



**AMENDED AND REISSUED
ADMINISTRATIVE APPROVAL
DETERMINATION**

Case Number:	Administrative Approval (22ENT-0034)
Location/Zone:	234 Pico Boulevard / Mixed-Use Boulevard Low (MUBL)
General Plan:	Mixed-Use Boulevard Low
Proposed Project:	A Tier 1 five-story mixed-use project with 15 percent of the base density units set aside for very low income (VLI) households resulting in a total of 186 units comprised of 167 market-rate multifamily units and 19 affordable units, with 11,004 square feet of ground floor retail. Pursuant to State Density Bonus Law (Government Code Section 65915) the project is eligible for (1) up to a 50% density bonus, (2) three incentives/concessions, and (3) additional waivers of development standards.
Lot Dimensions & Area:	140' x 400' / 56,000 SF
Applicant:	Jacob Stark
Rent Control Status:	Commercial (Exempt)
CEQA Status:	Ministerial; Exempt pursuant to Section 15268 of the State Guidelines
Previous Relevant Permits:	22ENT-0020 – SB 330 Preliminary Application

MUNICIPAL CODE COMPLIANCE

Category	Municipal Code	Proposed Project
Permitted Use Classification	Multiple-Unit Structures and Commercial/Retail [SMMC Table 9.11.020]	Mixed-use residential and commercial development
Interim Zoning Ordinance 2645	Housing projects subject to the Housing Accountability Act (HAA) shall be reviewed by Administrative Approval, provided certain criteria are met. IZO 2645 (CCS)	Project qualifies for Administrative Approval
Height / No. of Stories	Tier 1 with On-site Affordable Housing in Compliance with AHPP: 36' / 3 Stories	Complies. 58 feet / 5 stories in height with State Density Bonus Law Waivers

	<p>State Density Bonus Law Waivers:</p> <ol style="list-style-type: none"> 1. Increase in Building Height by 22 feet 2. Increase in Number of Stories from 3 to 5 <p>[SMMC Table 9.11.030 & Gov. Code 65915]</p>	
Maximum FAR	<p>Tier 1 with On-site Affordable Housing in Compliance with AHPP: 1.5</p> <p>State Density Bonus with 15% Very Low-Income Units: 50%</p> <p>Maximum FAR with State Density Bonus Law Incentive/Concession: $1.5 \times 50\% = 2.25$</p> <p>[SMMC Table 9.11.030 & Gov. Code 65915]</p>	<p>Complies.</p> <p>Applicant's Base Density Study dated 11/4/2022 submitted pursuant to AB 2334 establishes a base density of 124 units within the 1.5 FAR maximum for Tier 1.</p> <p>Additional .75 Floor Area Ratio provided with a State Density Bonus Law Incentive/Concession to accommodate the additional 62 State Density Bonus Law Units.</p> <p>Commercial Floor Area: 11,004 SF Residential Floor Area: 114,456 SF</p> <p>Total Floor Area: 125,460 SF</p> <p>Total Site Area: 55,763 SF</p> <p>$125,460 \text{ SF} / 55,763 \text{ SF} = 2.25 \text{ FAR}$</p>
Minimum & Maximum Ground Floor Height	<p>11' – 16'</p> <p>[SMMC Table 9.11.030]</p>	Complies. 16 feet
Maximum Building Footprint	<p>Tier 1: 25,000 SF</p> <p>[SMMC Table 9.11.030]</p>	<p>Complies.</p> <p>Building A: 14,330 SF Building B: 19,953 SF</p>
Active Commercial Design	<p>The ground-floor street frontage of new buildings on commercial boulevards shall be designed to accommodate commercial uses and activities, subject to the following:</p> <p>A. A minimum average depth of 40 feet, but in no case less than 25 feet, for a minimum</p>	<p>Complies.</p> <p>A minimum average depth of 40 feet is provided for</p>

	<p>of 60% of the ground-floor frontage.</p> <p>B. Minimum Floor-to-Floor Heights:</p> <ul style="list-style-type: none"> • 11' • Loft spaces built within this area shall not exceed 30% of the total floor area of the space consistent with the definition of mezzanine <p>C. A minimum of 70% of the façade facing a commercial street shall be transparent and include windows, doors, and other openings between 2.5 and 8' above finished grade.</p> <p>D. A minimum of one pedestrian entrance facing the commercial street</p> <p>[SMMC Section 9.11.030(A)(1)]</p>	<p>approximately 84% of the building frontage.</p> <p>Complies. 16' feet is provided No loft spaces are proposed.</p> <p>Complies.</p> <p>Complies.</p>
Active Use Requirement	<p>The ground-floor street frontage of buildings on commercial boulevards shall accommodate commercial uses and activities, subject to the following:</p> <p>A. A minimum average depth of 40 feet, but no less than 25 feet, for a minimum of 60 percent of the ground-floor frontage, to the maximum extent feasible</p> <p>B. The following uses and use categories are prohibited within these active use areas:</p> <ul style="list-style-type: none"> i. Residential; and ii. Offices, with the following exceptions: <ul style="list-style-type: none"> (1) Creative Offices or Offices with Walk-In Clientele; and (2) Offices within a structure that was designed, approved, and continuously 	<p>Complies. A minimum average depth of 40 feet is provided for approximately 84 percent of the frontage.</p> <p>Complies. Commercial retail and restaurant space provided along the entire length of building fronting Pico Boulevard.</p>

	<p>used with office at the ground level, facing the street</p>	
<p>Pedestrian-Oriented Design</p>	<p>[SMMC Section 9.11.030(A)(2)]</p> <ol style="list-style-type: none"> 1. No more than 20 feet or 40% of a building's façade, whichever is less, may be continuous blank or featureless linear street-level frontage. 2. New development shall incorporate the following design elements into the street-facing façades at the ground floor level: <ul style="list-style-type: none"> • Articulated façades at the ground floor street frontage, which may include, but not necessarily require, such measures as indentation in plane, change of materials in a complimentary manner, sensitive composition and juxtaposition of openings and solid wall and/or building frame and projecting elements such as awnings and marquees to provide shade and shelter. • Exterior lighting which provides for a secure nighttime pedestrian environment by reinforcing entrances, public sidewalks and open areas with a safe level of illumination which avoids off-site glare. 3. Residential uses at the ground floor street frontage shall incorporate planted areas, porches, front stairs and/or other elements that contribute to a pedestrian environment. Pedestrian-oriented design elements may also include street 	<p>Complies. Further review of design will be considered by the Architectural Review Board.</p>

	<p>furniture or other seating surfaces on private property and design amenities scaled to the pedestrian such as awnings, drinking fountains, paseos, arcades, colonnades, plazas, noncommercial community bulletin boards, public or private art and alternative paving materials in areas of pedestrian access.</p> <p>4. When provided, storefront security grates or grilles shall be located inside exterior windows, shall be retractable into pockets or overhead cylinders, and shall be completely concealed when retracted.</p> <p>[SMMC Section 9.11.030(B)]</p>	
Build-To Line, Nonresidential Uses	<p>Buildings with nonresidential uses on the ground floor and not facing a residential district shall be constructed no farther than 10' from the street facing property line for 70% of linear street frontage.</p> <p>[SMMC Section 9.11.030(C)]</p>	<p>Complies.</p> <p>Nonresidential uses along Pico Boulevard are not more than 10' from the property line for more than 70% of the street frontage.</p>
Minimum Upper-Story Stepbacks Above Ground Floor – Street Facing Facades	<p>5' Average on street-facing facades</p> <p>[SMMC Table 9.11.030]</p>	<p>Complies.</p> <p>Pico Boulevard Façade: 5'-10" average</p> <p>3rd Street Façade: 6'-0" average</p>
Daylight Plane Adjacent to Residential Districts – Interior Side and Rear Setbacks	<p>Buildings shall not extend above a plane starting at 25 feet in height directly above the parcel line abutting any residentially-zoned parcel, or where there is an alley, the centerline of the alley, and from that point, extending in at a 45-degree angle from vertical toward the interior of the site.</p> <p>[SMMC Section 9.11.030(D)]</p>	<p>Complies.</p> <p>No portion of the building extends into the required daylight plane as required along Pico Place alley.</p>
Outdoor Living Area	<p>Minimum Outdoor Living Area per Unit: 100 SF</p>	<p>Complies.</p> <p>Common Open Space: 20,246 SF</p>

	<ul style="list-style-type: none"> • 186 Units x 100 SF = 18,600 SF <p>Minimum Amount Provided as Private Outdoor Living Area per Unit: 60 SF</p> <ul style="list-style-type: none"> • 186 Units x 60 SF = 11,160 SF <p>[SMMC Table 9.11.030]</p>	<p>Private Open Space: 12,753 SF</p> <p>Total Open Space: 10,341 SF</p>
<p>Building Height Projections</p>	<p>Elevator Shafts: 18' above roofline 15% Maximum Aggregate Coverage of Building's Roof Area (6,193 SF)</p> <p>Stairwell Shaft: 14' above roofline 25% Maximum Aggregate Coverage of Building's Roof Area (10,321 SF)</p> <p>Mechanical Screening: 12' above roofline 30% Maximum Aggregate Coverage of Building's Roof Area (12,386 SF)</p> <p>Roof Area: 41,285 SF</p> <p>[SMMC Table 9.21.060]</p>	<p>Complies.</p> <p>Elevator Shafts: Maximum of 18' above roofline Coverage: 320 SF</p> <p>Stairwell Shaft: Maximum of 14' above roofline Coverage: 1,200 SF</p> <p>Mechanical Screening: Maximum of 12' above roofline Coverage: 6,300 SF</p>
<p>Location and Screening of Mechanical Equipment</p>	<p>All exterior mechanical and electrical equipment shall be screened on all vertical sides at least to the height of the equipment it is screening and incorporated into the design of buildings to the maximum extent feasible.</p> <p>[SMMC 9.21.140]</p> <p>All development project applications must demonstrate compliance with or contain the following information:</p> <ul style="list-style-type: none"> a. A list of all permanent mechanical equipment to be placed outdoors and all permanent mechanical equipment to be placed indoors which may be heard outdoors. 	<p>Complies.</p> <p>Complies.</p>

	<p>All such equipment shall require a noise analysis to demonstrate compliance with Section 4.12.060 prior to the issuance of a building permit for the development project.</p> <p>b. Mechanical equipment shall not be located on the side of any building which is adjacent to a residential building on the adjoining lot unless it can be shown that the noise will comply with the requirements of Section 4.12.060. Roof locations may be used when the mechanical equipment is installed within a noise attenuating structure.</p> <p>c. Final approval of the location of any mechanical equipment will require a noise test to demonstrate compliance with Section 4.12.060. Equipment for the test shall be provided by the owner or contractor and the test shall be conducted by the owner or contractor. A copy of noise test results on mechanical equipment shall be submitted to the Community Noise Officer for review to ensure that noise levels do not exceed maximum allowable levels for the applicable noise zone.</p> <p>[SMMC 4.12.130]</p>	
<p>Refuse and Recycling</p>	<p>Any development, whether residential, nonresidential, or mixed-use with more than 40 residential units, or with more than 40,000 square feet of floor area shall be reviewed by the Director of Public Works, who</p>	<p>Refuse and recycling facilities and plans approved by RRR Division on February 17, 2023.</p> <p>Complies.</p>

	<p>shall require the design and placement of a refuse and recycling room or outdoor enclosure consistent with the purpose of this Section to provide adequate and accessible areas for the storage and collection of refuse and recyclable materials.</p> <p>[SMMC 9.21.130]</p>	
<p>Parking</p> <ul style="list-style-type: none"> • Number of Spaces • Percent Compact • Access • Screening 	<p>Affordable Residential Units: 19</p> <ul style="list-style-type: none"> • Studio: 0.5 Space/Unit 0.5 x 6 = 3 • 1-Bedroom: 0.75 Space/Unit 0.75 x 12 = 9 • 2+ Bedrooms: 1 Space/Unit 1 x 1 = 1 <p>Market Rate Units: 225</p> <ul style="list-style-type: none"> • Studio: 1 Space/Unit 1 x 83 = 83 • 1-Bedroom: 1.5 Spaces/Unit 1.5 x 52 = 78 • 2+ Bedrooms: 2 Spaces/Unit <ul style="list-style-type: none"> • 2 x 32 = 64 <p>Visitor Parking: 37</p> <ul style="list-style-type: none"> • 1 space/5 units 186 / 5 = 37 <p>Restaurants:</p> <ul style="list-style-type: none"> • Less than 2,500 SF: 1 space per 300 SF 616 SF/ 300 SF = 2 • 2,500 – 5,000SF: 1 space per 200 SF 4,216 SF/200 SF = 21 <p>Retail</p> <ul style="list-style-type: none"> • 5,000 SF or more: 1 space per 300 SF 6,424 SF/300 SF = 21 <p>[SMMC Table 9.28.060]</p> <p>Percent Compact</p> <ul style="list-style-type: none"> • Compact parking must be evenly distributed in parking areas or levels; it may not be located within 25 feet of a ramp, driveway or ground floor pedestrian entrance. A maximum of 40 percent of parking spaces may be compact. 	<p>Residential Units:</p> <p>Required: 275 including guest parking</p> <p>Commercial: 44 spaces</p> <p>Total Required: 319 spaces Total Provided: 346</p> <p>Complies.</p> <p>N/A</p>

	<p>[SMMC Table 9.28.120(P)]</p> <p>Access</p> <ul style="list-style-type: none"> • Access to parking areas shall be from alleys. <p>[SMMC 9.29.120(B)]</p> <p>Screening</p> <ul style="list-style-type: none"> • Parking areas shall be screened from view from public streets and adjacent parcels in a more restrictive district. <p>[SMMC 9.28.120(K)]</p>	<p>Complies.</p> <p>N/A</p>
Bicycle Parking	<p>Residential Uses:</p> <ul style="list-style-type: none"> • Long-Term: 1 space per bedroom, including studios • Short-Term: 10% of long-term <p>Commercial:</p> <ul style="list-style-type: none"> • Long-Term: 1 space per 3,000 SF of floor area • Short-Term: 1 space per 4,000 SF of floor area <p>[SMMC 9.28.140]</p>	<p>Residential: Long-term: 219 spaces Short-term: 20 spaces Total: 229 spaces</p> <p>Commercial: Long-term: 4 Short-term: 4</p> <p>Total Required: 237 spaces Total Provided: 273 spaces</p> <p>Complies.</p>
Carpool/Vanpool Parking	<ul style="list-style-type: none"> • Required: 3 plus 1 for every 50 spaces over • Spaces shall be close to the building entrance or elevator but not closer than parking spaces for disabled persons. • Number of car and vanpool parking spaces shall be in addition to required on-site parking • Signs shall be posted indicating spaces are reserved for carpool use before 9:00 a.m. on weekdays. • Car and vanpool parking spaces shall be shown on building plans. <p>[SMMC Table 9.28.150]</p>	<p>Parking and Loading Operations Plan to be reviewed and approved by Mobility Division prior to the issuance of a building permit.</p>
Loading Spaces	<p>Residential: Projects with more than 50 units shall be required to provide 1 standard loading space.</p> <p>Commercial: Projects with 7,501 to 50,000 SF of floor area shall</p>	<p>1 loading space provided.</p> <p>Final loading space design and Parking and Loading Operations Plan to be reviewed and approved by</p>

	<p>provide 1 standard loading space.</p> <p>Mixed-Use Projects: Mixed-use projects shall provide the required loading space for the use that requires the greater number of loading spaces.</p> <p>[SMMC 9.28.080]</p>	<p>Mobility Division prior to the issuance of a building permit.</p>
Affordable Housing Production Program	<p>10% of the total units of the project for 50% income households (VLI) at affordable rent</p> <p>124 x 10% = 12 Units</p> <p>Each affordable housing unit provided shall have at least 2 bedrooms.</p> <p>Affordable unit minimum unit size 0 bedrooms: 500 SF 1 bedroom: 600 SF 2 bedrooms: 850 SF</p> <p>850SF x 19 units = 16,150 SF</p> <p>[SMMC 9.64]</p>	<p>Complies. 19 very low-income affordable units provided.</p> <p>Affordable unit mix: 6 Studios 12 1-Bedroom 1 2-Bedroom with State Density Bonus Law Incentive/Concession</p> <p>Affordable unit residential area 10,810 SF; Average unit size is 569 SF with State Density Bonus Law Incentive/Concession</p>
Cultural Arts Contribution	<p>2022-2023 Fiscal Year:</p> <p>1% of \$200 per SF</p> <p>Affordable residential units shall not be subject to this requirement.</p> <p>[SMMC 9.30]</p>	<p>Final fee amounts will be calculated based on final uses and floor area during plan check. Fees must be paid prior to the issuance of a building permit, and the fee rates established at the time of building permit issuance shall apply.</p>
Parks and Recreation Development Impact Fee	<p>2022-2023 Fiscal Year:</p> <p>Base Fees: Multi-Unit (Studio/1-bedroom): \$5,333.41 per unit</p> <p>Multi-Unit (2+ Bedroom): \$8,590.44 per unit</p> <p>Retail: \$1.93 per SF</p> <p>Affordable residential units shall not be subject to this requirement.</p> <p>[SMMC 9.67]</p>	<p>Final fee amounts will be calculated based on final uses and floor area during plan check. Fees must be paid prior to the issuance of a building permit, and the fee rates established at the time of building permit issuance shall apply.</p>

Child Care Linkage Fee	<p>2022-2023 Fiscal Year:</p> <p>Residential: \$179.46 per unit</p> <p>Retail: \$6.09 per SF</p> <p>Affordable residential units shall not be subject to this requirement.</p> <p>[SMMC 9.65]</p>	Final fee amounts will be calculated based on final uses and floor area during plan check. Fees must be paid prior to the issuance of a building permit, and the fee rates established at the time of building permit issuance shall apply.
Transportation Impact Fee	<p>2022-2023 Fiscal Year:</p> <p>Multi-Unit (Area 3) base fee: \$3,491.56 per Unit</p> <p>Retail (Area 3) base fee: \$40.41 per SF</p> <p>Affordable residential units shall not be subject to this requirement.</p> <p>[SMMC 9.66]</p>	Final fee amounts will be calculated based on final uses and floor area during plan check. Fees must be paid prior to the issuance of a building permit, and the fee rates established at the time of building permit issuance shall apply.
Affordable Housing Commercial Linkage Fee	<p>[SMMC 9.68]</p> <p>2022-2023 Fiscal Year:</p> <p>Retail base fee \$12.56 per square foot</p>	Final fee amounts will be calculated based on final uses and floor area during plan check. Fees must be paid prior to the issuance of a building permit, and the fee rates established at the time of building permit issuance shall apply.
Deed Restriction Required	<p>Affordable units are required to be deed restricted for a period of 55 years</p> <p>[SMMC 9.64.130]</p>	Required prior to issuance of building permit.

Resource Recovery and Recycling Division approval date: February 17, 2023

Mobility Division approval date: April 28, 2023

Comments / Conclusions:

The proposed project is located in the Mixed-Use Boulevard Low (MUBL) zoning district at 234 Pico Boulevard between 3rd Street and Main Court alley. The development is a five-story mixed-use project consisting of 186 total units, 11,004 square feet of ground floor retail, and 346 subterranean parking spaces.

The proposed project includes 19 very-low income affordable units and pursuant to State Density Bonus Law (Government Code Section 65915), the project is entitled to development incentives/concessions and waivers. The proposed project includes State Density Bonus Law Incentives/Concessions from the AHPP's affordable unit size and unit mix requirements. A State Density Bonus Law

Incentive/Concession has also been requested to allow an increase in FAR from 1.5 to 2.25 to accommodate the 62 Density Bonus Units calculated per the Applicant's Base Density Study dated 11/04/2022 and submitted pursuant to AB 2334. The Applicant has requested a State Density Bonus Law Waiver of the maximum height limit to allow two additional stories and 22 additional feet to accommodate the 62 State Density Bonus Law Units. Therefore, in accordance with State Density Bonus Law, the proposed project complies with applicable standards and warrants Administrative Approval. However, the project will require Architectural Review Board approval.

The project is located on site(s) identified in the City of Santa Monica 6th Cycle Housing Element Suitable Sites Inventory (SSI). The SSI identifies a unit capacity of 200 units for the project site, consisting of 179 above moderate (i.e., market rate) units and 21 lower income units. Approval of the project would result in 186 total units, with 19 very low income units, thereby resulting in fewer units by income category than identified in the SSI for that parcel. However, as shown in the table below, remaining sites in the housing element remain adequate to accommodate the City's share of the regional housing need by income level.

	VLI	LI	Moderate	Above Moderate (market rate)
Remaining Capacity in SSI	4,692	2,485	1,712	214
Remaining RHNA (accounting for approved projects, projects with building permits after 4/1/23)	2,433	1,440	1,544	(4,841)
No Net Loss	2,259	1,045	168	-

FINDINGS:

1. *The proposed development conforms precisely to the development standards for the area and the Santa Monica Municipal Code and General Plan.*
2. *The proposed development does not require discretionary review or approval as outlined in the Municipal Code.*

NOTATIONS OF MUNICIPAL CODE AND OTHER REQUIREMENTS:

- The rights granted by this Administrative Approval shall be effective only when exercised within four (4) years from the date approval is granted by the Zoning Administrator, unless located within the California State Coastal Zone, then this permit shall expire in four and a half (4 ½) years. When issued for qualifying housing or mixed-use projects, this permit shall expire in five (5) years from the date of approval, unless located within the California State Coastal Zone, then this permit shall expire in five and a half (5 ½) years. These time limits may be extended by the Zoning Administrator for good cause, for a period to not exceed one (6) months, or one (1) year for projects with residential uses, upon written request by the applicant. In the case of a construction project, a building permit must be obtained prior to the expiration of this approval in order to exercise the rights granted by this approval. The Administrative Approval shall also expire if the building permit expires or if the rights granted under the Administrative Approval are not exercised within one year following the earliest to occur of the following: issuance of a Certificate of Occupancy or, if no Certificate of Occupancy is required, the last required final inspection for the new construction. In the case of a change of use, a business license must be obtained and the use must be in operation prior to the expiration of this approval. Applicant is on notice that any extension may not be granted if development standards relevant to the project have changed since project approval.
- Applicant shall defend, indemnify, and hold harmless the City and its boards, commissions, agents, officers, and employees (collectively, "City") from any claims, actions, or proceedings (individually referenced as "Claim" and collectively referenced as "Claims") against the City to attack, set aside,

void, or annul, the approval of this Administrative Approval concerning the Applicant's proposed project, or any Claims brought against the City due to the acts or omissions in any way connected to the Applicant's project. City shall promptly notify the applicant of any Claim and shall cooperate fully in the defense. Nothing contained in this paragraph prohibits the City from participating in the defense of any Claims, if both of the following occur:

- (1) The City bears its own attorney's fees and costs.
- (2) The City defends the action in good faith.

Applicant shall not be required to pay or perform any settlement unless the settlement is approved by the Applicant.

In the event any such action is commenced to attack, set aside, void or annul all, or any, provisions of any approvals granted for the Project, or is commenced for any other reason against the City for the act or omissions relating to the Applicant's project, within fourteen (14) days following notice of such action from the City, the Applicant shall file with the City a performance bond or irrevocable letter of credit, or other form of security satisfactory to the City ("the Security") in a form satisfactory to the City, and in the amount of \$100,000 to ensure applicant's performance of its defense, indemnity and hold harmless obligations to City. The Security amount shall not limit the Applicant's obligations to the City hereunder. The failure of the Applicant to provide the Security shall be deemed an express acknowledgment and agreement by the Applicant that the City shall have the authority and right, without consent of the Applicant, to revoke the approvals granted hereunder.

Affordable Housing Obligation

- Pursuant to Santa Monica Municipal Code (SMMC) Chapter 9.64, the project is subject to the City's Affordable Housing Production Program. The applicant will satisfy this affordable housing obligation by providing 18 studio/1-bedroom units and 1 2-bedroom (very low) income unit(s) on-site (SMMC Section 9.64.050).

Density Bonus Incentives/Concessions/Waivers

- Pursuant to State Density Bonus Law (Government Code Section 65915) and SMMC Chapter 9.22, the applicant is proposing a total of 186 units inclusive of 62 Density Bonus Units and has requested incentives/concessions and waivers from development standards for providing the requisite number of affordable units in the proposed project (15% of base density units equals 19 affordable units). The Applicant's Base Density Study dated 11/04/2022 and submitted pursuant to AB 2334 establishes a base density of 124 units within the 1.5 FAR maximum for Tier 1 (Study attached herein). The State Density Bonus Law Incentives/Concessions and Waivers incorporated in the project include: 1) State Density Bonus Law Incentives/Concessions for relief from AHPP unit size and unit mix requirements; 2) State Density Bonus Law Waiver to increase the project FAR from 1.5 to 2.25 to accommodate the 62 State Density Bonus Law Units; and 3) State Density Bonus Law Waivers to permit two additional stories and 22' of building height to accommodate the 62 State Density Bonus Law Units. The requested incentives/concessions and waivers have been approved and acted upon in accordance with State Density Bonus Law (Government Code Section 65915) and SMMC Section 9.22.060.
- Prior to the issuance of a building permit, a deed restriction limiting future use, occupancy and rental rates of the project must be drafted, executed by the property owner and City, and recorded by the County Recorder. Restrictions on affordable rental rates and qualified income occupants shall be effective for 55 years from Certificate of Occupancy.
- Prior to the issuance of a building permit, a deed restriction limiting future use and residential occupancy of the residential portion of the project must be drafted, executed by the property owner, City and recorded by the County Recorder. The deed restriction shall be effective for the life of the project.
- The project site is comprised of more than one parcel. Pursuant to SMMC 9.21.030(E)(2), prior to the issuance of a building permit, a lot tie deed restriction holding the parcels as a single

development site must be drafted, executed by the property owner and City, and recorded by the County Recorder. The deed restriction shall be effective for the life of the project.

Deed Restriction applications require time to prepare and process. The applicant needs to submit Deed Restriction application(s), including a complete and accurate legal description of the property; the full name(s) of the property owner(s); the full name(s) and title of the person(s) authorized to execute deed documents on behalf of the property owner to the City Planning Division early during the plan check process to avoid delay. A title report or copy of the current deed contains this information.

- Pursuant to SMMC Section 4.12.130, mechanical equipment shall not be located on the side adjacent to a residential building on the adjoining lot unless it can be shown that the noise will comply with the requirements of Section 4.12.060. Roof locations may be used when the mechanical equipment shall be installed within a noise attenuating structure.
- Final approval of any mechanical equipment installation will require a noise test in compliance with SMMC Section 4.12.170. Equipment for the test shall be provided by the owner or contractor. A copy of the noise test results on mechanical equipment shall be submitted to the Community Noise Officer for review to ensure that noise levels do not exceed maximum allowable levels for the applicable noise zone.
- Prior to issuance of a building permit for any project that meets the criteria set forth in Section 8.98.030, a Construction Management Plan shall be submitted by the applicant to the Planning Director or designee and the Planning Director or designee shall approve that Construction Management Plan if it meets the requirements established pursuant to Section 8.98.030.
- Compliance with Chapter 7.10 of the Municipal Code (reduction of Urban Runoff Pollution) is required for various classes of projects. Code requirements including mitigation of construction-period runoff, as well as runoff reduction standards for new development. Completion of a checklist and other information will be required as part of the building permit application process. The Department of Public Works should be contacted for code requirements.
- No building permit shall be issued for the project until the developer complies with the requirements of Chapter 9.30 of the Santa Monica Municipal Code, Private Developer Cultural Arts Requirement.



If the developer elects to comply with these requirements by providing on-site public art work or cultural facilities, no final City approval shall be granted until such time as the Director of the Community Department issues a notice of compliance in accordance with Chapter 9.30.

- No building permit shall be issued for the project until the developer complies with the requirements of Chapter 9.65 of the Santa Monica Municipal Code, the Child Care Linkage Program.

If the developer elects to comply with these requirements by providing facilities in lieu of fees, no building permits shall be issued for the project until the Director of Community Development has issued a notice that the developer has complied with the requirements of this Chapter.

- This approval is for those plans dated 04/18/2022, a copy of which shall be maintained in the files of the City Planning Division. Project development shall be consistent with such plans. Minor amendments to the plans shall be subject to approval by the Zoning Administrator.
- Plans for final design, landscaping, screening, trash enclosures, and signage, where applicable, shall be subject to review and approval by the Architectural Review Board.
- Applicant is advised that projects in the California Coastal Zone may need approval of the California Coastal Commission prior to issuance of any building permits by the City of Santa Monica. Applicant is responsible for obtaining any such permits.

- Within ten (10) days of transmittal of City Planning Division approval, project applicant shall sign and return a copy of the Administrative Approval 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 potential revocation of the permit approval. Failure to comply with this condition shall constitute grounds for potential permit revocation, pursuant to SMMC Section 9.39.040.
- As required by California Government Code Section 66020, the project applicant is hereby notified that the 90-day period has begun as of the date of the approval of this application, in which the applicant may protest any fees, dedications, reservations, or other exactions imposed by the City as part of the approval or as a condition of approval of this development. The fees, dedications, reservations, or other exactions are described in the approved plans, conditions of approval, and/or adopted city fee schedule.

Administrative Approval (22ENT-0034):	
Determination by: 	Date: June 19, 2023
<i>Roxanne Tanemori</i> Acting Zoning Administrator	
Prepared by: 	
<i>Ana Fernandez</i> Associate Planner	

Effective Date of Action: June 19, 2023

Expiration Date of Action: December 19, 2027

The expiration date of this permit may be extended one time for a period not to exceed six (6) months, or one (1) year if the project includes residential uses, subject to the approval of the Zoning Administrator consistent with the provisions of SMMC 9.37.090(C). Applicant is on notice that any extension may not be granted if development standards relevant to the project have changed since project approval.

I agree that the above information is true and correct and acknowledge that failure to comply with any and all applicable Municipal Code regulations shall constitute grounds for potential revocation of the permit approval.

Signature

Print name

Date

Attachment:

1. City-Accepted Applicant Base Density Study submitted pursuant to AB 2334, 11/04/2023

234 Pico Base Density Analysis

PROJECT INFORMATION			
LOT AREA: 55,763 SF	MAX FAR : 1.5:1 = 83,645 SF	PARKING REQUIRED:	
MAXIMUM BUILDING FOOTPRINT: 25,000 SF	Ground Floor: 21,047 sf (33 units)	RESIDENTIAL:	
BLDG A FOOTPRINT: 11,070 SF	2nd Floor: 32,803 sf (52 units)	UNIT TYPE	# OF UNITS
BLDG B FOOTPRINT: 17,008 SF	3rd Floor: 24,795 sf (39 units)	STALLS/UNIT	REQUIRED
SITE COVERAGE: 50%	Total: 78,645 sf (124 units)	MARKET STUDIO	52
ALLOWABLE BUILDING HEIGHT: 36' - 0" / 3 STORIES	Retail: 5,000 sf	MARKET 1 BR:	50
PROVIDED BUILDING HEIGHT: 36' - 0" / 3 STORIES	TOTAL FAR: 83,645 sf	MARKET 2 BR:	40
REQUIRED STEPBACKS:	TOTAL UNITS: 124	AFFORDABLE 2 BR:	19
NO REQUIRED FIRST FLOOR STEP BACK PER SMMC 9.11.030	AFFORDABLE REQUIREMENT: 15%	TOTAL STALLS:	161
MINIMUM AVERAGE UPPER-STORY STEPBACKS PER SMMC 9.11.030:	TOTAL REQUIRED AFFORDABLE UNITS: 19	REQUIRED VISITOR STALLS - 20% = 161 x .2 = 33 STALLS	
5' - 0" AVERAGE REQUIRED ABOVE MAXIMUM FIRST STORY STREET WALL HEIGHT ON STREET FACING FACADES.	MIN RETAIL REQUIRED:	TOTAL REQUIRED RESIDENTIAL STALLS: 194 STALLS	
PROPOSED STEPBACKS:	PER SMMC 9.11.030 A.1: A MINIMUM AVERAGE DEPTH OF 40 FEET, BUT IN NO CASE LESS THAN 25 FEET, FOR A MINIMUM OF 60% OF THE GROUND-FLOOR FRONTAGE.	COMMERCIAL:	
PICO BOULEVARD:	124 LINEAR FEET GROUND FLOOR FRONTAGE X 40' - 0" AVERAGE DEPTH X 60% COMMERCIAL FRONTAGE REQUIRED = 2,976 SF COMMERCIAL REQUIRED		
(6'-0" + 6'-0") / 2 = 6'-0"	PROVIDED RETAIL:	SF	REQUIRED
6'-0" AVERAGE STEPBACK	5,000 SF OF COMMERCIAL PROVIDED WITH AN AVERAGE 40' - 0" DEPTH FOR ALL OF GROUND FLOOR RETAIL FRONTAGE	RESTAURANT	13
3RD STREET:	OPEN SPACE REQUIRED: 12,400 SF	RESTAURANT (OUTDOOR)	11
(6'-0" + 6'-0") / 2 = 6'-0"	OPEN SPACE PROVIDED:	RETAIL:	9
6'-0" AVERAGE STEPBACK		TOTAL STALLS:	33
SETBACKS REQUIRED: NONE		TOTAL REQUIRED STALLS: 194 STALLS	
		PARKING PROVIDED:	
		RESIDENTIAL: 194	
		COMMERCIAL: 33	
		TOTAL: 227	

	COMMON	PRIVATE	TOTAL SF
GROUND LEVEL	12,290	1,980	14,270
2ND FLOOR:		3,120	3,120
3RD FLOOR:		2,340	2,340
TOTAL:		7,440	19,730 SF



234 Pico Blvd Density Bonus Calculation

Base Density Project

Description:	FAR SF	Comment
Commercial FAR:	5,000	
Residential FAR:	78,645	Includes non-rentable resi FAR, as applicable
Total FAR SF:	83,645	1.50

Total Project Residential Area			
# Units	% Units	Avg Size	Total FAR SF
124	100%	634	78,645

Market Rate Unit Mix		
Type	# of Units	% of Total
Studio	52	50%
One-Bedroom	33	31%
Two-Bedroom	20	19%
Total	105	100%

Market Residential Area			
# Units	% MR Units	Avg Size	Total FAR SF
105	100%	592	62,132

Affordable Residential Area			
# Units	% Aff Units	Avg Size	Total FAR SF
19	100%	869	16,512

Base Unit Count	124
Requested Bonus Density over Base Unit Count	50%
Allowable Total Units after Density Bonus	186

Bonus Density Project

Description:	FAR SF	Comment
Commercial FAR:	11,004	
Residential FAR:	114,456	Includes non-rentable resi FAR, as applicable
Total FAR SF: ⁽¹⁾	125,460	2.25

Total Project Residential Area			
# Units	% Units	Avg Size	Total FAR SF
186	100%	590	109,657

Market Rate Unit Mix		
Type	# of Units	% of Total
Studio	83	50%
One-Bedroom	52	31%
Two-Bedroom	32	19%
Total	167	100%

Market Residential Area			
# Units	% MR Units	Avg Size	Total FAR SF
167	100%	592	98,846

Affordable Residential Area ⁽²⁾			
# Units	% Aff Units	Avg Size	Total FAR SF
19	100%	569	10,810

(1) Reflects incentive concession for additional FAR.

(2) Reflects incentive concession for relief from Tier 1 AHPP Two-Bedroom Affordable Requirement.

Parameters for Comparison