

Recorded at the Request of

City of Pittsburg

After recording, return to:
CITY OF PITTSBURG
Planning Division
65 Civic Avenue
Pittsburg, CA 94565

AGREEMENT

RESTRICTION OF OCCUPANCY FOR JUNIOR ACCESSORY DWELLING UNIT

Government Code 27281.5

This Agreement and Acknowledgment of Occupancy Restriction is made this ____ day of _____, _____, by and between the City of Pittsburg, hereinafter "City," and _____, the owner of record, hereinafter "Owner".

Owner owns a parcel of property, located within the City of Pittsburg, which is zoned, _____ and which is known as Assessor's Parcel No. _____ and is commonly known as _____, which is more particularly described in the attached and incorporated **Exhibit "A"** hereinafter "Property."

Owner seeks permission under Pittsburg Municipal Code § 18.50 et seq. to build a Junior Accessory Dwelling Unit on Property. Under § 18.50.300-18.50.315 of the Pittsburg Municipal Code, permission to construct such a unit requires recorded notice of an occupancy restriction governing this property.

1. Therefore, in consideration of the city planner's approval of an accessory dwelling unit, Owner agrees to enforce and abide by the tenancy restriction set forth at § 18.50.310(G) of the Pittsburg Municipal Code. Specifically, the primary dwelling and junior accessory dwelling unit shall not be occupied by two separate households under two separate leases. The primary dwelling and junior accessory dwelling unit built on the property shall be separately occupied only if the owner occupies one of the units.
2. Owner agrees to enforce and abide by the tenancy restriction set forth at § 18.50.310(I) of the Pittsburg Municipal Code. No ADU or JADU shall be rented for a term of 30 days or less.
3. California Government Code, Section 65852.22(a)(3) prohibits the sale of a Junior Accessory Dwelling separately from a primary dwelling unit and the owner agrees that the junior accessory dwelling unit on the Property shall not be sold or otherwise conveyed separately from the main building.

4. This Agreement is binding on the heirs, successors and assigns of the parties hereto, and shall be recorded with the Contra Costa County Recorder and is a covenant running with the land.
5. As a condition of and prior to the issuance of any Building Permit to build the proposed junior accessory dwelling unit, this Agreement shall be recorded in the records of the County of Contra Costa, California as a covenant on the Property for the purpose of imparting notice to successors in interest and others who may have an interest in the Property.
6. This agreement is being recorded in compliance with California Government Code Section 65852.22.

DATED: _____

By: _____
[Name], Property Owner

By: _____
[Name], Property Owner

This Agreement must be Notarized. All property owners listed on the property deed shall sign the Agreement and have their signatures notarized by an actively commissioned notary public, on the appropriate California Certificate of Acknowledgment, as set forth in California Civil Code section 1189.

DATED: _____

By: _____
John Funderburg, Assistant Director of Planning

EXHIBIT A

Legal Description of the Property

**NOTE TO PROPERTY OWNER: ATTACH LEGAL DESCRIPTION OF PROPERTY AS "EXHIBIT A"
PRIOR TO NOTARIZING AND RECORDING**