



COMMUNITY DEVELOPMENT DEPARTMENT PLANNING DIVISION

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SECONDARY DWELLING UNIT – TENANCY REQUIREMENT*

PROPERTY OWNER LEGAL NAME	PROPERTY ADDRESS	
MAILING ADDRESS, IF DIFFERENT THAN PROPERTY ADDRESS	PHONE	EMAIL
CASE NUMBER:		

Owner's Acknowledgment

Per Section 16.79.040(11) of the City of Menlo Park's Zoning Ordinance, either the main dwelling unit or the secondary dwelling unit shall be occupied by the property owner when both units are occupied as dwellings.

If a property owner does not occupy either the main or secondary dwelling unit, the property owner may apply for a non-tenancy status for a term of one (1) year through a registration process established by the Community Development Director. Certain criteria must be met to be eligible for the registration process and in order for the non-tenancy status to be renewed annually, for a period of up to four years. Please see the attached excerpt of the Secondary Dwelling Unit Ordinance (Chapter 16.79) for more details.

I (We) have read this acknowledgement and the regulations pertaining to secondary dwelling units, and hereby understand and agree to abide by the regulations established in Chapter 16.79 (Secondary Dwelling Units) of the Zoning Ordinance. The tenancy requirement remains effective so long as the tenancy requirement is codified and the secondary dwelling unit exists on the property, regardless of property ownership.

I (We) hereby certify that the information stated on forms, plans, and other materials submitted herewith in support of the secondary dwelling unit application is true and correct to the best of my (our) knowledge. It is my (our) responsibility to inform the City of Menlo Park Planning Division of any changes to information represented in the application.

Furthermore, I (we) hereby agree to hold the City harmless from all costs and expenses, including attorney's fees, incurred by the City, including but not limited to, all cost in the City's defense of its actions in any proceeding brought in any State or Federal Court challenging the City's actions with respect to my (our) project.

Date: _____ Signature**: _____ Printed Name: _____

**This form shall be signed and submitted prior to issuance of a building permit for a secondary dwelling unit.*

***Photocopies or facsimiles not acceptable*

SECONDARY DWELLING UNITS (Excerpt from Zoning Ordinance)

16.79.040 Development regulations.

- (11) Tenancy: Either the main dwelling or the secondary dwelling unit shall be occupied by the property owner when both units are occupied as dwellings units. If a property owner does not occupy one of the dwelling units, the property owner may apply for a non-tenancy status for a term of one (1) year through a registration process established by the Community Development Director. To be eligible for the registration process, a property owner must have lived at the subject property for a minimum of two (2) years of the previous five (5) years from the date of application. The property owner may renew the registration annually, not to exceed four (4) years in total, subject to the review and approval of the Community Development Director, pursuant to the following criteria and process established by the Community Development Director.
- (a) The application for the registration and renewal(s) shall be accompanied by a fee, set by the City Council.
 - (b) The application for registration and renewal shall state the reason for the request and provide supporting documentation. The registration shall be approved for any of the following reasons: 1) temporary job relocation, with the intent to return, 2) relocation for school (e.g. mid-year career change), and 3) physically unable to live in the house.
 - (c) The application shall provide a property management plan that includes the name and contact information to address issues or concerns about the use of the property should they arise. The plan should also include information about parking, including 1) a site plan with the parking layout for the property, 2) how parking will be assigned between tenants, and 3) an action plan that demonstrates how parking issues will be resolved effectively and efficiently between tenants if tandem parking is provided.
 - (d) A use permit is required for non-tenancy status longer than four (4) years or for waiver of the requirement that the owner reside in the unit for not less than two (2) of the previous five (5) years prior to the date of application or for a reason other than those stated in item 2 above.