



CITY OF OAKLAND
Streamlined Housing Development
Preliminary Application and Tribal Scoping Consultation
Notice of Intent to Apply for SB 35

250 Frank H. Ogawa Plaza, Suite 2114, Oakland, CA 94612-2031 Zoning
Information: 510-238-3911

<https://www.oaklandca.gov/Planning-Building/Planning-Zoning/Planning-Bureau>

This document serves as a preapplication form for submitting a Notice of Intent to apply for Streamlined Housing Development Review. California Government Code section 65913.4, also known as Senate Bill 35 (SB 35), requires the City to review qualifying housing development projects using a ministerial review process. Eligible projects must comply with objective planning standards, provide specified levels of affordable housing, and meet other specific requirements detailed in Government Code section 65913.4.

The City of Oakland Bureau of Planning utilizes the Basic Application for Development Review to receive Streamlined Housing Development Review applications. Applicants can check the appropriate box for SB 35 streamlining in Section 1 of the Basic Application.

However, before an application for Streamlined Housing Development Review can be made, an applicant must submit a Notice of Intent in the form of a preliminary application that includes all of the information described in Government Code section 65941.1. The City must then notify California Native American tribes that are traditionally and culturally affiliated with the area of the project site to determine if they wish to engage in a scoping consultation. An application for Streamlined Housing Development Review cannot be submitted until scoping consultation is complete.

WHERE TO SUBMIT YOUR NOTICE OF INTENT?

After completing this form, please go to our online portal [City of Oakland Online Access - File a Planning Application](#) to submit the form as a “Zoning Worksheet.” Through the online process you will be able to upload your application.

FEES

The Notice of Intent form is a Preapplication and is subject to a Preapplication fee, as published in the City of Oakland Master Fee Schedule. The Notice of Intent form is a stand-alone, independent preapplication and the fee is therefore separate from and in addition to any other fee for standard Preapplication or Basic Application submittals that may be sought for the subject Project.

STEPS AFTER SUBMITTAL

Upon receipt of a complete Notice of Intent Preapplication, the City of Oakland will engage in a scoping consultation with any interested California Native American tribe traditionally and culturally affiliated with the geographic area of the proposed development. The City will commence a scoping consultation within 30 days of receiving notification from a responsive tribe. If no tribe accepts an invitation for scoping consultation, or if consultation results in agreement regarding treatment of resources, the City will notify the project applicant that they may proceed with submitting a development application. If there is a listed tribal cultural resource on the project site, or if the City is unable to reach such agreement, the applicant will be notified that Streamlined Housing Development Review is unavailable. In addition, if the development is proposed in a census tract designated as moderate resource, low resource, or high segregation and poverty on the most recent [CTCAC/HCD Opportunity Map](#), the City will schedule a Planning Commission hearing as an opportunity for public and commissioner feedback.

1. SITE INFORMATION

PROPERTY ADDRESS: _____

LEGAL DESCRIPTION: A legal description must be provided.

Attached? Yes ☐ No ☐

ASSESSOR'S PARCEL NUMBER(S): _____

CTCAC/HCD OPPORTUNITY MAP DESIGNATION:

- ☐ Highest Resource
- ☐ High Resource
- ☐ Moderate Resource
- ☐ Low Resource
- ☐ High Segregation and Poverty

EXISTING USE OF PROPERTY: Include identification of major physical alterations to the property.

SITE PLAN: A site plan showing the location on the property, elevations showing design, color, and material, and the massing, height, and approximate square footage, of each building that is to be occupied.

Attached? Yes ☐ No ☐

DESCRIPTION OF PROPOSAL:

2. PROPERTY OWNER AND APPLICANT INFORMATION

Original signatures or clear & legible copies are required.

Owner:

Owner Mailing Address:

City/State:

Zip:

Phone No.:

Fax 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:

City/State:

Zip:

Phone No.:

Fax No.:

E-mail:

I understand that an applicant shall be deemed to have submitted a Notice of Intent preapplication only upon providing both of the following:

- 1. Information about the proposed project as required by California Government Code section 65913.4 using this preapplication form; and**
- 2. Payment of the permit processing fee.**

I hereby certify that the statements furnished on this form and in the attachments present the data and information required for this Notice of Intent preapplication to the best of my ability and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

Signature: _____

Date:

3. Project & Lot Information

CALCULATIONS	Existing Pre-Project	Demolition	New Proposed	Total Post-Project
Affordability Levels				
Market Rate				
Managers Unit(s) – Market Rate				
Moderate-Income (80%-120% AMI)				
Low-Income (50%-80% AMI)				
Very Low-Income (30%-50% AMI)				
Extremely Low-Income (<30% AMI)				
Total Number of Units				
Total Number of Affordable Units:				
Other Types of Units/Rooms (if applicable)				
Accessory Dwelling Units				
Live/Work Units				
Work/Live Units				
Mobile Homes				
Hotel Rooms				
Floor Area				
Office Floor Area (square feet)				
Retail Floor Area (square feet)				
Industrial Floor Area (square feet)				
Other Non-Residential Floor Area (sq. ft.)				
Total Non-Residential Floor Area (sq. ft.)				
Total Residential Floor Area (sq. ft.)				
Total Res. & Non-Res. Floor Area (sq. ft.)				

OTHER PROJECT INFORMATION:

Automobile Parking Spaces (number):

Total Number of Existing Units Occupied:

Total Number of Existing Occupied Units Proposed for Demolition:

Total Building Footprint Area (square feet):

Building Height (feet):

Building Stories (number):

Total Lot Area (square feet):

Bicycle Parking Spaces (number):

4. DENSITY BONUS

Will the project proponent seek bonus units, incentives, waivers, or parking reductions pursuant to the State Density Bonus Law, California Government Code Section 65915?

Yes ☐ No ☐

If "Yes" please describe:

5. SUBDIVISION

Will the project proponent seek any approvals under the Subdivision Map Act?

Yes ☐ No ☐

If "Yes" please describe:

Number of Existing Lots:

Number of Resulting Lots:

6. POLLUTANTS

Are there any proposed point sources of air or water pollutants?

Yes ☐ No ☐

If "Yes" please describe:

7. ADDITIONAL SITE CONDITIONS

		Yes	No	Attachment Provided?
a. Is the project site located wholly or partially within:				
i.	A Very High Fire Hazard Severity Zone (VHFHSZ), as determined by the Department of Forestry and Fire Protection?			
ii.	Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993)?			
iii.	A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code?			
iv.	A special flood hazard area subject to inundation by the 1 percent annual chance floor (100-year flood) as determined by the Federal Emergency Management Agency (FEMA) in any official maps published by FEMA?			
v.	A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2?			
vi.	A stream or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 (commencing with Section 1600) of Division 2 of the California Fish and Game Code, including creeks and wetlands? If yes, provide a site map showing any stream or other resource that may be subject to a streambed alteration agreement and an aerial site photograph showing existing site conditions of environmental site features that would be subject to regulations by a public agency, including creeks and wetlands.			
b. Does the project site contain any historic and/or cultural resource?				
c. Does the project contain any species of special concern such as special status flora or fauna, protected trees, or wildlife?				
d. Does the project site contain any recorded public easement, such as easements for storm drains, water lines, and other public rights of way?				
e. For any project proposed to be located within the coastal zone, whether any portion of the property contains any of the following: (Note: City of Oakland is not located within the coastal zone)				
i.	Wetlands, as defined in subdivision (b) of Section 13577 of Title 14 of the California Code of Regulations.	N/A	N/A	N/A
ii.	Environmentally sensitive habitat areas, as defined in Section 30240 of the Public Resources Code.	N/A	N/A	N/A
iii.	A tsunami run-up zone.	N/A	N/A	N/A
iv.	Use of the site for public access to or along the coast.	N/A	N/A	N/A

If you answered yes to any of the questions above, include attachments further illustrating each site condition at issue.

For any questions regarding this application, visit the Zoning Counter, call the Zoning Information Line, or submit your questions to the Permit Questions Portal.

Current hours of operations for the Zoning Counter are on the Planning & Building Department website at <https://www.oaklandca.gov/Planning-Building/Permit-Process-Overview/Planning-Building-Forms>.

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 “SB35 inquiry”.

Questions may be submitted to the Permit 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>