



Information Item

Date: January 13, 2011

To: Mayor and City Council

From: Eileen Fogarty, Director, Planning & Community Development

Subject: Transmittal of Occupancy Permit Determination for Property at 1027 Euclid Street (10OC-005)

Introduction

Attached for the Council's information is a copy of an Occupancy Permit determination for the property at 1027 Euclid Street.

Discussion

The Rent Control Board confirmed that six units are eligible to be returned to the market on October 28, 2010 and will be subject to Rent Control regulations. The property consists of six units and all six units were withdrawn from the market on September 19, 2002. Pursuant to SMMC Section 4.32.130, no property or rental units which have been withdrawn pursuant to the Ellis Act shall be subsequently occupied unless an occupancy permit is obtained. Pursuant to SMMC Section 4.32.130(c)(2) an occupancy permit for residential occupancy shall be approved if the Planning Director finds that the property or rental unit is to be used for multifamily rental housing, and the Rent Control Board has certified that the owner has complied with the requirements set forth in Government Code Sections 7060.2 and 7060.4 and with applicable regulations

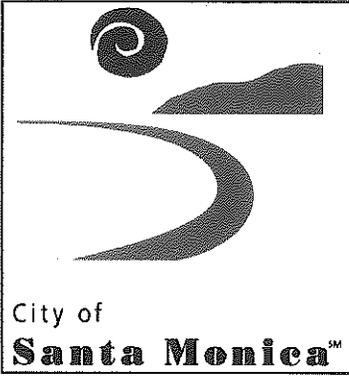
promulgated by the Rent Control Board. The application for Occupancy Permit 10OC-005 for 1027 Euclid Street conforms to these provisions.

The applicant proposes to rent the six units. The determination granting the Occupancy Permit (10OC-005) was issued on January 13, 2011. Pursuant to SMMC Section 4.32.130 (d) the Planning Director shall make a written report to the Planning Commission and the City Council within five days of approving an Occupancy Permit.

According to SMMC Section 4.32.130(d), the decision approving this Occupancy Permit may be appealed to the Planning Commission in accordance with the provisions in SMMC Section 9.04.20.24. Any decision of the Planning Commission may be further appealed to the City Council in accordance with the same provisions.

Prepared by: Steve Mizokami, Associate Planner

cc: Planning Commission



CITY OF SANTA MONICA
CITY PLANNING DIVISION

**OCCUPANCY
PERMIT DETERMINATION**

Case Number:	Occupancy Permit, 10OC-005
Address:	1027 Euclid Street
Zoning:	R2 (Low Density Multiple Family Residential)
Proposed Use:	Return 6-units to the rental market, subject to Rent Control Board regulations.
CEQA Status:	Categorically Exempt pursuant to Section 15301(Class 1) of the California Environmental Quality Act in that the project consists of reinstating the rental status of six units in an existing multi-family dwelling.
Applicant:	Gary Strathearn, Olga Strathearn, & Dimitri Strathearn
Rent Control Status:	The subject property contains six (6) units. The Rent Control Board has confirmed that the subject six units were withdrawn from Rent Control via the Ellis Act on September 19, 2002, and on October 28, 2010 confirmed compliance with Rent Control Board regulations for the return of units to the rental market.

GENERAL PLAN & MUNICIPAL CODE CONFORMANCE

<u>Category</u>	<u>General Plan</u>	<u>Municipal Code</u>	<u>Project</u>
Permitted Use:	Low Density Housing	R2, Low Density Residential	6-unit property to be reinstated into the

			rental market.
<p>Comments/Conclusion: Applicant proposes to allow the reinstatement of a 6-unit property to the rental market. The subject 6-units were previously removed from the rental market pursuant to the Ellis Act on September 19, 2002. On October 28, 2010 the Rent Control Board affirmed that the owner has complied with requirements set forth in Government Code Section 7060.2 and 7060.4 and applicable Board regulations for offering previously withdrawn units for rent or lease.</p>			

This application for an Occupancy Permit (10OC-005) is:

- Denied
- Subject to separate administrative or discretionary review.
- Granted with the following findings and conditions:

FINDINGS:

1. *The proposed use is in compliance with SMMC 4.32.130(c)(2) in that the rental units are to be used for multifamily rental housing, and the Rent Control Board has certified that the owner has complied with the requirements set forth in Government Code Sections 7060.2 and 7060.4 and with applicable regulations promulgated by the Rent Control Board. On October 28, 2010, the Rent Control Board verified applicant compliance with Rental Control Board regulations for the return of six units to the rental market.*
2. *The proposed occupancy conforms to the Land Use Element of the General Plan in that the low density housing use will not be altered.*
3. *The proposed occupancy conforms to the Comprehensive Land Use and Zoning Ordinance in that the existing multi-family residential use will not be altered.*
4. *The Rent Control Board has confirmed that the withdrawal of the property from the rental market pursuant to the Ellis Act was completed on September 19, 2002 and verified the Board Requirements for returning the four units to the rental market on October 28, 2010.*

CONDITIONS:

1. Within ten (10) days of transmittal of City Planning Division approval, project applicant shall sign and return a copy of the Occupancy Permit determination prepared by the City Planning Division, agreeing to the conditions of approval and acknowledging that failure to comply with such conditions shall constitute grounds for revocation of the permit approval. Failure to comply with this condition shall constitute grounds for permit

revocation, pursuant to Section 9.04.20.28.040 (SMMC).

<p><i>Determination by:</i> _____ <i>Date:</i> _____ Amanda Schachter Zoning Administrator</p> <p><i>Case Planner:</i> <u>Steve Mizokami, Associate Planner</u></p>

EFFECTIVE DATE OF ACTION: _____

EXPIRATION DATE OF ACTION: _____

LENGTH OF ANY POSSIBLE EXTENSION OF EXPIRATION DATE:

Acknowledgement by Permit Holder

I agree to the above conditions of approval and acknowledge that failure to comply with any and all conditions shall constitute grounds for potential revocation of the permit approval.

Signature Date

Print name here Drivers License Number
Santa Monica, California