



Planning and Development
1947 Center St, 2nd Floor
Berkeley, CA 94704

SB 9 PROJECT PRE-APPLICATION SUBMITTAL REQUIREMENTS

Planning@berkeleyca.gov • 510-981-7410, TDD 510-981-7450

General Information

Government Code
Section 65852.21 and
66411.

[California Senate Bill 9 \(SB 9\)](#) created a “ministerial approval process” for “two-unit housing development” and “urban lot split” projects in single-family residential zones. This handout offers general guidelines and is not intended to be comprehensive. Please refer to the California Government Code linked above for more details.

If you are pursuing a two-unit housing development and urban lot split, please complete the entire form and all of the attachments.

Instructions

This packet describes all of the materials required to submit a complete SB9 Project Pre-Application to the Planning and Development Department, Land Use Division. Section 1 is a checklist of materials required for all projects; Sections 2 and 3 comprise a list of materials that may be required based on the project type or location. Other information not included on this checklist may be requested to address unique situations. Please visit our [Permit Forms](#) page for land use forms, instructions, and fee information.

All documents, reports and plans must be provided in digital format(Adobe PDF).

Note: Please Review the [Guide to Submitting a Zoning Project Application](#) for more information about the submittal process

Submittal requirements on the checklist are described further in this packet and include hyperlinks to land use forms and instructions, or other information, if applicable. Each description: 1) identifies whether an item is required, and 2) indicates how to prepare each document, drawing, material, and/or report.

Pages 1 of this packet must be completed and submitted with the Application. Staff will verify that the minimum submittal requirements have been included with your package during the application

Section 1 - Required for all Project	
<ul style="list-style-type: none"> A. Pre-Application Packet <ul style="list-style-type: none"> 1. SB 9 Project Pre-Application Form 2. Completed copy of this SB9 Project Submittal Requirements Checklist (Page 1) 3. SB 9 Urban Lot Split and/or Two-Unit Building Eligibility Checklist 4. SB 9 Owner Attestation Form (Lot Split) 5. SB 9 Prior Tenancy Attestation Form (Only if altering existing structure) B. Applicant Statement C. Payment of Application Fees (Please refer to current Land Use Fees) D. Tabulation Form 	
Section 2 - Required for All Development Projects (Involving New Structures, Additions, Demolitions, or Exterior Alterations)	Section 3 - Supporting Documents, Studies, Graphics and Depictions for All Development Projects
<ul style="list-style-type: none"> A. Site Plan B. LandScape and Usable Open Space Plan C. Lot Coverage Diagram D. Floor Plans E. Building Elevations F. Section Drawings G. Boundary and/or Topographic Survey H. Grading Plan 	<ul style="list-style-type: none"> A. Site Photographs B. Arborist Report C. Structural Evaluation

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Section 1 - Required for All Projects**A. Zoning Project Application Packet**

1. SB 9 Project Application Form
2. SB 9 Project Submittal Requirements (Checklist on page 1)
3. SB 9 Urban Lot Split and Two-Unit Building Checklist
4. SB 9 Owner Attestation Form
5. SB 9 Prior Tenancy Attestation Form

B. Applicant Statement

Submit a written statement (in a separate document) that briefly describes the proposed project and any request to waive a submittal requirement if applicable.

C. Payment of [Land Use Pre-Application \(Staff level\) Fee](#)

Submit required fees to the cashier in the Permit Service Center immediately after your application intake appointment.

If supplemental technical studies are required, a Peer Review deposit will be required (e.g., Arborist Report).

D. [Tabulation Form](#)

Required for all projects.

Submit the form as a separate document, completely filling out each column, using the applicable development standards of the [Zoning Ordinance](#) as a guide.



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Section 2 - Required for all Development Projects (involving New Structures, Additions, Demolitions, or Exterior Alterations)

Plans – General Requirements

1. All plans must be fully dimensioned, and include:

- Name of person preparing plans (licensed architect required for certain projects, see Item 3 below)
- Dates of preparation and revision
- Project address
- Graphic scale (see Item 2 below for minimum scales)
- North arrow
- Legend describing all symbols and notations
- Building Code construction and occupancy types.

For applications to modify a prior permit, the plans must clearly show the approved and modified project, and you must “cloud” all changes from the approved project.

Note: The City of Berkeley [Community GIS Portal](#) is an online resource indicating site features and characteristics listed above, which are required to be shown on the Site Plan.

2. Architect or Engineer Required for Certain Projects

Plans that require preparation by a licensed California architect or engineer under the California Architects Practice Act (Business and Professions Code Sections [5537](#) and [6737](#)) shall bear the architect or engineer’s stamp and signature on each sheet¹. This requirement may be waived for projects involving only minor alterations or repairs; consult with a planner. **For further information, visit www.cab.ca.gov**

1. Projects requiring an architect or engineer include construction, alteration, improvement or repair of (1) any non-residential or mixed-use building; (2) any residential building or group of buildings over 4 units; (3) any residential building over 2 stories or not of wood frame construction; and (4) any garage or other residential accessory structure over 2 stories.



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Section 2 - Required for all Development Projects (involving New Structures, Additions, Demolitions, or Exterior Alterations)

A. Site Plan

Required for all projects.

The Site Plan must show the following:

- Property lines and lot dimensions
- Existing and proposed building footprint(s) (dimensioned), setbacks (required, existing and proposed), and projections such as eaves, balconies, and bays. Show all accessory structures, such as garages, sheds, etc.
- Delineation of proposed additions, if any, with shading, hatching or another appropriate method
- Any portions of neighboring buildings within 20 feet of property lines, including the building-to-building separation (measured in feet)
- Pathway(s) from the residential structure to the public right of way
- Driveways and parking spaces with dimensions, location of ADA spaces, , and security gates
- Trash/solid waste storage area
- Utility meters / boxes / equipment for all wet and dry utilities – including above-ground and under-ground, in conformance with utility company standards, including on the site and in the public right of way (subject to approval by the Public Works Department).
- Decks, patios, hot tubs, and all unenclosed accessory structures

B. Landscape and Usable Open Space Plan

Required for all projects.

The Landscape Plan must show the following:

- Fully dimension all areas that qualify as existing and proposed Usable Open Space, in compliance with the applicable zoning district development standard and [BMC Section 23.304.090](#)); and
- Any existing landscaping to remain and to be removed
- All proposed landscaping, including all existing and proposed trees, including street trees (indicate species, trunk diameter, drip line), hedge rows, and ground cover
- All paved areas and surface treatments
- Fences and retaining walls (materials and height)
- Significant natural features such as creeks (indicate banks or culvert outline), and prominent landforms.

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Section 2 - Required for all Development Projects (involving New Structures, Additions, Demolitions, or Exterior Alterations)**C. [Lot Coverage Diagram](#)****Required for all projects.**

- **Submit** the Lot Coverage Diagram, using the Site Plan as a base map, which must show the fully dimensioned diagrams to depict existing and proposed lot coverage in compliance with the applicable zoning district development standard and [BMC Section 23.106.020](#).

D. Floor Plans**Required for all projects.****The Floor Plan(s) must show the following:**

- All floors, including mezzanines, basements, and attics
- Use of all rooms (existing and proposed), per the California Building Code
- For changes to existing buildings, provide separate plans for existing and proposed conditions, or if changes are limited, use dashed lines for demolished features and solid lines for new features.

E. Building Elevations**Required for all projects.****The Elevations must show the following:**

- All exterior features and openings, including finishes and materials
- Existing and proposed average building height (as defined in [BMC Section 23.106.090.\(A\)](#); see Instructions linked below), finished floor elevations, and grade (within five feet of the building). For projects in the “H” District, also indicate maximum building height, as defined in [BMC Section 23.106.090.\(B\)](#).
- Adjacent features such as fences, landscaping, and other buildings and property lines.
- For changes to existing buildings, provide separate elevations for existing and proposed conditions, or if changes are limited, used dashed lines for demolished features and solid lines for new features

[Height Instructions – Residential Average Height](#) (all projects in residential districts)

[Height Instructions – Residential Maximum Height](#) (all projects in residential districts within the Hillside (H) overlay, or R-S District)

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Berkeley, CA 94704**Section 2 - Required for all Development Projects (involving New Structures, Additions, Demolitions, or Exterior Alterations)****F. Section Drawings****Required for all projects.****The Floor Plan(s) must show the following:**

- New main buildings in the “H” District
- Additions exceeding 14 feet in average height in the “H” District

Submit drawings that show adjacent uphill or downhill buildings where views may be affected. Minimum scale is 1/8” = 1’.
Show existing and proposed finished grades.

G. Boundary and/or Topographic Survey**Required for the follow projects:**

- Any new main building
- Expansions of a building footprint or the creation of accessory building/structures less than two feet from, or within, a required setback.

Submit a survey meeting the following requirements:

1. Wet-stamped, signed by a licensed CA surveyor or appropriately licensed civil engineer²
2. Minimum scale of 1/10” = 1’
3. All property lines, curb and sidewalk, spot elevations, existing structures, building dimensions, and setbacks to all property lines
4. For projects in the “H” District, survey must be no more than five years old and must show contour lines with minimum 5-foot intervals.

H. Conceptual Grading Plan**Required for projects with more than 50 cubic yards of cut and/or fill.**

Submit a grading plan meeting the following requirements:

1. Prepared by a licensed surveyor, architect or engineer
2. Estimated quantities and locations of cut and fill
3. Existing and final elevations

2. Classification must be specified. Check with project planner.



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Section 3 - Required for all Development Projects (involving New Structures, Additions, Demolitions, or Exterior Alterations)

A. Site Photographs

Required for all projects.

Submit one set of exterior photos with captions or a key indicating the location (perspective) of each photo. Provide an adequate number of photos to show entire project site and all adjacent buildings for context. Where possible, take wide-angle shots showing project site and adjacent buildings together.

B. Arborist Report

Required for projects involving any construction activity (including excavation, trenching, demolition, paving, storage of materials, and parking of vehicles) within the drip line of a Coast Live Oak (*quercus agrifolia*) tree with a circumference of at least 18 inches at 4 feet above the ground (or at least 26 inches aggregate circumference for a multi-stemmed tree).

Submit a report by a certified arborist assessing the project's impacts on the affected tree(s) (tree may be located either on- or off-site) and recommending preservation measures both during and after construction, as applicable.

[Tree Protection Instructions](#)
[Coast Live Oak Tree Ordinance](#)

C. Structural Evaluation

Required for any project that is not a demolition, but is removing between 25% and 49% of a main building's exterior wall and between 25% and 49% of a main building's roof framing (including in-kind replacement of existing framing), in order to confirm the feasibility of retaining the remaining portions of any wall and roof. A Structural Evaluation is not required for projects requesting a Use Permit for demolition.³

Submit a demolition diagram that indicates the percentage of each wall and roof that is proposed to be replaced or removed, as well as a report by an independent, fully credentialed structural engineer that evaluates whether, in the operator's opinion, retention of structural elements not proposed for removal is actually feasible.

3. Demolition: Destroyed in whole or in part. Destroyed in part means when 50% or more of the enclosing exterior walls and 50% or more of the roof are removed ([BMC Section 23.502.020.\(D.\(\(3\)\)](#))