

Staff Report 38

LESSEE:

City of Pismo Beach

PROPOSED ACTION:

Revision of Rent

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Pacific Ocean, adjacent to Pismo State Beach, Pismo Beach, San Luis Obispo County.

AUTHORIZED USE:

Continued operation and maintenance of the Pismo Beach Pier.

TERM:

25 years, beginning April 20, 2017.

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 \$125 per year to \$140 per year, effective April 20, 2022.

OTHER PERTINENT INFORMATION:

1. Approval or denial of the revision of rent is a discretionary action by the Commission. Each time the Commission approves or rejects a revision of rent, it exercises legislatively delegated authority and responsibility as trustee of the State's Public Lands as authorized by law. Upon expiration or early termination of the lease, the Lessee has no right to a new lease or to renewal of any previous lease.

2. On April 20, 2017, the Commission authorized a General Lease – Public Agency Use to the City of Pismo Beach, for an existing public pier and the construction of the Pismo Pier Rehabilitation Project ([Item C68, April 20, 2017](#)). On December 6, 2019, the Commission approved an amendment of lease and approval of a sublease for up to two food or bait concessions and an information kiosk located in mobile trailers on the pier ([Item C27, December 6, 2019](#)). The pier reconstruction project was completed in July 2020. The lessee is required to conduct a structural and utility safety assessment on the pier within 10 years of completing the reconstruction of the pier and then each 5 years until expiration of the lease on April 20, 2042.
3. This action is consistent with the “Meeting Evolving Public Trust Needs” Strategic Focus Area of the Commission’s 2021-2025 Strategic Plan.
4. Approving the revision of rent is not a project as defined by the California Environmental Quality Act because it is an administrative action that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, section 15378, subdivision (b)(5).

EXHIBIT:

A. Site and Location Map

RECOMMENDED ACTION:

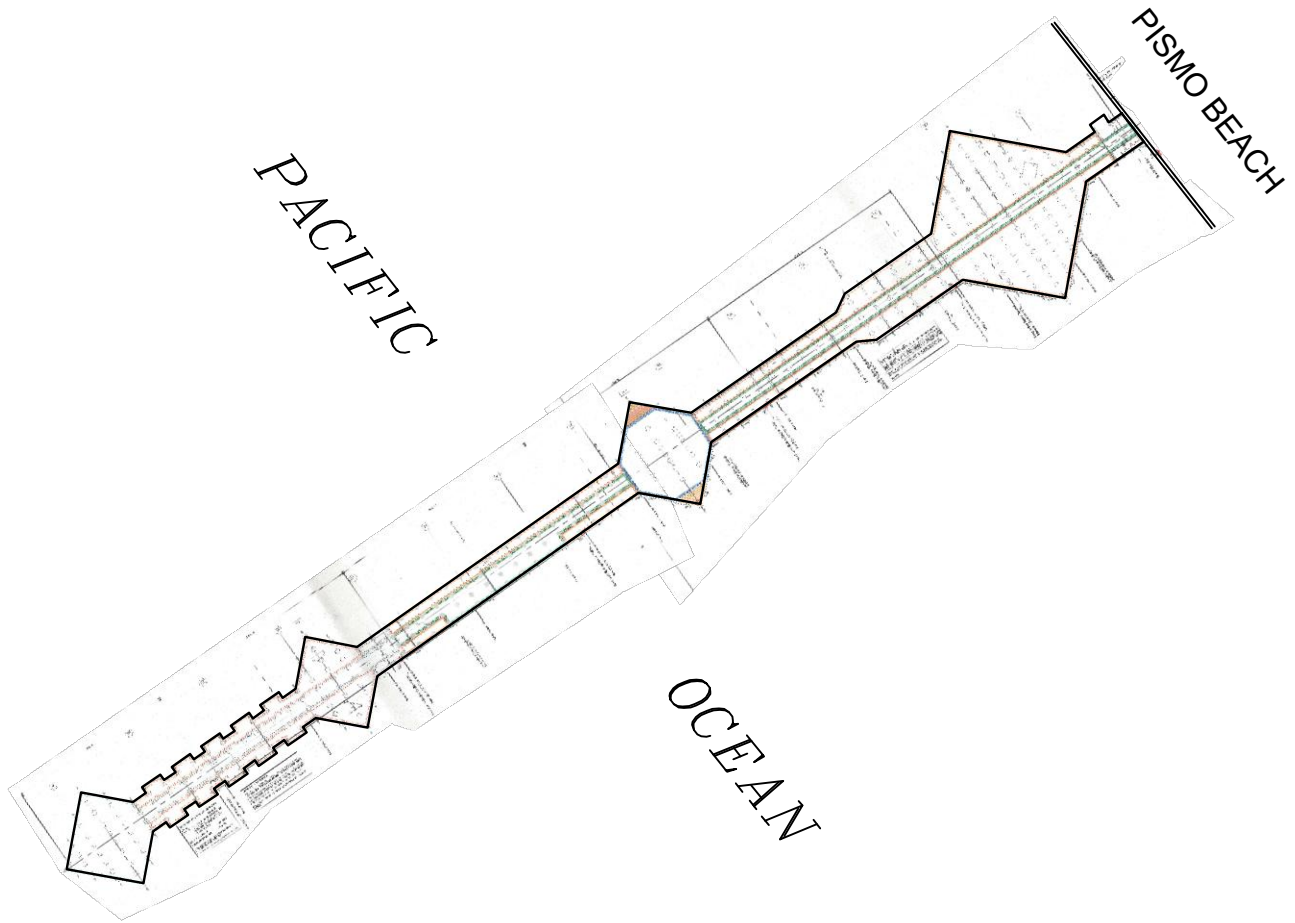
It is recommended that the Commission:

AUTHORIZATION:

Approve the revision of rent for Lease PRC 6674 from \$125 per year to \$140 per year, effective April 20, 2022.

NO SCALE

SITE



PISMO BEACH PIER

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 6674.1
CITY OF PISMO BEACH
APN 005-201-021, 022, 023
GENERAL LEASE -
PUBLIC AGENCY USE
SAN LUIS OBISPO CO.

