



**TOWN OF HILLSBOROUGH**  
*California*

**APPLICATION PACKET FOR SB 9 URBAN LOT SPLITS**

What is SB 9?

Senate Bill 9 (“SB 9”) is a new piece of State housing legislation that went into effect on January 1, 2022. SB 9 requires the Town to both: (1) allow any lot in a single-family residential zone to be split, roughly into halves, with resulting lots as small as 1,200 sf; and (2) allow any lot in a single-family residential zone to be developed with up to two single-family primary dwellings. SB 9 requires the Town to approve eligible lot splits and two-unit projects without discretionary review, conditions, or a hearing. Property owners may also utilize both of SB 9’s provisions and an SB 9 lot split may be followed with an SB 9 two-unit project on each of the two new lots—resulting in four total dwellings on what was formerly one single-family residential lot.

How is the Town Implementing SB 9?

SB 9 allows cities to impose objective zoning, subdivision, and design standards (collectively “objective development standards”) on covered lot splits and two-unit projects. On December 12, 2021, the City Council adopted an Urgency Ordinance, followed by adoption of a standard Ordinance No. 781 on January 20, 2021, which established objective development standards for SB 9 projects in the Town. To view the Town’s SB 9 development standards in full, please refer to Hillsborough Municipal Code Chapter 16.44 (SB 9 Urban Lot Splits) and Chapter 17.54 (SB 9 Two-Unit Projects).

How Do I apply for an SB 9 Urban Lot Split?

Complete and submit the following to the Planning Division via email to:

Liz Ruess, Long-range Planning and Special Projects, [lruess@hillsborough.net](mailto:lruess@hillsborough.net)

An application for an urban lot split will not be considered complete unless it includes all of the following items:

1. Completed “Urban Lot Split Application.”
2. A title report for the subject property commissioned no later than 30 days from when the Urban Lot Split Application is submitted (attach as Attachment “A”)
3. Copies of each property owner’s driver’s license or government issued identification (attach as Attachment “B”)
4. If applicable, an executed Letter of Agency (attach as Attachment “C”)
5. If applicable, executed Mortgage Holder Consent(s) (attach as Attachment “D”)
6. Executed Owner Affidavit (attach as Attachment “E”)
7. All required Lot Location Certifications (attach as Attachment “F”)
8. A site plan showing the location of the property, elevations showing design, color, material, massing, height, and approximate square footage of each building that is to be occupied. Plans must be dimensioned and labeled to show compliance with all applicable code provisions, including, but not limited to, Hillsborough Municipal Code Chapter 16.44 (SB 9 Urban Lot Splits).
9. Application fees based on hourly planning staff rate of \$211/hour plus public notification fee.

## URBAN LOT SPLIT APPLICATION

### 1. APPLICANT INFORMATION

Only individual property owners may apply for an urban lot split. If fee title to the lot is held jointly, please provide the information required by this section for each owner. Attach additional sheets as necessary

1.1. Property owner's legal name:	Click or tap here to enter text.	
1.2. Property owner's address:	Click or tap here to enter text.	
1.3. Property owner's phone number:	Click or tap here to enter text.	
1.4. Property owner's email:	Click or tap here to enter text.	
1.5. Is this application being submitted by a third-party on behalf of the property owner?	<input type="checkbox"/> Yes <sup>1</sup>	<input type="checkbox"/> No
1.6. Does any person or entity hold a mortgage or security interest in the lot subject to this application?	<input type="checkbox"/> Yes <sup>2</sup>	<input type="checkbox"/> No

### 2. PROJECT INFORMATION

The lot subject to the proposed urban lot split is referred to herein as the "Original Lot." The lots that will be created by the lot split are referred to as "Proposed Lot 1" and "Proposed Lot 2."

2.1. <b>Original Lot address:</b>	Click or tap here to enter text.	
<b>2.2. Lot Sizes</b>		
2.2.1. Total square footage of the Original Lot:	Click or tap here to enter text.	
2.2.2. Will Proposed Lots 1 and 2 each be at least 1,200 square feet?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.2.3. Will either Proposed Lot 1 or 2 contain more than 60% of Original Lot's square footage?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

<sup>1</sup> If you answered "yes" to question 1.5, you must also complete the Letter of Agency attached as Attachment [C].

<sup>2</sup> If you answered "yes" to question 1.6, you must also complete the Mortgage Holder Consent form attached as Attachment [D].

2.2.4. Total square footage of Proposed Lot 1:	Click or tap here to enter text.	
2.2.5. Total square footage of Proposed Lot 2:	Click or tap here to enter text.	
<b>2.3. Lot Access</b>		
2.3.1. Does Proposed Lot 1 adjoin the public right of way?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.3.2. If you answered yes to question 2.3.1 above, does Proposed Lot 1 have at least 50 feet of frontage on the public right of way?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.3.3. Does Proposed Lot 2 adjoin the public right of way?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.3.4. If you answered yes to question 2.3.3 above, does Proposed Lot 2 have a least 50 feet of frontage on the public right of way?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>2.4. Lot Location</b>  This Section 2.4 determines whether the Original Lot is located in an area that is eligible for an urban lot split. Where an answer requires additional documentation to demonstrate that the Original Lot is or is not in a certain type of area (marked with an asterisk *), that documentation must be attached hereto in Attachment "F."		
2.4.1. Is the Original Lot located on prime farmland, farmland of statewide importance, or land that is zoned or designated for agricultural protection or preservation by the voters?	<input type="checkbox"/> Yes	<input type="checkbox"/> No*
2.4.2. If you answered no to question 2.4.1 above, please provide evidence to support your conclusion. See Attachment F for more details.	Click or tap here to enter text.	
2.4.3. Is the Original Lot located within a wetland?	<input type="checkbox"/> Yes	<input type="checkbox"/> No*

<p>2.4.4. If you answered no to question 2.4.3 above, please provide evidence to support your conclusion. See Attachment F for more details.</p>	<p>Click or tap here to enter text.</p>	
<p>2.4.5. Is the Original Lot located within a very high fire hazard severity zone?</p>	<p><input type="checkbox"/> Yes</p>	<p><input type="checkbox"/> No*</p>
<p>2.4.6. If you answered no to question 2.4.5 above, please provide evidence to support your conclusion. See Attachment F for more details.</p>	<p>Click or tap here to enter text.</p>	
<p>2.4.7. Is the Original Lot located within a hazardous waste site that has not been cleared for residential use?</p>	<p><input type="checkbox"/> Yes</p>	<p><input type="checkbox"/> No*</p>
<p>2.4.8. If you answered no to question 2.4.7 above, please provide evidence to support your conclusion. See Attachment F for more details.</p>	<p>Click or tap here to enter text.</p>	
<p>2.4.9. Is the Original Lot located within a delineated earthquake fault zone?</p>	<p><input type="checkbox"/> Yes</p>	<p><input type="checkbox"/> No*</p>
<p>2.4.10. If you answered no to question 2.4.9 above, please provide evidence to support your conclusion. See Attachment F for more details.</p>	<p>Click or tap here to enter text.</p>	
<p>2.4.11. Is the Original Lot located within a 100-year flood-hazard area?</p>	<p><input type="checkbox"/> Yes</p>	<p><input type="checkbox"/> No*</p>
<p>2.4.12. If you answered no to question 2.4.11 above, please provide evidence to support your conclusion. See Attachment F for more details.</p>	<p>Click or tap here to enter text.</p>	
<p>2.4.13. Is the Original Lot located within a regulatory floodway?</p>	<p><input type="checkbox"/> Yes</p>	<p><input type="checkbox"/> No*</p>

<p>2.4.14. If you answered no to question 2.4.13 above, please provide evidence to support your conclusion. See Attachment F for more details.</p>	<p>Click or tap here to enter text.</p>	
<p>2.4.15. Is the Original Lot located within an area identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan?</p>	<p><input type="checkbox"/> Yes</p>	<p><input type="checkbox"/> No*</p>
<p>2.4.16. If you answered no to question 2.4.15 above, please provide evidence to support your conclusion. See Attachment F for more details.</p>	<p>Click or tap here to enter text.</p>	
<p>2.4.17. Is the Original Lot located within a habitat for protected species?</p>	<p><input type="checkbox"/> Yes</p>	<p><input type="checkbox"/> No*</p>
<p>2.4.18. If no to question 2.4.17 above, please include a survey of the site by a qualified biologist showing that there is no habitat for protected or candidate species on the site.</p>	<p>Click or tap here to enter text.</p>	
<p>2.4.19. Is the Original Lot subject to a conservation easement?</p>	<p><input type="checkbox"/> Yes</p>	<p><input type="checkbox"/> No*</p>
<p>2.4.20. If you answered no to question 2.4.19 above, please provide evidence to support your conclusion. See Attachment F for more details.</p>	<p>Click or tap here to enter text.</p>	
<p>2.4.21. Is the Original Lot a historic property or within a historic district that is included on the State Historic Resources Inventory?</p>	<p><input type="checkbox"/> Yes</p>	<p><input type="checkbox"/> No*</p>

2.4.22. If no to question 2.4.21 above, please provide evidence to support your conclusion. See Attachment F for more details.	Click or tap here to enter text.	
2.4.23. Is the Original Lot located within a site designated by ordinance as a town or county landmark or as a historic property or district?	<input type="checkbox"/> Yes	<input type="checkbox"/> No*
2.4.24. If you answered no to question 2.4.23 above, please provide evidence to support your conclusion. See Attachment F for more details.	Click or tap here to enter text.	
<b>2.5. Prior Urban Lot Splits</b>		
2.5.1. Was the Original Lot created by an urban lot split?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.5.2. Do you own any lots that are adjacent to the Original Lot?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.5.3. If you answered yes to question 2.5.2 above, how many adjacent lots do you own? Please identify the lots by APN and lot, map, and book number.	Click or tap here to enter text.	
2.5.4. Were any of your adjacent lots created by an urban lot split?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.5.5. Is the Original Lot adjacent to any lot that satisfies <u>both</u> of the following:  (a) the adjacent lot is owned by a third-party; <u>and</u>  (b) the adjacent lot was created by an urban lot split.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.5.6. If you answered yes to question 2.5.5 above, please identify <u>each</u>	Click or tap here to enter text.	

<p>applicable lot by APN and lot, map, and book number.</p>		
<p>2.5.7. Is the proposed urban lot split being conducted in concert with, or coordinated in any way with, the owner of any lot identified in question 2.5.6 above?</p> <p>Have you communicated with the other owner about the other owner's urban lot split or yours? By phone, email, letter, in person, or in any other way? Have you been made aware of what the other owner is doing through a third party? If so, please indicate "Yes" here and explain below.</p>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<p>2.5.8. If you answered yes to question 2.5.7 above, please explain.</p>	<p>Click or tap here to enter text.</p>	
<p><b>2.6. Impact on Protected Housing</b></p>		
<p>2.6.1. Will the proposed urban lot split require or include the demolition or alteration of housing that is income restricted for households of moderate, low, or very low income?</p> <p>If there is any income-restricted housing on the property, as described above, but it will not be demolished or altered, please describe the restricted housing in detail and explain how the project will not require any of it to be demolished or altered.</p>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

<p>2.6.2. Will the proposed urban lot split require or include the demolition or alteration of housing that is subject to any form of rent or price control imposed by a public entity?</p> <p>If there is any housing on the property that is subject to any kind of rent control as described above, but it will not be demolished or altered, please describe the rent-controlled housing in detail and explain how the project will not require any of it to be demolished or altered.</p>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<p>2.6.3. Will the proposed urban lot split require or include the demolition or alteration of housing, or a lot that used to have housing, that has been withdrawn from rental or lease under the Ellis Act (Gov. Code §§ 7060–7060.7) at any time in the 15 years prior to submission of this application?</p> <p>If there is any housing on the property that has been withdrawn from rental or leasing as described above, but it will not be demolished or altered, please describe the housing in detail and explain how the project will not require any of it to be demolished or altered.</p>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<p>2.6.4. A. Will the proposed urban lot split require or include the demolition or alteration of housing that has been occupied by a tenant in the last three years?</p>	<input type="checkbox"/> Yes	<input type="checkbox"/> No



<p>B. If there is any housing on the property, has it been occupied by a tenant at any time during the last three years?</p> <p>C. If the answer to 2.6.4.B, above is Yes, but the housing will not be demolished or altered as part of the proposed project, please describe the housing in detail and explain how the project will not require any of it to be demolished or altered.</p>		
<p><b>2.7. Unit Standards</b></p>		
<p>2.7.1. Will more than two dwelling units of any kind be built on Proposed Lot 1? This includes primary dwellings, accessory dwelling units, and junior accessory dwelling units.</p>	<p><input type="checkbox"/> Yes</p>	<p><input type="checkbox"/> No</p>
<p>2.7.2. Will more than two dwelling units of any kind be built on Proposed Lot 2? This includes primary dwellings, accessory dwelling units, and junior accessory dwelling units.</p>	<p><input type="checkbox"/> Yes</p>	<p><input type="checkbox"/> No</p>
<p>2.7.3. Will the floor area of <u>each</u> primary dwelling unit constructed on Proposed Lots 1 and 2 be greater than 500 square feet?</p>	<p><input type="checkbox"/> Yes</p>	<p><input type="checkbox"/> No</p>
<p>2.7.4. Will the floor area of <u>each</u> primary dwelling constructed on Proposed Lots 1 and 2 be less than or equal to 800 square feet?</p>	<p><input type="checkbox"/> Yes</p>	<p><input type="checkbox"/> No</p>

2.7.5. If either or both of Proposed Lots 1 or 2 is larger than 2,000 square feet, will any dwelling unit thereon exceed one story or 16 feet in height?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.7.6. If either or both of Proposed Lots 1 or 2 is smaller than 2,000 square feet, will any dwelling unit thereon exceed two stories or 22 feet in height?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.7.7. Will each dwelling constructed on Proposed Lots 1 and 2 satisfy the Town Municipal Code's front, rear, and side-yard setback requirements?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.7.8. If you answered no to question 2.7.7 above, please identify each setback requirement that will not be satisfied.	Click or tap here to enter text.	
2.7.9. Will each primary dwelling unit constructed on Proposed Lots 1 and 2 have at least one off-street parking space?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.7.10. Will each dwelling constructed on Proposed Lots 1 and 2 satisfy the Town Municipal Code's lot coverage requirements?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.7.11. If you answered no to question 2.7.10 above, please identify which lot or lots will not satisfy the coverage requirements and how.	Click or tap here to enter text.	
<b>2.8. Architecture</b>		
2.8.1. Is there a primary dwelling on the lot that was legally established before the urban lot split?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.8.2. If you answered yes to 2.8.1, does each proposed new primary dwelling unit match the existing primary	<input type="checkbox"/> Yes	<input type="checkbox"/> No

dwelling unit in exterior materials, color, and roof pitch?		
2.8.3. Do all proposed new units comply with each of the architectural standards set forth in HMC 16.44.050(J)(7)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>2.9. Landscaping</b>		
2.9.1. Is any tree removal proposed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.9.2. Does the proposal satisfy each of the Evergreen landscape screening requirements outlined in HMC 16.44.050(J)(8)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>2.10. Utilities</b>		
2.10.1. Will each primary dwelling unit constructed on Proposed Lots 1 and 2 have its own direct utility connection to the utility service provider?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.10.2. Will any of the primary dwelling units constructed on Proposed Lots 1 and 2 be connected to an onsite wastewater treatment system?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<b>2.11. Fire-Hazard Mitigation Measures</b> <i>(only applicable to properties in HFSZ / WUI)</i>		
2.11.1. Does the Original Lot comply with each fire-hazard mitigation measure set forth in HMC 16.44.050(K) and in the city's adopted fire code?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.11.2. Will Proposed Lot 1 comply with each fire-hazard mitigation measure set forth in HMC 16.44.050(K) and in the city's adopted fire code?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.11.3. Will Proposed Lot 2 comply with each fire-hazard mitigation measure set forth	<input type="checkbox"/> Yes	<input type="checkbox"/> No

in HMC 16.44.050(K) and in the city's adopted fire code?		
2.11.4. Has the applicant obtained a certificate of compliance with each applicable fire-hazard mitigation measure in accordance with HMC 16.44.050(K)? The certificate must be included with the application.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>2.12. Regulation of Uses</b>		
2.12.1. Have you reviewed the form Deed Restriction and Covenant attached as Attachment G?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.12.2. In accordance with the Hillsborough Municipal Code Section 16.44.050, will you record the Deed Restriction and Covenant against Proposed Lots 1 and 2 prior to the approval of the final map?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.12.3. Do you intend to occupy one of the dwelling units on Proposed Lot 1 or 2 as your principal residence for at least three years?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>3. REQUIRED ATTACHMENTS</b>		
3.1. Included with my submittal is a title report for the Original Lot commissioned within the preceding 30 days.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3.2. Included with my submittal are copies of the driver's license or government issued-identification for each owner on title of the Original Lot.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3.3. Regarding the Letter of Agency (Attachment "C"):	<input type="checkbox"/> This requirement <u>does not</u> apply to this submittal. (The owner is not making this application through another person or "agent.")	

	<input type="checkbox"/> This requirement <u>does</u> apply and the submittal includes an executed Letter of Agency.	
3.4. Regarding the Mortgage Holder Consent (Attachment "D"):	<input type="checkbox"/> This requirement <u>does not</u> apply to this submittal. (No one holds a mortgage lien against the Original Lot.)  <input type="checkbox"/> This requirement <u>does</u> apply and the submittal includes an executed Mortgage Holder Consent.	
3.5. Included with my submittal is an executed Owner Affidavit (Attachment "E").	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3.6. Included with my submittal are all required Lot Location Certifications (attached as Attachment "F").	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3.7. Included with my submittal is the deed restriction covenant (attached as Attachment "G").	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>4. <u>PROPERTY OWNER CERTIFICATION</u></b>  Under penalty of perjury under the laws of the State of California, I hereby state that the information provided in this Urban Lot Split Application is accurate and correct to the best of my knowledge. (If fee title to the Original Lot is held jointly, attach additional signatures for <u>each</u> owner).  <div style="text-align: right;"><a href="#">Click or tap here to enter text.</a></div> <hr/> <div style="display: flex; justify-content: space-between;"> <span>Signature of Property Owner</span> <span>Date</span> </div>		

**ATTACHMENT "A"**  
**(TITLE REPORT FOR THE ORIGINAL LOT)**

**ATTACHMENT "B"**  
**(OWNER'S DRIVER'S LICENSE/IDENTIFICATION)**

**ATTACHMENT "C"**  
**(LETTER OF AGENCY)**

Complete the following only if you answered "yes" to question 1.5 above. If fee title to the property is held jointly, attach additional sheets as necessary for each owner.

—  
**LETTER OF AGENCY**

I, the undersigned, am the legal owner of: Click or tap here to enter text. (the "Original Lot"). I hereby grant permission to: Click or tap here to enter text. ("Agent") to submit an application on my behalf for an urban lot split of the Original Lot (the "Project"). I further authorize the Town of Hillsborough (the "Town") to communicate with Agent regarding the Project.

\_\_\_\_\_ Click or tap here to enter text.

Signature of Property Owner

Date

Under penalty of perjury under the laws of the State of California, I hereby state that the information provided in this application is accurate and correct to the best of my knowledge.

\_\_\_\_\_ Click or tap here to enter text.

Signature of Agent

Date



**ATTACHMENT "D"**  
**(MORTGAGE HOLDER CONSENT)**

Complete the following only if you answered "yes" to question 1.6 above. Applicants must submit an executed Mortgage Holder Consent for each person or entity that holds a mortgage or security interest in the property. For example, if Bank A and Bank B hold mortgages secured by the property, then both Bank A and Bank B must complete this Mortgage Holder Consent.

**MORTGAGE HOLDER CONSENT**

**Date:** \_\_\_\_\_

**Mortgage Holder:**

BANK NAME

BANK ADDRESS

BANK CITY, STATE, ZIP

PHONE NUMBER

**Loan Number(s):** (\_\_\_\_\_)

**Property Owner and Mailing Address:**

OWNER NAME

OWNER ADDRESS

OWNER CITY, STATE, ZIP

**Property (as more particularly described in the attached Exhibit A):**

PROPERTY ADDRESS

PROPERTY CITY, STATE, ZIP

**Recording Information:** [\_\_\_\_\_] and [\_\_\_\_\_] and [\_\_\_\_\_] or [\_\_\_\_\_]

This is a Mortgage Holder Consent (this "Consent") by the undersigned entity (the "Mortgage Holder") with respect to the above-referenced loan(s) (the "Loan") secured by the Property.

In accordance with Senate Bill 9 and Chapter 16.44 of the Hillsborough Municipal Code, the Property Owner intends to subdivide the Property into two lots (the "Project"). By signing below, Mortgage Holder hereby: (i) acknowledges receipt of timely prior notice of the Project, (ii) consents to the Project, (iii) agrees that the Project will not constitute an event of default or trigger the exercise of any remedy under the loan documents between Mortgage Holder and Property Owner, and (iv) acknowledges that this Consent is being relied on by all parties participating in, lending in, or administering the Project.

(Continues on Next Page)

The undersigned hereby represents that he/she is authorized to execute and deliver this Consent on behalf of Mortgage Holder.

MORTGAGE HOLDER:

[ \_\_\_\_\_ ]

By \_\_\_\_\_(SEAL)  
Name \_\_\_\_\_  
Title \_\_\_\_\_

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 truthfulness, accuracy, or validity of that document.

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ )

On \_\_\_\_\_ before me, \_\_\_\_\_  
(insert name)

personally appeared \_\_\_\_\_  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed 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), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of \_\_\_\_\_ that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(Seal)

**ATTACHMENT “E”**  
**(OWNER AFFIDAVIT)**

Every urban lot split application must be accompanied with a completed affidavit as set forth below. If fee title to the property is held jointly, attach additional sheets as necessary for each owner.

**OWNER AFFIDAVIT**

I, the undersigned, am the legal owner of: Click or tap here to enter text. (the “Original Lot”). In accordance with Senate Bill 9 and Chapter 16.44 of the Hillsborough Municipal Code, I have submitted an application with the Town of Hillsborough to subdivide the Original Lot into two lots (the “Project”). To that end, I hereby represent and warrant as follows:

1. Intent to Occupy. I intend to occupy one of the dwelling units on one of the resulting lots (created by the subdivision of the Original Lot) as my principal residence for a minimum of three years after the Project is approved.
2. Impact on Protected Housing. The Project will not require or include the demolition or alteration of any of the following:
  - a) Housing that is income restricted for households of moderate, low, or very low income;
  - b) Housing that is subject to any form of rent or price control through a public entity’s valid exercise of its police power;
  - c) Housing, or a lot that used to have housing, that has been withdrawn from rental or lease under the Ellis Act (Gov. Code §§ 7060–7060.7) at any time in the 15 years prior to submission of this application; or
  - d) Housing that has been occupied by a tenant in the last three years.
3. No Prior Urban Lot Split; Third-Party Coordination. The Original Lot is not adjacent to any lot that was established through a prior urban lot split by me or by any person acting in concert with me.
4. Fire Hazard Mitigation Measures. If the Original Lot is located within a severe fire hazard severity zone, I understand, acknowledge, and agree that my application for an urban lot split will not be approved unless I comply with all fire-hazard mitigation measures required by Chapter 15.21 of the Hillsborough Municipal Code and Chapter 7A of the California Building Code.
5. Indemnification/Hold Harmless. I agree to forever indemnify and hold harmless the Town of Hillsborough, its agents, employees, officials, and volunteers, from any and all claims and damages related to the approval of Project.

(Continues on Next Page)

Under penalty of perjury under the laws of the State of California, I hereby state that the information provided in this Owner Affidavit is accurate and correct to the best of my knowledge.

---

text.

Signature of Property Owner

Click or tap here to enter

Date

**ATTACHMENT “F”**  
**(LOT LOCATION CERTIFICATIONS)**

Urban lot splits are only authorized for certain types of lots zoned for single-family residential use and not in certain sensitive or otherwise protected areas. Based on your answers to Section 2.4, “Lot Location,” you may need to include supporting documentation of the location and characteristics of the Original Lot. Attach all such documentation here. More than one type of document or evidence may suffice; if a document provides adequate assurance to the Planning Division of the truth and accuracy of one or more of your answers to Section 2.4, it should be included. For your reference, examples of the type of documentation and other evidence that can be included are listed below. These examples are provided solely as a courtesy and the Planning Division makes no representations or warranties as to the security, accuracy, adequacy, or sufficiency of any suggested source. Applicant uses all provided links at his or her own risk. While State law requires the Planning Division to grant ministerial approval of a complete application for an urban lot split, if the type(s) of documents provided offer insufficient evidence of the suitability of the Original Lot for an urban lot split, your application may be deemed incomplete and not subject to ministerial approval.

Question Number and Lot Characteristic	Type(s) of Supporting Documentation
2.4.3– Prime Farmland, Farmland of Statewide Importance, Land Zoned or Designated for Agricultural Protection or Preservation	<ul style="list-style-type: none"> <li>• The status of the Original Lot as reported in the California Department of Conservation’s Farmland Mapping &amp; Monitoring Program (FMMP). Refer to: <a href="https://www.conservation.ca.gov/dlrp/fmmp">https://www.conservation.ca.gov/dlrp/fmmp</a>.</li> <li>• Printouts and screenshots from FMMP’s “California Important Farmland Finder” indicating the Farmland Type and Farmland Type Description of the area(s) encompassing the Original Lot. The Farmland Finder is located at the following website: <a href="https://maps.conservation.ca.gov/DLRP/CIFF/">https://maps.conservation.ca.gov/DLRP/CIFF/</a>.</li> </ul>
2.4.5– Wetlands	<ul style="list-style-type: none"> <li>• The status of the Original Lot as reported in the U.S. Fish &amp; Wildlife Service’s National Wetlands Inventory.</li> <li>• Printouts and screenshots from the U.S. Fish &amp; Wildlife Service’s “Wetlands Mapper,” currently hosted at <a href="https://www.fws.gov/wetlands/data/Mapper.html">https://www.fws.gov/wetlands/data/Mapper.html</a>.</li> </ul>
2.4.7– Very High Fire Hazard Severity Zone	<ul style="list-style-type: none"> <li>• The status of the Original Lot as reported by the Office of the State Fire Marshal.</li> <li>• Printouts and screenshots from the Office of the State Fire Marshal’s “Fire Hazard Severity Zones” page, currently hosted at <a href="https://osfm.fire.ca.gov/divisions/wildfire-planning-engineering/wildfire-prevention-engineering/fire-hazard-severity-zones/">https://osfm.fire.ca.gov/divisions/wildfire-planning-engineering/wildfire-prevention-engineering/fire-hazard-severity-zones/</a>.</li> </ul>

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2.4.9– Hazardous Waste Site	<ul style="list-style-type: none"> <li>• The status of the Original Lot as reported by the California Environmental Protection Agency.</li> <li>• Printouts and screenshots from databases meeting the requirements of the California EPA’s “Cortese List,” compiled pursuant to Government Code Section 65962.5. For a preliminary list of such databases, visit <a href="https://calepa.ca.gov/sitecleanup/corteselist/">https://calepa.ca.gov/sitecleanup/corteselist/</a>.</li> </ul>
2.4.11 – Delineated Earthquake Fault Zone	<ul style="list-style-type: none"> <li>• The status of the Original Lot as reported by the California Department of Conservation.</li> <li>• Printouts and screenshots from a resource approved by the California Department of Conservation as a method to properly determine if a property is within or affected by an earthquake fault zone under the Alquist-Priolo Act. For a preliminary list of such databases, visit <a href="https://www.conservation.ca.gov/cqs/alquist-priolo">https://www.conservation.ca.gov/cqs/alquist-priolo</a>.</li> </ul>
2.4.13– One Hundred Year Flood-Hazard Area	<ul style="list-style-type: none"> <li>• The status of the Original Lot as reported by the Federal Emergency Management Agency’s (FEMA) flood maps and by the California Department of Water Resources.</li> <li>• For a preliminary list of such databases, visit <a href="https://www.fema.gov/flood-maps">https://www.fema.gov/flood-maps</a> or <a href="https://qis.bam.water.ca.gov/bam/">https://qis.bam.water.ca.gov/bam/</a>.</li> </ul>
2.4.15– Regulatory Floodway	<ul style="list-style-type: none"> <li>• The status of the Original Lot as reported by the Federal Emergency Management Agency’s (FEMA) flood maps and by the California Department of Water Resources.</li> <li>• Printouts and screenshots from the California Department of Water Resources page clearly showing the status of the property, an example of such databases is accessible at <a href="https://qis.bam.water.ca.gov/bam/">https://qis.bam.water.ca.gov/bam/</a>.</li> </ul>
2.4.17– Conservation Area	<ul style="list-style-type: none"> <li>• The status of the Original Lot as reported by the California Department of Fish and Wildlife.</li> <li>• Printouts and screenshots clearly showing the status of the property from a California Department of Fish and Wildlife-approved conservation plan map, summary, or list. For a preliminary resource, visit <a href="https://wildlife.ca.gov/Conservation/Planning/NCCP">https://wildlife.ca.gov/Conservation/Planning/NCCP</a>.</li> </ul>

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2.4.21– Conservation Easement	<ul style="list-style-type: none"> <li>• A title report clearly demonstrating that the Original Lot is not subject to a conservation easement (i.e. any limitation imposed on the Original Lot by deed, will, or other instrument in the form of an easement, restriction, covenant, or condition that applies to the Original Lot and is binding upon successive owners).</li> </ul>
2.4.23– State Historic District	<ul style="list-style-type: none"> <li>• The status of the Original Lot as reported by the California State Parks Office of Historic Preservation.</li> <li>• For preliminary information, visit “California Historical Resources Information System” and “National Register of Historic Places,” hosted at <a href="https://ohp.parks.ca.gov/?page_id=1068">https://ohp.parks.ca.gov/?page_id=1068</a> and <a href="https://ohp.parks.ca.gov/?page_id=21237">https://ohp.parks.ca.gov/?page_id=21237</a>, respectively.</li> </ul>
2.4.25– Town or County Landmark, Historic Property, or Historic District	<ul style="list-style-type: none"> <li>• Review the Town of Hillsborough Municipal Code and the Code of Ordinances of San Mateo County to determine if the Original Lot or any subdivision in which it exists has been designated a landmark, historic property, or historic district.</li> <li>• For more information, visit “Frequently Asked Questions” of the California State Parks Office of Historic Preservation, hosted at <a href="https://ohp.parks.ca.gov/?page_id=24504">https://ohp.parks.ca.gov/?page_id=24504</a>.</li> </ul>

**ATTACHMENT "G"**  
**(DEED RESTRICTION)**

RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:

City Clerk  
Town of Hillsborough  
1600 Floribunda Avenue  
Hillsborough, CA 94010

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**DEED RESTRICTION AND COVENANT**

Cal. Gov. Code § 27383  
Recorded for the Benefit of the Town of Hillsborough

State of California  
County of San Mateo

This Covenant and Deed Restriction is made and executed on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_ and \_\_\_\_\_. The undersigned hereby certify that I/we are the owner(s) of the hereinafter legally described property located in the Town of Hillsborough (the "Town"), State of California. Said property is located at \_\_\_\_\_ as is legally described in Exhibit "A" hereto (the "Property").

Please be advised that the Property was created through an urban lot split in accordance with Senate Bill 9 (Government Code, § 66411.7) and Chapter 16.44 of the Hillsborough Municipal Code. In consideration of the Town approving the urban lot split, the undersigned hereby covenants, acknowledges, and agrees that:

1. Dwelling units on the Property may be rented but only for a term longer than 30 days.
2. The Property will only be used for residential uses.
3. No dwelling unit may be sold separately or otherwise conveyed separately from any other dwelling unit on the Property.
4. The creation of a Common Interest Development within the Property under California Civil Code Section 4000 *et seq.* is prohibited.
5. Except as otherwise required by State law, development on the Property is limited to residential units and subject to the Town's regulations governing urban lot-splits and two-unit projects set forth in the Hillsborough Municipal Code Chapter 16.44 "Urban Lot Splits" and Chapter 17.54 "Two-unit Projects" (including, but not limited to, all applicable limits on dwelling size and development).

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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 \_\_\_\_\_

**(Seal)**

**Exhibit "A" to Deed Restriction**  
**(Legal Description of the Property)**