

**CALENDAR ITEM
C95**

A 67
S 35

09/20/13
PRC 5625.1
D. Oetzel

REVISION OF RENT

LESSEE:

Robert E. Faber and Sarah K. Faber, Co-Trustees of the Third amendment and Restatement of the Faber Revocable Inter-Vivos Trust, u/d/t April 29, 2005

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in the Main Channel of Huntington Harbour, adjacent to 16671 Carousel Lane, Huntington Beach, Orange County.

AUTHORIZED USE:

Continued use and maintenance of a boat dock, access ramp, cantilevered deck, and bulkhead protection.

LEASE TERM:

10 years, beginning January 25, 2009.

CONSIDERATION:

This lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff has conducted a review of the rent under this lease and recommends that rent be revised from \$810 per year to \$972 per year, effective January 25, 2014.

OTHER PERTINENT INFORMATION

1. On April 6, 2010, the Commission authorized a 10-year General Lease – Recreational Use to Robert E. Faber and Sarah K. Faber, as co-Trustees for the continued use of an existing boat dock and access ramp, and the retention of an existing cantilevered deck, beginning January 25, 2009 and expiring on January 24, 2019.
2. On January 26, 2012, the Commission authorized an Amendment of Lease to include Protective Structure Use for bulkhead protection.
3. The staff recommends that the Commission find that the subject revision of rent does not have a potential for resulting in either a direct or a

CALENDAR ITEM NO. **C95** (CONT'D)

reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

CEQA FINDING:

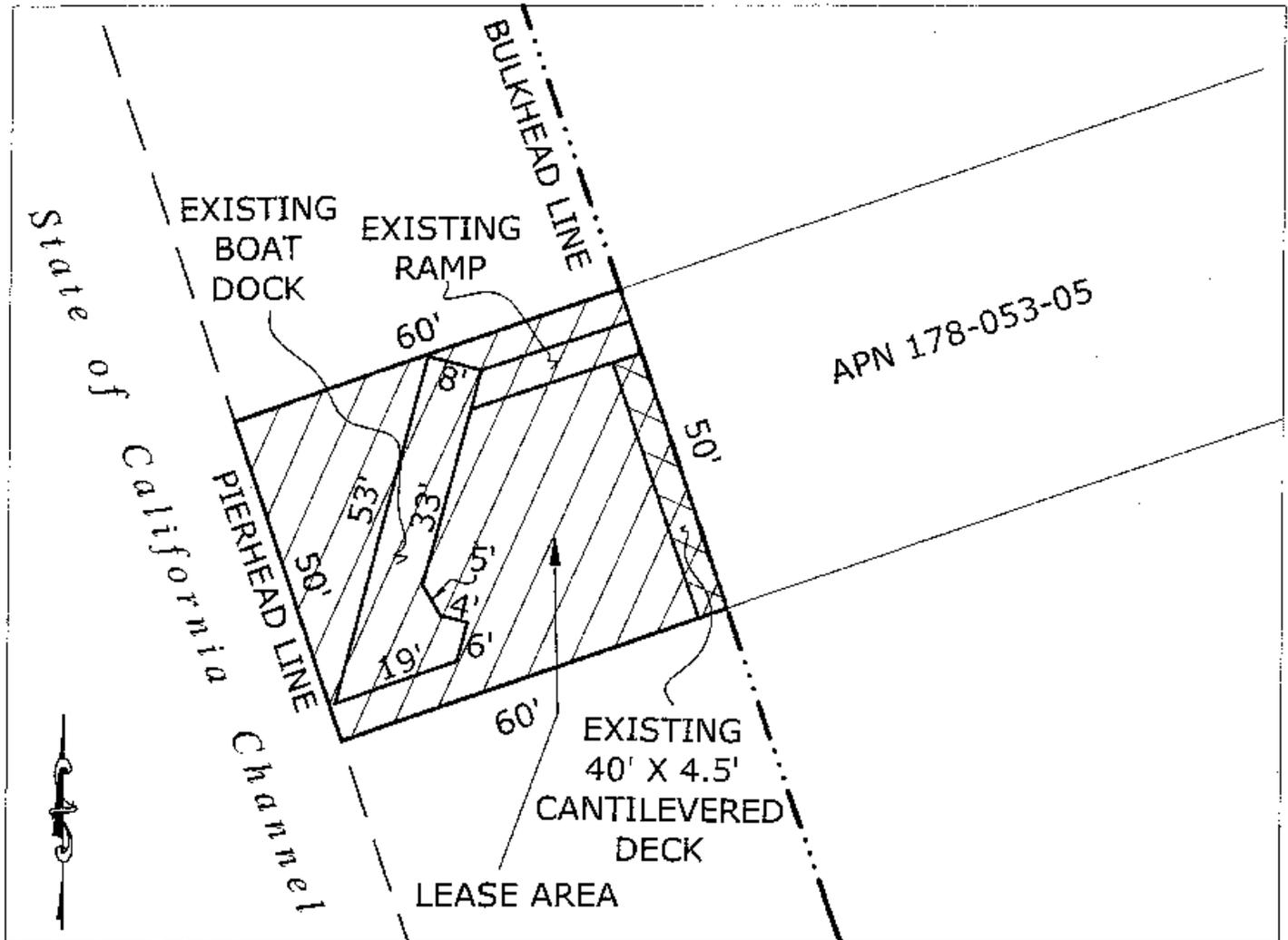
Find that the subject revision of rent is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

AUTHORIZATION:

Approve the revision of rent for Lease No. PRC 5625.1 from \$810 per year to \$972 per year, effective January 25, 2014.

NO SCALE

SITE



16671 CAROUSEL LANE, HUNTINGTON BEACH

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

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.

Exhibit A

PRC 5625.1
FABER TRUSTEES
APN 178-053-05
GENERAL LEASE -
RECREATIONAL USE
ORANGE COUNTY

