

Condo Conversions- LAMC 12.95.2(F)(6)

After considering the following criteria, the Advisory Agency may approve a tentative map or preliminary parcel map for a residential or residential to commercial/industrial conversion project, unless it makes both of the following findings: (1) the vacancy rate of the planning area in which the property is located is five percent or less, and (2) the cumulative effect of the rental housing market in the planning area of successive residential or residential to commercial/industrial conversion projects (past, present and future) is significant. A finding of significant cumulative effect shall be based on the following factors: (a) in the case of residential conversion projects only, the number of tenants who are willing and able to purchase a unit in the building; (b) the number of units in the existing residential building prior to conversion; (c) the number of units which would be eliminated in case conversion occurred in order to satisfy Municipal Code parking requirements; (d) the adequacy of the relocation assistance plan proposed by the subdivider; and (e) any other factors pertinent to the determination. "Vacancy rate" shall refer to the most current vacancy rate for multiple-family dwelling units as published by the Department of City Planning in its Semi-Annual Population Estimate and Housing Inventory, or other estimate or survey satisfactory to the Advisory Agency. "Planning area" shall refer to those areas established by the Director of Planning for purposes of community planning pursuant to Section 11.5.6 of the Municipal Code.

Demolitions - LAMC 91.106.4.1 - 5.

The department shall have the authority to withhold a demolition or relocation permit for a residential building composed of two or more residential rental units under the following circumstances:

A. When the applicant states that the purpose for demolition or relocation is to construct a condominium, stock cooperative or community apartment project, permits shall be withheld until all necessary tentative tract or preliminary parcel maps for such new subdivision have been approved by the city.

B. This (Exception 5) shall not apply if the building is to be demolished and is:

(i) Constructed of unreinforced masonry construction and built pursuant to a building permit issued prior to October 1, 1933; or

(ii) To be demolished pursuant to a demolition order issued by the Department under authority set forth in Division 89 of Article I of Chapter IX of the Los Angeles Municipal Code.

C. This (Exception 5) shall not apply if the applicant demonstrates to the satisfaction of the Department that the site will be developed with housing for low- to moderate-income households, which housing is to be developed, constructed or acquired with federal, state or local government financial assistance.

D. This (Exception 5) shall not apply to two-family dwellings or to apartment houses and apartment hotels containing three dwelling units, provided that at least one dwelling unit in each such building is occupied by a record owner of the property.

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Deputy: Public

| City | Condo Conversions | Demolitions |
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| Los Angeles | The City may approve a tentative map or preliminary map for a residential conversion unless: (1) the vacancy rate of the planning area in which the property is located is five percent or less, and (2) the cumulative effect on the rental housing market in the planning area of successive residential conversions is significant. A finding of significant cumulative effect shall be based on five enumerated factors. (12.95.2 – F.6) | When the applicant states that the purpose for demolition is to construct condos, the Planning Department may withhold a demo permit until the maps have been approved. (91.106) |
| Santa Monica | No condo conversions allowed unless the vacancy rate in the City has exceeded five percent for a period of ninety days prior to the date of approval. (9.04.16.02.101(i)(2)) | New Building Permit: No demolition of buildings and structures unless the final permit to commence construction for a replacement project has been issued. (9.04.10.16.010) |
| Beverly Hills | Annual allowance: For buildings designated as “character contributing buildings,” applications for conversion up to an aggregate maximum of 1.5% of the existing multi-family residential rental stock may be approved each year. For all other multi-family residential buildings, applications for conversion up to an aggregate maximum 0.5% of the existing multi-family residential rental stock may be approved each year. (10-2-712) | Annual Allowance: Permit or other entitlement to demolish any R-4 building limited to an annual aggregate maximum of one percent (1.0%) of the existing multi-family residential rental stock (10-3-4201.1). |
| Santa Barbara | Annual allowance: maximum number of units converted shall not exceed the greater of: (a) fifty (50) units; or (b) the number of unassisted new dwelling during the previous year minus the number of dwelling units to be demolished pursuant to permits issued in that same year. (28.88.130) | |
| Berkeley | Annual allowance: 100 per year (21.28.040) | City must find that the elimination of the dwelling units would not be materially detrimental to the housing needs and public interest of the affected neighborhood and the City. |
| Oakland | Conversion Rights: . (Essentially a replacement requirement and TDR hybrid - see section 16.36.070) | New Building Permit: no demolition permit shall be issued for the destruction of any structure until the applicant has obtained a building permit to construct a replacement structure. (15.36.070) |
| San Francisco | Annual Allowance: maximum of 200 conversions per year, selected by lottery. New ordinance allows existing TICs to convert, but places a 10 year moratorium on the lottery. (Subdivision Code Article 9; Ord. <u>225-14</u> , effective 12/7/2014, operative 4/6/2015) | New Building Permit: Unless the building is determined to pose a serious and imminent hazard, an application authorizing demolition in any R District of an historic or architecturally important building or of a dwelling shall not be approved and issued until the City has granted final approval of a building permit for construction of the replacement building. (Planning Code Section 311(e)) |
| South San Francisco | Annual Allowance: Conversions only approved when the vacancy rate of multiple-family dwelling units is more than five percent. If the vacancy rate exceeds five percent, the number of units allowed for conversion shall be restricted to no more than the number which would reduce the vacancy rate to five percent. (19.80.030) | |
| Fremont | Annual Allowance: no more than 100 conversions per year; priority given to proposals that provide the highest percentage of affordable units. | |
| City of LA: Vermont/Western TOD Specific Plan | | New Building Permit: No demolition permit issued unless a Project Permit Compliance has been issued. Project Permit Compliance application includes a Site Plan, and other info as may be required. |