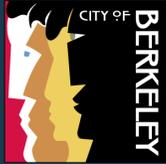


Internal



# SB 684 / SB 1123 – Small-Lot Subdivision Implementation

---

Planning Commission Information Item

Branka Tatarevic, Associate Planner

Internal

# Agenda

- Background
- Key Statutory Requirements
- Project Qualifying Criteria
- Housing Development Standards
- Examples of projects SB 684 would make simpler
- Required Density Discussion
- Optional Local Provisions
- Design Standards Example
- Staff Recommendation
- Q&A

Internal

# Background

- SB 684 (2023) enables ministerial approval of up to 10-unit small-lot subdivisions on urban multifamily sites less than 5 acres.
- SB 1123 (2024) expands eligibility to vacant single-family lots less than 1.5 acres (effective July 1 2025).
- City Council referral (Jan 21 2025) directs staff to draft local ordinance (BMC Title 21 & 23 updates).

Internal

# Key Statutory Requirements

- Purpose/Authority (SB 684 implementation, ministerial approval, CEQA-exempt)
- Definitions
- Map approval within 60 days if qualifying criteria are met
- 10 or fewer parcels & 10 or fewer dwelling units
- **Project Qualifying Criteria**
- **Housing Development Standards**
- Specific Adverse Impact Test (written denial findings)
- Severability & Effective Date

Internal

# Project Qualifying Criteria

- Up to 10 parcels and up to 10 units.
- 600 square feet (in multi-family zones) or 1,200 square feet (vacant lots in single family zones) new lots
- Required density – If listed in Housing Element, must meet projected units; if not listed, must achieve at least 66 % of maximum zoning density or of 30 dwelling units per acre statewide default applicable to Berkeley.
- 1,750 net habitable square feet average unit size.
- No demolition or alteration of protected or recently occupied units; no Ellis Act withdrawals within 15 years.
- May not leave any existing dwelling on a separate title from another existing dwelling.
- Only objective standards may be imposed.

Internal

# Housing Development Standards

- Ministerial approval within 60 days.
- Setbacks – 4 ft side/rear from original lot line; no interior setbacks.
- Height – no new limit lower than base zoning for vacant single-family parcels.
- Parking – maximum 1 space per unit; zero spaces if within half-mile walk of a major transit stop/High Quality Transit Corridor.
- FAR no lower than: 1.0 (3–7 units) and 1.25 (8–10 units).
- City must waive/modify any standard that would physically preclude achieving the minimum statutory density.

Item 10 A – Presentation  
 Planning Commission  
 July 16, 2025

805 Jones

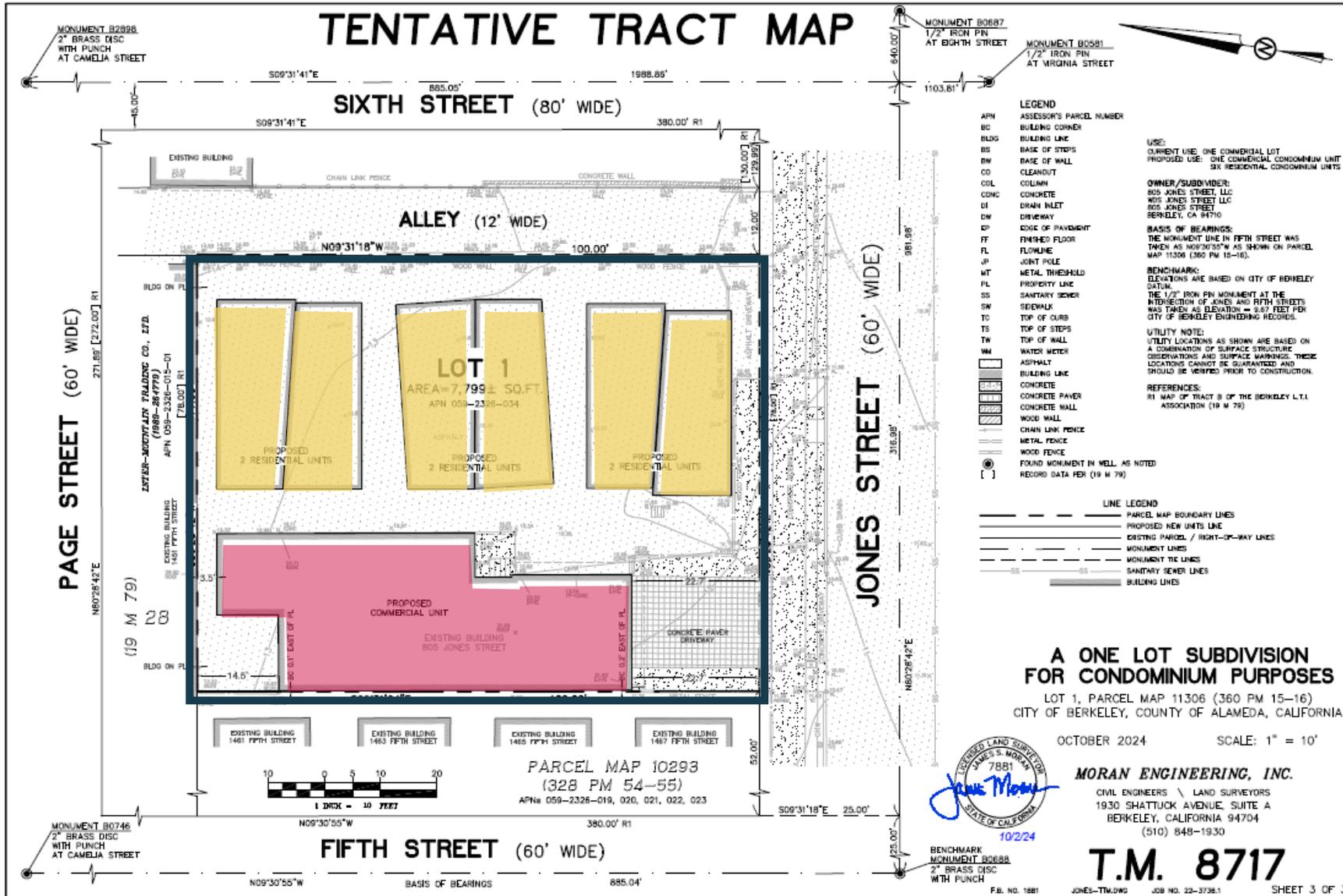
7,800 sf

Approved:

6 units + 1  
 commercial

Under 684:

requires 8 units

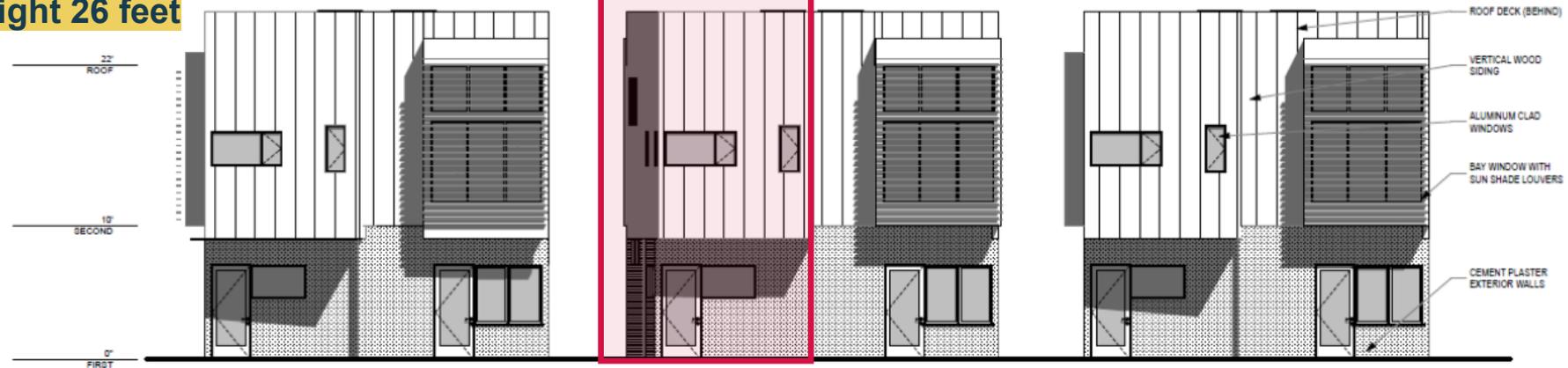


Internal

805 Jones: 7,800 sf lot

*East Elevation (Alleyway)*

Height 26 feet



Internal



5112 Melrose Ave X  
5112 Melrose Ave, Los Angeles, CA 90038

14 x 5,000 lots

Density: ~30 du/ac



Maximum height 45 feet

Internal

# Required Density Discussion

**1 acre = 43,560 square feet**

70 dwelling units per acre is maximum allowable density across middle housing zoning districts

**Required Density: 66% of 70 equals 46.2**

30 dwelling units per acre is statewide default density applicable to Berkeley

**Required Density: 66% of 30 equals 19.8**

Internal

# Required Density Discussion

**1 acre = 43,560 square feet**

**66% of 70 du/acre = 46.2**

**66% of 30 du/acre = 19.8**

**46.2 du per 43,560 = 942.86 square feet per 1 unit**

**19.8 du per 43,560 = 2,200 square feet per 1 unit**

**MU-R standards prior to MH = 1,250 square feet per 1 unit**

**R-2 standard prior to MH = 2,500 square feet per 1 unit**

**SB 684 (MH) > MU-R current zoning > State > R-2 current zoning**

Internal

# Required Density Discussion

**SB 684 (MH) > MU-R current zoning > State > R-2 current zoning**

**Typical lot (5,000 sf) requires 5 units**

**805 Jones (7,800 sf) requires 8 units**

**Maxed-out SB 684 lot (10,000 sf) requires 10 units**

Internal

# Optional Local Provisions – note only

- Floor-Area-Ratio (FAR) Caps
- Recorded Covenant Before Certificate of Occupancy
- Subsequent Urban Lot Split ban (R-1H)

Internal

# Optional Local Provisions: ADU/JADU

## Should SB 684 Parcels Allow ADUs/JADUs?

- **Cons:**

- “No-ADU/JADU” rule would align with current practice
- Berkeley generally has high required density for SB 684 projects
- Ownership and title complications
- Site functionality and circulation

- **Pros:**

- More housing units

Internal

# Optional Local Provisions: Mandatory Build Out

## Can an SB 684 project create empty lots?

Prohibition could:

- Prevent “paper lots” that could sit vacant for years
- Guarantee that every lot contributes toward the City’s housing-production goals

But prohibition may also:

- Prevent phased construction or the sale of undeveloped lots
- Increase project cost and be infeasible for small developers
- Incentivize developers to only build to required density instead of maximum

Internal

# Optional Provisions - Design Standards

## A. Building Design

- Dwelling Orientation
- Dwelling Orientation: Possible Configurations
- Primary Entryways
- Primary Entryways Between Small Lot Homes
- Façade Articulation
- Varied Roofline
- Roof Decks
- Building Massing Variation
- Landscaping, Common Open Space, and Amenities

## B. Pedestrian Connectivity and Access

- Pedestrian Pathways
- Fences and Walls

## ~~C. Landscaping~~

## ~~D. Mixed Use Small Lots~~

- ~~Building Orientation and Entry~~
- ~~Building Design~~

## ~~E. Bungalow Courts and Existing Structures~~

Internal

# Staff Recommendation

Staff recommends the Commission:

- Conduct a public hearing
- Receive public comment
- Provide feedback to staff on policy issues regarding SB 684 implementation.

Internal

# Thank you!

Branka Tatarevic, Planner  
[btatarevic@berkeleyca.gov](mailto:btatarevic@berkeleyca.gov)

Item 10 A – Presentation  
Planning Commission  
July 16, 2025