



# Information Item

**Date: June 4, 2014**

To: Mayor and City Council

From: David Martin, Director of Planning & Community Development

Subject: Transmittal of Occupancy Permit Determination for Property at 625 Pier Avenue (13OC-008)

## **Introduction**

Attached for the Council's information is a copy of an Occupancy Permit determination for the property at 625 Pier Avenue. The subject property is developed with a four unit multi-family building located in the OP2 zoning district.

## **Discussion**

The subject property originally contained six rental units when it was withdrawn from the rental market. Since that time, the owner obtained building permits to reduce the total number of units from six to four units. Four units at this property were withdrawn from the rental market pursuant to the Ellis Act 120 days after the filing of the Intent to Withdraw notice on June 12, 2001. Since that time, the applicant has been living in one of the units. His daughter, son-in-law and grandchildren have lived in Unit #2 and another daughter in Unit #4. The fourth unit remained vacant.

The applicant is now requesting to reoccupy the four-unit residential building (one owner occupied and the other three units will be rentals). These units will then be subject to rent control. Pursuant to SMMC Section 4.32.130(c)(2), an occupancy permit for residential occupancy shall be approved based on the finding that the property or rental unit therein is to be used for multifamily rental housing, and that 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 13OC-008 for 625 Pier Avenue conforms to these provisions, as certified by the Rent Control Board.

The determination granting Occupancy Permit 13OC-008 was issued on June 4, 2014. 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: Ivan Lai, Assistant Planner

cc: Planning Commission



CITY OF SANTA MONICA  
CITY PLANNING DIVISION

**OCCUPANCY  
PERMIT DETERMINATION**

Case Number:	Occupancy Permit No. 13OC-008
Address:	625 Pier Avenue (4 Units)
Zoning:	Ocean Park Low Density Multiple Family (OP2) District
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:	The project is statutorily exempt pursuant to Section 15268 (Ministerial Projects) of the California Environmental Quality Act.
Applicant:	Paul Doose
Rent Control Status:	The four units on the subject property were withdrawn from Rent Control on June 12, 2001. 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 subject property originally contained six (6) rental units when it was withdrawn from the rental market on June 12, 2001. Since that time, the owner obtained building permits to reduce the total number of units from six (6) to four (4) units. The applicant is now requesting to reoccupy a four-unit residential building. One of the four units (Unit #3) will be owner-occupied and the other three units (Unit #1, 2, and 4) will be returned to the rental market and subject to Rent Control.

**Determination**

The Planning Director finds 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. 13OC-008 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. Of the four units on-site, one will be owner-occupied and the other three units will be rented at market rate, subject to Rent Control Law. 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).
4. 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><i>Determination by:</i> _____ <i>Date:</i> _____  Amanda Schachter, Zoning Administrator</p> <p><i>Case Planner: Ivan Lai, Assistant Planner</i></p>
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EFFECTIVE DATE OF ACTION: June --, 2014

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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.**

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Signature

Date

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Print name here

Driver License Number  
Santa Monica, California