

## CONDOMINIUM CONVERSION

A condominium (or condo) conversion is the subdivision of apartment buildings, mobile home parks, and commercial/office/industrial buildings into individually owned units.

### REVIEW PROCESS OVERVIEW

The review process differs between residential (apartments and mobile home parks) and non-residential (commercial, office and industrial buildings).

#### Residential Condo Conversions

Chapter 17.04 of the [Pleasanton Municipal Code](#) contains the regulations and procedures for residential condo conversions. There are at least two steps to the residential condo conversion process. The first step is the condo conversion application and review process and the second step is the subdivision map application and review process.

If the conversion consists of four or fewer units or if there are five or more units and the tenants representing at least 85% of the total units have consented to the conversion, then the conversion application may be reviewed at the same time the subdivision map application is reviewed by the applicable decision-making body. The Planning Commission is the decision-making body for tentative maps (five or more lots/condominiums) and the Staff Review Board is the decision-making body for minor subdivisions/parcel maps (four or fewer parcels/condominiums). If the conversion consists of five or more units and the tenants representing at least 85% of the total units have not consented to the conversion, then the conversion application is reviewed by the City Council at a public hearing. Applications which are approved by the City Council may then proceed to the subdivision map application and review process. The tentative map and minor subdivision/parcel map processes are described in the City's Subdivision handout, available on the City's webpage at: <http://www.cityofpleasantonca.gov/gov/depts/cd/permit/process/planning.asp>

The City will also review residential condo conversion applications for compliance with General Plan goals, policies and programs and regional affordable housing requirements. For instance, the General Plan Housing Element contains the following policy and program:

Policy 8: Minimize displacement of tenants in rental apartments and mobile homes and encourage ownership of lower-cost residential units by prior renters through the regulation of condominium conversions.

Program 8.1: Regulate condominium, townhouse, and mobile home conversions and mitigate tenant displacement through the provisions of the City's Condominium Conversion Ordinance, and Government Code, Section 65863.7 (as to mobile homes). This includes requiring condominium converters to maintain rental units for households with special needs including those with developmental disabilities, such as lifetime leases with rental caps for persons with disabilities, to the extent permitted by State law and denying conversion of apartment units to condominiums if the percentage of multiple-family units available for rent, city-wide, is below 50 percent.

#### Possible Additional Steps

- If the site has existing affordable housing or if the conversion requires new affordable housing, then an affordable housing proposal would need to be included as part of the condo conversion application. The affordable housing proposal would be subject to review and recommendation by

the City's Housing Commission prior to action on the condo conversion by the applicable decision-making body.

- If the site is in a Planned Unit Development (PUD), then a separate PUD Modification application and process may be required.
- If the site is an existing mobile home park, then there are additional State requirements.

For more information on these possible additional steps and requirements, please contact the Planner on Duty (POD) at 925-437-4009 or [pod@cityofpleasantonca.gov](mailto:pod@cityofpleasantonca.gov).

### **Non-Residential Condo Conversions**

Non-residential condo conversions are subject to review and approval of a Minor Subdivision/Parcel Map. The Minor Subdivision process and submittal requirements are described in the City's Subdivision handout, available on the City's webpage at:

<http://www.cityofpleasantonca.gov/gov/depts/cd/permit/process/planning.asp>

In addition to the subdivision submittal requirements indicated in the Subdivision Handout, non-residential condo conversions also require submittal of a condominium plan (or similar) showing the floor plan of the building(s), the individual condominium units, and the restroom(s) and exiting for each unit. In addition, a condition will require the applicant allocate sufficient sewer capacity to each unit (please contact the City's Building and Safety Division for more information at 931-5300).

### **ITEMS TO CONSIDER**

There are several items to consider before applying for a condo conversion:

- The type and maintenance requirements of the common area and facilities.
- Will the number of individual owners be able to afford the costs of maintaining a homeowners' association (HOA), property owners' association, or the like?
- What easements will be needed, such as cross access easements, maintenance easements, drainage easements, etc.?
- Can the property accommodate the individual utility upgrades that will be required? The water, electrical, and gas meters for common areas and the HVAC for each condo unit must be separate and independently controlled.
- Will the costs of individual utility upgrades and related fees affect the financial feasibility of the project? Please contact the City's Engineering Department at 925-931-5650 and Building and Safety Division at 931-5300 for information on required utility separation upgrades and fees.
- Additional items specific to residential condo conversions:
  - Is there enough parking to serve each unit independently? The number of parking spaces required for residential condominiums is typically higher than apartment units.
  - Will the units conform to building code condominium construction standards?
  - Will the conversion conform to General Plan goals, policies and programs?
  - Affordable housing requirements.
  - Existing tenant protections/provisions of the Pleasanton Municipal Code (see [Section 17.04.100](#)) and State Law.

### **SUBMITTAL REQUIREMENTS**

#### **Residential Condo Conversions**

Following is a list of plans and documents required for Condo Conversion application submittal. Additional data or documents not listed below may be required. Please consult with planning staff prior to submittal. All application fees are due at the time of submittal.

- Application and Fee: An Application for Development Review form can be obtained online at [www.pleasantonpermits.com](http://www.pleasantonpermits.com) or from the Planning Division counter at 200 Old Bernal Avenue. The property owner must sign the application form or provide a written letter of authorization

upon submittal. The Condominium Conversion application fee (indicated on the Application for Development Review form) is due at the time of submittal.

- Owners Association Approval (where needed): Applicants with projects located in Hacienda or Bernal Corporate Park must provide an approval letter from the Association confirming their review and approval of the proposed project. Applicants with projects located in other areas with an Association are not required to obtain approval for the City to process and take action on the project.
  
- 12 complete sets [2 full size and 10 reduced size (minimum 11 x 17 inches)] and one digital copy in PDF format of the following plan types. Additional plan sets are required prior to each public hearing:
  - a. Site Plan: An exhibit clearly showing the lots, property lines, easements, streets, drive aisles, sidewalks, parking spaces, and buildings and other structures with setbacks to the property lines shown. The site plan must include the north arrow, written scale, and graphic (bar) scale. The site plan and documentation of existing features should be based on a survey prepared by a licensed professional.
  - b. Project Data: The plan set must have a table identifying:
    - i. The name and address(es) of the property owner(s).
    - ii. Existing zoning, APN and vehicular parking (existing and required).
    - iii. Lot area and total gross square footage of all buildings.
    - iv. Building Code occupancy classification for each building.
    - v. For residential development, the total number of dwelling units and a breakdown of the units based on the number of bedrooms in a unit (i.e., number of one-bedroom units, two-bedroom units, etc.).
  - c. Floor Plans: Dimensioned floor plans of the existing building(s) with gross floor area of each floor and total floor area listed. Residential projects must also show the location and types of dwelling units (all model types), use of spaces, and indicate the number of bedrooms per unit. If floor plan modifications are proposed, then separate proposed floor plans need to be providing showing the proposed changes.
  
- Tentative Map or Parcel Map: See separate Subdivision handout, available on the City's webpage at: <http://www.cityofpleasantonca.gov/gov/depts/cd/permit/process/planning.asp>
  
- Certain projects may require additional submittal items. Consult with Planning staff prior to submittal regarding the items listed below:
  - a. Preliminary Title Report
  - b. Topographic Survey
  - c. Utility Plan
  - d. Affordable Housing Proposal

### **Non-Residential Condo Conversions**

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