



Planning and Development
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General Information

[California Senate Bill 9 \(SB 9\)](#) created a ministerial approval process for eligible 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 Section 65852.21 and 66411 for more details.

If you are proposing only to develop housing, please complete Sections 1 through 4.

If you are pursuing an urban lot split, please complete Sections 1 through 5.

All Land Use forms are available online @ <https://berkeleyca.gov/construction-development/permits-design-parameters/permit-types/permit-forms>

CITY OF BERKELEY LAND USE PLANNING

SUBMITTAL CHECKLIST

SB 9 PROJECT PRELIMINARY APPLICATION SUBMITTAL REQUIREMENTS

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Instructions

This packet describes all of the materials required to submit a complete SB 9 Project Preliminary Application Request 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.

Each submittal requirement on the checklist is described further in this packer, starting on Page 2. Each description identified whether an item is required, and indicates how to prepare each document, drawing material, and/or report. Hyperlinked forms and instructions are also online under Land Use at <https://berkeleyca.gov/constructiondevelopment/permits-design-parameters/permit-types/permit-forms>.

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 submittal. Applications that are missing the materials in this checklist will not be accepted for review.

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.

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SECTION 1 - REQUIRED FOR ALL PROJECTS

- A. Pre-Application Packet
- B. Applicant Statement
- C. Payment of Application Fees
(Please refer to current Land Use Fees)
- D. Tabulation Form
1. SB 9 Pre-Application Form
2. Completed copy of this SB 9 Project Submittal Requirements Checklist (Page 1)
3. SB 9 Housing Development and/or Urban Lot Split Eligibility Checklist

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SECTION 2 - REQUIRED FOR ALL DEVELOPMENT PROJECTS INVOLVING NEW STRUCTURES, ADDITIONS, DEMOLITIONS, OR EXTERIOR ALTERATIONS

- A. Site Plan
- B. Landscape and Usable Open Space Plan
- C. Lot Coverage Diagram
- D. Floor Plans
- E. Building Elevations
- F. Section Drawings (Hillside Overlay Only)
- G. Boundary and/or Topographic Survey
- H. Grading Plan

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SECTION 3 - SUPPORTING DOCUMENTS

- A. Site Photographs
- B. Arborist Report
- C. Structural Evaluation
- D. Project Specific Requirements for Full Applications
1. SB 9 Owner Attestation Form (Lot Split)
2. SB 9 Prior Tenancy Attestation Form
(Only if altering existing structure)



SB 9 PROJECT PRE-APPLICATION SUBMITTAL REQUIREMENTS

SECTION 1 - REQUIRED FOR ALL PROJECTS

- ☐
- A. Zoning Project Application Packet**
1. SB 9 Preliminary Application Form
 2. SB 9 Project Submittal Requirements Checklist (Page 1)
 3. SB 9 Development and Urban Lot Split Eligibility Checklist
- 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](#)**
- Permit Service Center Cashier: 8:30 am – 2:30* pm, Mon-Thurs (*closed from 12:30 – 1:30 pm)
 - Online Payment: [Permit Portal](#) (note – there is a third-party service fee for online credit card payments)
 - PSC check drop-off outside of Cashier hours: Ask the PSC Welcome Desk to assist you. Dropped off check payments will be processed the following business day; we will contact you if any additional information is needed for the payment. PSC is open Monday-Thursday 8:30 am – 2:30 pm – please do not drop off payments outside of those hours.
- If supplemental technical studies are required, a Peer Review deposit will be required (e.g., Arborist Report).
- D. [Tabulation Form](#)**
- Submit the form as a separate document, completely filling out each column, using the applicable development standards of the [Zoning Ordinance](#) and SB 9 as a guide.



SB 9 PROJECT PRE-APPLICATION SUBMITTAL REQUIREMENTS

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.

2. Electronic Plans Requirements:

See the [Guide to Submitting a Zoning Project Application](#) for digital plans and document standards.



SB 9 PROJECT PRE-APPLICATION SUBMITTAL REQUIREMENTS

SECTION 2 - REQUIRED FOR ALL DEVELOPMENT PROJECTS INVOLVING NEW STRUCTURES, ADDITIONS, DEMOLITIONS, OR EXTERIOR ALTERATIONS

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|--------------------------|---|
| ☐ | <p>A. Site Plan</p> <p>Required for all projects</p> <p>The Site Plan must show the following:</p> <ul style="list-style-type: none">☐ Existing and proposed 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☐ Decks, patios, hot tubs, and all unenclosed accessory structures <p>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</p> |
| ☐ | <p>B. Landscape and Usable Open Space Plan</p> <p>Required for all projects</p> <p>The Landscape Plan must show the following:</p> <ul style="list-style-type: none">☐ 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☐ 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. |
| ☐ | <p>C. Lot Coverage Diagram and Calculations</p> <p>Required for all projects with existing or proposed structures</p> <ul style="list-style-type: none">☐ Submit the Lot Coverage Diagram and calculations, 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. |
| ☐ | <p>D. Floor Plans</p> <p>Required for all projects.</p> <p>The Floor Plan (s) must show the following:</p> <ul style="list-style-type: none">☐ 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. |



SB 9 PROJECT PRE-APPLICATION SUBMITTAL REQUIREMENTS

SECTION 2 - REQUIRED FOR ALL DEVELOPMENT PROJECTS INVOLVING NEW STRUCTURES, ADDITIONS, DEMOLITIONS, OR EXTERIOR ALTERATIONS



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 building height (as defined in BMC Sections 23.106.090), finished floor elevations, and existing and finished grades (within five feet of the building).
- ☐ 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 –Average Building Height*](#)

(R-1 and R-1H Districts)

[Height Instructions –Maximum Building Height*](#)

(Hillside Overlay Only)

*In the Hillside Overlay (“H”), both average and maximum building height apply.



F. Section Drawings

Required for the following projects:

- ☐ **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 Topography Survey

Required for the following 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.**
- ☐ **Urban lot splits**

Submit a survey meeting the following requirements:

1. Wet-stamped, signed by a licensed CA surveyor or appropriately licensed civil engineer
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



SB 9 PROJECT PRE-APPLICATION SUBMITTAL REQUIREMENTS

SECTION 3 - SUPPORTING DOCUMENTS



A. Site Photographs

Required for all projects

Submit one set of exterior photos, that meet the following requirements:

1. Use captions or a key indicating the location (perspective) of each photo.
2. 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

1. 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.
2. Deposit of \$460 for the first two hours of peer review of report (additional funds may be required for more complicated projects or site visits)

[Tree Protection Instructions](#)

[Coast Live Oak Tree Ordinance](#)



C. Structural Evaluation

Required for any project that is not a demolition, but is removing more than 25 percent of a main building's exterior wall and 25 percent 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 demolition.

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.



D. Attestations

Required with Urban Lot Split and/or Building Permit applications

1. SB 9 Owner Attestation Form (Urban lot splits only)
2. SB 9 Prior Tenancy Attestation Form (Projects that include demolition or alterations or existing dwellings only)