



Town of Atherton

Planning Department
80 Fair Oaks Lane
Atherton, California 94027
Phone: (650) 752-0544
Fax: (650) 614-1224

AFFIDAVIT OF INTENT TO OCCUPY

(This affidavit does not apply to an applicant that is a qualified non-profit or community land trust.)

SITE ADDRESS: _____ **APN:** _____

APPLICATION DATE: _____

- PROJECT:** ☐ Parcel Map for an Urban Lot Split (Government Code Section 66411.7)
- ☐ Construction of Residential Unit(s) (California Government Code Section 65852.21)

I, _____, intend to occupy as my principal residence one of the dwelling units located on the Property at _____ for a period of no less than three (3) years from the date of approval of the parcel map and/or residential units pursuant to Government Code Sections 65852.21 and 66411.7 and Chapter 17.53 of the Atherton Municipal Code.

I understand, agree, and authorize the Town of Atherton to undertake such action as it deems necessary to verify both the accuracy and veracity of this declaration. Such actions may include, but are not limited to, scheduled inspections and property record searches. I further authorize any person or entity contacted by the Town during such verification to release such pertinent information as the Town seeks.

If I fail to comply with this declaration, I authorize the Town of Atherton to pursue code enforcement or any other legal action authorized by law, to collect fines as described in the Atherton Municipal Code, and to recoup all reasonable attorneys' fees and costs associated with any enforcement of a violation of this Affidavit.

I certify that the building permit plans and supporting documents submitted to the Town of Atherton for the above referenced Property comply with the development standards in Government Code Sections 65852.21 and 66411.7 and Chapter 17.53 of the Atherton Municipal Code, and, if applicable, all approved conditions and mitigation measures and that the Property will be constructed in accordance with these requirements. I further certify that the Property has not been the subject of a previous Urban Lot Split.

I declare under penalty of perjury of the laws of the State of California that the foregoing is true and correct and that this affidavit was executed on the ____ of _____, 202__, at _____, California.

Signature

Printed Name

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the veracity, accuracy, or validity of that document.

On _____, before me, _____, Notary Public,
personally appeared _____, who provide to me on the basis of
satisfactory evidence to be the person(s) whose name(s) is/are subjected to the within instrument and
acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that
by his/her/their signature(s) on the instrument the person(s) executed the instrument.

I certify, under penalty of perjury under the laws of the state of California, that the foregoing paragraph is
true and correct.

Witness my hand and official seal.

Signature: _____



AFFIDAVIT REGARDING S.B. 9 (2021) ELIGIBILITY

I, _____ [insert owner name], declare as follows:

1. I have personal knowledge of all of the matters stated herein and could testify truthfully thereto if called upon to testify.

2. I am the owner of property located at _____ [address], and assigned Assessor's Parcel Number(s) _____ (the "Property").

3. I am submitting this affidavit for the purpose of substantiating the Property's eligibility for approval of application(s) pursuant to State Bill 9 (2021) ("SB 9") for the following type(s) of development (the "Project") [check all that apply]:

___ Development of two primary residential units pursuant to Government Code section 65852.21.

___ An urban lot-split pursuant to Government Code section 66411.7.

4. The proposed Project is eligible for approval pursuant to SB 9 because it complies with all of the following:

a. The Project would not require demolition or alteration of any of the following types of housing:

(i) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income;

(ii) Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power; or

(iv) Housing that has been occupied by a tenant in the last three years.

b. The Property does not include any parcel for which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060)

of Division 7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the Project application was submitted to the County of Santa Clara.

5. No owner of the Property being subdivided, nor any person acting in concert with an owner of the Property being subdivided, has previously subdivided a parcel adjacent to the Property using an urban lot split pursuant to Government Code section 66411.7. [Note: This paragraph is only required if the Project involves an urban lot split.]

6. I intend to occupy one of the housing units on the Property as my principal residence for a minimum of three years from the date of approval of the urban lot split. [Note: This paragraph is only required if the Project involves an urban lot split.]

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct:

Dated: _____

[Name]

[Title]