



City of Oakland
Supplemental Planning Application
Ministerial Approval of Small Sites Residential
Development and Parcel Subdivision (SB 684)¹
250 Frank H. Ogawa Plaza, Suite 2114, Oakland, CA 94612-2031
Zoning Information: 510-238-3911
www.oaklandca.gov/Government/Departments/Planning-Building

Applicants must complete this supplemental application if they are proposing a housing development project utilizing the streamlined, ministerial review process pursuant to Sections 65852.28, 65913.4.5 and 66499.41 of the Government Code. These provisions allow for the subdivision of one existing parcel into no more than ten parcels and up to ten dwelling units on those created parcels. Eligible projects must comply with the site criteria listed below as well as objective development standards.

Completing this application is the first step in the review of SB 684-related proposals. Proposals using this process must include both a lot subdivision and a proposal for housing development. The proposal is additionally subject to Planning (OMC Title 17), Subdivision (OMC Title 16), and Building (OMC Title 15) Code requirements, and City of Oakland Objective Design Standards. All Planning, Subdivision, Building and Fire Code requirements not addressed by this application, and consistent with State law, must be met before development may occur. Once Planning has reviewed the application and determined it meets Planning and Subdivision requirements, then the applicant may apply for the Building permit and approval of the final Parcel or Tract Map.

How to Apply:

- Complete all required information, checklist, documents, affidavits, and plans.
- Create a zoning worksheet (ZW) and upload your completed Basic Application, Parcel or Tract Map Application, and SB 684 Supplemental Application through the online permit center:

<https://ACA-Prod.Accela.com/Oakland/Default.aspx>

1. GENERAL INFORMATION

APPLICANT'S NAME/COMPANY: _____

PROPERTY ADDRESS: _____

EXISTING USE OF PROPERTY: _____

DESCRIPTION OF PROPOSAL: _____

¹ Senate Bill 684 (2023-2024) adds Sections 65852.28, 65913.4.5, and 66499.41 to the Government Code to provide for the ministerial approval of housing development projects, and associated parcel map or tentative map and final maps, that result in 10 or fewer units and parcels, and that meet other specified requirements. These provisions were subsequently amended by Senate Bill 1123 (2024-2025).

2. PROPERTY OWNER & APPLICANT INFORMATION

Owner: _____

Owner Mailing Address: _____

Zip: _____

Phone No.: _____ E-mail: _____

To be completed only if Applicant is not the Property Owner:

I authorize the applicant indicated below to submit the application on my behalf. _____

Signature of Property Owner

Applicant (Authorized Agent), if different from Owner: _____

Applicant Mailing Address: _____

Zip: _____

Phone No.: _____ **E-mail:** _____

I understand that approval of this application does not constitute approval for any administrative review, Conditional Use Permit, Variance, or exception from any other City regulations that are not specifically the subject of this application. I understand further that I remain responsible for satisfying requirements of any private restrictions appurtenant to the property. I understand that the Applicant and/or Owner phone number listed above will be included on any public notice for the project.

I certify that I am the Applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies may result in the revocation of planning permits as determined by the Planning Director. I further certify that I am the Owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature above.

I understand that the proposed project and/or property may be subject to other laws, codes, regulations, guidelines, restrictions, agreements, or other requirements of other public agencies within or outside of the City of Oakland, and that the project and/or property may also be subject to requirements enforced by private parties including but not limited to private easements/agreements and Covenants, Conditions and Restrictions (CC&Rs) of a homeowners' association.

I am aware that the City recommends that I become fully aware of any other potential requirements before I submit this application and that I comply with all other requirements prior to commencing the proposed project.

I HEREBY CERTIFY, UNDER PENALTY OF PERJURY, THAT I HAVE READ THE ABOVE AND THAT ALL THE INFORMATION PROVIDED IN THIS APPLICATION IS TRUE AND CORRECT.

Signature of Owner or Authorized Agent

Date

3. PROJECT CALCULATIONS: EXISTING RESIDENTIAL FACILITY

| | |
|--|--|
| Number of Existing Residential Facilities: | |
| Floor Area (sq. ft.) of Existing Residential Facilities: | |
| Footprint (sq. ft.) of Existing Residential Facilities: | |
| Building Height (ft.) of Existing Residential Facility: | |
| Number of Existing Dwelling Units: | |
| Number of Existing Onsite Parking Spaces: | |

Protected Units Provisions:

1. Do you propose any alterations to any existing units?

YES ☐ NO ☐

2. If yes, do any of the existing units meet any of the following criteria:

☐ The unit(s) is subject to a recorded covenant, ordinance, or law that restricts rent to levels affordable to persons and families of low, very low, or extremely low income.

☐ The unit(s) was constructed and/or received a certificate of occupancy more than fifteen years ago.

☐ The unit(s) has been occupied by tenants within the five years preceding the date of this application, including housing that has been demolished or that tenants have vacated prior to the submission of this application.

3. With regard to the parcel proposed for subdivision, have you exercised your right under the Ellis Act (California Government Code Section 7060 *et seq.*) to withdraw accommodations from rent or lease within the last 15 years.

YES ☐ NO ☐

4. Were any residential dwelling units demolished on this property within a period five years prior to this application submittal?

YES ☐ NO ☐

5. If yes, were the demolished units occupied by tenants at any time within the past five years?

YES ☐ NO ☐

I HEREBY CERTIFY, UNDER PENALTY OF PERJURY, THAT I HAVE READ THE ABOVE AND THAT ALL THE INFORMATION PROVIDED REGARDING TENANCY IS TRUE AND CORRECT.

Signature of Owner or Authorized Agent

Date

4. PROJECT CALCULATIONS: PROPOSED LOTS

| | |
|-------------------------------------|--|
| Existing Lot Area (sq. ft.): | |
| Lot Area of Each New Lot: | Total Lot Area (sq. ft.) <i>Note: no lot may be smaller than 600 square feet.</i> |
| Lot #1 | |
| Lot #2 | |
| Lot #3 | |
| Lot #4 | |
| Lot #5 | |
| Lot #6 | |
| Lot #7 | |
| Lot #8 | |
| Lot #9 | |
| Lot #10 | |

Which type of map are you applying for:

- ☐ Tentative Parcel Map (TPM) (subdivision for 1– 4 lots)
☐ Tentative Tract Map (TTM) (subdivision 5 or more lots)

5. PROJECT CALCULATIONS: NEW DWELLING UNITS

| New Dwelling Units: | Located on Which Lot Number Listed Above: | Total Floor Area (sq. ft.) | Total Height (ft.) |
|---------------------|---|----------------------------|--------------------|
| DU #1 | | | |
| DU #2 | | | |
| DU #3 | | | |
| DU #4 | | | |
| DU #5 | | | |
| DU #6 | | | |
| DU #7 | | | |
| DU #8 | | | |
| DU #9 | | | |
| DU #10 | | | |

Average Floor Area for All New Dwelling Units: _____

(Note: total average area of floorspace shall not exceed 1,750 net habitable square feet)

6. PROJECT CALCULATIONS: PARKING

One parking space, which may be uncovered or not enclosed, shall be required per unit constructed on a parcel created pursuant to the procedures in this section, except that fewer parking spaces per unit may be provided if provided by the applicable zoning designation. No parking is required where the parcel is located within one-half mile walking distance of either a stop located in a high-quality transit corridor, as defined in Public Resources Code Section 21155(b), or a major transit stop, as defined in Public Resources Code Section 21064.3.

Total Parking Proposed:

Does the project comply with the requirement for one parking space per unit?

☐ Yes

☐ No, the zoning designation provides for fewer parking spaces

Required parking per zoning: _____

☐ No, the parcel qualifies for no parking based on proximity to transit.

If asserting that no parking is required based on proximity to transit, provide a description of the qualifying transit, including its location and walking distance from the proposed project:

ZONING CRITERIA CHECKLIST

General Eligibility Requirements

SB 684 residential development and parcel subdivision may only be granted if the applicant checks “YES” to EACH of the following:

- YES ☐ NO ☐ The project proposes the subdivision of one lot.
- YES ☐ NO ☐ The proposed subdivision will result in ten (10) or fewer parcels.
- YES ☐ NO ☐ The proposed housing development project will contain ten (10) or fewer dwelling units.
- YES ☐ NO ☐ The lot is zoned to allow for a residential facility type as defined in Oakland Planning Code Section 17.10.630. *If the lot is located in a zone that permits one-family dwelling residential facilities but does not permit two- to four-family dwellings or multifamily dwellings (i.e. RH-1, RH-2, and RH-3), then the property must either have no permanent structures or all permanent structures must be abandoned and uninhabitable.*
- YES ☐ NO ☐ The existing lot is no larger than five acres and is substantially surrounded by qualified urban uses. *If the lot is zoned to permit one-family dwelling residential facilities but does not permit two- to four-family dwelling or multifamily dwellings (i.e. RH-1, RH-2, and RH-3), then the existing lot must be no larger than 1.5 acres and substantially surrounded by qualified urban uses.*
- YES ☐ NO ☐ The existing lot was legally created as shown through a previously recorded map or by establishment through a certificate of compliance, and not created previously pursuant to SB 684 or lot splits under Gov. Code Section 66411.7 (SB 9).
- YES ☐ NO ☐ Each newly created lot is proposed to be at least 600 square feet. *If the lot is zoned to permit one-family dwelling residential facilities but does not permit two- to four-family dwelling or multifamily dwellings (i.e. RH-1, RH-2, and RH-3), then each newly created parcel must be at least 1,200 square feet.*
- YES ☐ NO ☐ Each newly created lot will be served by a public water system and a municipal sewer system.
- YES ☐ NO ☐ The proposed subdivision will not result in any existing dwelling unit being saleable separate from the title to any other existing dwelling unit on the lot.
- YES ☐ NO ☐ The housing units to be created are proposed to be one of the following (A) constructed on fee simple ownership lots; (B) part of a common interest development; (C) part of a housing cooperative, as defined in Section 817 of the Civil Code; (D) constructed on land owned by a community land trust; (E) part of a tenancy in common.
- YES ☐ NO ☐ I understand and acknowledge that no accessory dwelling unit or junior accessory dwelling unit will be permitted on any parcels created through this streamlining process, now or in the future.

ZONING CRITERIA CHECKLIST (continued)

Density Requirements

An eligible project cannot result in more than 10 dwelling units. It also must meet minimum density requirements as provided in Government Code Section 66499.41(a)(5). If the minimum density requirement is more than 10 units, then the proposal is not eligible for streamlining under SB 684. The minimum density depends on whether the project is identified as an opportunity site in the City of Oakland Housing Element.

Is the proposed development located on a parcel identified as a City of Oakland Housing Element opportunity site?

YES ☐ The project must propose as many units as projected for that parcel in the housing element, including lower income units.

Total units projected in the Oakland Housing Element: _____

Note: If this exceeds 10 units, the project is not eligible for SB 684 streamlining.

Total units proposed for the project: _____

Total low-/very low-income units projected in the Oakland Housing Element: ____/____

Total low-/very low-income units proposed for the project: ____/____

NO ☐ The project must propose a residential density of at least 20 dwelling units per acre and must provide at least sixty-six percent (66%) of the maximum residential density allowed for the property as specified in the Oakland Planning Code.

1. Dwelling units resulting (existing and proposed) from the project: _____

2. Acreage of existing parcel: _____

3. Density of the proposal (*line 1/line2*): _____

4. Zoning Designation: _____

5. Height Designation (if applicable): _____

6. Maximum allowable residential density: _____

7. Does the project propose a density that is at least 66% of the maximum allowable density?

YES ☐ NO ☐

Note: if the project proposes more than 10 units to meet 66 percent of the maximum allowable density, then it is not eligible for SB 684 streamlining.

ZONING CRITERIA CHECKLIST (continued)

Site Eligibility Requirements

Is the existing lot located on a site that is any of the following:

Answering "Yes" to any of the following means the project is not eligible for streamlining, unless exception is noted.

- YES ☐ NO ☐ A lot that has previously been subdivided pursuant to this SB 684 streamlining process?
- YES ☐ NO ☐ Within a very high fire hazard severity zone (VHFHSZ), as designated by the State?
- YES ☐ NO ☐ Wetlands, as defined in the U.S. Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993)?
- YES ☐ NO ☐ A hazardous waste site listed pursuant to Gov. Code § 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to former Health and Safety Code § 25356?
Application may nonetheless proceed despite "YES" response if either of the following is true:
☐ *The site is an underground storage tank site that received a uniform closure letter.*
☐ *The State Department of Public Health, State Water Resources Control Board, Department of Toxic Substances Control, or a local agency pursuant to Health and Safety Code Section 25296.10(c) has otherwise determined that the site is suitable for residential use.*
- YES ☐ NO ☐ Within a special flood hazard area subject to inundation by the 1-percent annual chance (100-year) flood as determined in maps published by the Federal Emergency Management Agency (FEMA)?
Application may nonetheless proceed despite "YES" response if either of the following is true:
☐ *The site is subject to a Letter of Map Revision prepared by FEMA and provided with this application.*
☐ *The site meets FEMA requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program pursuant to Code of Federal Regulations, Title 44, Chapter I, Subchapter B, Part 59 and 60.*
- YES ☐ NO ☐ Within a regulatory floodway as determined by FEMA in any official maps published by the FEMA?
Application may nonetheless proceed despite "YES" response if the following is true:
☐ *The development has received a no-rise certification in accordance with Code of Federal Regulations, Title 44, Section 60.3(d)(3).*
- YES ☐ NO ☐ Within a delineated earthquake fault zone as determined in maps published by the State Geologist?
Application may nonetheless proceed despite "YES" response if the following is true:
☐ *The development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Health and Safety Code Section 18901 et seq.), and by any local building department under Health and Safety Code Section 8875 et seq.*
- YES ☐ NO ☐ Either prime farmland or farmland of statewide importance?
- YES ☐ NO ☐ Land identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act, habitat conservation plan pursuant to the federal Endangered Species Act of 1973, or another adopted natural resource protection plan?
- YES ☐ NO ☐ Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973, the California Endangered Species Act, or the Native Plant Protection Act?
- YES ☐ NO ☐ Land under conservation easement?

ZONING CRITERIA CHECKLIST (continued)

Objective Site Design Requirements:

Housing developments utilizing SB 684 streamlining remain subject to objective zoning, subdivision, and design standards that are related to the housing development or the design or improvement of a parcel and not in conflict with the standards provided in SB 684. The proposed subdivision must conform to all applicable objective requirements of the Subdivision Map Act, except as otherwise expressly provided herein, and must additionally comply with all building code and fire safety requirements.

YES ☐ NO ☐ The project meets all applicable objective design standards included in the City of Oakland Objective Design Standards Checklist.

YES ☐ NO ☐ The project design is consistent with the City of Oakland Fire Code, including but not limited to California Fire Code Section 503, Fire Apparatus Access Roads.

YES ☐ NO ☐ Each newly created lot meets lot design requirements as provided under O.M.C. Section 16.24.040, including but not limited to the requirement that each newly created lot has frontage on a public street, or alternatively has access through an approved private access easement or vehicular access corridor.

The City of Oakland may not impose an objective zoning, subdivision, or design standard that physically precludes the development of a project built to a density of 30 dwelling units per acre (but not more than the ten units allowed under SB 684). If you are asserting that any applicable standard physically precludes the development of a project built to this allowable density, please list it here and describe how it would have the effect of physically precluding development on the site. Include schematics or drawings as necessary. Information should include narrative descriptions, analyses, and architectural diagrams that clearly articulate the basis for not imposing the requirement. Where more than one standard is sought to be waived, the response should clearly demonstrate why the waivers are cumulatively necessary to prevent a development standard from physically precluding construction at 30 dwelling units per acre (but not more than the ten units allowed under SB 684).

Required Additional Acknowledgements:

YES ☐ Proposed development must meet supplemental submittal requirements for a Tentative Parcel Map² or Tentative Tract Map³.

YES ☐ Completion of this checklist is a first step in the application approval process and does not fulfill all requirements of the Oakland Municipal Code related to public health, safety, and welfare for adding new dwelling unit(s). Once Planning has approved this application, the applicant still needs to meet Building, Fire, and any other Municipal Code requirements, and needs to establish that there are no unmitigated environmental impacts.

I have reviewed the above checklist and certify that the project conforms to all applicable criteria above.

Applicant's Signature

Date

Reviewer's Signature

Date

Current hours of operations for the Permit Center are on the Planning & Building Department website at <https://www.oaklandca.gov/PermitCenter>.

The Permit Counter is located at:

250 Frank H. Ogawa Plaza,
2nd Floor Oakland CA 94612

Zoning Information Line:

(510) 238-3911

You may leave a message to include the details of the location you have questions about, your email address and phone number. Response times vary from 48 hours or longer. Please send an email to oakplancounter@oaklandca.gov and in the subject line note "SB 684 inquiry".

Answers to common questions may be found on the Permit & Services Questions portal at:

<https://www.oaklandca.gov/Planning-Building/Permit-Process-Overview/Permit-Services-Questions-Portal>

To obtain an electronic PDF fillable copy of this form please visit:

<https://www.oaklandca.gov/Planning-Building/Permit-Process-Overview/Planning-Building-Forms>

² Tentative Parcel Map Submittal Requirements: <https://www.oaklandca.gov/files/assets/city/v/3/planning-amp-building/documents/pc/supp-forms/tentative-parcel-map-supplemental-submittal-requirements-1-4-lots-fillable.pdf>

³ Tentative Tract Map Submittal Requirements: <https://www.oaklandca.gov/files/assets/city/v/2/planning-amp-building/documents/pc/supp-forms/supplemental-requirements-for-tentative-tract-maps-ttm.pdf>