

**CALENDAR ITEM
C57**

A 29
S 17

06/21/13
PRC 8795.1
R. Collins

REVISION OF RENT

LESSEE:

Brian D. Burke and Kathy Lamprecht

AREA, LAND TYPE, AND LOCATION:

117 square feet, more or less, of sovereign land in the Pacific Ocean adjacent to 4630 Opal Cliff Drive, near the city of Santa Cruz, Santa Cruz County.

AUTHORIZED USE:

The use and maintenance of a two-foot wide cutoff stem wall.

LEASE TERM:

10 years, beginning August 22, 2008.

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 \$213 per year to \$358 per year, effective August 22, 2013.

OTHER PERTINENT INFORMATION:

1. On August 22, 2008, the Commission authorized a General Lease – Protective Structure Use to Michael N. Inglis, Trustor of the Inglis 2001 Living Trust, for a term of 10 years beginning August 22, 2008.
2. On June 23, 2011, the Commission authorized the Assignment of Lease No. PRC 8795.1, a General Lease – Protective Structure Use, to Brian D. Burke and Kathy Lamprecht, effective June 23, 2011. The lease will expire August 21, 2018.
3. 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

CALENDAR ITEM NO. **C57** (CONT'D)

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 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 8795.1 from \$213 per year to \$358 per year, effective August 22, 2013.

NO SCALE

SITE

