

RECORDED AT REQUEST OF  
CITY OF SANTA ROSA

WHEN RECORDED RETURN TO:  
City of Santa Rosa  
Department of Community Development  
Building Division  
P.O. Box 1678  
Santa Rosa, CA 95402-1678

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**DECLARATION OF RESTRICTIONS OF OCCUPANCY**

Declarant(s) \_\_\_\_\_ and \_\_\_\_\_ is/are the fee title owner(s) of the property at \_\_\_\_\_, Santa Rosa (“the Property”) also identified as Sonoma County Assessor’s Parcel No. \_\_\_\_\_. The Property is described in the deed to Declarant recorded as Document No. \_\_\_\_\_ in the Office of the Sonoma County Recorder.

**RECITALS**

- A. Declarant has requested a permit to construct a second dwelling unit, as defined in the City of Santa Rosa Zoning Code, on the Property.
- B. The purpose of this Declaration is to set forth as restrictions on the Property, and as covenants running with the land, those conditions which relate to the uses of the two dwelling units on the Property.

NOW, THEREFORE, based on the foregoing, Declarant agrees as follows:

- 1. The second dwelling unit on the Property shall not be sold separately from the principal residence on the property.
- 2. The second dwelling unit shall have no more than one bedroom. A detached second dwelling unit shall not have habitable space in excess of 700 square feet.
- 3. The owner, or one of the owners, of the fee title of the Property shall occupy either the principal residence or the second dwelling unit. In the event the Declarant is a developer who has no intent to occupy either unit, the Declarant agrees that the second dwelling unit shall at all times remain vacant and unused until such time as the Property is transferred to an owner who complies with the first sentence of this paragraph 3.
- 4. These restrictions shall run with the land and are binding upon the heirs, assigns, and successors in interest to the Property.

5. A violation of the restrictions set forth in paragraphs 1 through 4, or any one of them, shall void the approval of the second dwelling unit and is a sufficient basis to warrant legal action against the responsible owner by the City of Santa Rosa

Dated: \_\_\_\_\_ By: \_\_\_\_\_

Dated: \_\_\_\_\_ By: \_\_\_\_\_

Attach Notary Certificates (Acknowledgements)

APPROVED:

Dated: \_\_\_\_\_ By: \_\_\_\_\_  
Director of Community Development  
City of Santa Rosa, California