

30-8 ~~CONVERSION TO MULTIPLE HOUSES~~RESIDENTIAL CONDOMINIUM CONVERSIONS.

30-8.1 General.

The conversion of any structure to a ~~multiple house~~condominium shall conform to the provisions of this section. No converted unit may be occupied until an occupancy permit has been issued by the Building Official. The Building Official shall issue an occupancy permit for buildings which have been converted in accordance with the provisions of this section and Article I of this chapter.

30-8.2 Permitted Conversions.

The conversion of ~~an existing residential unit or units to multiple family dwelling units~~condominiums is permitted with to a Parcel Map or Parcel Map Waiver approved by the Planning Director pursuant to section 30-80 when the conversion meets the requirements of:

- a. The zoning regulations and development standards applicable to the property, allowing for legal non-conforming components and as allowed by section 30-5.11 Adaptive Reuse Waiver and 30-20 Legal Nonconforming.
- b. All current State and local structural, safety and utility codes;
- c. Objective Design Review Standards to the extent they apply;
- d. Notice and relocation assistance plans approved by the Planning Board after hearing thereonCity of Alameda Rent Control, Limitations on Evictions and Relocation Payments to Certain Displaced Tenants Ordinance;
- e. A structural pest report, prepared by a licensed operator; and
- f. City of Alameda Fair Housing and Tenant Protection Ordinance.
- f. ~~The conversion does not significantly reduce rental units available in the price range below the median price range of apartments in Alameda or does not significantly reduce units which provide accommodations to disabled or transient persons.~~

30-8.3 Other Conversions.

The conversion of structures which cannot meet the requirements of subsection 30-8.2 ~~a, b., and c.~~ is ~~permitted upon approval~~subject to approval of a Parcel Map or Parcel Map Waiver by the Planning Director~~Board.~~ The Planning Board shall ~~find that~~deny the application unless it makes all of the following findings:

- a. ~~The building was constructed prior to the date of this section;~~
- a. The Building Official has certified that there are no violations of codes or statutes applicable to structures involved. Codes or statutes shall be applicable if they were in effect at the time of construction or alteration of structures involved or are, in the opinion of the Building Official, health and safety provisions applicable to existing structures including applicable sections of the State Historic Building Code;
- b. The applicant has submitted a plan showing all feasible means for making structures, grounds and utilities conform to current codes and statutes and agrees, in writing, supported by a performance

bond, to perform same as a condition of approval. The plan shall include a report from a registered engineer detailing the present condition of the building and expected useful life of all common structural and mechanical components of the conversion or, in lieu thereof, applicants may request, with the approval of the City Engineer, that the report be prepared by City personnel. The plan shall also include the structural pest report of a licensed operator;

- ~~d. Compliance with the above plan to improve the property will provide sufficient amenities to persons purchasing property as a home. The Board may consider in making said determination the level of sound attenuation of structures, the probable life of structures, the availability of off-site and on-site parking and open space, the availability of storage and other facilities, laundry space and the condition of utilities.~~
- ~~e. The subdivider has submitted a plan for tenant relocation assistance. The plan shall include a program for paying moving expenses and deposits as well as assisting tenants to obtain new housing if they are unable to purchase a unit in the project. The plan must give particular attention to the needs of elderly, handicapped, households with minor children and households of low and moderate income. The plan may include but is not limited to assistance such as extended or lifetime leases, purchase assistance such as tenant discounts and special loan programs. Assistance to tenants of low and moderate income may include subsidized rents in other buildings and assistance in qualifying for government housing programs such as Section 8. The Board shall not accept the tenant relocation assistance program unless the subdivider has demonstrated to the satisfaction of the Planning Board that all tenants can obtain affordable housing either through purchase of a unit, through available rentals in the vicinity or through an extended lease program.~~
- ~~f. The conversion has been reviewed and reported upon by Design Review;~~
- ~~g. Notice and relocation assistance can be satisfied by the applicants;~~
- ~~h. Prior to approval of the final map, the subdivider shall submit lease forms and a final tenant assistance plan including all conditions attached to the conversion and tentative map approval. A copy of this plan shall be given to each tenant household before the final map is approved.~~
- ~~i. Energy.~~
- ~~c. The subdivider shall submit a plan describing proposed energy saving improvements which will be installed but not limited to insulation of exterior walls, ceilings, floors, ducts and water heaters, installation of energy saving appliances, use of pool covers and solar heating for pools.~~
- ~~d. Compliance with the above plans to improve the property will provide sufficient amenities to persons purchasing property as a home.~~
- ~~e. thereon City of Alameda Rent Control, Limitations on Evictions and Relocation Payments to Certain Displaced Tenants Ordinance.~~
- ~~f. City of Alameda Fair Housing and Tenant Protection Ordinance.~~

30-8.4 Applications.

Applications for conversion shall contain the following information to the satisfaction of the Planning Board/Director:

- a. A verification that the conversion satisfies the requirements of subsection 30-8.2 or is capable of satisfying the requirements of subsection 30-8.3;
- b. Documents factually supporting the verification not already on file with the City and a list of documents on file with the City which support the verification;
- c. A rental structure of units over the last three (3) years including the vacancy factor;

- d. ~~Where not previously approved, Existing and proposed architectural drawings necessary for design review of the building;~~
- e. Names and addresses of current tenants, length of tenancy, number and ages of occupants, size of unit, income of tenants by category; below eighty (80%) percent; between eighty (80%) percent and one hundred twenty (120%) percent; and above one hundred twenty (120%) percent of median income in the San Francisco Standard Metropolitan Statistical Area and whether handicapped or not, on a form acceptable to the Planning ~~Board~~ Director.
- f. A copy of the proposed CC&R's, proposed Homeowners' Association fees, proposed sales price range of units, and comparative analysis of rental costs ~~for prior years to costs of purchase and fees;~~
- g. Any other information requested by the Planning Director which is needed to determine whether the project is consistent with the requirements of this section.
- h. ~~Where current parking requirements are not met, the number of cars owned by all tenants.~~

30-8.5 Procedure.

- a. Prior to submitting an application for a condominium conversion, the subdivider shall notify all tenants of ~~his~~the intent to convert to a condominium and provide each tenant with a copy of the proposed tenant relocation assistance plan described in subsection 30-8.3. No tenant rent ~~will~~shall be increased from the date of this notice until six (6) months following the approval of the final map, or the tenant purchases a unit or relocates to other accommodations, whichever occurs first.
- b. Applicant shall also file sufficient copies of all information and diagrams reviewed by the Planning Board or Design Review and sufficient copies of all information and diagrams reviewed by other departments;
- c. The applicable departments shall review the application to determine conformity herewith and report their findings to the Planning Director;
- d. Conversions shall be approved or disapproved by the Planning Director or Planning Board within a reasonable period of time after all departments report to the Planning Director ~~and the Building Official has filed his certification therewith pursuant to subsection 30-8.3b.~~
- e. Notice of hearing, ~~when required, held pursuant to paragraph d.~~ shall be given in the manner prescribed by subsection 30-21.7, and all tenants shall be given notice by mail thirty (30) days prior ~~to a decision thereto.~~
- f. Prior to approval of the parcel map, parcel map waiver, or final map, the subdivider shall submit copies of lease forms and a final tenant assistance plan including all conditions attached to the conversion and map approval. A copy of this plan shall be given to each existing tenant household before the parcel map, parcel map waiver, or final map is approved.

30-8.6 Relocation.

Persons converting buildings pursuant to this section shall:

- a. After receipt of the preliminary subdivision public report give notice of intention to convert in writing one hundred twenty (120) days in advance to tenants before they are required to relocate.
- b. Offer all tenants not in arrears of rental or leasehold payments, a nontransferable right of first refusal of purchase of his/her unit for sixty (60) days duration after receipt of a public report from the Real Estate Commission.
- c. Notify all tenants occupying units subsequent to the notices given pursuant to subsection 30-8.5 of the intent to convert, or the approval hereunder to convert, before the tenant consents to a lease or rental agreement.

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- d. The subdivider shall provide tenants not wishing to purchase with information on available apartments of comparable size, price and location within the City.

~~30-8.7 Critical Ratio.~~

~~In order to protect the availability of rental housing for occupancy, no conversion of rental housing to multiple houses shall be permitted when the ratio of owner-occupied units exceeds sixty (60%) percent of the total number of dwelling units available.~~

30-8.8 Expiration.

All approvals hereunder shall expire and become void if a final subdivision map is not filed therefor within two (2) years after the approval.

30-8.9 Fees.

~~A fee for engineering and for planning plus costs by the hour shall be paid by every applicant. The fee for a residential condominium conversion. A deposit for said costs shall be required for each dwelling unit. If the hourly rate exhausts said deposit, another deposit shall be made. The fee shall be set by City Council Resolution.~~

~~30-8.10 Costs.~~

~~Applicant shall pay all costs of inspections and engineering reports done by the Public Works Department. There shall be a minimum charge for in lieu reports made pursuant to subsection 30-8.3c. The fee shall be set by City Council Resolution.~~

30-8.11 Final Information.

Each quarter following approval of the final map for a period of two (2) years, the subdivider shall provide the following information to the Planning Department:

- a. Name, address, phone number and current fees for the Homeowners' Association.
- b. Status report on all units including sales price, financing available, number of units occupied by previous tenants, either as renters or buyers, number of units which are owner occupied, number of units which were purchased with intent to be used as rentals, number of occupants previously residing in Alameda, number of buyers who were formerly renters, new addresses of tenants who do not remain in the project.