

Types of Permits

All new structures and modifications to structures in the City of Berkeley are required to be in conformance with the [Zoning Ordinance](#). In addition, all businesses in the City of Berkeley are required to be in conformance with the uses permitted in the Zoning Ordinance. Applicants for development projects and new businesses should begin with review by zoning staff to determine what type of zoning permit is needed and to ensure that a use is allowed in the location proposed. Some types of development and uses are allowed “as-of-right,” meaning that no public review is required so long as the proposed project or use conforms to the requirements of the zoning ordinance. An as-of-right project or use is issued a Zoning Certificate and the applicant can proceed to submit an application and plans for a building permit or proceed with application for a business license. However, many proposed development projects or new businesses require some level of “discretionary review,” meaning they are subject to public notice to neighbors and a public hearing. In this instance, prior to submitting an application for a building permit, an applicant is required to proceed through the public review process to receive a Use Permit or other entitlement. Each permit type is described below.

Zoning Certificate

A [Zoning Certificate \(ZC\)](#) serves as a record of the initial establishment of a use, or the construction of a structure, which is allowed as a matter of right. A ZC is generally issued at the Permit Services Center counter by Land Use Planning staff. For more information about ZCs, and Zoning Conformance review, please see [Zoning Ordinance Chapter 23B.20](#).

Administrative Use Permit

An [Administrative Use Permit \(AUP\)](#) is a discretionary permit for the use of land or land development that is issued by the Zoning Officer. An [AUP](#) sometimes requires environmental review pursuant to the [California Environmental Quality Act \(CEQA\)](#). An AUP may be appealed to the Zoning Adjustments Board and its decision may be appealed to the City Council by any "aggrieved person or entity." For more details about AUP please see the [Zoning Ordinance Chapter 23B.28](#). Please review the [application submittal requirements \(.pdf\)](#) for more information.

Use Permit (Public Hearing)

A [Use Permit \(UPPH\)](#) is a discretionary permit for the use of land or land development that is issued by the [Zoning Adjustments Board](#) after a public hearing. A UPPH often requires environmental review pursuant to the [California Environmental Quality Act \(CEQA\)](#). A UPPH may be appealed to the City Council by any aggrieved body. For more details about UPPH please see the [Zoning Ordinance Chapter 23B.32](#). Please review the [application submittal requirements \(.pdf\)](#) for more information.