permits for the use of State-owned lands in the bed of Lake Tahoe:

Item 10: Chambers Landing II Homeowners Association, PRC 3044;

Item 12: Cedar Point Homeowners Association, PRC 2859;

Item 32: Dollar Point Subdivision Homeowners Association, PRC 3391; and

Item 33: Chinquapin Homeowners Association, PRC 5423.

Each of these cases also involved a proposed adjustment of rent to be paid by the subject permittees. A representative of the Chinquapin Homeowners Association appeared at the Commission meeting and disputed staff's basis for calculating the revised rent. The disagreement centered on the interpretation of P.R.C.

Section 6503.5 and the ability of the homeowners association to qualify for rent-free status under that code section. The Commission deferred action on revision of the rent in all four cases listed above and directed staff to review the rental calculations consistent with recent practice.

Consistent with the Commission's direction, staff has calculated rentals for each of the subject four homeowners' associations. Staff has based the rent on the percentage of property units within the association which are held by non-natural association members. Those rents are as follows:

(1) Chambers Landing, PRC 3044 (effective 10/08/92): $1,178.08

(2) Cedar Point, PRC 2859 (effective 08/01/92): $144.13

(3) Dollar Point, PRC 3391 (effective 09/01/92): $2,618.17

(4) Chinquapin, PRC 5423 (effective 07/01/92): $803.86

Staff recommends Commission approval of the above rents, effective on the dates as stated herein, subject to revision according to the terms of the permit.

AB 884:
N/A

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

   Authority: P.R.C. 21065 and 14 Cal. Code Regs. 15378.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. CODE REGS. 15378.

2. APPROVE THE FOLLOWING RENTS FOR EACH OF THE DESIGNATED PERMITS, EFFECTIVE ON THE DATES AS STATED HEREIN, SUBJECT TO REVISION AS SET FORTH IN EACH OF THE PERMITS.

CEDAR POINT HOMEOWNERS ASSOCIATION, PRC 2859 (EFFECTIVE 08/01/92)	$144.13
CHAMBERS LANDING II HOMEOWNERS ASSOCIATION, PRC 3044 (EFFECTIVE 10/08/92)	$1,178.08
DOLLAR POINT SUBDIVISION HOMEOWNERS ASSOCIATION, PRC 3391 (EFFECTIVE 09/01/92)	$2,618.17
CHINQUAPIN HOMEOWNERS ASSOCIATION (PRC 5423) (EFFECTIVE 07/01/92)	$803.86