

17-85

Subdivisions

17-86

Article IX. Subdivision Into Condominium  
and Community Apartment Projects.

Sec. 17-85. Subdivisions subject to this Chapter.

A tentative and final map shall be required for all subdivisions creating five or more condominiums as defined in Section 783 of the Civil Code of California, a community apartment project containing five or more parcels, or for the conversion of a dwelling to a stock cooperative containing five or more dwelling units. A tentative map may be approved for a condominium, community apartment development, or for the conversion of a dwelling to a stock cooperative, where fewer than five parcels are created, with waiver of a final map, as otherwise provided in this chapter, for so-called minor subdivisions or lot splits, but only if the project meets all of the requirements of this Article.  
(Ord. No. 701)

Sec. 17-86. Tentative Map

A tentative map for the division of land or air space, or both, intending to create condominiums, community apartment projects, or stock cooperative projects, shall comply fully with the requirements of the Subdivision Map Act and any other general law of the State, and shall include or be accompanied by drawings or exhibits to provide the following data and information:

1. The estimated square footage of each unit and number of rooms in each unit.
2. The general lay-out of all common areas.
3. The general lay-out and location of all storage space outside of each unit.
4. The general lay-out and locations of all facilities and amenities provided within the common area for the enjoyment and use of the unit owners.
5. The general lay-out of all parking spaces.
6. Tree and landscaping removal and proposed planting.
7. The location, structural section and type of surfacing for all driveways, pedestrian ways and vehicle parking areas.

17-86

## Subdivisions

17-87

8. The location, type and size of all drainage pipes and structures.
9. The location, type and size of all on-site and adjacent overhead and underground utility lines.
10. Proposed public areas to be dedicated, scenic easements proposed, or land or money in lieu of land to be given for recreational or other areas as provided in the general law of the State or local ordinances.
11. The proposed sale price of each unit; the proposed rental price of each unit; and the terms of any proposed bonus or discount to initial purchasers or present residents.
12. A statement of the developer's anticipations regarding the financing of the units upon sale; whether the project will involve pre-arranged financing; whether such financing will be federally insured; proposed down payments; proposed monthly maintenance charge for each unit.
13. Whether sales will be permitted to families with minor children.
14. A copy of the proposed covenants, conditions, and restrictions affecting owners of the dwelling units.
15. A copy of the applicant's proposed application for a subdivision public report in the event one is required to be issued by the Department of Real Estate of the State of California.

Sec. 17-87. Conversion of Existing Buildings.

If the application made by the tentative map involves the conversion of existing structures from conventional design or use to a division into condominiums, community apartment projects or stock cooperative projects, including divisions intended for commercial or industrial use, the application shall provide the following additional information:

17-87

Subdivision

17-87

1. A report showing the extent to which the proposed conversion will not comply fully with the building code, zoning ordinance, and fire code of the city existing as of the date of the application.
2. A report showing the structural condition of all buildings and structures existing on the property, as determined by a qualified civil or structural engineer, with specific reference to the extent to which any condition existing in such structure is unsafe or dangerous.
3. A report showing in detail the condition and useful life of the electrical and plumbing elements of all existing structures. Such report shall be prepared by licensed electrical and plumbing contractors and shall contain specific reference to the extent to which any condition existing in such structure is unsafe or dangerous.
4. A report containing descriptive acoustical data which indicates the noise attenuation characteristics of existing party walls, floors, ceilings, including a sample of at least ten percent of the units involved, but in no case fewer than two units. The city engineer shall approve the selection of a qualified individual to make said report. The report shall offer a comparative analysis of test data as it relates to state and local noise attenuation requirements.
5. Applicant's verification that each tenant of residential real property has received written notification of intention to convert at least 60 days prior to the filing of the tentative map.
6. Applicant's proposed program to accomodate tenants of residential units sought to be converted with specific reference to relocation assistance, availability of substitute housing, and a statement of the terms of any sales price preference to present tenants.

188.4.3

Supp. #15.8-82

17-88

Subdivision

17-88

Sec. 17-88. Required Findings for Final Map.

The Planning Commission and the City Council shall not approve a final map for a subdivision to be created from the conversion of residential real property into a condominium project, a community apartment project, or a stock cooperative project, unless it finds all of the following:

1. Each of the tenants of the proposed condominium, community apartment project, or stock cooperative project has received, pursuant to the requirements of Government Code Section 66452.9, written notification of intention to convert at least 60 days prior to the filing of a tentative map.
2. Each of the tenants has, or will have, received all notices of public hearings as required by the provisions of Government Code Sections 66451.3 and 66452.5.
3. Each tenant has received 10 days' written notification that an application for a public report will be, or has been, submitted to the Department of Real Estate, and that such report will be available on request.
4. Each of the tenants of the proposed project has been, or will be, given written notification within 10 days of approval of a final map for the proposed conversion.
5. Each of the tenants of the proposed condominium, community apartment project, or stock cooperative project has been, or will be, given 180 days written notice of intention to convert prior to termination of tenancy due to the conversion or proposed conversion.
6. Each of the tenants of the proposed condominium, community apartment project, or stock cooperative project, has been or will be, given notice of an exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or upon terms more favorable to the tenant.

17-89

Subdivision

17-91

Section 17-89. Design Review.

All projects for conversion of existing structures into a condominium, community apartment project or stock cooperative project shall receive approval of the Design Review Commission.

Sec. 17-90. Approval or Conditional Approval. *and 873*

*Amended by ord. 873  
Sec. 11 2*

1. The Planning Commission and City Council shall not approve a proposal to convert apartments into condominiums unless the applicant demonstrates that the conversion will not have a serious detrimental effect on the City's rental supply. Conversions shall be limited to five percent of the City's potentially convertible multi-family rental stock (defined as the number of existing apartments and 1/2 of the existing duplexes) in any one year.
2. For a period of one year following the rejection of an offer by the tenant in possession, the applicant shall not offer the unit for sale to any other person on terms in any respect more favorable than those offered the tenant.
3. The applicant shall demonstrate that those tenants not desiring to purchase are provided financial and other assistance to relocate if desired by the tenant. In no case shall the financial assistance be less than one month's rent.
4. The Planning Commission and City Council shall review the applicant's relocation and financial assistance plan and may attach conditions of approval when needed to ensure that tenants are relocated into a comparable unit at the applicant's expense.
5. If the project was granted a density bonus or other concessions based on affordability factors, conditions of approval shall be applied to ensure continued compliance with the affordability factors.  
materials, as provided in the Subdivision Map Act, such work may be deferred and made subject to such agreement and security.

17-92

Subdivision

17-93

Sec. 17-92 Appeals.

The subdivider, or any tenant of the subject property in the case of a proposed conversion of residential real property to a condominium project, community apartment project, or stock cooperative project, may appeal from any action of the Planning Commission with respect to a tentative map to the City Council. Such appeals shall be governed by the provisions of Government Code Section 66452.5 to the extent that the statute regulates such appeals.

Sec. 17-93. General Provisions.

An application for conversion of existing structures into condominiums, community apartment projects or stock cooperative projects shall not be granted unless the finding be made that the proposed conversion is consistent with the goals and policies of the general plan directed to such conversions. A finding shall also be made that the proposed conversion is consistent with the public health, safety and welfare.

Each application shall be decided upon its own merits, in accordance with standards set forth herein. Failure of existing structures to meet all current regulations as to design or location of buildings on land and failure to meet current plumbing, electrical and similar regulatory codes or failure to meet all requirements of the current zoning ordinance with regard to area, height, bulk, set-back, parking, and similar regulation, shall be ground for denial of the application, unless it is found that waivers and variances may be granted independently and that denial of the application would constitute an unconstitutional or unjust retrospective application of current regulations.

The Planning Commission shall periodically evaluate information regarding the vacancy rate for rental units in the City of Healdsburg (defined as the ratio of unoccupied rental housing, excluding single family dwellings and including parcels on which two or more dwellings are located, to the total number of rental units available). A rental vacancy rate below 7% shall constitute a housing emergency situation and shall preclude the process of

*deleted by ord 873*

17-93

Subdivision

17-93

any conversion applications. Conversion applications adjacent to and within the downtown core should be carefully studied with regard to potential impact such projects may have on the amount and location of senior citizen housing.

The suitability of units proposed for conversion shall receive consideration with regard to open space, levels of privacy, ease and degree of maintenance, existence of individual utility meters, private storage space for personal items, including recreational vehicles.  
(Ord. No. 701)

188.4.7

Supp. #15. 8-82