

CONDOMINIUM PERMIT

The primary purpose of the Condominium Permit is to allow property owners the ability to convert existing rental units to condominium ownership, provided certain criteria are met. The Condominium Permit procedure is required for all new condominium projects or condominium conversions in all residential, commercial, or industrial zones within the City of Escondido, unless the condominium project is approved as a Planned Development or a resident purchase of mobilehome parks waived pursuant to [Section 32.401.04\(c\)](#) of the City's Subdivision Ordinance. For purposes of [Article 49](#) of the Escondido Zoning Code, and this application, community apartment projects and stock cooperatives shall be synonymous with the term condominium or condominium conversion, as appropriate.

The California State Subdivision Act (Section 66427.1) and the Escondido Zoning Code ([Sections 33-959 and 33-960](#)) require that all tenants residing within the residential project receive notice that an application for conversion to condominiums is being made. This notice shall be given a minimum of **sixty (60) days prior to submission** of the Condominium Permit and Tentative Map applications. Evidence that this notice has been given will be required at the time of submission of this application.

In order to ensure long term financial viability and provide a living environment with sufficient amenities and open space, a minimum of twenty (20) dwelling units shall be required for condominium projects, pursuant to [Section 33-958](#) of the Escondido Zoning Code. The subdivider will be required to deposit with the homeowner's association established fund, the sum of \$200.00 per unit in any condominium project, in accordance with [Section 33-957](#) of the Escondido Zoning Code.

An application for a Condominium Permit shall be made to the City Council through the Planning Division and the Planning Commission. The City Council and Planning Commission shall also review any accompanying tentative map, concurrently. A Tentative Subdivision Map shall be processed for fee simple lots and a Tentative Parcel Map shall be processed for air space units.

Prior to submittal of a Condominium Permit application, a pre-application meeting with a member of the Planning staff will be necessary to answer any questions and to ensure that the application will be completed as required. Appointments for a pre-application meeting can be scheduled by contacting the Planning Division at (760) 839-4671.

Submittal Requirements

As determined by the Director of Community Development, additional information not listed below may be required to make a complete application. This will be determined on a case-by-case basis.

1. Completed and signed [Discretionary Permit General Application Form](#) (a letter of permission, signed by the owner, may be substituted for owner's signature on the application form).
2. Copy of Grant Deed
3. Copy of a current Preliminary Title Report, including complete legal description (within the last six months)
4. Twenty-five (25) blue-line or black-line copies each of the site plan, floor plans, building elevations, roof plans, landscape plans, and tract maps (if applicable) to be collated into sets and folded to 8½" x 11". Plans shall be prepared by or under the supervision of a licensed design professional.

The site plan should be drawn to scale and should include:

- a. North arrow and graphic scale.
- b. Exterior boundaries of subject property and property dimensions.

- c. Existing topography and proposed grading, if other than flat.
- d. Location and dimensions of existing and proposed structures, including any structures on adjacent properties within 50 feet of property line.
- e. Location, design, and dimensions of proposed parking facilities, landscaping, driveways, and open spaces. Show typical parking space dimension and striping.
- f. Dimensions of setbacks and building separations.
- g. Location and dimensions of existing and proposed exterior doors, entryways, walkways, balconies, stairways, roof eaves, etc.
- h. Location, height, and type of fencing and walls.
- i. Location and dimensions of existing and proposed street improvements, including (but not limited to) gutters, curbs, sidewalks, centerline of streets, alleys, and easements.
- j. Open space calculations as defined by the appropriate residential category.
- k. Total building coverage in square footage and percent.
- l. Street cross-section.
- m. Name, address, phone number, and license number of design professional.

Floor plans (where applicable) should indicate use of rooms, square footage of units, and dimensions.

Exterior elevations must indicate types and colors of materials, and heights of buildings, and provide details for front, rear and both sides.

5. Preliminary Landscape Plan

Landscaping is intended to achieve architectural enhancement, an attractive living environment, visual screening of parking areas and unsightly objects, buffering of residential areas from commercial and industrial areas, streetscape enhancement, and control of soil erosion.

NOTE: Refer to [Article 62](#) of the Zoning Code for landscaping requirements.

Planting plan shall include:

- a. North arrow, scale, and project site address.
- b. Name, address, phone number, and license number of the person or firm who prepared the plans.
- c. The container size, number, and location of each type of plant as well as both the common and botanical names.
- d. A clear indication of each planting area, lawn area, and paving area.
- e. Location, size and type of any significant existing trees to remain, to be relocated or to be removed.
- f. Location, dimensions, and type of materials of all walkways and hardscape areas.

6. Slope analysis depicting slope categories and acreage within each category, as follows:

0-15%, 15-25%, 25-35%, over 35%

Note: If the entire site is less than 10% slope, a statement to that effect, by a licensed civil engineer, may be submitted in lieu of the slope analysis.

- 7. One legible 8½" x 11" photo reduction of **each sheet** of the plan set (**Xerox reductions shall not be accepted**). Submitted graphics must be clear enough to be reproduced several times and still be legible.
- 8. Photographs of the site and the adjacent properties, mounted on 8½" x 11 paper and labeled
- 9. Details of Request form ([see attached](#))

10. [Fees](#)
11. Evidence of Tenant Notification of Intent to Convert, as required by the California Subdivision Map Act
12. Physical Elements Reports, required for conversions of existing structures

A report on the physical elements of structures and facilities shall be submitted with the Condominium Permit application for those projects involving conversions of existing residential structures. The Director of Community Development may require the submittal of selected items below on Commercial or Industrial Conversions to insure the structural soundness of the project. The report for residential structures shall include (a) through (m) below.

- | | |
|--|-------------------------------------|
| a. Electrical | h. Parking facilities and driveways |
| b. Plumbing | i. Appliances |
| c. Utilities | j. Mechanical Equipment |
| d. Walls, ceilings and windows | k. Insulation standards |
| e. Recreational facilities | l. Structural |
| f. Sound transmission of each building | m. Foundations |
| g. Roofs | |

Regarding each such element, the report shall state, to the best knowledge or estimate of the applicant, when such element was built; the condition of each element; the approximate date upon which said element will require replacement; and the cost of replacing said element. The report shall be prepared by a licensed mechanical or structural engineer or licensed general building contractor.

13. Report demonstrating financial viability of a small homeowner's association, required for residential projects proposed with less than 20 units, per [Section 33-958](#) of the Zoning Code.

A report will be required which indicates current rental price of the units, estimated sales price of each unit, estimated costs of the maintenance of the buildings and common areas on the project site, and any other information which would demonstrate financial viability of a small homeowner's association.

14. Phasing plan for purposes of marketing or map recordation.
15. Written response to the following findings:
 - a. That the construction/conversion of this rental project to condominiums is desirable and consistent with the goals expressed in the Housing Element of the General Plan (for residential project only).
 - b. That the site and project are physically suitable for construction/conversion to condominiums, and that the project incorporates desirable features which create a pleasant and attractive environment for living.
 - c. That the project meets and complies with all development standards, current zoning, Engineering, and Building Code requirements.
 - d. That all tenant notification and information, as required by the California Subdivision Map Act and the City of Escondido Subdivision Ordinance have been provided.
16. A completed [Initial Study Form – Part I](#).

Procedure

Condominium Permits are administered pursuant to [Article 49](#) of the Zoning Code.

Once the application is submitted, the Planning Staff will review the information for completeness. The application will be routed to other City Departments and to outside agencies as necessary. Once comments are received, staff will review the application and will notify the applicant if corrections to the plans are required. An Initial Study shall be processed in conformance with the California Environmental Quality Act (CEQA) unless the project is categorically exempt. A determination shall be made whether an Environmental Impact Report, Negative Declaration or Statement of Exemption is required. The appropriate document shall be prepared (at the owner's expense) and circulated for public review in accordance with CEQA requirements, prior to the hearing. Since the request involves either commercial, industrial, or multifamily residential projects, the Design Review Board will review the request prior to the Planning Commission hearing.

After the staff analysis and environmental review is complete and the project has been reviewed by the Design Review Board, the application will be placed on the next available agenda for review by the Planning Commission. A public hearing notice will be prepared and mailed in accordance with [Section 33-1300](#) of the Zoning Code. **Note: The applicant will be responsible for posting a sign(s) on the site 10 days prior to the hearing date for both Planning Commission and City Council.** These signs are available for a fee at the Planning Division. Prior to the hearing, Staff will prepare a report to the Planning Commission, which will analyze the proposal and recommend approval or denial and may recommend conditions.

After the Planning Commission hearing the application will be reviewed by the City Council at a noticed public hearing. The City Council by a majority vote may approve, modify, or disapprove the action of the Planning Commission.

The expiration or extension of a Condominium Permit shall be concurrent with the accompanying tentative map. Minor changes to a proposed condominium project may be approved by the Planning Commission, provided changes are consistent with the intent and purpose of the condominium permit approval.

Signatures. Applicant and property owner signature lines must be signed, even if the applicant and property owner are the same. The signature of the architect and/or engineer is also required if drawings are submitted by professional architects and/or engineers.

Applicant

As part of this application the applicant hereby agrees to defend, indemnify and hold harmless the City of Escondido, its Council, boards and commissions, officers, employees, volunteers, and agents from any claim, action, or proceeding against the City of Escondido, its Council, boards and commissions, officers, employees, volunteers and agents, to attack, set aside, void or annul an approval of the application or related decision, including environmental documents, or to challenge a denial of the application or related decisions. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth herein. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed.

By signing below, I hereby certify that the application I am submitting, including all additional required information, is complete and accurate to the best of my knowledge. I understand that any misstatement or omission of the requested information or of any information subsequently requested may be grounds for rejecting the application, deeming the application incomplete, denying the application, suspending or revoking a permit issued on the basis of these or subsequent representations, or for the seeking of such other and further relief as may seem proper by the City of Escondido.

Applicant: _____

Date: _____

Property Owner

By signing below, I hereby certify under penalty of perjury, that I am the owner of record of the property described herein and that I consent to the action requested herein. All other owners, lenders or other affected parties on the title to the property have been notified of the filing of this application. Further, I hereby authorize City of Escondido employees and officers to enter upon the subject property, as necessary to inspect the premises and process this application.

In order to facilitate the public review process, the City requires that property owners agree to allow any plans or drawings submitted as part of the application to be copied for members of the public. Property owner(s) hereby agree to allow the City to copy the plans or drawings for the limited purpose of facilitating the public review process.

Property Owner: _____

Date: _____

Architect/Engineer

In order to facilitate the public review process, the City requires that architects and engineers agree to allow any plans, drawings, studies or reports submitted as part of the application to be copied for members of the public. Architect/Engineer hereby agrees to allow the City to copy the plans, drawings, studies or reports for the limited purpose of facilitating the public review process.

Architect: _____

Date: _____

Engineer: _____

Date: _____

DETAILS OF REQUEST

Condominium Permit

Case # _____

Property Address: _____

General Plan Designation: _____

Tier/Neighborhood: _____

Assessor Parcel Number: _____

Zone: _____

Site Acreage: _____ (gross)

Overlay Zone: _____

_____ (net)

	<u>Proposed</u>	<u>Underlying Zone Requirements</u>
1. Number of Lots:	_____	_____
2. Number of Units:	_____	_____
3. Density:	_____	_____
4. Lot Area:	_____	_____
Minimum:	_____	_____
Average:	_____	_____
5. Lot Frontage:	_____	_____
6. Yard Requirements (Setbacks):	_____	_____
Front:	_____	_____
Side:	_____	_____
Street Side:	_____	_____
Rear:	_____	_____
7. Number of Buildings:	_____	_____
8. Building Height:	_____	_____
9. Number of Stories:	_____	_____
10. Unit Mix:	_____	_____
# of 1 bdrm units:	_____	_____
Size:	_____	_____
# of 2 bdrm units:	_____	_____
Size:	_____	_____
# of 3 bdrm units:	_____	_____

	<u>Proposed</u>	<u>Underlying Zone Requirements</u>
Size:	_____	_____
# of 4+ bdrm units:	_____	_____
Size:	_____	_____
11. Unit Size (w/o garage):	_____	_____
12. Parking Spaces Provided per Unit:	_____	_____
Covered:	_____	_____
Uncovered:	_____	_____
13. Parking Adequacy:	_____	_____
Off-Street Parking:	_____	_____
Ratio (if non-residential):	_____	_____
On-Street Parking:	_____	_____
Off-Street Tandem Spaces: (in front of garages)	_____	_____
14. Lot Coverage:	_____	_____
Maximum:	_____	_____
Average:	_____	_____
15. Office Area (SF):	_____	_____
Commercial area (SF):	_____	_____
Industrial Area (SF):	_____	_____
Other (SF):	_____	_____
16. Architectural Style:	_____	_____
17. Colors and materials:	_____	_____
Roof:	_____	_____
Exterior:	_____	_____
Trim:	_____	_____
Fascia:	_____	_____

	<u>Proposed</u>	<u>Underlying Zone Requirements</u>
18. Open Space and Amenities:	_____	_____
Size of Open Space:	_____	_____
Per Unit:	_____	_____
Common Area:	_____	_____
Amenities Proposed:	_____	_____
19. Estimated Sales Price:	_____	
1 bdrm units:	_____	
2 bdrm units:	_____	
3 bdrm units:	_____	
4 bdrm units:	_____	
Other _____:	_____	
20. Is the project phased?	_____	
If yes, how many phases:	_____	
21. Does the project include a density bonus?	_____	
If yes, how many units?	_____	
Very low income:	_____	
Low income:	_____	
Moderate income:	_____	
Senior units:	_____	
	<u>Lot #(s)</u>	<u>Height Range/Slope Inclination(s)</u>
22. Grading Exemptions:		
Peripheral Cut Slopes:	_____	_____
Peripheral Fill Slopes:	_____	_____
Interior Cut Slopes:	_____	_____
Interior Fill Slopes:	_____	_____
Number of Grading Exempted Cut Slopes:	_____	
Number of Grading Exempted Fill Slopes:	_____	