



Zoning Adjustments Board Staff Report

APP #ZP2026-0025

August 13, 2026

Use Permit for a Project at 2974 Sacramento Street

Quick Facts	Project Description:
Applicant: Galal Alhadhrami	The applicant is seeking approval to allow the processing of live poultry within an existing warehouse located in the Multiple-Family Residential (R-3) District. The proposal would intensify an existing lawful nonconforming commercial use associated with Sacramento Market.
Property Owner: Jimmy Lei	
Project Address: 2974 Sacramento Street	
Site Size: 14,270 square feet	
GP Land Use: Neighborhood Commercial/Medium Density Residential	Zoning Permits Requested:
Zoning: South Area Commercial (C-SA) District /Multiple-Family Residential (R-3) District	A Use Permit Public Hearing is required for the following permits: 1. Changes to Nonconforming Uses. BMC Section 23.324.040(A)(2) “Change to Nonconforming Use” to add the processing of live poultry within a warehouse located in the Multiple-Family Residential (R-3) zoning district.
CEQA: 15301 (“Existing Facilities”)	Staff Recommendation: Staff recommends that ZAB determine the project is exempt from CEQA pursuant to Section 15301 of the CEQA Guidelines (“Existing Facilities”) and approve ZP2026-0025 pursuant to Section 23.406.040 (E) (1-5) “Findings for Approval” and subject to the attached Findings and Conditions of Approval.
Date Submitted: March 5, 2026	
Date Deemed Complete: March 27, 2026	
Project Planner: Samella Stover	

ZONING MAP

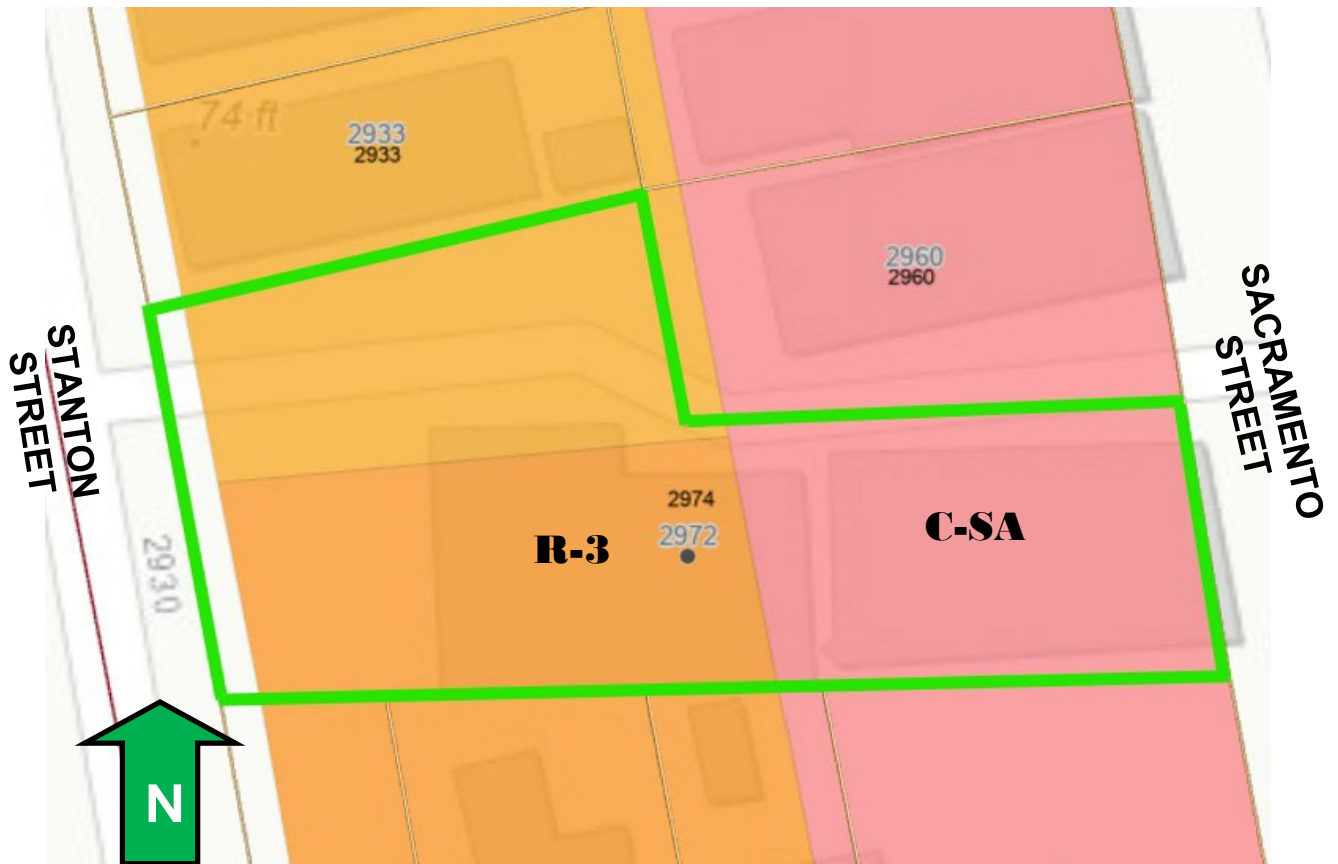


Figure 1: Vicinity and Zoning Districts Map

Comparison of Adjacent Properties			
Vicinity	GP Land Use	Zoning	Current Use
North	Medium Density Residential/ Neighborhood Commercial	South Area Commercial (C-SA)/ Residential Multi-Unit 2A (R-2A) Districts	
South	Medium Density Residential/ Neighborhood Commercial	South Area Commercial (C-SA)/ Multiple-Family Residential (R-3)	
East	Medium Density Residential	Multiple-Family Residential (R-3)/ Multi-Unit 2A (R-2A) Districts	
West	Medium Density Residential/ Neighborhood Commercial	South Area Commercial (C-SA)/ Multiple-Family Residential (R-3)	

AERIAL – VIEW TOWARDS NORTHEAST



AERIAL – VIEW TOWARDS SOUTH



STREET ELEVATION – SACRAMENTO STREET (EAST VIEW)



STREET ELEVATION – SACRAMENTO STREET (WEST VIEW)



BACKGROUND

2974 Sacramento Street – Mixed Use Building/Warehouse

The subject site is a 14,270-square-foot, through-lot that is split-zoned between the South Area Commercial (C-SA) and Multiple-Family Residential (R-3) districts. The two-story mixed-use building was constructed in the South Area Commercial (C-SA) district by Use Permit 46800 on May 23, 1939, and houses a mid-size grocery store with a butcher counter on the first floor and three owner-occupied residential units on the second floor. The warehouse was constructed within the Multiple-Family Residential (R-3) district under Use Permit #65932 as an addition to the store on August 5, 1949.

Site History

Sacramento Market, located at 2974 Sacramento Street near Ashby Avenue, has historically served as an established neighborhood-serving commercial use in South Berkeley since 1939. Although smaller in scale than regional grocery retailers, the market has served as an important community-oriented business, providing access to groceries, fresh produce, and daily household necessities for nearby residents.

The market has historically served a diverse customer base within the surrounding South Berkeley neighborhood and has operated as a locally oriented commercial establishment along the Sacramento Street corridor. The market has also operated within the context of broader revitalization efforts along the Sacramento Street commercial corridor. During the early-to-mid 2010s, the City of Berkeley, in coordination with local neighborhood and merchant organizations, supported efforts to enhance the corridor as a pedestrian-oriented district comprising independent, locally serving businesses. Amid changing economic conditions, including the COVID-19 pandemic, Sacramento Market continued to operate as an essential business, providing neighborhood access to food and grocery services.

The warehouse addition was constructed in 1949 to support the market's ongoing operations, including storage and the preparation of meat for the on-site butcher counter. Historical improvements via building permits included the installation of a chimney smoker for smoking meat intended for retail sale, as well as an overhead hook system for transporting and storing large cuts of meat between the preparation, freezer storage, and butcher counter areas. The historic hook system remains visible within the warehouse today.

ANALYSIS

Project Scope

The proposed project would intensify an existing lawful nonconforming commercial use within the R-3 District by allowing the processing of live poultry using Halal practices within the existing warehouse, where new interior partition walls will reconfigure the existing floor area to establish a dedicated processing area. The project would not increase the floor area devoted to meat

processing and storage; rather, the existing space would be reorganized into designated chicken processing and storage areas to improve operational efficiency and sanitation. Chickens would be delivered to the site during the market's existing delivery hours, between 7:00 a.m. and 5:00 p.m., using the same delivery schedule and loading area currently utilized for routine commercial deliveries. Delivery trucks would back into the existing loading area within the parking lot, where covered transport enclosures containing the chickens would be unloaded directly into the designated processing area. Because deliveries would occur as part of the market's existing operations and the transport enclosures are covered to minimize heat stress and reduce vocalization, the proposed operation is not expected to result in additional delivery-related noise or other operational impacts to the surrounding residential neighborhood. Conditions of approval have been added to the permit to ensure compliance with the restrictions described above.

Findings

Draft findings for approval can be found in Attachment 2 to the staff report.

Environmental Review

The proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code §21000, et seq., and California Code of Regulations, §15000, et seq.) pursuant to Section 15301 of the CEQA Guidelines ("Existing Facilities").

POLICY CONSISTENCY

General Plan Consistency

The 2002 General Plan contains several policies applicable to the project, including the following:

Policy LU-1 Community Character – Maintains the character of Berkeley as a special, diverse, unique place to live and work.

Evidence: The proposed project is consistent with Policy LU-1 because it supports the continued operation of a long-standing neighborhood-serving commercial environment that contributes to Berkeley's cultural, economic, and social diversity. The project will enable the business to continue providing specialty food products and services to a diverse customer base while maintaining the site's historic commercial function. By supporting an established local business within an existing commercial building, the project helps preserve the unique character and entrepreneurial diversity that distinguishes Berkeley's neighborhoods and commercial corridors.

Policy LU-4 Discretionary Review – Preserves and enhances the aesthetic, environmental, economic, and social character of Berkeley through careful land use and design review decisions.

Evidence: The proposed project is consistent with Policy LU-4 because it is subject to

discretionary review, which allows the City to evaluate operational characteristics, potential neighborhood impacts, and compliance with applicable development and performance standards. Through the review process, the City may impose conditions of approval to ensure that the project operates in a manner that protects public health and safety, minimizes potential adverse impacts, and remains compatible with surrounding uses. The discretionary review process, therefore, provides an opportunity to preserve and enhance the aesthetic, environmental, economic, and social character of the surrounding area while allowing a locally serving business to continue operating.

Policy LU-13 Basic Goods and Services – Ensure that neighborhoods are well served by commercial districts and community services and facilities, such as parks, schools, child-care facilities, and religious institutions.

Evidence: The proposed project is consistent with Policy LU-13 because it supports the continued provision of food products and services within an established neighborhood commercial area. The project would contribute to the availability of culturally significant food options and specialty products that serve the needs of local residents and patrons from the broader community. By allowing an existing neighborhood-serving business to continue and expand its offerings, the project helps maintain access to goods and services that support residents' daily needs and reinforces the role of commercial districts as community-serving destinations.

RECOMMENDATION

Because of the project's consistency with the Zoning Ordinance and General Plan, and minimal impact on surrounding properties, staff recommends that the Zoning Adjustments Board:

1. **FIND** that the project is categorically exempt from the provisions of CEQA pursuant to Section 15301 of the CEQA Guidelines ("Existing Facilities"); and
2. **APPROVE** ZP2026-0025 pursuant to BMC Section 23.406.040(D) and subject to the attached Findings and Conditions (see Attachments 2 and 3).

Attachments

1. Tables: Table 1: Project Chronology, Table 2: Special Characteristics, Table 3: Development Standards
2. Draft Findings
3. Draft Conditions of Approval
4. Project Plans, June 22, 2026
5. Notice of Public Hearing

Attachment 1

Table 1: Project Chronology

Date	Action
March 5, 2026	Zoning Project Application submitted
March 27, 2026	Application deemed complete
May 1, 2026	Resubmittals requested
May 15, 2026	CEQA Recommendation by Staff
June 1, 2026	Application processing ^a
July 30, 2026	Public hearing notices mailed/posted
August 13, 2026	ZAB hearing
Notes: a. Application processing reflects the project compliance review after the application is deemed complete. Submittals are reviewed within 30 days of receipt, pursuant to the Permit Streamlining Act.	

Table 2: Special Characteristics

Characteristic	Applicability	Explanation
Affordable Child Care Fee for qualifying non-residential projects (Per Resolution 66,618-N.S.)	No	These fees apply to net newly constructed nonresidential gross floor area over 7,500 square feet. The project includes less than 7,500 square feet of net new commercial space. Therefore, the project is not subject to this fee.
Affordable Housing Fee for qualifying non-residential projects (Per Resolution 66,617-N.S.)		
Affordable / Inclusionary Housing Requirements (BMC Chapter 23.328)	No	This project does not include any residential use, and is not a housing development project, as defined in BMC 23.328.020 ^a , and is not subject to this section.
Alcohol Sales/Service	No	The project is not proposing any alcohol sales or service with this permit.
Bird Safe Buildings (BMC Section 23.304.150)	No	The project is an existing building with no exterior changes proposed. This section does not apply because the building is eligible for a phase-in exemption for an existing mixed-use building with lower hazard facades, per BMC Section 23.304.150(B)(3)(b).
Coast Live Oak Trees (BMC Chapter 6.52)	No	There are no Coast Live Oak (<i>Quercus agrifolia</i>) trees on the project site.
Creeks	No	No creek or culvert, as defined by BMC Chapter 17.08, exists on or within 30 feet of the project site.
Density Bonus	No	The project does not require or qualify for the Density Bonus.
Hard Hats (BMC Chapter 13.107)	No	The scope of the project does not fit the requirements for BMC 13.107, and therefore, these provisions do not apply.

Characteristic	Applicability	Explanation
Historic Resources	No	The site is not a designated historic resource, and the project does not involve demolition of the existing mixed-use building. The project is not subject to review by the Landmarks Preservation Commission.
Housing Accountability Act (HAA) (Gov't Code Section 65589.5(j))	No	The project proposes an intensification of current use in a residential district, does not include any residential use, and does not meet the definition of a "Housing Development Project" per Government Code Section 65589.5(h)(2) ^b . The project is not subject to the HAA.
Housing Crisis Act of 2019 (SB 330)	No	The project does not include any residential use, and does not meet the definition of a "Housing Development Project" per Government Code Section 65589.5(h)(2) ^b . The project is not subject to SB 330.
Opportunity Sites	No	The project is not listed as an Opportunity Site or within the Downtown Area plan.
Rent Controlled Units	No	The project will not involve the demolition of residential structures; no rent-controlled units will be demolished.
Residential Preferred Parking (RPP)	No	The site is not located in an RPP zone, and the project does not include residential uses.
Seismic Hazards (SHMA)	No	The project site is not located within an area susceptible to landslide/liquefaction/fault rupture as shown on the State Seismic Hazard Zones map. ^c
Soil/Groundwater Contamination	No	The site is in the City's Environmental Management Area. However, the site is not on the Cortese List, nor does it have any known existing conditions. In addition, the project will not involve site disturbance or excavation deeper than 5 feet. Therefore, further study is not required.
Transit	Yes	The project site is served by multiple AC Transit bus lines (local and Transbay) that operate within ¼ mile of the site and is approximately 0.9 miles east of the Ashby Berkeley Bay Area Rapid Transit (BART) Station.
Notes: a. BMC 23.328.020(E) defines a "Housing Development Project" for purposes of inclusionary housing requirements as "a development project, including a Mixed-Use Residential project involving the new construction of at least one Residential Unit. Projects with one or more buildings or projects including multiple contiguous parcels under common ownership or control shall be considered as a sole Housing Development Project and not as individual projects. b. Government Code Section 65589.5(h)(2) "Housing development project" means a use consisting of any of the following: (A) residential units only, (B) mixed-use developments consisting of residential and nonresidential uses in which at least two-thirds of the square footage is designated for residential use, and (C) transitional or supportive housing. Government Code Section 65905.5(b)(3)(C) "Housing development project" includes a proposal to construct a single dwelling unit. This subparagraph shall not affect the interpretation of the scope of paragraph (2) of subdivision (h) of Section 65589.5. c. California Department of Conservation. DOC Maps: Geologic Hazards. Available: https://maps.conservation.ca.gov/geologic/hazards/ d. Cortese List is an annually updated list of hazardous materials sites compiled pursuant Government Code Section 65962.5.		

Table 3: R-3 Zoning District Development Standards BMC Sections 23.204.130 and 23.322 Parking and Loading

Standard		Existing	Addition/ (Reduction)	Proposed Total	Permitted/ Required
Lot Area (sq. ft.)		14,270	No change	No change	5,000
Gross Floor Area (sq. ft.)		10,304 (warehouse)	No change	No change	N/A
Floor Area Ratio		0.50	No change	No change	N/A
Commercial Floor Area		10,304 (warehouse only)	No change	No change	N/A
Dwelling Units	Total	2	No change	No change	N/A
	Bedrooms	3	No change	No change	4
Building Height (ft. - in.)	Maximum	16'-6"	No change	No change	35'
Building Setbacks (ft. - in.)	Front (East) (Sacramento Street)	5'-0"	No change	No change	15'
	North Interior Side	10'-0"	No change	No change	4
	South Interior Side	0'-0"	No change	No change	4
	2 nd Frontage (West) (Stanton Street)	5'-0"	No change	No change	15'
Usable Open Space (sq. ft.)		3,966	No change	No change	400
Automobile Parking		15	15	15	0 ¹
Abbreviations: sq. ft. = square feet; max. = maximum; min. = minimum; n/a = not applicable; % = percent; avg. = average, ft = feet ('), in. = inches (")					
Notes: 1. AB-2097 , effective January 1, 2023, prohibits local jurisdictions from requiring minimum parking for most non-residential uses located within a 1/2 mile of public transit.					



Zoning Adjustments Board Findings

App # ZP2026-0025

August 13, 2026

Use Permit for a Project at 2974 Sacramento Street

Project Facts	Project Description:
Applicant: Galal Alhadhrami Property Owner: Jimmy Lei Project Address: 2974 Sacramento Street	The applicant is seeking approval to process live poultry on-site within a warehouse located in a residential district (R-3) that will intensify an existing non-conformity, connected to a grocery store in a commercial district.
Site Size: 14,270 square feet GP Land Use: Neighborhood Commercial/Medium Density Residential Zoning: South Area Commercial (C-SA) District/Multiple-Family Residential (R-3) District CEQA: 15301 ("Existing Facilities") Date Submitted : March 5, 2026	Permits Requested: 1. Changes to Nonconforming Uses. BMC Section 23.324.040(A)(2) "Change to Nonconforming Use" to add the processing of live poultry within a warehouse located in the Multiple-Family Residential (R-3) zoning district.
Date Deemed Complete: March 27, 2026 Project Planner: Samella Stover	Staff Recommendation Staff recommends that ZAB determine the project is exempt from CEQA pursuant to Section 15301 of the CEQA Guidelines ("Existing Facilities") and approve ZP2026-0025 pursuant to Section 23.406.040 (E) (1-5) "Findings for Approval" and subject to the attached Findings and Conditions of Approval.

CEQA

Categorical Exemption

The project is categorically exempt from the requirements of CEQA pursuant to 15301 ("Existing Facilities").

Evidence: The project qualifies for the Class 1 Categorical Exemption pursuant to CEQA Guidelines Section 15301 because it involves the permitting and operation of activities within an existing commercial facility and accessory warehouse with negligible or no expansion of the existing physical facilities. The proposed project consists of a change to a nonconforming use to allow the processing of live poultry within an existing warehouse that has historically been used for food-related activities, including storage, meat preparation, and other accessory functions associated with the commercial market. The project would occur entirely within existing buildings on a developed site and does not include the construction of new structures, expansion of the existing building footprint, or substantial exterior alterations. The project is exempt because the discretionary approval would allow food-processing activities within an existing facility that has historically supported food preparation and sales operations and would not result in a physical expansion of those facilities.

Furthermore, none of the exceptions to the use of categorical exemptions identified in CEQA Guidelines Section 15300.2 apply because there is no substantial evidence that the project would result in significant environmental effects due to unusual circumstances, cumulative impacts, impacts to scenic resources, hazardous waste sites, or historical resources. Therefore, the project is categorically exempt pursuant to CEQA Guidelines Section 15301 ("Existing Facilities").

FINDINGS FOR APPROVAL

As required by BMC Section 23.406.040 (E) (1-4) "Findings for Approval," the following findings shall be made:

1. To approve a Use Permit, the ZAB shall find that the proposed project or use:
 - (a) Will not be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or visiting in the area or neighborhood of the proposed use; and

Evidence: The proposed change to a nonconforming use that results in an operational intensification of the existing nonconforming use by allowing the processing of live poultry within the existing accessory warehouse will not be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or visiting in the area or neighborhood because the activity will occur entirely within an existing enclosed warehouse structure that has historically been used for food storage, meat preparation, smoking, and other food-related activities associated with the commercial market. The project does not involve the construction of new buildings, expansion of the existing

facility, or outdoor poultry processing activities that would increase impacts on surrounding properties.

The proposed operation is limited in scale because no more than 150 live chickens shall be processed per day, processing activities will occur only between 7:00 a.m. to 6:00 p.m., and no live chickens will be housed overnight on the property. Chicken deliveries will occur during the market's existing delivery schedule and will not increase the frequency of delivery trucks serving the site. These operational limitations reduce the potential for noise, odors, traffic, and other impacts on the surrounding neighborhood. The proposed use will remain subject to all applicable requirements of the City of Berkeley Environmental Health Division, and other regulatory agencies with jurisdiction over food preparation, sanitation, waste disposal, and public health standards. Compliance with these requirements will help ensure that the operation is conducted in a manner that protects public health and safety and minimizes potential impacts on surrounding properties. Project specific conditions of approval are attached to the permit to ensure compliance with these restrictions.

Because the proposed poultry processing activities will occur within an enclosed accessory warehouse, be limited in scale, and operate during daytime hours, potential noise and odor impacts are expected to be limited and will not be detrimental to people residing or visiting in the area. Therefore, the proposed use will not be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or visiting in the area or neighborhood.

- (b) Will not be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood, or to the general welfare of the City.

Evidence: The proposed change to a nonconforming use that results in an operational intensification of the existing nonconforming use by allowing the processing of live poultry within the existing accessory warehouse will not be detrimental or injurious to adjacent properties, the surrounding neighborhood, or the general welfare of the City because the project will be accommodated entirely within an existing enclosed warehouse that has historically supported food-related activities associated with the commercial market. The project does not include an expansion of the building footprint or floor area. Rather, the existing interior will be reconfigured with new walls to accommodate the proposed poultry processing activities while maintaining the existing meat processing and storage area.

Because the proposed activity will occur entirely within an existing enclosed building, will not expand the existing facility, will not increase the building footprint or floor area, and is subject to operational limitations and applicable regulatory oversight, the proposed use will not be detrimental or injurious to adjacent properties, the surrounding neighborhood, or the general welfare of the City.

2. To approve the Use Permit, the ZAB must also make any other Use Permit findings specifically required by the Zoning Ordinance for the proposed project.

N/A

3. When taking action on a Use Permit, the ZAB shall consider in its findings:

(a) The proposed land use; and

Evidence: The proposed land use consists of an intensification to a nonconforming use to allow the processing of live poultry within an existing accessory warehouse associated with the commercial market. The proposed use is compatible with the site's historical operation because the warehouse has been used for food-related activities, including food storage, meat preparation, smoking, and other accessory functions supporting the market. The proposed use will continue food-processing activities within an existing facility. The proposed land use is appropriate for consideration under a Use Permit and will not adversely affect the surrounding neighborhood.

4. Required findings shall be made based on the circumstances existing at the time a decision is made on the application.

Evidence: The required findings are satisfied because the project has been determined to be fully compliant with all applicable regulations based on the project plans submitted on June 22, 2026 and evaluated based on the existing conditions of the subject site and surrounding neighborhood at the time of decision.

**STANDARD CONDITIONS OF APPROVAL
APPLICABILITY**

Development projects approved through the City of Berkeley are subject to Standard Conditions of Approval (Standard COAs). The City of Berkeley has established Standard COAs that identify requirements for the construction and operation of the approved project. This includes general administrative conditions, permitting requirements, project construction and the regulation of on-going, on-site uses. Compliance requirements with the Berkeley Municipal Code, building permit review and issuance process, construction, final inspection requirements, certificate of occupancy, and on-going operations of the approved use are included in this document.

The Standard COAs may vary based on site size, location, environmental settings, topography, historic alteration or approved uses. Variations in the application of the Standard COAs may occur based on the project scope and site-specific characteristics including but not limited to parcel size, location, topography, and use.

Conditions which have specified thresholds due to size, uses, and other characteristics are identified.

Part I. Administrative Conditions

- A. General Project Conditions
- B. Project Specific Conditions
- C. Final Approval Conditions
- D. On-Going Operational Conditions

Part II. Prior to Issuance of Demolition Permit



CONDITIONS OF APPROVAL

Property Address:
Application Number:

I. Administrative Conditions A. General Project Conditions		Regulation Source	Timing/Implementation	Enforcement/ Monitoring
1.	Project Approval. This Project approval is for 2974 Sacramento Street, as substantially shown and described on the Project plans dated June 22, 2026, except as required to be modified by Conditions of Approval herein and plans as presented to the Zoning Adjustments Board on August 13, 2026 (“Approval Date.”). For any Condition herein that requires preparation of a Final Plan where the project applicant has submitted a conceptual plan, the Project applicant shall submit final plan(s) in substantial conformance with the conceptual plan and incorporate any required modifications.	City of Berkeley	On-Going	Land Use Planning
2.	Approval Limited to Proposed Project and Replacement of Existing Uses. This Use Permit authorizes only the Proposed Project described in the application. This project approval does not authorize other uses, structures or activities not included in the Project Description. When the City approves a new use that replaces an existing use, any prior approval of the existing use becomes null and void when permits for the new use are exercised (e.g., building permit or business license issued). To reestablish the previously existing use, an applicant shall obtain all permits required by the Zoning Ordinance for the use. (BMC Sections 23.404.060.B.1 and 2)	City of Berkeley BMC Sections 23.404.060	On-Going	Land Use Planning
3.	Compliance Required. All land uses and structures in the City of Berkeley shall comply with the Zoning Ordinance and all applicable City ordinances and regulations.	City of Berkeley BMC Section 23.102.050(B)	On-Going	Land Use Planning
4.	Other Regulations. Compliance with the Zoning Ordinance does not relieve an applicant from requirements to comply with other federal, state, and City regulations that also apply to the property.	City of Berkeley BMC Section 23.102.050 (E)	On-Going	Land Use Planning
5.	Conformance with Approved Plans. All work performed under an approved Use Permit shall follow the approved plans as presented to ZAB on August 13, 2026 and pursuant to the Conditions of Approval.	City of Berkeley BMC Section 23.404.060 (B)(4)	On-Going	Land Use Planning



CONDITIONS OF APPROVAL

Property Address:
Application Number:

I. Administrative Conditions A. General Project Conditions		Regulation Source	Timing/Implementation	Enforcement/ Monitoring
6.	Permit Modifications. No change in the use or structure for which this Permit is issued is permitted unless the Permit is modified by the Zoning Adjustments Board. The Zoning Officer may approve changes to plans approved by the Board which reduce the size of the Project, consistent with the Board’s policy adopted on May 24, 1978.	City of Berkeley BMC Section 23.404.070	On-Going	Land Use Planning
7.	Permit Revocation. The City may revoke or modify a discretionary permit for completed projects due to: 1) Violations of permit requirements; 2) Changes to the approved project; and/or 3) Vacancy for one year or more. No lawful residential use can lapse, regardless of the length of time of the vacancy. Proceedings to revoke or modify a permit may be initiated by the Zoning Officer, Zoning Adjustments Board, or City Council referral.	City of Berkeley BMC Section 23.404.080	On-Going	Land Use Planning



CONDITIONS OF APPROVAL

Property Address:
Application Number:

I. Administrative Conditions A. General Project Conditions		Regulation Source	Timing/Implementation	Enforcement/ Monitoring
8.	Exercise and Expiration of Permits A permit authorizing a land use is exercised when both a valid City business license is issued (if required) and the land use is established on the property. A. A permit authorizing a land use is exercised when both a valid City business license is issued (if required) and the land use is established on the property. B. A permit authorizing construction is exercised when both a valid City building permit (if required) is issued and construction has lawfully begun. C. The Zoning Officer may declare a permit lapsed if it is not exercised within one year of its issuance, except if the applicant has applied for a building permit or has made a substantial good faith effort to obtain a building permit and begin construction. The Zoning Officer may declare a permit lapsed only after 14 days written notice to the applicant. A determination that a permit has lapsed may be appealed to the Zoning Adjustments Board in accordance with Chapter 23.410 (Appeals and Certification). D. A permit declared lapsed shall be void and of no further force and effect. To establish the use or structure authorized by the lapsed permit, an applicant shall apply for and receive City approval of a new permit.	City of Berkeley BMC Section 23.404.060 (C)	On-Going	Land Use Planning



CONDITIONS OF APPROVAL

Property Address:
Application Number:

I. Administrative Conditions A. General Project Conditions		Regulation Source	Timing/Implementation	Enforcement/ Monitoring
9.	Hold Harmless. The permittee agrees as a Condition of Approval of this application to indemnify, protect, defend with counsel selected by the City, and hold harmless, the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees and agents, from and against any and all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, costs and expenses of whatever nature, including reasonable attorney’s fees and disbursements (collectively, “Claims”) arising out of or in any way relating to the approval of this application, any actions taken by the City related to this entitlement, or any environmental review conducted under the California Environmental Quality Act, Public Resources Code Section 210000 et seq., for this entitlement and related actions. The indemnification shall include any Claims that may be asserted by any person or entity, including the permittee, arising out of or in connection with the approval of this application, whether or not there is concurrent, passive or active negligence on the part of the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees and agents. The permittee’s duty to defend the City shall not apply in those instances when the permittee has asserted the Claims, although the permittee shall still have a duty to indemnify, protect and hold harmless the City.	City of Berkeley	On-Going	Land Use Planning
10.	Compliance with Conditions of Approval and Environmental Mitigations. The Building Permit application is subject to verification of compliance of these Conditions of Approval and any applicable Mitigation Measures. The applicant shall be responsible for demonstrating compliance with all Conditions of Approval per the timeline set forth by this Permit.	City of Berkeley	On-Going	Land Use Planning



CONDITIONS OF APPROVAL

Property Address:
Application Number:

I. Administrative Conditions B. Project Specific Conditions		Regulation Source	Timing/Implementation	Enforcement/ Monitoring
1.	Pursuant to BMC 23.404.050(H), the Zoning Adjustments Board attaches the following additional Conditions of Approval to this Permit: 1. Chicken Processing Only Live poultry processing shall be limited exclusively to chickens. No ducks, turkeys, geese, guinea fowl, quail, or other poultry species shall be processed on the premises. 2. Maximum Processing Capacity Processing of live poultry shall be limited to a maximum of 150 chickens per day unless further authorization is granted through an amendment to this Use Permit. 3. Hours of Operation Receipt, handling, and processing of live poultry shall occur only between 7:00 a.m. and 6:00 p.m. 4. Delivery Operations Delivery of live poultry shall occur only during the store's existing delivery schedule. No additional delivery trips beyond those normally associated with the operation of the market are authorized by this approval. All loading and unloading of live poultry shall occur within the existing loading area on the property. 5. Indoor Processing All live poultry holding and meat processing activities shall occur entirely within the enclosed warehouse building. No portion of these activities shall occur outdoors.	City of Berkeley BMC Section 23.040.050 (H)	On-Going	Land Use Planning



CONDITIONS OF APPROVAL

Property Address:
Application Number:

	6. Building Configuration The approved processing area shall consist of a reconfigured interior space created through the installation of new interior walls. This approval does not authorize any expansion of the existing warehouse floor area. 7. Odor and Noise Control The operator shall maintain the enclosed processing area in a manner that prevents extreme odor or noise impacts on surrounding residential properties. All doors serving the processing room shall remain closed during processing activities except as necessary for employee access and deliveries. 8. Sanitation The processing area shall be maintained in accordance with all applicable requirements of the City of Berkeley Environmental Health and any other applicable regulatory agencies. Animal waste and processing by-products shall be stored and disposed of in a sanitary manner that prevents odors, pests, and public nuisance conditions. 9. Animal Holding Live poultry shall not be housed overnight on the property unless otherwise authorized by the appropriate regulatory agencies. Poultry shall be processed promptly following delivery. 10. Exterior Storage No live poultry, processing equipment, feathers, waste materials, or related supplies shall be stored outdoors.			
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CONDITIONS OF APPROVAL

Property Address:
Application Number:

	11. Maintenance of Parking and Loading Area The existing loading area shall remain available for loading and unloading operations. Delivery vehicles shall not block public streets, sidewalks, or neighboring driveways. 12. Complaint Response Upon receipt of a verified complaint regarding excessive odor, noise, sanitation, or other operational impacts associated with the poultry-processing use, the Zoning Officer may require the operator to implement reasonable corrective measures to maintain compliance with the conditions of approval.			
I. Administrative Conditions D. On-Going Operational Conditions		Regulation Source	Timing/Implementation	Enforcement/ Monitoring
1.	Exterior Lighting. All exterior lighting shall be energy efficient where feasible; and shielded and directed downward and away from property lines to prevent excessive glare beyond the subject property.	City of Berkeley	On-Going	Land Use Planning



CONDITIONS OF APPROVAL

Property Address:**Application Number:**

II. Prior to Issuance of Demolition Permit		<u>Regulation Source</u>	<u>Timing/Implementation</u>	<u>Enforcement/ Monitoring</u>
1.	Conditions of Approval Included in Building Permit Plan Submittal A. Use Permit. The Conditions of Approval for this Permit shall be printed on the <i>second</i> sheet of each plan set submitted for a building permit pursuant to this Permit, under the title ‘Use Permit Conditions.’ <i>Additional sheets may also be used if the second sheet is not of sufficient size to list all of the conditions. The sheet(s) containing the conditions shall be of the same size as those sheets containing the construction drawings; (8-1/2” by 11” sheets are not acceptable)</i>	City of Berkeley	Prior to Demolition Permit Issuance	Building & Safety/Land Use Planning
2.	Project Liaison. The applicant shall include in all building permit plans and post onsite the name, e-mail address, and telephone number of an individual empowered to manage construction-related complaints generated from the Project. The individual’s name, telephone number, and responsibility for the Project shall be posted at the project site for the duration of the Project in a location easily visible to the public. The individual shall record all complaints received and actions taken in response and submit written reports of such complaints and actions to the project planner on a weekly basis. Please designate the name of this individual below: ☐ Project Liaison _____ Name Phone #	City of Berkeley	Prior to Demolition Permit Issuance	Building & Safety/Land Use Planning



CONDITIONS OF APPROVAL

Property Address:
Application Number:

V. During Demolition/Construction A. Building & Safety		Regulation Source	Timing/Implementation	Enforcement/ Monitoring
1.	Construction Hours. Construction activity shall be limited to between the hours of 7:00 AM and 6:00 PM on Monday through Friday, and between 9:00 AM and 4:00 PM on Saturday. No construction-related activity shall occur on Sunday or any Federal holiday.	City of Berkeley BMC 13.40.070 (B) (7)	During Demolition/Construction	Building & Safety
2.	Construction Hours Exceptions. Prior to initiating any activity that might require a longer period, the applicant shall notify the Zoning Officer in writing and request an exception for a specific period of time. If an exception is approved, then the applicant shall notify businesses and residents within 500 feet of the Project site describing the expanded construction hours two weeks prior to the expanded schedule start. The Project shall only be allowed 15 extended working days.	City of Berkeley	During Demolition/Construction	Environmental Health/ Land Use Planning
3.	Construction / No Parking Permits. If “Construction/No Parking Permits” are required, the applicant shall contact the Permit Service Center for details on obtaining Construction/No Parking Permits (and associated signs and accompanying dashboard permits). The Zoning Officer and/or Traffic Engineer may limit off-site parking of construction-related vehicles if necessary to protect the health or safety of the surrounding neighborhood.	City of Berkeley	During Demolition/Construction	Building & Safety



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SACRAMENTO MARKET

SB1214 MASSING DIAGRAM



SB1214 MASSING DIAGRAM

SB1214 MASSING DIAGRAM
2974 SACRAMENTO ST, BERKELEY, CA
EXISTING BUILDING 2 STORIES HEIGHT: 31.5 FT
INTERIOR REMODEL ONLY. NO CHANGE TO BUILDING FOOTPRINT, HEIGHT, OR ENVELOPE.



Z O N I N G A D J U S T M E N T S B O A R D

NOTICE OF PUBLIC HEARING

2974 Sacramento Street

Use Permit #ZP2026-0025 to allow the processing of live poultry within an existing warehouse located in the Multiple-Family Residential (R-2) District. The proposal would intensify an existing lawful nonconforming commercial use associated with Sacramento Market.

The Zoning Adjustments Board of the City of Berkeley will hold a public hearing on the above matter, pursuant to Zoning Ordinance, Section [23.404.050 \(Public Hearings and Decisions\)](#)

When: Thursday, August 13, 2026, 7:00 pm

Where: Berkeley Unified School District meeting room, 1231 Addison Street (wheelchair accessible) with remote/hybrid option (via Zoom).

Please visit: <https://berkeleyca.gov/your-government/boards-commissions/zoning-adjustments-board> and click on the hearing date to access the most up-to-date meeting information, or call the Land Use Planning division (510) 981-7410.

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED IN A HYBRID MODEL WITH BOTH IN-PERSON ATTENDANCE AND VIRTUAL PARTICIPATION AVAILABLE FOR MEMBERS OF THE PUBLIC.

For in-person attendees, face coverings or masks that cover both the nose and mouth are encouraged. If you're feeling sick, please do not attend the meeting in-person as a public health precaution.

Currently, there are no physical distancing requirements in place by the State of California or the Local Health Officer for an indoor event similar to a Commission meeting. However, all attendees are requested to be respectful of the personal space of other attendees. An area of the public seating area will be designated as "distanced seating" to accommodate persons that need to distance for personal health reasons.

A. Land Use Designations:

- General Plan: General Plan: Neighborhood Commercial/Medium Density Residential
- Zoning: C-SA – South Area Commercial District/ R-3 – Multiple-Family Residential District

B. Zoning Permits Required:

- Use Permit under BMC Section 23.324.040(A)(2) to add the processing of live poultry within a warehouse located in the Multiple-Family Residential (R-3) zoning district

D. CEQA Recommendation: Categorically exempt pursuant to Section 15301 of the CEQA Guidelines ("Existing Facilities").

E. Project Recommendation: Approve Use Permit #ZP2026-0025 pursuant to BMC Section 23.406.040(D)

F. Parties Involved:

- Applicant Galal Alhadhrami, 2974 Sacramento Street, Berkeley, CA. 94702
- Property Owner Jimmy Lei, 2974 Sacramento Street, Berkeley, CA. 94702

Further Information:

All application materials are available online at: <https://aca-prod.accela.com/BERKELEY/Default.aspx>.

The Zoning Adjustments Board final agenda and staff reports will be available online 6 days prior to this meeting at: <https://berkeleyca.gov/your-government/boards-commissions/zoning-adjustments-board>.

Questions about the project should be directed to the project planner, Samella Stover, at (510) 981-7425 or SStover@berkeleyca.gov.

Written comments or a request for a Notice of Decision should be directed to the Zoning Adjustments Board Secretary at zab@berkeleyca.gov.

Communication Disclaimer:

Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the relevant board, commission or committee for further information.

Written Comments, Communications, and Reports:

Written comments must be directed to the ZAB Secretary at the Land Use Planning Division (Attn: ZAB Secretary), or via e-mail to: zab@berkeleyca.gov. All materials will be made available via the Zoning Adjustments Board Agenda page online at this address: <https://berkeleyca.gov/your-government/boards-commissions/zoning-adjustments-board>

All persons are welcome to attend the hearing and will be given an opportunity to address the Board. Comments may be made verbally at the public hearing and/or in writing before the hearing. The Board may limit the time granted to each speaker.

Correspondence received by 5:00 PM, eight days before this public hearing, will be provided with the agenda materials provided to the Board. Note that if you submit a hard copy document of more than 10 pages, or in color, or with photos, you must provide 15 copies. Correspondence received after this deadline will be conveyed to the Board in the following manner:

- **Correspondence received by 5:00 PM, two days before** this public hearing, will be conveyed to the Board in a Supplemental Communications and Reports #1, which is released around noon one day before the public hearing.
- **Correspondence received by 12:00 PM, the day of** this public hearing, will be conveyed to the Board in a Supplemental Communications and Reports #2, which is released around noon the day of the public hearing.
- **Correspondence received after 12:00 PM, the day of** this public hearing, will be saved in the project administrative record.



Accessibility Information / ADA Disclaimer:

To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6342 (V) or 981-6345 (TDD) at least three business days before the meeting date.

SB 343 Disclaimer:

Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available to the public. Please contact the Land Use Planning Division (zab@berkeleyca.gov) to request hard-copies or electronic copies.

Notice Concerning Your Legal Rights:

If you object to a decision by the Zoning Adjustments Board regarding a land use permit project, the following requirements and restrictions apply:

1. If you challenge the decision of the City in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice.
2. You must appeal to the City Council within 14 days after the Notice of Decision of the action of the Zoning Adjustments Board is mailed. It is your obligation to notify the Land Use Planning Division in writing of your desire to receive a Notice of Decision when it is completed.
3. Pursuant to Code of Civil Procedure Section 1094.6(b) and Government Code Section 65009(c)(1), no lawsuit challenging a City Council decision, as defined by Code of Civil Procedure Section 1094.6(e), regarding a use permit, variance or other permit may be filed more than 90 days after the date the decision becomes final, as defined in Code of Civil Procedure Section 1094.6(b). Any lawsuit not filed within that 90-day period will be barred.
4. Pursuant to Government Code Section 66020(d)(1), notice is hereby given to the applicant that the 90-day protest period for any fees, dedications, reservations, or other exactions included in any permit approval begins upon final action by the City, and that any challenge must be filed within this 90-day period.
5. If you believe that this decision or any condition attached to it denies you any reasonable economic use of the subject property, was not sufficiently related to a legitimate public purpose, was not sufficiently proportional to any impact of the project, or for any other reason constitutes a "taking" of property for public use without just compensation under the California or United States Constitutions, the following requirements apply:
 - a. That this belief is a basis of your appeal.
 - b. Why you believe that the decision or condition constitutes a "taking" of property as set forth above.
 - c. All evidence and argument in support of your belief that the decision or condition constitutes a "taking" as set forth above. If you do not do so, you will waive any legal right to claim that your property has been taken, both before the City Council and in court.