

Information Item

Date: February 15, 2011

To: Mayor and City Council

From: Eileen Fogarty, Director of Planning & Community Development

Subject: Transmittal of Occupancy Permit Determination for Property at 1818 20th Street (Occupancy Permit No. 10OC-008)

Introduction

Attached for the Council's information is a copy of an Occupancy Permit determination for the property at 1818 20th Street. The four units at this property were withdrawn from the rental market pursuant to the Ellis Act effective on February 2, 2007. Pursuant to SMMC Section 4.32.130(c)(2), an occupancy permit for residential occupancy shall be approved based on finding that the property or units therein are to be used as one owner-occupied unit and the remaining will be occupied by family members who do not have an ownership interest in the property and who do not pay rent. 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 No. 10OC-008 for 1818 20th Street conforms to these provisions.

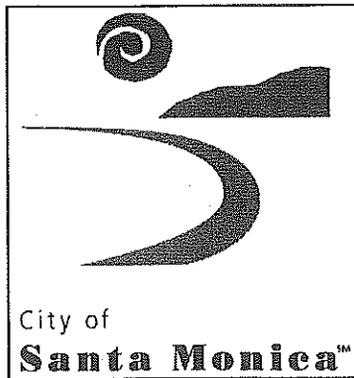
The determination granting the Occupancy Permit (10OC-008) was issued on February 15, 2011. Pursuant to SMMC Section 4.32.130 (c)(4) the Planning Director shall make

a written report to the Planning Commission and the City Council within five days of approving an Occupancy Permit.

According to Section 4.32.130(c)(4) SMMC, 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: Russell Bunim, Associate Planner

cc: Planning Commission



CITY OF SANTA MONICA
CITY PLANNING DIVISION

**OCCUPANCY
PERMIT DETERMINATION**

Case Number: Occupancy Permit No. 10OC-008

Address: 1818 20th Street, Units A -D
(Four Units)

Zoning: Low Density Multiple Residential District (R2)

General Plan: Low Density Housing

Proposed Use: The applicant proposes to reoccupy a four-unit residential building in accordance with the Ellis Act.

CEQA Status: Ministerial, exempt.

Applicant: Charlton Anne and Saeed Sadeghpour

Rent Control Status: The property was withdrawn from Rent Control on February 2, 2007. 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.

Comments/Conclusion: The applicant requests to reoccupy a four-unit residential building. One of the four units will be owner-occupied and the other three units will be occupied by family members who do not have an ownership interest in the property and who do not pay rent.

FINDINGS

The Planning Director finds that the property and/or rental unit therein 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.

Determination

This application for an Occupancy Permit No. 10OC-009 is:

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

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).
2. One of the four units will be owner-occupied and the other three units will be occupied by family members who do not have an ownership interest in the property and who do not pay rent. There are no restrictions on the number of units that can be owner-occupied under Rent Control Law (Article XVIII of the Santa Monica City Charter); however, if any of the units are subsequently rented out, they shall comply with the Rent Control Law (Government Code Section 7060 – 7060.7).

Determination by:

Amanda Schachter

Date: Feb. 15, 2011

Amanda Schachter
Zoning Administrator

Case Planner: Russell Bunim, Associate Planner

EFFECTIVE DATE OF ACTION: _____

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