

INFORMATION ITEM

TO: Mayor and City Staff
FROM: City Staff
SUBJECT: Transmittal of Occupancy Permit Determination for Property at 938 Palisades Beach Rd, OC 04-002

Introduction

Attached for the Council's information is a copy of an Occupancy Permit determination for the property at 938 Palisades Beach Rd.

Background

Pursuant to SMMC Section 4.32.130, no property or rental units that have been withdrawn pursuant to the Ellis Act shall be subsequently occupied unless an occupancy permit is obtained.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)(1)(2) the Planning Director shall grant an occupancy permit for residential occupancy if the Planning Director finds that no more than one unit of the property will be occupied by owners of the property 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.

Discussion

The applicant for the Occupancy Permit proposes to return one single-family dwelling to the rental market. The property is located within the R2B, Low Density Duplex District, which permits residential uses.

The determination granting the Occupancy Permit OC 04-002 was issued on March 30, 2004. 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 5 days of approving an occupancy permit.

According to Section 4.32.130(d) 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: Suzanne Frick, Director
 Planning and Community Development Department
 Amanda Schachter, Acting Planning Manager
 Paul Foley, Senior Planner
 Gina Szilak, Assistant Planner

cc: Planning Commission

F:\PLAN\SHARE\ZONE\OC\ocinfoitems\ifo938pbr.04oc02.doc