



# ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

## PROJECT INFORMATION

Project Address(es):

Unit(s)/Suite(s) #:

Assessor Parcel Number(s):

The Zoning Project Submittal Requirements packet describes all of the materials required to submit a complete Zoning Project Application to the Land Use Division of the Planning and Development Department.

**The checklist on pages 1-2 of this packet must be completed, signed, and submitted with the Application. You must initial each Section and check each box that corresponds to an item submitted for review.**

Staff will verify that the minimum submittal requirements have been included within 30 days of receiving an application submittal, per Government Code Section 65943 (30-Day Review Period). Applications that are missing the materials will be deemed incomplete and not accepted for permit processing review. During the permit processing review, you may be required to clarify, amplify, correct, or supplement the information listed in the submittal requirements per Government Code Section 65944 (Agency Acceptance of Applications).

Section 1 is a checklist of materials required for all projects. Sections 2-7 are checklists of materials that may be required based on the project type or location.

Each submittal requirement on the checklist is described further in this packet, starting on page 3. Each description identifies 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/construction-development/permits-design-parameters/permit-types/permit-forms>.

All documents, reports and plans must be provided in digital format, unless requested in hard copy. Printed plans are required prior to public meetings and/or hearings. See the [Guide to Submitting a Zoning Project Application](#) for details on how to submit, review timing, and digital plans and document.

### SECTION 1 - REQUIRED FOR ALL PROJECTS

- A. Completed Application
  - 1. Zoning Project Application Form
  - 2. Completed Copy of This Zoning Project Submittal Requirements Checklist (Pages 1-2)
- B. Applicant Statement/Waiver Request
- C. Payment of Application Fees
- D. Hazardous Waste and Substance Statement
- E. Tabulation Form
- F. Pre-Application Yellow Poster
- G. Pre-Application Neighborhood Contact

APPLICANT'S INITIALS



# ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

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

PLAN SET (I.E. ARCHITECTURAL DRAWINGS)

- A. Site Plan
- B. Landscape and Usable Open Space Plan
- C. Lot Coverage Diagram
- D. Floor Plans
- E. Building Elevations
- F. Street Strip Elevation
- G. Section Drawings
- H. Boundary and/or Topographic Survey
- I. Grading Plan

APPLICANT'S INITIALS

## SECTION 3 - SUPPORTING DOCUMENTS, STUDIES, GRAPHICS, AND DEPICTIONS

- A. Site Photographs
- B. Shadow Study
- C. Story Pole Plan
- D. Arborist Report
- E. Structural Evaluation
- F. Parking Survey
- G. Transportation Demand Management
- H. Photo Simulations
- I. Public Art Declaration
- J. Bird Safe Requirements

APPLICANT'S INITIALS

## SECTION 4 - ENVIRONMENTAL REVIEW

- A. Creek Protection Documentation
- B. Historic Resource Evaluation
- D. Geotechnical and Seismic Hazard Investigation
- C. Phase I or Phase II Site Assessment
- E. Transportation Impact Study
- F. State General Construction Permit
- G. Stormwater Requirements Checklist

APPLICANT'S INITIALS

## SECTION 5 - REQUIRED FOR HOUSING DEVELOPMENT PROJECTS SUBJECT TO AFFORDABLE HOUSING REQUIREMENTS

- A. Affordable Housing Compliance Plan (Preliminary)
- B. Anti-Discrimination Housing Policies
- C. Density Bonus Eligibility Statement
- D. Area of Potential Effects (APE) Statement

APPLICANT'S INITIALS

## SECTION 6 - LANDSCAPE AND GREEN BUILDING REQUIREMENTS

- A. WELO Landscape Requirements
- B. Berkeley Energy Code and Berkeley Green Code
- C. Green Building Requirements

APPLICANT'S INITIALS



# ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

**SECTION 7 - RELATED LAND USE PLANNING DIVISION APPLICATIONS**

- A. Design Review
- B. Structural Alteration Permit

- C. Zoning Use Questionnaire
- D. Home Occupation Questionnaire - Class II and III

**APPLICANT'S INITIALS**

**APPLICANT'S SIGNATURE:**

Printed Name:

Date:



# ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

SECTION 1 - REQUIRED FOR ALL PROJECTS	
	<p><b>A. ZONING PROJECT APPLICATION PACKET</b></p> <ol style="list-style-type: none"> <li>1. <a href="#">Zoning Project Application Form</a></li> <li>2. <a href="#">Zoning Project Submittal Requirements</a> (Checklist on pages 1 and 2)</li> </ol>
	<p><b>B. APPLICANT STATEMENT/REQUEST TO WAIVE A SUBMITTAL REQUIREMENT</b></p> <p><b>Submit</b> a written statement (in a separate document) that briefly describes the proposed project and how it satisfies the findings required by the Zoning Ordinance, as well as any request to waive a submittal requirement.</p> <p>For applications to modify a prior permit, <b>submit</b> the following information</p> <ol style="list-style-type: none"> <li>1. Describe the proposed changes from the approved project</li> <li>2. Clearly list and describe all changes from the approved project and the basis for the change</li> </ol>
	<p><b>C. PAYMENT OF LAND USE PLANNING APPLICATION FEES</b></p> <p><b>Submit</b> required fees to the cashier in the Permit Service Center or pay through the <a href="#">Online Permit Portal</a>. Review of your application will not begin until the fees are paid in full.</p> <p><b>If supplemental technical studies are required, a Peer Review deposit will be required (e.g., Traffic Impact Analysis, Geotechnical Report, Arborist Report).</b></p>
	<p><b>D. HAZARDOUS WASTE AND SUBSTANCES STATEMENT</b></p> <p>— <b>Required for all projects</b>, pursuant to <a href="#">Government Code Section 65928</a>.</p>
	<p><b>E. TABULATION FORM</b></p> <p><b>Required for all projects.</b></p> <p><b>Submit</b> the form as a separate document, completely filling out each column, using the applicable development standards of the Zoning Ordinance as a guide.</p>
	<p><b>F. PRE-APPLICATION YELLOW POSTER</b></p> <p><b>Required for all Projects</b></p> <p><b>Install</b> the poster prior to submittal, and submit color photos that clearly show the poster installed at the front of the site and that clearly show the sign content.</p> <p><a href="#">Yellow Poster Instructions</a></p> <p><a href="#">Small Project Sample Poster and fillable PDF template</a></p> <p><a href="#">Large Project Sample Poster and fillable PDF template</a></p> <p>(Large poster required for projects that include four or more stories, State Density Bonus, Floor Area Ratio greater than 2.0, or more than 10,000 square feet gross floor area.)</p>



# ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

## SECTION 1 - REQUIRED FOR ALL PROJECTS

### G. PRE-APPLICATION NEIGHBORHOOD CONTACT AND OUTREACH INSTRUCTIONS

Required for the following projects:

- **All projects located in a Residential District, and all non-residential projects that abut a Residential District are required to contact all abutting and confronting residential occupants and residential property owners to advise them of the proposed development prior to submitting a zoning project application.**
- **All projects of community or neighborhood interest, which consist of the following:**
  - i. Any project in a Residential District that would create 6 or more bedrooms on a parcel within ½ mile of the UC Campus (or the area confined by Grant Avenue on the west, Derby Street on the south, and Rose Street on the north), or
  - ii. Any project in a Non-Residential District that includes three or more stories, State Density Bonus, Floor Area Ratio greater than 2.0, or more than 10,000 square feet gross floor area.
  - iii. Are required to contact all property owners, residents, and neighborhood organizations within 300 feet of the project site to advise them of the proposed development.
- **All residential projects that propose to alter an existing dwelling unit or eliminate a dwelling unit that is subject to the Rent Ordinance (BMC Chapter 13.76) through demolition, including elimination of a dwelling unit through conversion, are required to provide all sitting tenants notice of the application no later than the date the application is submitted to the City.**



# ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

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

### PLAN SET (I.E. ARCHITECTURAL DRAWINGS) – GENERAL REQUIREMENTS

**1. All plans (items A – I) must be included in a single plan set, 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

**Notes:** 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.

For plan resubmittals during review, provide the date of revision on all sheets and “cloud” all changes to previous information. Plan resubmittals must include the full plan set, not individual plan sheets. Staff cannot collate or update your plans for you.

**2. Electronic Plans Requirements:**

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

Note that these plans are often released to the public on paper no larger than 8½” x 11”, and that you must format your plans so that all images and text are legible at this size.

Hard copy plan sets may be required by the project planner, if necessary to facilitate project review.

Design Review Committee, Landmarks Preservation Commission, and Use Permit applications only, 12 copies of 11” x 17” or 12” x 18” plan sets must be submitted at least two weeks prior to the public meeting or hearing.

**3. 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 sheet. **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](http://www.cab.ca.gov)**

**4. Change of Use**

Applications that **only** propose to **change the type of activity or use** occurring within the building must submit the following site-related information:

- **Site Plan** showing the following:
  - a. Property lines and lot dimensions
  - b. Existing and proposed building footprint(s), dimensions, setbacks (required, existing and proposed), and projections such as eaves, balconies and bays. Show all buildings, including garages, sheds, etc.
  - c. Driveways and parking spaces with dimensions, location of handicapped parking spaces, bicycle racks, and security gates.
- **Floor Plans** showing the following:
  - d. All floors, including mezzanines, basements, and attics
  - e. Use of all rooms (existing and proposed), per the California Building Code
  - f. For buildings with multiple commercial tenant spaces, label the use of each tenant space within the subject building

**Note:** For changes to existing buildings, provide separate plans for existing and proposed conditions, or if changes are limited, used dashed lines for demolished features and solid lines for new features.



# ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

## SECTION 2 - PLANS 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
- Bicycle racks (short-term bicycle parking) subject to the [Berkeley Bicycle Plan – Appendix F – Facility Design Toolbox](#)
- 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

**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

### 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.

### C. LOT COVERAGE DIAGRAM AND CALCULATIONS

**Required for all residential Projects (or the residential portion of a mixed-use project).**

- **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](#).

### D. FLOOR PLANS

**Required for all projects**

**The Floor Plan (s) must show the following**

- All floors, including mezzanines, basements, and attics
- Trash room pursuant to Public Works Department requirements
- Long-Term Bicycle parking, showing location of lockers or racks suitable for secure locks and subject to the [Berkeley Bicycle Plan – Appendix F – Facility Design Toolbox](#)
- 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.



# ZONING PROJECT 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), see Instructions linked below), 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\***

*(Residential districts, except R-S, R-SMU, and R-BMU)*

**Height Instructions –Maximum Building Height\***

*(Hillside Overlay, R-S, R-SMU, and R-BMU, Commercial, and Manufacturing districts)*

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

### F. STREET STRIP ELEVATION

**Required for any new main buildings.**

**Submit** a street elevation exhibit showing existing conditions on the parcel and the proposed project in elevation view; include at least two (2) parcels on either side of the subject parcel on a single sheet. Minimum scale is 1/8” = 1’.

### G. 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.

### H. BOUNDARY AND/OR TOPOGRAPHIC 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.**

**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.

### I. CONCEPTUAL GRADING PLAN

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

**Submit a survey 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



# ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

SECTION 3 - SUPPORTING DOCUMENTS, STUDIES, GRAPHICS, AND DEPICTIONS	
	<p><b>A. SITE PHOTOGRAPHS</b> Required for all projects.</p> <p>Submit one set of exterior photos, that meet the following requirements:</p> <ol style="list-style-type: none"> <li>1. Use captions or a key indicating the location (perspective) of each photo.</li> <li>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.</li> </ol>
	<p><b>B. SHADOW STUDY</b> Required for the following projects:</p> <ul style="list-style-type: none"> <li>— Buildings exceeding 14 feet in average height, located in or adjacent to a residential (R) district (excluding ADUs)</li> <li>— Additions exceeding 14 feet in average height on sites adjacent to a residential use</li> <li>— Projects in either the C-T or C-DMU District, requiring a Use Permit to increase the maximum building height/number of stories</li> </ul> <p><a href="#">Shadow Study Instructions</a></p>
	<p><b>C. STORY POLE PLAN</b> Required for the following projects:</p> <ul style="list-style-type: none"> <li>— New main buildings exceeding 14 feet in average height in the “H” District (excluding ADUs)</li> <li>— Additions exceeding 14 feet in average height in the “H” District</li> </ul> <p><a href="#">Story Pole Instructions</a></p>
	<p><b>D. ARBORIST REPORT</b> 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 (<i>quercus agrifolia</i>) 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).</p> <p>Submit</p> <ol style="list-style-type: none"> <li>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.</li> <li>2. Deposit of \$500 for the first two hours of peer review of report (additional funds may be required for more complicated projects or site visits)</li> </ol> <p><a href="#">Tree Protection Instructions</a> <a href="#">Coast Live Oak Tree Ordinance</a></p>
	<p><b>E. STRUCTURAL EVALUATION</b> Required for any project that is not a demolition, but is removing between 25 and 49 percent of a main building’s exterior wall <u>and</u> between 25 and 49 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.</p> <p>A Structural Evaluation is <u>not required</u> for projects requesting a Use Permit for demolition.</p> <p>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.</p>
	<p><b>F. PARKING SURVEY</b> Required for projects requesting a waiver of any required off-street vehicular parking spaces pursuant to the Zoning Ordinance, located in a Commercial or Manufacturing District (C, M, MM, or MU) .</p> <p><a href="#">Parking Survey Instructions</a></p>



# ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

## SECTION 3 - SUPPORTING DOCUMENTS, STUDIES, GRAPHICS, AND DEPICTIONS

### G. TRANSPORTATION DEMAND MANAGEMENT (TDM) AND BICYCLE PARKING SUPPLEMENTAL APPLICATION

#### Required projects creating five or more new dwelling units or Group Living Accommodation rooms

**TDM required** for projects creating 10 or more dwelling units outside of the C-DMU. (Not required for projects where 50 percent of total units are affordable, ADUs, projects located in ES-R, or projects on properties in the Hillside overlay on narrow streets 26-feet wide or less.)

Bicycle parking required for projects creating five or more new dwelling units and/or Group Living Accommodation rooms.

[TDM Program and Bicycle Parking Supplemental Application](#)

### H. PHOTO SIMULATIONS

Required for a project creating any of the following:

- **Wireless telecommunications projects**
- **A “Large Scale Development Project,”** which consists of project located in a non-residential district that proposes any of the following:
  - Density Bonus under Section 65919 of California State Law,
  - Three or more stories in height,
  - Floor Area Ratio more than 2.00, or
  - 10,000 square feet or more of gross floor area.

[Photo Simulation Instructions](#)

### I. PUBLIC ART DECLARATION

Required for any of the following projects:

- **A new commercial or industrial building**
- **A project that creates five or more dwelling units**
- **An addition of more than 10,000 square feet to any commercial or industrial building**

[Public Art Allocation Declaration form](#)

### J. BIRD SAFE REQUIREMENTS

Required for any of the following projects:<sup>1</sup>

**Nonresidential projects:** New construction/addition

**Nonresidential Projects:** New or replacement windows on existing buildings, unless all facades are Lower Hazard Facades

**Residential and Mixed-Use Projects:** New construction/addition of 10,000 sq. ft. or more AND more than 35 feet average height

**Residential Mixed-Use Projects:** New or replacement windows on existing buildings of 10,000 sq. ft. or more AND more than 35 ft. average height unless all facades are Lower Hazard Facades

- **Complete Bird Safe Building Requirements Attestation**
- **For projects that include Lower Hazard Facades, diagrams and calculations that show the percentage of façade area consisting of transparent or reflective material, such as windows or High-Risk Features (as defined in BMC Section 23.304.150)**

<sup>(1)</sup> Certain projects are exempt. See [BMC 23.304.150](#)

[See Bird Safe Building Requirements Information and Submittal Checklist.](#)



# ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

## SECTION 4 - ENVIRONMENTAL REVIEW

### A. CREEK PROTECTION DOCUMENTATION

**Required** for any project within 40 feet of the centerline of an open creek, and/or within 25 feet of a culverted creek, that is protected by the Creeks Ordinance

[Creek Protection Instructions](#)

Note: Applies even if a protected creek or culvert has not yet been identified by the City.

### B. HISTORIC RESOURCE EVALUATION

Required for:

- **Demolition of a non-residential building 40 or more years old, subject to referral to the Landmarks Preservation Commission in accordance with [BMC Section 23.326](#)**
- **Demolition/Substantial Change of any building 40 or more years old subject to environmental review pursuant to CEQA**

**Submit:** State of California Department of Parks and Recreation ([DPR](#)) [523 forms](#). Evaluation(s) to include references to development history documentation (including but not limited to photographs, building permits, Sanborn maps, and directory listings); completed by a qualified historian, architectural historian or historic architect. Provide supplemental information in accordance with the Landmarks Preservation Ordinance criteria ([BMC Section 3.24.110](#)).

**Waiver for residential additions/alterations:** The Environmental Review Officer may waive this requirement for residential addition and alteration proposals after determining that the project complies with preservation standards and environmental practices OR that qualified sources other than an HRE can provide the relevant information.

[California guidelines \(Instructions for Recording Historical Features\)](#)

### C. GEOTECHNICAL AND SEISMIC HAZARD INVESTIGATION

**Required for all development projects intended for human occupancy located in a State-designated Seismic Hazard Zone, as defined by the California Seismic Hazards Mapping Act and Alquist-Priolo Earthquake Fault Zoning Act, as shown on the [State's Environmental Constraints Map](#).**

Exemptions:

**For projects located in any State-designated Seismic Hazard Zone (PRC 2693, i.e. liquefaction, landslide, and earthquake shaking):**

- Single-family wood-frame or steel-frame dwellings to be built on parcels of land for which geologic reports have been approved pursuant to an approved subdivision map;
- A single-family wood-frame or steel-frame dwelling not exceeding two stories when that dwelling is not part of a development of four or more dwellings; or
- Alterations or additions to any structure within a seismic hazard zone which do not exceed either 50 percent of the value of the structure or 50 percent of the existing floor area of the structure.

**If located in the Alquist-Priolo Fault Zone (PRC 2621.6 and 2621.7):**

- Single-family wood-frame or steel-frame dwellings to be built on parcels of land for which geologic reports have been approved pursuant to an approved subdivision map;
- A single-family wood-frame or steel-frame dwelling not exceeding two stories when that dwelling is not part of a development of four or more dwellings; and
- Alterations or additions to any structure if the value of the alteration or addition does not exceed 50 percent of the value of the structure; or
- Conversion of an existing apartment complex into a condominium

**Submit the following:**

1. Geotechnical report satisfying the California Building Code and requirements of [Special Publication 117A](#) (for landslide and liquefaction zones) and/or [California Geological Survey Note 49](#) (for fault zones); and
2. Deposit of \$1,500 for peer review of report (additional funds may be required for more complicated projects).



# ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

## SECTION 4 - ENVIRONMENTAL REVIEW

### D. PHASE I OR II SITE ASSESSMENT

**Required** for any project that includes the following:

- Excavation of 5 or more feet below grade
- A site with a history of soil and/or groundwater contamination (see the [Hazardous Waste and Substances Statement](#))
- A site within an Environmental Management Area (see [Community GIS Portal](#))

**Submit:** A recent Page I and/or Phase II Site Assessment (less than 2 years old)

**Note:** Depending on the findings in the Phase I, a Phase II or additional investigation may be necessary in order to determine the appropriate environmental review pathway under CEQA. If the Phase II indicates the exceedance of Environmental Screening Levels, clearance from one of the following agencies must be submitted prior to final action on a zoning permit application:

- San Francisco Bay Regional Water Quality Control Board (RWQCB)
- Department of Toxic Substances Control (DTSC)
- Alameda County Department of Environmental Health’s Local Oversight Program (LOP)

**Contact the Toxics Management Division** (510) 981-7460 for more information.

### E. TRANSPORTATION IMPACT STUDY

**Required** for projects that do not meet at least one of the City’s screening criteria for determining if detailed VMT or vehicular parking analysis is necessary.

**Consult** with the Transportation Division for a copy of the screening criteria and thresholds at (510) 981-7010

### F. STATE GENERAL CONSTRUCTION PERMIT

**Required** for projects disturbing one acre or more of soil (or less than one acre if part of a larger development plan that disturbs one acre or more).

**Submit** a copy of the Notice of Intent (NOI) submitted for the State General Construction Permit, and Storm Water Pollution Prevention Plan (SWPPP) prior to building permit issuance.

[Construction Stormwater General Permits](#)

### G. STORMWATER REQUIREMENTS CHECKLIST

**Required** for projects creating or replacing 2,500 square feet or more of impervious surface, including single-family dwellings. Includes new buildings, additions, and alterations to existing roofs that affect drainage; does not include maintenance/re-surfacing of existing impervious surfaces.



# ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

## SECTION 5 - REQUIRED FOR PROJECTS SUBJECT TO AFFORDABLE HOUSING REQUIREMENTS

### A. AFFORDABLE HOUSING COMPLIANCE PLAN (PRELIMINARY)

**Required** for Housing Development Projects with more than 5,000 square feet of residential unit floor area

Submit following:

- 1. **Completed Affordable Housing Compliance Plan**
- 2. **Affordable Housing Compliance Plan Sheet(s) (in the plan set)**

- Residential Unit Floor Area Diagrams (BMC Section 23.328.020 Definitions)
- On-site Below Market Rate unit calculations
- In-Lieu Fee calculations

See [BMC 23.328](#) Inclusionary Housing and the Affordable Housing Compliance Plan Application for additional information.

### B. ANTI-DISCRIMINATION HOUSING POLICIES

**Required** for a project creating any of the following:

- **Five or more new dwelling units and/or five or more live/work units**
- **New dwelling units and/or live/work units on lots whose size and zoning designation is such to allow construction of five or more dwelling units**
- **One to four (new dwelling units and/or five or more live/work units, which are added to an existing one to four-unit property developed after August 14, 1986, and the resulting number of units totals five or more**
- **Additional condominium units, resulting in five or more condominium units converted and/or created after August 14, 1986 on the site**

**Submit a written statement answering the following questions** and provide the requested documentation, if applicable:

- Does the applicant or sponsor, including the applicant or sponsor’s parent company, subsidiary, or any other business or entity with an ownership share of at least 30 percent of the applicant’s company, engage in the business of developing real estate, owning properties, or leasing or selling individual dwelling units in states or jurisdictions outside of California?
- If the answer to (1) is yes, which?
- If the answer to (1) is yes, does the applicant or sponsor, as defined in (1), have policies in individual states that prohibit discrimination based on sexual orientation, gender identity, and/or gender expression in the sale, lease, or financing of any dwelling units enforced on every property in the state or states where the applicant or sponsor has an ownership or financial interest?
- If the answer to (1) is yes, does the applicant or sponsor, as defined in (1), have a national policy that prohibits discrimination based on sexual orientation and gender identity in the sale, lease, or financing of any dwelling units enforced on every property in the United States where the applicant or sponsor has an ownership or financial interest in property?
- If the answer to (3) or (4) is yes, please provide a copy of that policy or policies as part of this application.

The Land Use Division will not accept an application as complete unless the applicant provides a response to this section. The processing of and recommendations or determinations made by the Land Use Division regarding an application will be unaffected by the applicant’s response to this section.



# ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

## SECTION 5 - REQUIRED FOR PROJECTS SUBJECT TO AFFORDABLE HOUSING REQUIREMENTS

### C. DENSITY BONUS ELIGIBILITY STATEMENT

**Required** for projects requesting a density bonus pursuant to [Government Code Section 65915](#)

**Submit the following information:**

**1. A written statement that includes the following information:**

- a. Number of “base project” units
- b. Number and percent of affordable units and level of affordability
- c. Percent density bonus requested and allowed pursuant to [Government Code Section 65915](#)
- d. Waivers or modifications of development standards necessary to physically accommodate “density bonus” units (e.g., increased height or FAR, reduced setbacks or parking, etc.)
- e. Explanation of why each waiver or modification is needed to accommodate “density bonus” units
- f. If the project is requesting an incentive or concession, describe each incentive or concession being requested in addition to (or instead of) waivers or modifications necessary to accommodate density bonus

**2. Plans showing a “base project” that complies with all applicable Zoning Ordinance requirements.** For staff to effectively review your density bonus project, a combination of diagrams, compliance tables and calculation tables must be included in the project plan set:

- a. Base Project and Proposed Project diagrams, per floor
- b. Base Project and Proposed Project development standards compliance tables
- c. Residential floor area calculations and diagrams (per floor; can be combined with Base Project and Proposed Project diagrams)
- d. Maximum allowable residential density calculation table
- e. Usable open space and lot coverage diagrams and calculations
- f. Base Project, Density Bonus, and Proposed Project residential floor area table

Your project planner can provide examples of preferred diagram and table formats.

[State Density Bonus - Procedures](#)

### D. AREA OF POTENTIAL EFFECTS (APE) STATEMENT

**Required for projects seeking federal funds** (either directly or through the [City of Berkeley Housing Trust Fund](#)).

Submit a statement identifying the project’s “Area of Potential Effects” as defined in federal regulations ([36 CFR Part 800](#)). Contact the Housing Department at (510) 981-5400 for more information and requirements.



# ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

## SECTION 6 - LANDSCAPE AND GREEN BUILDING REQUIREMENTS

### A. WELO LANDSCAPE REQUIREMENTS

Required for projects with either:

- 500 square feet or more of new, or
- 2,500 square feet or more of renovated irrigated area.

These projects must comply with water efficient landscaping as specified in the [Model Water Efficient Landscape Ordinance \(MWELo\)](#) and [East Bay Municipal Utility District \(EBMUD\) Water Efficiency Review: Section 31 Regulations and MWELo Compliance](#), and all applicable measures in the [Bay Friendly Basics checklist](#).

Submit **WELO-compliant landscape documentation** including a planting, grading, and irrigation plan. Water budget calculations are also required for landscapes of 2,500 square feet or more. The reference evapotranspiration rate (ET<sub>o</sub>) for Berkeley is 41.8.

See [Green Building requirements](#).

### B. BERKELEY ENERGY CODE AND BERKELEY GREEN CODE

Required for newly constructed buildings (buildings that have never before been used or occupied for any purpose).

Submit the following:

**1. A statement, and corresponding features on plans, that the proposed project is designed to comply with the Berkeley Energy Code (BMC Chapter 19.36) and Berkeley Green Code (BMC Chapter 19.37)** including solar PV system, battery energy storage, electric vehicle charging, and low-carbon concrete requirements. Note that for building permit submittal, quantitative values for appliance fuel efficiency must be included in relevant building permit architectural sheets, and window and door schedules, and on architectural, plumbing, and mechanical sheets, matching those values stipulated in prescriptive or performance energy compliance documents.

Note: Carefully consider the Building Code prior to submitting a Use Permit application. Per the standard Conditions of Approval for all development projects, only the Zoning Adjustments Board may approve a modification to the use or structure for which the Permit is issued, except that the Zoning Officer may approve changes that do not expand, intensify, or substantially change the use or building.

The [California Energy Design Assistance \(CEDA\) Program](#) provides free energy design assistance, financial incentives, and operational energy savings to new commercial, public, multifamily (4 stories or more), industrial, and agricultural buildings. CEDA application must occur while a project is in early design phases.

See [Green Building requirements](#).

### C. GREEN BUILDING REQUIREMENTS

Required for newly constructed buildings and additions of more than 20,000 square feet for projects located in the Commercial-Downtown Mixed-Use District (C-DMU).

Submit a completed [LEED Checklist / Scorecard](#) (typically for commercial projects), showing that the proposed project is on track for LEED Gold certification or above, or a completed [GreenPoint Rated \(GPR\) Checklist](#) (for residential and most mixed-use projects), showing that the proposed project is on track for GPR Silver certification or above.

See [Green Building requirements](#).



# ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

SECTION 7 - RELATED LAND USE PLANNING DIVISION APPLICATIONS	
	<p><b>A. DESIGN REVIEW APPLICATION</b></p> <p>Required for:</p> <ul style="list-style-type: none"> <li>— Projects with new construction and/or exterior changes in non-residential districts</li> <li>— Mixed use, and community and institutional projects in R-3 within the Southside Plan Area</li> <li>— Commercial, mixed-use, and community and institutional projects in R-4, R-S and R-SMU Districts</li> <li>— Other projects as required by the Zoning Officer</li> </ul> <p>Submit separate Design Review application form per the <a href="#">Design Review Submittal Requirements</a>.</p>
	<p><b>B. STRUCTURAL ALTERATIONS SUBMITTAL</b></p> <p>Required for exterior alterations to designated City Landmarks, Structures of Merit, and structures within a Historic District (and interior alterations to such structures if publicly owned).</p> <p>Submit separate Structural Alteration Permit application, per the <a href="#">Structural Alteration Permit &amp; Design Review Submittal Requirements</a>.</p>
	<p><b>C. ZONING USE QUESTIONNAIRE</b></p> <p>Required for projects that establish a new business or create a new commercial space with the tenant/operator already selected.</p>
	<p><b>D. HOME OCCUPATION QUESTIONNAIRE – CLASS II AND III</b></p> <p>Required for Class II or Class III Home Occupations that establish a new home-based business.</p> <p>Submit a Zoning Permit Application (Section 1.A, above), and fill out the <a href="#">Class II and III Home Occupation Questionnaire</a>.</p>