

CITY OF SACRAMENTO

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September 19, 1980

City Council
City Hall
Sacramento, California

RE: CONDOMINIUM CONVERSION ORDINANCE AMENDMENTS

Honorable Members in Session:

SUMMARY

The City Council at the meeting on September 16, 1980, asked our office and the Planning Department to prepare three types of amendments to the Condominium Conversion Ordinance. The Planning Director and I need additional guidance from the Council. We need to know whether the amendments are supposed to apply to the current group of applications on file for condominium conversion. We also need to know what approach the Council wishes to take in allowing an appeal of the appraisal of the developments.

BACKGROUND INFORMATION

At the Council meeting on September 16, 1980, the Council asked the City Attorney's Office and the Planning Department to prepare the following amendments to the Condominium Conversion Ordinance:

1. An ordinance to allow the Council to consider as a ground for denial of a condominium conversion application, the refusal by the applicant to rent apartment units in order to avoid the costs of meeting the tenant protection provisions of the ordinance.
2. An ordinance allowing an appeal of the appraisal of the property.
3. An ordinance providing that condominium conversion projects contain a minimum of 10% and a maximum of 50% low and moderate income housing.

Before we can prepare these ordinances, the Planning Director and I need further instructions.

APPROVED
BY THE CITY COUNCIL

SEP 23 1980

OFFICE OF THE
CITY CLERK

1. Effective Date of the Amendments

At the present time, the Planning Department has eight applications on file for condominium conversion. Does the Council wish to have the above amendments to the Condominium Conversion Ordinance apply to this group of applications? Also, does the Council wish to have these amendments heard by the Planning Commission? We estimate that it will take a minimum of five weeks to draft the amendments, consult with interested persons, advertise the hearing and conduct the hearing before the City Council. If the Planning Commission also hears the amendments an additional three weeks would be added to the time schedule.


2. Appeal of the Appraisal

We need to know which board, commission, etc. would hear the appeal of the appraisal to determine the apartment house value of the property being converted to condominiums. We ask this question because the appeal hearing could be very time consuming since the appraisal and property valuation process is extremely technical. In lieu of the appeal, another approach would be to allow the conversion applicants the option of having two appraisers appointed at the beginning of the appraisal process. The valuation placed on the property by the appraisers would then be the average of the two appraisals. The applicant would have to pay for both the appraisers. This would eliminate the time consuming appeal and would allow more than one person to decide the property value. Please let us know whether you wish a particular board or commission to hear the appeal or whether the idea of an additional appraisal would resolve this issue.

REQUEST

It is requested that the Council give us additional guidance.

Very truly yours,


JAMES P. JACKSON
City Attorney

JPJ:KMF

FOR ACTION BY THE COUNCIL


CITY MANAGER