



APPLICATION FOR SECOND KITCHEN REGISTRATION

CITY OF BELVEDERE
450 SAN RAFAEL AVE • BELVEDERE, CA 94920-2336
PH. 415-435-3838 • FAX 415-435-0430 • WWW.CITYOFBELVEDERE.ORG

FOR STAFF USE ONLY

Date: _____ Rec'd. by: _____ Amount: _____ Receipt No.: _____
Assessors Parcel No: _____ Zone: _____

TO BE COMPLETED BY APPLICANT

Address of Property: _____

Record Owner of Property: _____

Mailing _____ Daytime Phone: _____

Address: _____ Fax: _____

_____ Email: _____

Owner's Representative: _____

Mailing _____ Daytime Phone: _____

Address: _____ Fax: _____

_____ Email: _____

Describe how Second Kitchen(s) will be used: _____

ACKNOWLEDGEMENT OF CITY REQUIREMENTS

The following section of the Belvedere Municipal Code sets forth the City's requirements for the registration of Second Kitchens. You are hereby requested to acknowledge this information and agree to conform to the standards set forth in their entirety.

19.78.020 Second Units – Registration and validation – General requirements. A.

The record owner of the lot on which one or more second kitchens exist, or on which a second kitchen is to be constructed, shall register each of said kitchens for the duration of his ownership of the property by filing an application for registration.

B. The application shall be made by the record owner, or his authorized representative, and shall include a verified statement containing the information set forth in this Section, and any additional information as may be required by the City Planner: name(s) and address(es) of record owner(s) and occupants; and floor plans of the structure. In addition, the record owner shall sign an agreement, in a form satisfactory to the City Attorney, which contains at least the following:

1. Representations that the area of the structure containing the second kitchen is not, and will not be, occupied or used as a second dwelling unit, and that any use of said area will be solely by occupants of the structure and their guests;
2. A covenant to terminate the second kitchen upon change of ownership unless the new record owner complies with the provisions of this Section;
3. Consent to physical inspection of the structure at reasonable hours upon reasonable notice; and
4. Agreement to pay to the City all costs of enforcement of this Section in the event of any violation thereof, including attorney's fees.

A specimen copy of the agreement form described in Paragraph B above is attached for your information. Upon approval of the application, the City will provide the owner with the agreement for signature.

The following Municipal Code section sets forth the verification process and is provided here for your information:

19.78.030 Second kitchens–Action on applications for registration—Appeal. A. Upon filing a complete application and verified statement in proper form, the Building Official shall conduct any investigation and inspection he deems necessary and shall give written notification to the applicant identifying any code violations related to the second kitchen, or other conditions which constitute a hazard to life.

B. Within sixty days after written notice is provided by the Building Official, noted code violations and hazards to life shall be eliminated by the applicant. Within ten days after the Building Official has inspected the property and has determined that the identified code violations and/or hazards have been corrected, the registration application shall be approved.

C. If the Building Official determines that the identified code violations and/or hazards have not been corrected within the time required by this Section, the City Planner shall deny the registration application. In such a case, the kitchen shall be subject to abatement as provided in Section 19.92.040.

D. The applicant or other interested party may file an appeal from any denial or approval of registration for a second kitchen. Any such appeal shall be in writing and filed, along with an appeal fee in an amount set by resolution of the City Council, within seven (7) days following action on the registration application. Upon the filing of an appeal hereunder, a hearing on the appeal shall be set before the Planning Commission Chairman or, if he is not reasonably available, before the City Manager, upon not less than seven (7) days notice to the applicant and the appellant, unless a shorter notice period is agreed to by both the applicant and the appellant. The applicant and the appellant shall be notified in writing of the decision of the hearing officer after the hearing, and such decision shall be final.

E. Nothing in this Section shall be deemed to limit any powers or authority otherwise granted to the Building Official by this Code or other applicable law.

**STATEMENT OF PROPERTY OWNERSHIP,
CERTIFICATION OF APPLICATION, & DESIGNATION OF REPRESENTATIVE**

All property owners must complete this Section. For properties owned by a trust, LLC, corporation, partnership, or other entity, please attach proof of ownership and certification of the signer's authorization to enter into contracts on behalf of the entity.

Street address of subject property: _____

Assessor's Parcel No(s). of subject property: _____

➤ **Properties Owned by Individuals**

I, _____, state under penalty of perjury under the laws of the State of California that I am the record owner of the above-described subject property.

I hereby make application for approval of the second kitchen registration requested. I have read this application and hereby certify that the statements furnished above and in the attached exhibits present the data and information required for the registration to the best of my ability, and that the facts, statements and information presented are true and correct to the best of my knowledge and belief

I agree to be responsible for all costs incurred in connection with the processing of my application and appeals, if any. And I agree to be bound by the provisions of Belvedere Municipal Code Section 19.78.020 as written above.

Signed this _____ day of _____, 20____, at Belvedere, California.

Signature _____

➤ **Properties Owned by a Trust, LLC, Corporation, Partnership, or Other Entity**

I, _____, state under penalty of perjury under the laws of the State of California that the above-described subject property is owned by a trust, LLC, corporation, partnership, or other entity and that my signature on this application has been authorized by all necessary action required by the LLC, corporation, partnership, or other entity.

I hereby make application for approval of the second kitchen registration requested. I have read this application and hereby certify that the statements furnished above and in the attached exhibits present the data and information required for the registration to the best of my ability, and that the facts, statements and information presented are true and correct to the best of my knowledge and belief

I agree to be responsible for all costs incurred in connection with the processing of my application and appeals, if any.

Signed this _____ day of _____, 20____, at Belvedere, California.

Signature _____ Signature _____

Project Address: _____

Title(s) _____ Title(s) _____

Trustee(s) Partners: Limited or General Corporation Other _____

Name of trust, LLC, corporation, or other entity: _____

➤ **Designation of Owner's Representative (Optional)**

I, _____, hereby authorize _____ to file on my behalf any applications, plans, papers, data, or documents necessary to obtain approvals required to complete my project and further authorize said person to appear on my behalf before the Planning Commission and/or City Council. This designation is valid until the project covered by the application(s) is completed and finalized or until the designation is rescinded in writing.

Signature of Owner: _____ Date: _____

Signature of Representative: _____ Date: _____

Recordation requested by,
and when recorded return to:

Deputy City Clerk
City of Belvedere
450 San Rafael Avenue
Belvedere, CA 94920-2336

Specimen

A.P. No. 000-00-000

**AGREEMENT
FOR REGISTRATION OF SECOND KITCHEN**

THIS AGREEMENT is entered into between the CITY OF BELVEDERE (“City”) and John Doe (“Owner”), pursuant to Section 19.78.020 of the Belvedere Municipal Code.

RECITALS

A. Owner has applied to City for registration of one second kitchen(s) (“the second kitchen”), located upon Owner’s property at 100 Main Street, Belvedere, being Assessor’s Parcel No. 000-00-000 (“the Property”).

B. Belvedere Municipal Code (“BMC”) Section 19.78.020 requires Owner to enter into this agreement with City prior to registration of one or more second kitchens.

NOW THEREFORE, IT IS AGREED by and between City and Owner, as follows:

1. The second kitchen shall at no time be used as part of a second dwelling unit, as defined in BMC Section 19.08.465, on the Property; any use of the second kitchen shall be solely by members of Owner’s family, their guests and invitees.

2. Owner shall remove the second kitchen from the Property prior to sale, transfer or any other change of ownership of the Property, unless prior to completion of the sale, the new record owner complies with the provisions of BMC Sections 19.78.020 and 19.78.030.

3. Owner agrees to permit physical inspection of the structure(s) containing the second kitchen at any reasonable time upon reasonable advance notice by the City.

4. Owner agrees to pay City's reasonable costs of enforcement of this agreement, including City's reasonable attorney's fees incurred, in the event of Owner's violation hereof.

5. In consideration of the acts to be performed by Owner hereunder, City agrees to validate and register the second kitchen located upon Owner's property, upon compliance with the provisions of BMC sections 19.78.020 and 19.78.030.

CITY OF BELVEDERE

George Rodericks, City Manager

Date

OWNER

John Doe

Date