

**CALENDAR ITEM
C88**

A 72
S 34

04/23/15
PRC 3247.1
D. Oetzel

REVISION OF RENT

LESSEE:

Irene Cooper

LAND TYPE AND LOCATION:

Sovereign land in Huntington Harbour, adjacent to 3522 Gilbert Drive, city of Huntington Beach, Orange County.

AUTHORIZED USE:

The continued use and maintenance of an existing boat dock and access ramp and the retention of an existing cantilevered deck extending no more than five feet waterward of the bulkhead.

LEASE TERM:

10 years, beginning June 22, 2009.

CONSIDERATION:

This lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff conducted a review of the rent under this lease and recommends that rent be revised from \$1,170 per year to \$1,404 per year, effective June 22, 2015.

OTHER PERTINENT INFORMATION:

1. Lessee has the right to use the upland adjacent to the Lease Premises.
2. On June 28, 2010, the Commission authorized a General Lease – Recreational Use to Irene Cooper for the continued use and maintenance of an existing boat dock and access ramp and the retention of an existing cantilevered deck extending no more than five feet waterward of the bulkhead. The lease will expire on June 21, 2019.
3. The lease was authorized by the Commission prior to the enactment of Chapter 585, Statutes of 2011, which replaced the rent-free provision of a prior version of Public Resources Code section 6503.5 with a requirement

CALENDAR ITEM NO. **C88** (CONT'D)

to charge rent for private recreational piers constructed on state lands. Consequently, no rent is charged under the current lease for the existing boat dock and access ramp. Rent is charged only for the cantilevered deck. Staff conducted the rent review called for in the lease and recommends the rent increase for the cantilevered deck.

4. 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 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:

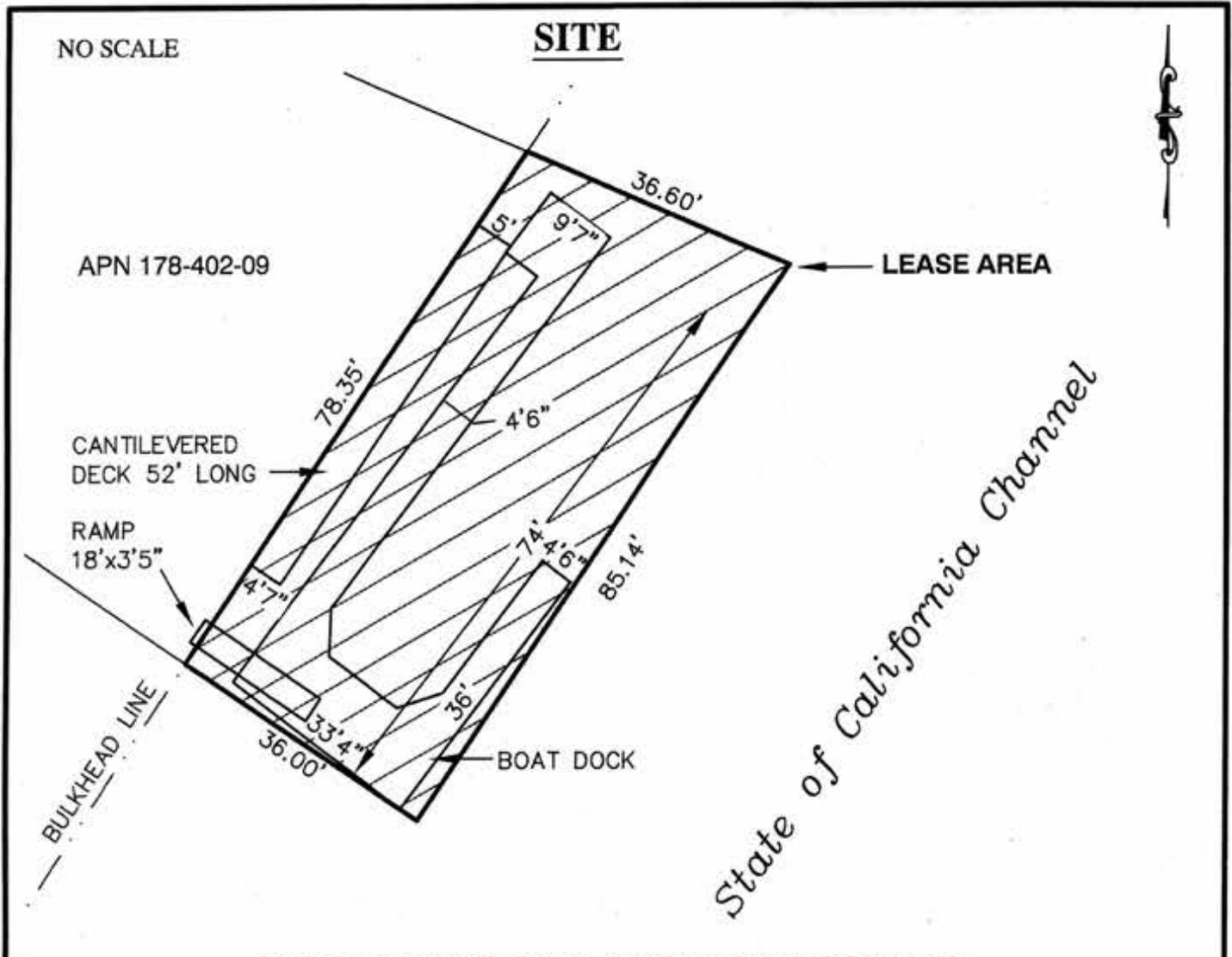
It is recommended that the Commission:

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 3247.1 from \$1,170 per year to \$1,404 per year, effective June 22, 2015.



3522 GILBERT DRIVE, HUNTINGTON BEACH

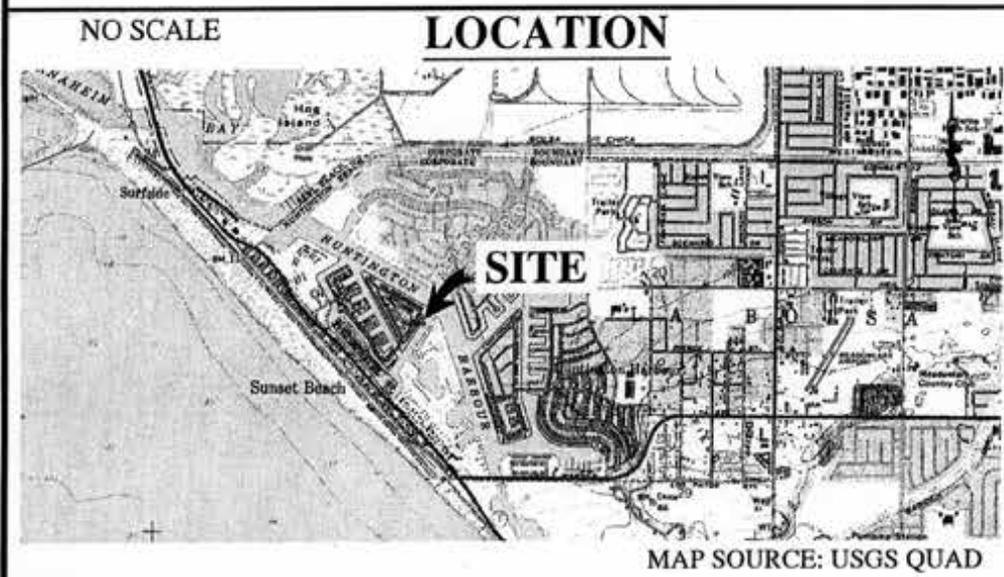


Exhibit A
 PRC 3247.1
 COOPER
 APN 178-402-09
 GENERAL LEASE -
 RECREATIONAL USE
 ORANGE COUNTY



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.