



Information Item

Date: May 6, 2013

To: Mayor and City Council

From: David Martin, Director of Planning & Community Development

Subject: Transmittal of Occupancy Permit Determination for Property at 907 18th Street (100C-002).

Introduction

Attached for the Council's information is a copy of an Occupancy Permit determination for the property at 907 18th Street. The subject property is developed with five rental units and is located in the R2 zoning district.

Discussion

The five units at this property were withdrawn from the rental market pursuant to the Ellis Act on December 12, 2007. The Rent Control Board approved return of the property to the rental market on April 19, 2010. Pursuant to SMMC Section 4.32.130(c)(2), an occupancy permit for residential occupancy shall be approved based on Planning Director findings that the property or rental units 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.

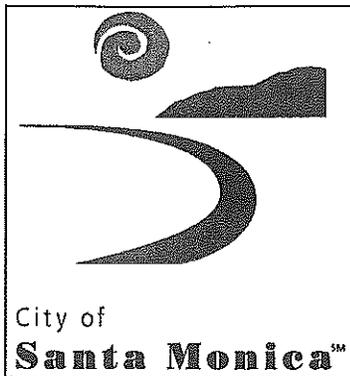
The Rent Control Board has certified that the owner has complied with the requirements set forth in Government Code Sections 7060.2 and 7060.4 and with applicable regulations promulgated by the Rent Control Board. The application for Occupancy Permit 10OC-002 conforms to these provisions.

The determination granting Occupancy Permit 10OC-002 was issued on May 6, 2013. 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: Dennis Banks, Associate Planner

cc: Planning Commission



CITY OF SANTA MONICA
CITY PLANNING DIVISION

OCCUPANCY PERMIT DETERMINATION

Case Number: Occupancy Permit No. 10-002

Address: 907 18th Street (5 Units)

Zoning: Low Density Multiple Family Residential District (R2)

General Plan: Low Density Housing

Proposed Use: The applicant proposes to return five units to the rental market.

CEQA Status: The project is statutorily exempt pursuant to Section 15268 (Ministerial Projects) of the California Environmental Quality Act.

Applicant: ENAS, LLC

Rent Control Status: The property was withdrawn from Rent Control on December 12, 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. The Rent Control Board approved return of the property to the rental market on April 19, 2010.

Comments/Conclusion: The applicant requests to return of five residential rental units to the rental market. All of the units will be tenant occupied. The rental of these units will comply with all applicable Rent Control laws.

Determination

The Planning Director finds that the proposed use is in compliance with Santa Monica Section 4.32.130(c)(2) in that the property or rental units 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.

The application for Occupancy Permit No. 10OC-002 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, the applicant shall sign the Occupancy Permit determination prepared by the City Planning Division.
2. No property or rental units therein which have been withdrawn pursuant to the Ellis Act, Government Code Sections 7060 et seq., shall be subsequently occupied unless an occupancy permit is obtained in accordance with the provisions of this Section.
3. Failure to comply with the 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>Determination by: <u>Amanda Schachter</u> Date: <u>5/6/13</u> Amanda Schachter, Zoning Administrator</p> <p>Case Planner: <u>Dennis Banks, Associate Planner</u></p>

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

