

**CALENDAR ITEM  
C98**

A 72  
S 34

04/23/15  
PRC 3563.1  
D. Simpkin

**REVISION OF RENT**

**LESSEE:**

Richard G. Lewis and Sandra A. Lewis, Co-Trustees of the Lewis Family Trust  
Established September 18, 1991

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land in Huntington Harbour, adjacent to 16472 Malden Circle, city of  
Huntington Beach, Orange County.

**AUTHORIZED USE:**

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

**LEASE TERM:**

Ten years, beginning August 20, 2010.

**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 the rent be revised from \$1,125 per year to  
\$1,350 per year, effective August 20, 2015.

**OTHER PERTINENT INFORMATION:**

1. On August 20, 2010, the Commission authorized a General Lease –  
Recreational Use to Richard G. Lewis and Sandra A. Lewis, Co-Trustees  
of the Lewis Family Trust Established September 18, 1991, for the  
continued use and maintenance of a boat dock and access ramp, and the  
construction and maintenance of a cantilevered deck. The lease will  
expire on August 19, 2020.
  
2. At the time the lease was issued, the existing boat dock and access ramp  
qualified for rent free status under Public Resources Code Section 6503.5,  
but the cantilevered deck did not and was subject to rent.

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3. Staff conducted the rent review called for in the Lease and recommends that the annual rent be increased.
4. 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 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.

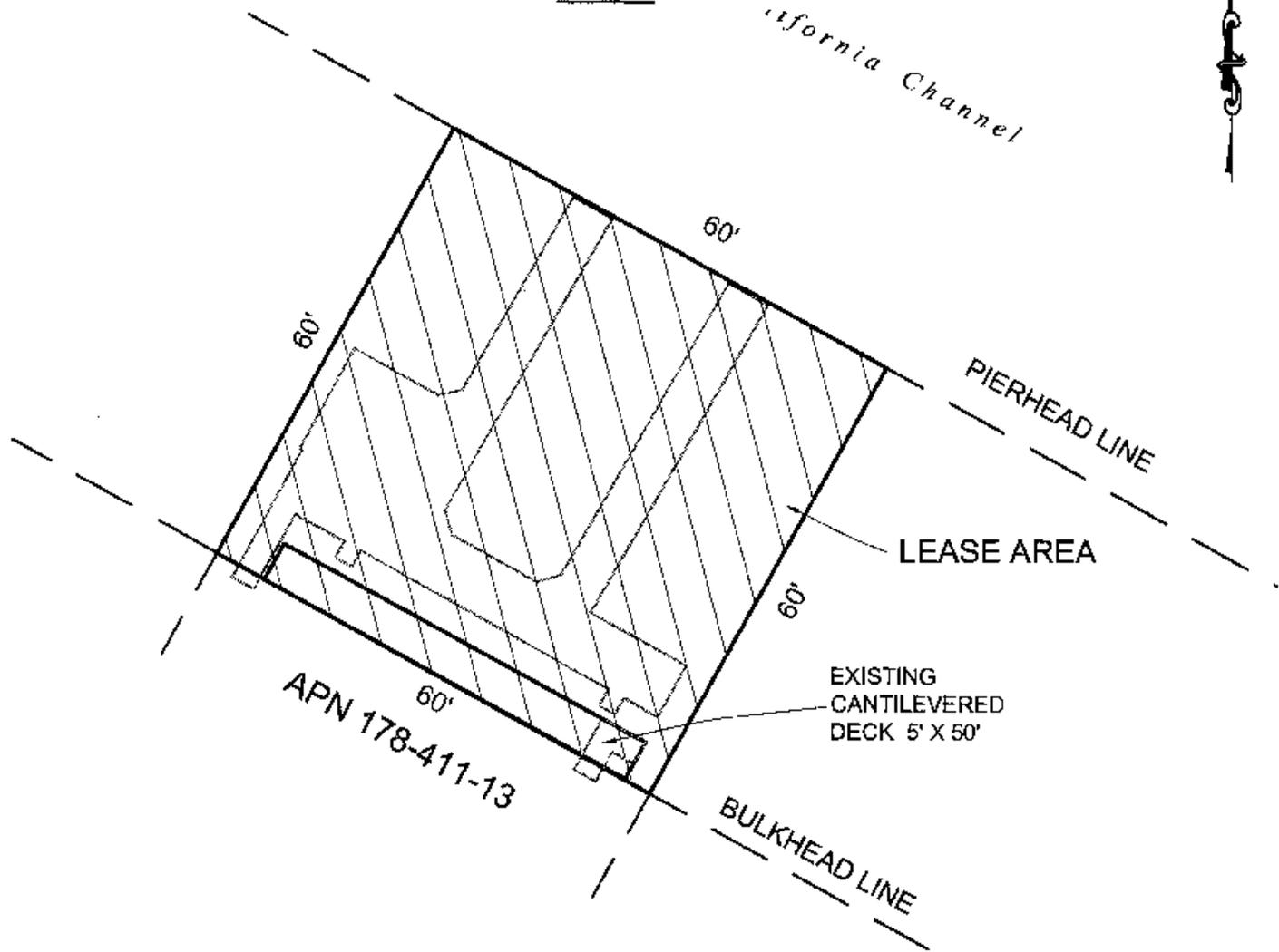
**AUTHORIZATION:**

Approve the revision of rent for Lease No. PRC 3563.1 from \$1,125 per year to \$1,350 per year, effective August 20, 2015.

NO SCALE

### SITE

California Channel



16472 MALDEN CIRCLE, HUNTINGTON BEACH

NO SCALE

### LOCATION



MAP SOURCE: USGS QUAD

### **Exhibit A**

PRC 3563.1  
 LEWIS FAMILY TRUST  
 APN 178-411-13  
 GENERAL LEASE-  
 RECREATIONAL USE  
 ORANGE COUNTY



MLJ 3/06/2015

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.