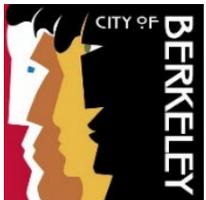


# Small-Lot Subdivisions: SB 684 and Local Infill Pathways

Amendments to Title 21 (Subdivisions) and Title 23 (Zoning)



Branka Tatarevic, Associate Planner

# Process to Date

## **Title 21 & 23 – SB 684 Implementation**

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- January 2025: City Council referral: “Expanding Homeownership Opportunities for Middle-Income Earners”
- July 2025: Planning Commission informational report; received policy direction
- Oct 8, 2025: Planning Commission recommended Title 21 & 23 amendments
- Feb 24, 2026: City Council public hearing

# SB 684 and why a local Parcel Map option

## SB 684 policy intent

- Ministerially approve qualifying small-lot subdivisions and related housing development
- Reduce procedural barriers for ownership-oriented infill on serviced sites
- Retain objective standards and health and safety protections

## Berkeley implementation context

- Middle Housing zoning updates increased maximum densities in several districts
- SB 684 requires 66% of max allowable density - high maximum unintentionally disqualifies smaller projects
- Local Parcel-Map MHIP track ensures a streamlined option for smaller infill that meets minimum density

# How Titles 21 & 23 Work Together

## **Title 21 - Subdivision Procedures**

- Application contents and completeness
- Eligibility screens (SB 684 and local MHIP track)
- Subdivision related development standards (parent-parcel rule)
- Recordation, covenants, sequencing

## **Title 23 - Zoning Permissions and Standards**

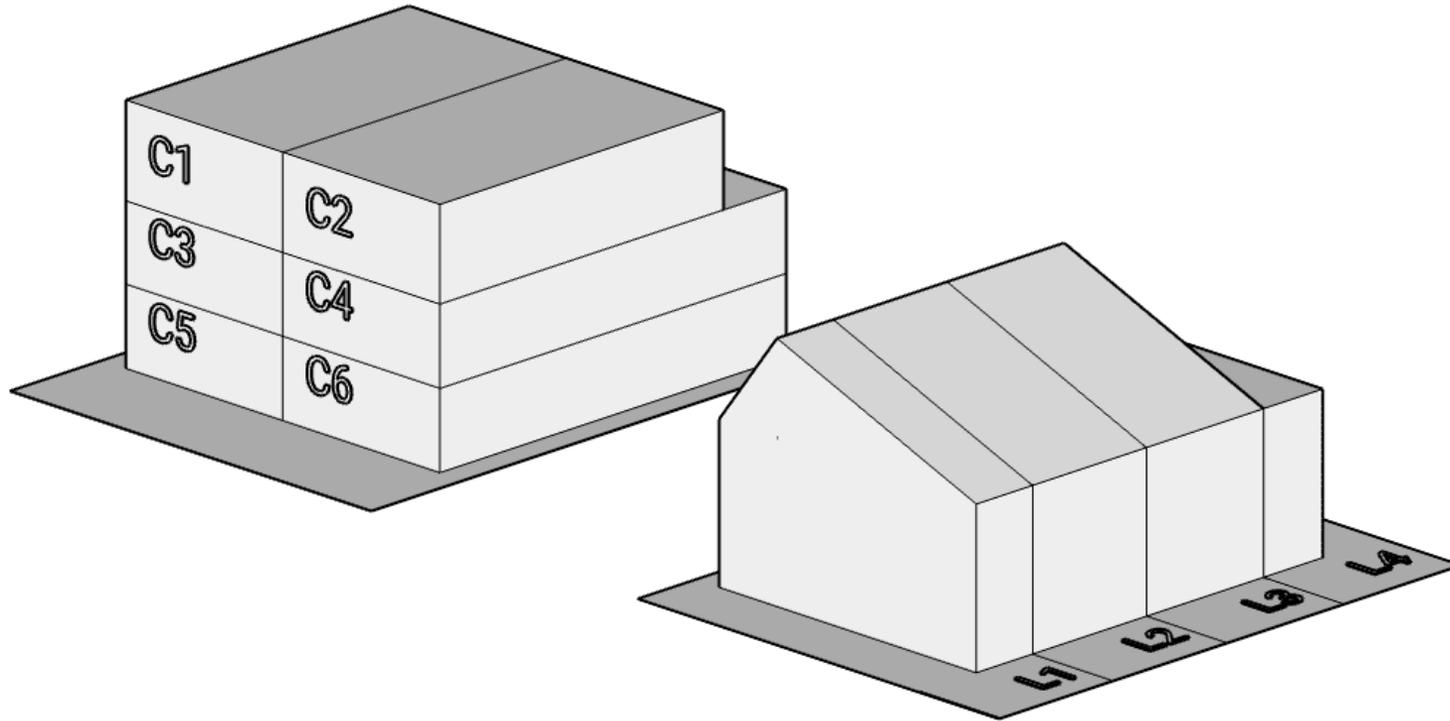
- Zoning district permissions
- Objective development standards (under parent-parcel rule)
- MHIP standards: density, unit-size cap (SB 684), open space, parking

# **New Section 21.30 Small Lot Subdivisions (Middle Housing Infill Projects)**

<b>21.30.010</b>	<b>SB 684 implementation purpose and establishes the SB 684 compliant and local pathway</b>
<b>21.30.020</b>	<b>Project type definition: Middle Housing Infill Project</b>
<b>21.30.030-040</b>	<b>Application requirements and procedures</b>
<b>21.30.050-060</b>	<b>Subdivision side requirements and standards</b>
<b>21.30.070</b>	<b>Approval and recordation sequencing</b>
<b>21.030.080-110</b>	<b>Expiration, enforcement, savings and severability clause</b>

# Parent-Parcel Rule

**Parent Parcel is a parcel that exists prior to a subdivision creating a MHIP.**



# Zoning Code (Title 23) Changes

- **Permits MHIPs where multifamily use is allowed, across residential and commercial districts, and MU-R**
- **General Development Standards section:**
  - Codifies parent-parcel rule**
  - Creates MHIP objective zoning standards set**
- **Cross-references the Title 21 MHIP Definition to ensure review consistency**

# State law compliance - Title 21 changes

**Compliance with the Subdivision Map Act, including:**

- **Improved code readability**
- **Resolving internal conflicts in submittal requirements**
- **Clarifying approval authority**
- **Streamlining select Subdivision Map Act exemptions**

# Staff Recommendation

## Staff recommends the City Council:

- Conduct the public hearing and
- Adopt the first reading of ordinances to:

adopt the first reading of an ordinance to amend BMC Titles 21 and 23 to implement SB 684 by establishing:

1. A ministerial, SB 684–compliant path for small-lot subdivisions and related housing; and
2. A local Parcel-Map path for projects that meet minimum residential density requirements but do not qualify under SB 684.

# Thank you!

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