
AGENDA

**CITY OF SAN PABLO
PLANNING COMMISSION MEETING AGENDA
Tuesday, February 27th, 2018**

**City Hall Council Chambers
6:30 P.M.
13831 San Pablo Avenue
ONE ALVARADO SQUARE
SAN PABLO, CA 94806**

Planning Commissioners
Rita Xavier, Chairperson
Roberta Feliciano, Vice Chair
Yuhong Shi
Dorothy Gantt
Dr. Charlene Harlan-Ogbeide

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **STAFF INTRODUCTIONS**
5. **PUBLIC COMMENT**

The public is welcome at this time to address the Planning Commission on any non-agenda item. Comments are limited to five minutes per speaker. Any public comments made at this time regarding an item pending before the Commission do not go into the public record of that item. Comments on public hearing items will be heard by the Planning Commission when that item is opened to the public.
6. **APPROVAL OF MINUTES**

Planning Commission approval of the minutes for the meeting of January 23, 2018.
7. **PUBLIC HEARINGS**
 - A. **PLAN1711-0036:** Consideration of a Conditional Use Permit for an on-site alcohol license for beer and wine only for a new restaurant, Burgerim, at 2300 El Portal Drive, San Pablo, CA 94806, APN 416-160-039. The property is within the San Pablo Avenue Specific Plan and has the Neighborhood Commercial land use designation. It has been determined that the proposed project is exempt from the California Environmental Quality Act (CEQA), consistent with the provisions of CEQA Guidelines Section 15301, Class 1,

Existing Facilities. Class 1 addresses an existing private structure, such as this recently renovated building, where a restaurant will be operating.

RECOMMENDATION: Adopt Resolution 18-02 approving PLAN1711-0036, a Conditional Use Permit for an On-Site Beer and Wine License for a New Restaurant, Burgerim, at 2300 El Portal Drive Unit F, APN 416-160-039.

8. **NEW BUSINESS**

- Revised 2018 Planning Commission Regular Meeting Schedule:
Per City Council Ordinance 18-009, adopted by City Council February 5, 2018, and effective March 7, 2018, the regularly Planning Commission meetings shall be moved from third Tuesday of the month to the fourth Tuesday of the month.

9. **STAFF UPDATES**

- Development Services Monthly Report.
- Housing Element Annual Progress Report 2017.
- Certificates of Appreciation for outgoing Planning Commissioners Matthew Trujillo and Jeffrey Inglis.
- AB 1234 trainings due prior to participation in 2018 Planning Commissioners Academy:
 - o Rita Xavier (due March 13, 2018)
 - o Yuhong “Sophia” Shi (due February 26, 2018)
 - o Newly appointed Planning Commissioners are also required to complete AB1234 training

Online AB 1234 training link from FPPC (free of charge):

<http://www.fppc.ca.gov/learn/public-officials-and-employees-rules-/ethics-training.html>

10. **PLANNING COMMISSIONER REPORTS**

11. **ADJOURNMENT**

(Next scheduled meeting of the Planning Commission will be held on Tuesday, March 27th, 2018.)

NOTICE TO THE PUBLIC

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, PERSONS REQUIRING ASSISTANCE OR AUXILIARY AIDS IN ORDER TO PARTICIPATE SHOULD CONTACT THE PLANNING DIVISION AT ONE ALVARADO SQUARE, SAN PABLO AS SOON AS POSSIBLE PRIOR TO THE MEETING. THE CITY WILL GIVE SUCH REQUIREMENTS PRIMARY CONSIDERATION, TAKING INTO ACCOUNT UNDUE FINANCIAL AND ADMINISTRATIVE BURDENS OR FUNDAMENTAL ALTERATIONS IN THE CITY SERVICE, PROGRAM OR ACTIVITY.

SPEAKERS WISHING TO ADDRESS THE PLANNING COMMISSION ON A SPECIFIC AGENDA ITEM SHOULD FILE A FORM WITH THE RECORDING SECRETARY INDICATING THE AGENDA ITEM. THE PLANNING COMMISSION CHAIRPERSON WILL INVITE YOU TO SPEAK AT THE APPROPRIATE TIME WHEN THE MATTER IS BEING CONSIDERED. IF YOU WISH TO SPEAK ON A NON-AGENDA ITEM WITHIN THE SUBJECT MATTER JURISDICTION OF THE PLANNING COMMISSION, YOU MAY SPEAK UNDER AGENDA NO. 5, "PUBLIC COMMENT". PLEASE FILE YOUR NAME AND ADDRESS WITH THE RECORDING SECRETARY ON FORMS PROVIDED.

COPIES OF THIS AGENDA AND NON-EXEMPT RECORDS RELATING TO AN OPEN SESSION ITEM ON THIS AGENDA WILL BE AVAILABLE FOR PUBLIC REVIEW AT THE CITY CLERK'S OFFICE, 13831 SAN PABLO AVENUE, BUILDING 1, AT THE SAME TIME THEY ARE DISTRIBUTED OR MADE AVAILABLE TO THE COMMISSION.

FOR PUBLIC INFORMATION

Following **ROLL CALL** and the **APPROVAL OF MINUTES** the Planning Commission Chair will open the meeting to the Public Hearing. The Public Hearing enables persons requesting a special permit or allowance that is not routinely allowed by the Zoning Ordinance or not covered by the Municipal Code. The Planning Chair initiates the **PUBLIC HEARING** process by **REQUESTING A STAFF REPORT**; City Staff will give a description, location and explanation of the request. Following an evaluation and analysis of the request, City Staff will make a recommendation of disapproval or approval with or without conditions. Once Staff has made its recommendation, the Chair will ask Commissioners if they have any questions for staff. Then the Chair will open the hearing in the following manner: (Note: Throughout the Hearing the Planning Commissioners may ask questions of those persons participating in the Public Hearing.)

1. The applicant will be invited to further elaborate upon his/her request, make comments, clarifications and/or modifications to the Staff Report.*
2. Persons either for or against the special request will be invited to elaborate and argue points made and reasons why or why not this request should be allowed.*
3. Applicant and persons for the request are given the opportunity for rebuttal.*
4. Persons opposed to the request are given the opportunity for rebuttal.*
5. The Public Hearing will be closed by the Chair.
6. The Planning Commissioners will review and consider all those options, findings, and new perspectives expressed by each side. Following a thorough study of all Staff information, public comment and site location, the Planning Commission will vote to approve, deny, approve subject to conditions, or based on unknown existing or potential conditions, find that the applicant needs further review and continue it to a later hearing.

***Persons addressing the Planning Commission are required to limit their remarks to five (5) minutes, unless an extension of time is granted by the Chair subject to approval by the Planning Commission members. If translation is necessary, then the time shall be doubled to allow for translation.**

Appeal Period and Final Permit: Both the applicant and the public may appeal the Planning Commission decision to the City Council. Appeals must be filed in writing to the City Clerk within ten (10) days following the Planning Commission action.

Note: Any questions related to the Planning Commission hearing, Zoning, or related planning activities can be directed to the San Pablo City Planning Division at (510) 215-3031.

* **If you need Spanish language assistance, please contact the Development Services Department at (510) 215-3030.**

* **Si necesita asistencia en español, por favor contacte al Departamento de Servicios de Desarrollo al (510) 215-3030.**

**CITY OF SAN PABLO
PLANNING COMMISSION MINUTES
JANUARY 23, 2018
CITY COUNCIL CHAMBERS
ONE ALVARADO SQUARE
SAN PABLO, CA**

ROLL CALL

Chairperson Xavier called the meeting to order at 6:30 p.m. Call of the roll showed present: Chairperson Xavier, Vice Chair Trujillo, Commissioner Shi, and Commissioner Feliciano. Commissioner Inglis arrived at 6:35 p.m. Staff present at the meeting included: Rod Simpson, Consulting Planner; Lynn Tracy Nerland, City Attorney; Sandra Marquez, Assistant Planner; Reina Schwartz, Assistant City Manager; and Sarah Maroof, Administrative Secretary.

PUBLIC COMMENT

None.

APPROVAL OF MINUTES

Commissioner Trujillo made a motion to approve the minutes for the meeting of December 19, 2017. The motion was seconded by Commissioner Shi and approved by a vote of 4-0-1-0, with Commissioner Inglis absent for the vote.

AYES: Feliciano, Trujillo, Xavier, Shi
NOES: None
ABSENT: Inglis
ABSTAIN: None

PUBLIC HEARINGS

PLAN1710-0027: Consideration of a Conditional Use Permit for tandem parking on a lot less than 50 feet in width, and Design Review to allow a new two-story single family residence of 2,084 square feet, which includes a single-car garage on a substandard lot of 2,500 square feet at 2800 11th Street, San Pablo, CA (APN 412-090-001). The property is zoned R-1 Single-Family Residential. It has been determined that the proposed project qualifies for an exemption from the California Environmental Quality Act (CEQA), consistent with the provisions of CEQA Guidelines Section 15303(a), which allows for the construction of a new single family residence.

Assistant Planner Marquez gave a presentation of the project and staff recommendations, after which the Planning Commissioners were invited to ask questions of staff and/or the applicant. Commissioner Trujillo inquired as to whether there were nearby parks or other outdoor space. Assistant Planner Marquez responded that Lake Elementary School was located approximately two blocks from the proposed project.

Commissioner Feliciano requested clarification regarding the street-facing windows; namely, the front elevation shown on the plans included in Attachment C to the Staff Report showed a double window above the front door and a single window at the balcony, whereas the front elevation shown in Attachment E to the Staff report showed a double window at the balcony and a single window above the front door. The

applicant indicated that the project would be consistent with front elevation shown in Attachment E to the Staff Report, showing a double window at the balcony and a single window above the front door.

Chairperson Xavier questioned why the Letter of Explanation, Attachment B to the Staff Report, referenced a vacant lot at 2200 Pine Street, San Pablo, as well as the project address of 2800 11th Street, San Pablo. Assistant Planner Marquez responded that this was an error in the letter from the architect and that the current project under consideration was located at 2800 11th Street in San Pablo; a prior project by the same architect was located at 2200 Pine Street, but that project had no relation to the current project under consideration.

Commissioner Trujillo questioned whether the size of the house at 2084 square feet on a lot size of 2500 square feet would result in a relative lack of outdoor space that may be detrimental to quality of life. Assistant Planner Marquez responded that, since the proposed project was two stories, the footprint of the proposed new house was only 42% of the lot size, which was under the maximum 45% lot coverage limit. She also indicated that there was no specific open space requirement in the R1 zoning district in which this project was located. Consulting Planner Simpson added that health and safety and quality of life were discretionary issues that could be considered by the Planning Commission when considering a project for approval.

The Public Hearing was opened. The applicant, Majid Kolahdooz, gave further details regarding the proposed project and answered questions posed by the Planning Commissioners. Commissioner Shi asked about the challenges of building a house on a narrow lot. Mr. Kolahdooz responded that the biggest challenges included maximization of space and avoidance of narrow hallways. There being no further speakers, the Public Hearing was closed.

Commissioner Shi made a motion to adopt Resolution 18-01 approving PLAN1710-0027, a Conditional Use Permit for tandem parking on a lot less than 50 feet in width, and Design Review to allow a new two-story single-family residence that includes a single-car garage on a substandard lot on 2,500 square feet at 2800 11th Street, San Pablo, (APN412-090-001), with the added condition that the front-facing windows shall be consistent with Attachment E (Front Elevation) to the Staff Report, which shows a double window at the balcony and a single window above the front door. The motion was seconded by Commissioner Inglis and passed by a vote of 5-0.

AYES: Xavier, Trujillo, Shi, Feliciano, Inglis
NOES: None
ABSENT: None
ABSTAIN: None

REORGANIZATION

Commissioner Trujillo nominated Commissioner Shi to the position of Chairperson of the Planning Commission. Commissioner Shi did not accept the nomination, and the nomination was withdrawn.

Commissioner Inglis nominated Commissioner Trujillo to the position of Chairperson of the Planning Commission. Commissioner Trujillo did not accept the nomination, and the nomination was withdrawn. Commissioner Trujillo reported that, since he recently bought a house in Richmond, he will resign from the Planning Commission at such time as he changes his domicile outside of the City of San Pablo, which is planned for February of 2018.

Commissioner Feliciano made a motion to re-appoint Commissioner Xavier to the position of Chairperson of the Planning Commission. The motion was seconded by Commissioner Trujillo. The Commission voted in favor 5-0.

AYES: Inglis, Shi, Xavier, Trujillo, Feliciano
NOES: None.
ABSENT: None.
ABSTAIN: None.

Commissioner Inglis made a motion to appoint Commissioner Feliciano to the position of Vice Chair of the Planning Commission. The motion was seconded by Commissioner Trujillo. The Commission voted in favor 5-0.

AYES: Inglis, Shi, Xavier, Trujillo, Feliciano
NOES: None.
ABSENT: None.
ABSTAIN: None.

NEW BUSINESS

City Attorney Nerland reviewed the following items:

- Interim Planning Commission meeting schedule for Planning Commission consideration:
The City Council introduced the ordinance to change the meeting date of the Planning Commission to the fourth Tuesday of the month. The ordinance will be scheduled for adoption on February 5, 2018 and if passed, then effective 30 days later. In the interim, staff recommends that the Planning Commission cancel the February 21, 2018 regularly scheduled Planning Commission meeting; approve Special Planning Commission meeting February 27, 2018.

Commissioner Inglis made a motion to cancel the February 21, 2018 regularly scheduled Planning Commission meeting, and approve the Special Planning Commission meeting on February 27, 2018. The motion was seconded by Commissioner Trujillo and approved by a vote of 5-0.

AYES: Xavier, Trujillo, Shi, Feliciano, Inglis
NOES: None
ABSENT: None
ABSTAIN: None

STAFF UPDATES

Consulting Planner Rod Simpson reviewed the following items:

- Development Services Monthly Report
- Planning Commissioners Academy, April 4-6, 2018, in Monterey. The Planning Commissioners were reminded to complete their AB 1234 Ethics training before submitting reimbursement requests for the Academy.

PLANNING COMMISSION REPORTS

Commissioner Inglis reported on the OneWater Project sponsored by the Water Research Foundation, and indicated he would provide further information to interested parties.

Commissioner Xavier reported on the most recent Hazardous Materials Operations Committee meeting, at which there was no quorum.

Commissioner Xavier announced that the League of Women Voters Bay Area would be holding its Annual League Day on February 3, 2018, at a cost of \$35 per person (with breakfast and lunch included), and suggested that interested parties contact her if they would like further information regarding this event.

ADJOURNMENT

There being no further business, Chairperson Xavier adjourned the meeting at 7:02 p.m. to the February 27, 2018 meeting.

Rita Xavier
Chairperson

Reina J. Schwartz
Assistant City Manager

Planning Commission Staff Report

PREPARED BY: Sandra Marquez Assistant Planner

DATE: March 27, 2018

SUBJECT: PLAN1711-0036: CONSIDERATION OF A CONDITIONAL USE PERMIT FOR AN ON-SITE BEER AND WINE LICENSE FOR A NEW RESTAURANT, BURGERIM, AT 2300 EL PORTAL DRIVE UNIT F, APN 416-160-039

REQUESTED ACTION

Request for approval of a Conditional Use Permit for on-site beer and wine sales at a new restaurant (Burgerim). The restaurant is located at 2300 El Portal Drive, APN 416-160-039. The request is consistent with the requirements of Section 17.62.020, Alcoholic Beverage Sales, of the City's Zoning Ordinance

STAFF RECOMMENDATION

Adopt Resolution 2018-03 approving PLAN 1711-0036, subject to findings and conditions of approval.

BACKGROUND

Property Owner: CC San Pablo Limited Partnership, Melissa Sussman

Applicant: Jayvon Muhammad, BURGERIM

Location: 2300 El Portal Drive Unit F

Assessor Parcel Number: 416-160-039

General Plan Designation: Neighborhood Commercial

Zoning District: Neighborhood Commercial (NC) within the San Pablo Avenue Specific Plan (SP2)

Surrounding Zoning and Land Uses:

North: I: Institutional District.

South: NC: Neighborhood Commercial designation within the San Pablo Avenue Specific Plan.

East: NC: Neighborhood Commercial designation within the San Pablo Avenue Specific Plan.

West: NC: Neighborhood Commercial designation within the San Pablo Avenue Specific Plan a property.

ENVIRONMENTAL DETERMINATION

The project had been determined to be exempt under the California Environmental Quality Act, Section 15301, Class 1, Existing Facilities. Class 1 addresses an existing private structure, such as the existing commercial building, where the restaurant will be operating.

PUBLIC HEARING NOTICE

Notices were mailed to owners of properties within a 300-foot radius of the site on February 15, 2018. In addition, a Public Hearing Notice was published in the East Bay Times newspaper on Saturday, February 17, 2018.

SITE LOCATION AND PROJECT DESCRIPTION

The applicant is requesting approval of a Conditional Use Permit for alcoholic beverage sales for on-site beer and wine sales at a new restaurant that will be operating at 2300 El Portal Drive Unit F in the Neighborhood Commercial (NC) zoning district within the San Pablo Avenue Specific Plan (SP2). A determination of Public Convenience or Necessity is not required as there is not an undue concentration of on-sale retail alcohol licenses in the Census Tract where the restaurant is located. The property at 2300 El Portal Drive is part of the College Center retail center. The Building received Tenant Improvements to accommodate a restaurant use in the vacant unit. The new restaurant, Burgerim, will occupy the space which is center of a multi-tenant building - including other restaurants, cafes and retail shops- within the shopping center.

GENERAL PLAN CONFORMANCE

The site is designated SP-2, San Pablo Avenue Specific Plan. The proposed use is consistent with the following General Plan Actions and Policies for the Neighborhood Commercial land use category:

Policy LU-G-7: Neighborhood Retail

Retain and enhance existing commercial, industrial, educational and entertainment land use areas to strengthen San Pablo's economic base.

Policy LU-I-28: Neighborhood Retail

Allow a mix of tenants and an array of site amenities in mixed use projects that will attract customers from both local neighborhoods and region-wide communities.

Restaurants are allowed uses in the Neighborhood Commercial (NC) designation within the San Pablo Avenue Specific Plan (SP-2). However, the alcohol beverage sales use requires an approved Conditional Use Permit before this service can be established.

ZONING CONFORMANCE

The property is in the San Pablo Avenue Specific Plan (SP-2) and the land use designation is Neighborhood Commercial (NC) district. Restaurants are allowed uses in the Neighborhood Commercial (NC) district within the San Pablo Avenue Specific Plan (SP-2). However, the alcohol beverage sales use requires an approved Conditional Use Permit before this service can be established.

The new restaurant would be established in an existing commercial unit within the College Center. The unit is 1,150 sq. ft. and would provide seats for 29 customers. There would not be

any change to the exterior of building and design review is not required. Interior Tenant Improvements and review of the signage would be submitted separately.

Section 17.62.020 of the Zoning Ordinance describes the purpose of the ordinance, and defines alcoholic beverages, restrictions on locations, and full-service restaurant requirements for alcoholic beverage sales. The language from the Zoning Code is included below:

17.62.020 Alcoholic beverage sales.

A. Purpose. The purpose of this section is to establish site planning, development, and/or operating standards for alcoholic beverage sales businesses. It is the city's intent, in establishing these standards, to mitigate the potential adverse impacts of this use and activities on adjacent and surrounding land uses.

B. Alcoholic Beverage. For the purposes of this section, "alcoholic beverage" means alcohol, spirits, liquor, wine, beer, or any liquid or solid containing alcohol, spirits, wine, or beer, that contains one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances.

C. Restrictions on Location. No alcoholic beverage sales use shall be located closer than one thousand feet to any other alcoholic beverage sales use, school, licensed day care center, public park or playground, church, senior citizen facility, or licensed alcohol or drug treatment facility except as follows:

1. If the activity is in conjunction with a full-service restaurant; or
2. In establishments with twenty-five or more full-time equivalent employees and a total gross floor area twenty thousand square feet or more.

D. Full-Service Restaurant. For the purposes of this section, "full-service restaurant" means a place which is regularly and in a bona fide manner used and kept open for the serving of at least lunch and dinner to guests for compensation and which has suitable kitchen facilities connected therewith, containing conveniences for cooking an assortment of foods which may be required for such meals. The sale or service of sandwiches (whether prepared in a kitchen or made elsewhere and heated up on the premises) or snack foods shall not constitute a full-service restaurant. The following additional provisions shall be used to define a full-service restaurant:

1. A full-service restaurant shall serve meals to guests at all times the establishment is open for business. An establishment shall not be considered a full-service restaurant if it serves alcohol without meal service being provided, with the exception that alcohol sales to restaurant patrons may continue for up to two hours after meal service has ceased to allow guests to comfortably complete their meals.
2. The offer of meals is not adequate to meet the above criteria. A full-service restaurant shall make actual and substantial sales of meals to guests for compensation. Substantial sales shall mean that no less than sixty percent of total revenue shall be generated from food service and no more than forty percent of revenue from the sales of alcohol.

3. "Meals" means the usual assortment of foods commonly ordered at various times of the day for the cuisine served. The service of snack foods and/or appetizers alone shall not be deemed compliance with this requirement. Meals shall be prepared on the premises. Heating of food prepared elsewhere shall not constitute a meal for the purposes of this section.

4. Premises shall be equipped for meal service and maintained in good faith. Premises shall possess and maintain appliances for the cooking of a variety of foods such as stoves, ovens, broilers, or other devices, as well as pots, pans, or containers that can be used for cooking. Premises shall possess the necessary utensils, table service, and condiment dispensers with which to serve meals to the public.

5. A full-service restaurant shall comply with all local health department and state standards.

6. A full-service restaurant may have a separate lounge or bar area; provided, that the restaurant and bar/lounge area operate as a single entity. The physical layout, entry location(s), spatial connection between the areas, and operational characteristics, among other factors, shall be used to determine compliance. Any bar/lounge area cannot remain open when the dining area is closed. However, the dining area may be open while the bar/lounge area is closed. (Ord. 2015-002 § 3 (Exh. 1)(part), 2015)

USE PERMIT

As stated above, the alcohol beverage sales use requires the approval of a Conditional Use Permit before this service can be established. Should the requested Use Permit be approved, the license would be issued by the state department of Alcoholic Beverage Control (ABC).

California Business and Professional Code Section 23958.4 states that if there is an undue concentration in alcohol licenses or the area is a high crime identified area, the applicant must demonstrate that public convenience or necessity would be served by the issuance of the on-sale beer and wine license. According to the Alcoholic Beverage Control agency (ABC) 2300 El Portal is not identified as an area with an undue concentration of alcohol licenses or high crime (see Attachment B). A determination to demonstrate public convenience or necessity is not required in this case. An on-sale beer and wine only – eating place is a Type 41 license (see Attachment E).

The applicant, Javon Muhammad, has submitted a narrative which discusses the business purpose, products and services, revenue and management, uniqueness and positive impact on the City with the addition of Burgerim, and the on-sale beer and wine license. The hours of operation would be 11am to 10pm, Monday through Sunday, with seating for 29 guests. Lunch and dinner would be served at this location. It is expected that 80-90% of the revenue will come from the sale of meals, with the balance from the sale of alcoholic and non-alcoholic beverages, both at 10-20%. Beverage staff shall be over 21 years of age, and management and staff would have any required Alcoholic Beverage Control training. Attachment F is the narrative, proposed menu, and floor plan of the restaurant.

In a conversation with the San Pablo Police Department, there are 25 on-sale licenses in the City. Based on the census tract map which is Attachment C, one (1) of these is another full

service restaurant with a type 41 alcohol license inside the College Center. Within the City, the balance of the on-sale licenses are other restaurants or bars, where beer, wine or distilled spirits can be consumed.

The Police Department has provided conditions of approval for the request for an on-sale beer and wine license. These conditions are included below:

- No alcohol sales past 10pm. (Planning staff has created additional language which states that any subsequent request to increase the hours of the restaurant and the beer and wine sales will be limited to 12am midnight. Any request to increase the hours associated with the on-sale beer and wine license, or to include the sales of distilled spirits, must be submitted in an application to amend the hours of operation and type of on-sale license of this Use Permit from the City of San Pablo.)
- Upon closing, the management or its representatives will not allow patrons to loiter in or about the business and will not furnish or sell alcohol to anyone on the premises.
- The business shall affix “NO LOITERING” signs to the building that are easily visible by the public.
- The business shall operate as a full service restaurant. Substantial sales shall mean that no less than 60 percent of total revenue shall be generated from food service and no more than 40 percent of revenue from the sales of alcohol. The monthly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. The licensee shall at all times maintain records which reflect a separate gross sale of food and the gross sales of alcoholic beverages of the licensed business. Records will be kept on a monthly basis and shall be made available to the San Pablo Police Department on demand.

Development Services staff will also assign the following condition to the Use Permit, as listed below:

- All current and future employees shall attend one free LEAD, License Education on Alcohol and Drugs, prevention and education program. The purpose of this training is to provide the licensee with practical information on serving alcoholic beverages safely, responsibly and legally, and preventing illicit drug activity at the restaurant. Proof of attendance of this program, provided by the state department of Alcoholic Beverage Control, will be required to be submitted to the Development Services Department, Planning Division staff, within 60 days of the receiving the beer and wine license from the state department of Alcoholic Beverage Control.

CONCLUSION

Staff supports the request for a Use Permit for an on-sale beer and wine license at this location as the sales of the alcoholic beverages are meant to enhance the restaurant dining experience. It is commonplace and an expected aspect of dining out that a patron, over

the age of 21, can purchase beer or wine to add to the enjoyment of their meal. Not having the opportunity to sell beer and wine, in conjunction with a meal, can put a restaurant at a competitive disadvantage with other similar uses. Conditions of approval have been assigned by the Police Department to limit the hours of sales of beer and wine, prevent loitering, and require that monthly records that clearly illustrate the gross sales of food and alcoholic beverages. As the applicant has indicated that 80-90% of the sales will be from food, and 10% will come from the sale of alcoholic beverages, Planning staff has used these percentages in the conditions of approval. Planning staff has also included the condition about attending a LEAD program for each employee, and have incorporated the relevant operating characteristics as discussed in the narrative about the restaurant and alcohol sales use as conditions of approval. Any changes to the approved Conditional Use Permit, including hours of operation or a change in license type, must first be submitted to the City of San Pablo for review.

ATTACHMENTS

- A: Resolution 18-02
- B: Concentration Statistics Form from ABC
- C: Census Tract Map from ABC Website
- D: Section 23958.4 of the California Business and Professions Code
- E: ABC License types and their basic privileges
- F: Narrative, proposed menu, and floor plan of the restaurant
- G: Poof of Publication from West County Times

RESOLUTION 18-02

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN PABLO APPROVING PLAN 1711-0036, A CONDITIONAL USE PERMIT FOR AN ON-SITE BEER AND WINE LICENSE FOR A NEW RESTAURANT, BURGERIM, AT 2300 EL PORTAL DRIVE UNIT F, APN 416-160-039

WHEREAS, the project site is located in the San Pablo Avenue Specific Plan (SP-2) and the land use designation is Neighborhood Commercial (NC); and

WHEREAS, Restaurants are an allowed use in the Neighborhood Commercial (NC) district within the San Pablo Avenue Specific Plan (SP-2); and

WHEREAS, San Pablo Avenue Specific Plan Table 2-2 allows an alcohol beverage sales use in the Neighborhood Commercial zoning district upon approval of a Use Permit; and

WHEREAS, the Planning Commission shall make findings that the establishment, maintenance or operation of the proposed on-site beer and wine sales will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City; and,

WHEREAS, this project is exempt from the California Environmental Quality Act under Class 1, Existing Facilities, and that Class 1 addresses existing private structures, such as this recently renovated building, where a restaurant will be operating; and

WHEREAS, a public notice hearing has been given by mail to the applicant, local affected agencies and to all property owners within 300 feet of the subject property, and has been published in the East Bay Times in accordance with the requirements of Government Code Section 65091.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission of the City of San Pablo has reviewed the proposed project and approves the Conditional Use Permit, based on the following findings:

- A. The proposed project has been determined to be categorically exempt from the provisions of the California Environmental Quality Act, in accordance with CEQA Guidelines pursuant to Section 15301, Existing Facilities. Class 1 addresses an existing private structure, such as this recently renovated building, where a restaurant will be operating.

Section 15301, Existing Facilities, Class 1 of the CEQA Guidelines consists of the operating of private structures involving negligible or no expansion of use. As there is no expansion to the existing building, the proposal for a new

restaurant with on-site beer and wine sales is exempt from the California Environmental Quality Act.

- B. That the granting of the Conditional Use Permit will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicants and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

Granting the Use Permit allows the proposed new restaurant to provide for the purchase of beer and wine that are consumed on site with meals, and enables the restaurant to compete with similar dining establishments. Beer and wine sales is an option to those customers who would like to enhance their dining experience with beer or wine. A condition of approval has been included to require employees of the restaurant to receive License Education on Alcohol and Drugs (LEAD) training. This training provides practical information on serving alcoholic beverages safely, responsibly and legally, and preventing illicit drug activity at the restaurant. For this reason, the granting of the Use Permit will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicants and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

- C. The proposed project complies with the development standards of the Neighborhood Commercial (NC) district within the San Pablo Avenue Specific Plan (SP-2).

The proposed new restaurant will be operating in an existing building that meets the development standards of the Neighborhood Commercial (NC) district within the San Pablo Avenue Specific Plan (SP-2).

- D. The proposed project incorporates Policy LU I -28, Neighborhood Retail, for the Neighborhood Retail Land Use category where this policy, “allows a mix of tenants and an array of site amenities in mixed use projects that will attract customers from both local neighborhoods and region-wide communities”.

The commercial location has a variety of uses. The approval of a Conditional Use Permit for an on-sale beer and wine license at this location would enhance the restaurant dining experience. It is commonplace and an expected aspect of dining out that a patron, over the age of 21, can purchase beer or wine to add to the enjoyment of their meal. Not having the opportunity to sell beer and wine, in conjunction with a meal, can put a restaurant at a competitive disadvantage with other similar uses.

- E. Public notice of the hearing has been given by mail to the applicants, local affected agencies, all property owners within 300 feet of the subject property,

and has been published in the East Bay Times, in accordance with the requirements of Government Code Section 65905.

Notices were mailed to owners of properties within a 300-foot radius of the site. The notices were mailed on Thursday, February 15, 2018. In addition, a Public Hearing Notice was published in the East Bay Times newspaper on Saturday, February 17, 2017.

BE IT FURTHER RESOLVED that the Planning Commission of the City of San Pablo hereby approves PLAN 1711-0036 for a Conditional Use Permit based upon the following Conditions of Approval:

1. The Use Permit shall become null and void within one year of the effective date of approval if not applied.
2. The Use Permit is only for on-sale beer and wine sales. No sales of distilled spirits can occur at this location without submitting an application to amend the approved Use Permit.
3. The use shall be conducted in substantial compliance with Exhibit A-1, submitted November 29, 2017, on file with the Development Services Department, PLAN 1711-0036. Minor amendments to this Conditional Use Permit may be approved by the Zoning Administrator if it is determined the overall intent of the permit is fulfilled.
4. The applicant shall comply with all of the provisions of Section 17.62.020, Alcoholic Beverage Sales, of the San Pablo Zoning Ordinance including full compliance with Section 17.62.020 (D) regarding full-service restaurant.
5. The applicant shall obtain a City of San Pablo business license and all permits and licenses needed to serve food and drink, including but not limited to licenses from the Contra Costa County Health Department. Nothing other than food, drinks and associated restaurant items shall be sold. All food and drink preparation shall be done in strict accordance with Federal, State and local health regulations.
6. The operating hours shall be 11am – 10pm, Monday through Thursdays and Sundays, 11am-11pm Fridays and Saturdays. No alcohol sales are allowed after 10pm. Any future request to increase the hours associated with the on-sale beer and wine license, or include the sales of distilled spirits, must be submitted in an application to amend the hours of operation and type of on-sale license of this Use Permit from the City of San Pablo. Any subsequent request to increase the hours of the restaurant and the beer and wine sales will be limited to 12midnight.
7. The applicant, in the operation of the business, shall not serve alcohol to an obviously intoxicated person, serve or sell alcohol to a minor, serve or sell alcohol without valid identification verifying age, or serve or sell alcohol outside of the permitted hours. If two such violations occur in a 12-month period, the use permit may be revoked.
8. Upon the closing of the restaurant, the management or its representatives will not allow patrons to loiter in or about the business and will not furnish or sell alcohol to

anyone on the premises.

9. The business shall affix “NO LOITERING” signs to the building that are easily visible by the public.
10. A minimum of sixty (60) percent of the revenue of the sales shall come from food, and a maximum of forty (40) percent of sales shall come from alcoholic beverages. The monthly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. The licensee shall at all times maintain records which reflect a separate gross sale of food and the gross sales of alcoholic beverages of the licensed business. Records will be kept on a monthly basis and shall be made available to the San Pablo Police Department on demand.
11. All current and future employees shall attend one free LEAD, License Education on Alcohol and Drugs, prevention and education program within one month of hiring of future employees. The purpose of this training is to provide the licensee with practical information on serving alcoholic beverages safely, responsibly and legally, and preventing illicit drug activity at the restaurant. Proof of attendance of this program by current employees, provided by the state department of Alcohol Beverage Control, will be required to be submitted to the Development Services Department, within 60 days of the receiving the beer and wine license from the state department of Alcoholic Beverage Control.
12. If the use granted by this Conditional Use Permit is discontinued for a period of six consecutive months, the Use Permit automatically expires.
13. Failure to comply with any of the terms or conditions of this Use Permit is a violation of the City of San Pablo Municipal Code, subject to the enforcement provisions prescribed by Chapter 17.10, Enforcement, and any and all other penalties and remedies that may be provided by law.
14. Any Use Permit granted in accordance with the terms of the City of San Pablo Municipal Code may be revoked if any of the conditions or terms of such permit are violated, the use is discontinued, or if any law or ordinance is violated in connection therewith.
15. No illegal signs, pennants, banners, balloons, flags, or streamers are to be used on this site at any time.
16. All signs shall be subject to the review and approval by the City. No other outside displays are permitted. Prior to the installation of any signs, the applicant shall obtain design review approval from Development Services Planning Division, and building permits from the Building Department.
17. The site be kept clean of all debris (boxes, junk, garbage, etc.) at all times.
18. Indemnification: Pursuant to Government Code Section 66474.9, the applicant (including any agent thereof) shall defend, indemnify, and hold harmless the City of

San Pablo and its agents, officers, or employees from any claim to attack, set aside, void or annul, the City's approval concerning this planning application, which action is brought within the time period provided for in Section 66499.37. The City will promptly notify the applicant of any such claim, action, or proceeding and cooperate fully in the defense.

BE IT FURTHER RESOLVED that the foregoing recitations are true and correct, and are included herein by reference as findings.

Adopted this 27st day of February, 2018, by the following vote to wit:

AYES: COMMISSIONERS:
NOES: COMMISSIONERS:
ABSENT: COMMISSIONERS:
ABSTAIN: COMMISSIONERS:

ATTEST:

APPROVED:

Reina Schwartz
Secretary

Rita Xavier
Chairperson

INFORMATION AND INSTRUCTIONS -

SECTION 23958.4 B&P

Instructions This form is to be used for all applications for original issuance or premises to premises transfer of licenses.

- Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
- Part 2 is to be completed by the applicant, and returned to ABC.
- Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

PART 1 - TO BE COMPLETED BY ABC

1. APPLICANT'S NAME

*Census Tract Concentration Statistics Request** ||| FOR: Sandra Marquez

2. PREMISES ADDRESS (Street number and name, city, zip code)

2300 EL PORTAL DR., SAN PABLO, CA 94806-3486

3. LICENSE TYPE

41

4. TYPE OF BUSINESS

- | | | | |
|---|--|--|--|
| <input checked="" type="checkbox"/> Full Service Restaurant | <input type="checkbox"/> Hofbrau/Cafeteria | <input type="checkbox"/> Cocktail Lounge | <input type="checkbox"/> Private Club |
| <input type="checkbox"/> Deli or Specialty Restaurant | <input type="checkbox"/> Comedy Club | <input type="checkbox"/> Night Club | <input type="checkbox"/> Veterans Club |
| <input type="checkbox"/> Cafe/Coffee Shop | <input type="checkbox"/> Brew Pub | <input type="checkbox"/> Tavern: Beer | <input type="checkbox"/> Fraternal Club |
| <input type="checkbox"/> Bed & Breakfast: | <input type="checkbox"/> Theater | <input type="checkbox"/> Tavern: Beer & Wine | <input type="checkbox"/> Wine Tasting Room |
| <input type="checkbox"/> Wine only | <input type="checkbox"/> All | | |
-
- | | | | |
|---|--|--|--|
| <input type="checkbox"/> Supermarket | <input type="checkbox"/> Membership Store | <input type="checkbox"/> Service Station | <input type="checkbox"/> Swap Meet/Flea Market |
| <input type="checkbox"/> Liquor Store | <input type="checkbox"/> Department Store | <input type="checkbox"/> Convenience Market | <input type="checkbox"/> Drive-in Dairy |
| <input type="checkbox"/> Drug/Variety Store | <input type="checkbox"/> Florist/Gift Shop | <input type="checkbox"/> Convenience Market w/Gasoline | |
| <input type="checkbox"/> Other - describe: | | | |

5. COUNTY POPULATION

1,123,429

6. TOTAL NUMBER OF LICENSES IN COUNTY

On-Sale Off-Sale

7. RATIO OF LICENSES TO POPULATION IN COUNTY

On-Sale Off-Sale

8. CENSUS TRACT NUMBER

3672

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT

5 On-Sale Off-Sale

10. NO. OF LICENSES EXISTING IN CENSUS TRACT

1 On-Sale Off-Sale

11. IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?)

- Yes, the number of existing licenses exceeds the number allowed
- No, the number of existing licenses is lower than the number allowed

12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?

- Yes (Go to Item #13) No (Go to Item #20)

13. CRIME REPORTING DISTRICT NUMBER

RD #28

14. TOTAL NUMBER OF REPORTING DISTRICTS

33

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS

465

16. AVERAGE NO. OF OFFENSES PER DISTRICT

14

17. 120% OF AVERAGE NUMBER OF OFFENSES

17

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT

6

19. IS THE PREMISES LOCATED IN A HIGH CRIME REPORTING DISTRICT? (i.e., has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency)

- Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17
- No, the total number of offenses in the reporting district is lower than the total number in item #17

20. CHECK THE BOX THAT APPLIES (check only one box)

- a. If "No" is checked in both item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.
- b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the applicant to complete Section 2 and bring the completed form to ABC when filing the application or as soon as possible thereafter.
- c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, or an on-sale general (public premises) license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.

Governing Body/Designated Subordinate Name: _____

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

Brandon Walton (August 16th, 2017)



HOME

ABOUT US

BUSINESS

LAWS, RULES AND REGS

ESERVICES

OTHER

License Query System - Map Query

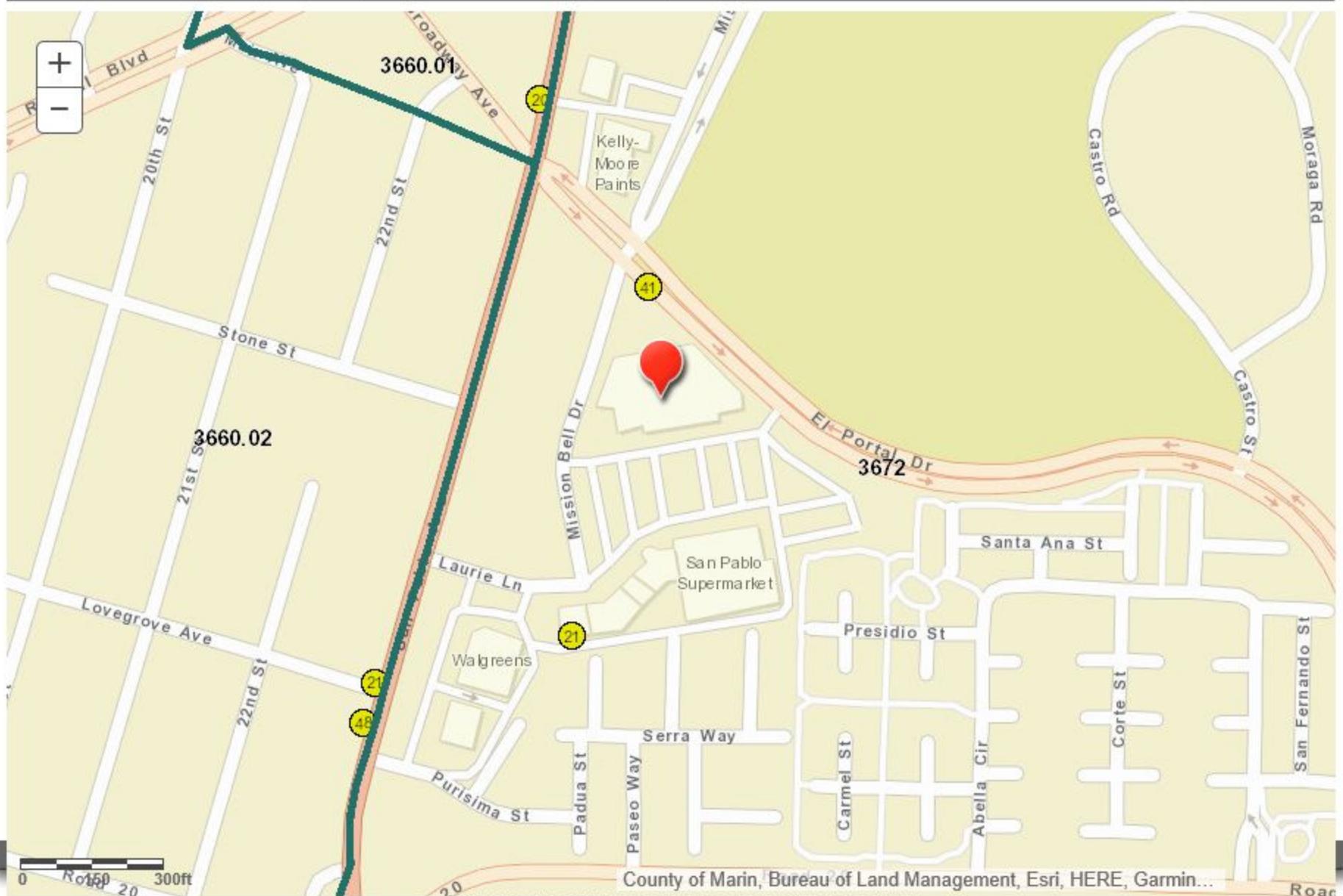
Search for a specific

License Number:

Or, locate a general area by entering:

Premises Address:

Census Tract: City:



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Licenses on the map display the **license type** that is currently issued for it. In the event there is more than one **license type** issued, the code MU is displayed.

State of California

BUSINESS AND PROFESSIONS CODE

Section 23958.4

23958.4. (a) For purposes of Section 23958, “undue concentration” means the case in which the applicant premises for an original or premises-to-premises transfer of any retail license are located in an area where any of the following conditions exist:

(1) The applicant premises are located in a crime reporting district that has a 20 percent greater number of reported crimes, as defined in subdivision (c), than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency.

(2) As to on-sale retail license applications, the ratio of on-sale retail licenses to population in the census tract or census division in which the applicant premises are located exceeds the ratio of on-sale retail licenses to population in the county in which the applicant premises are located.

(3) As to off-sale retail license applications, the ratio of off-sale retail licenses to population in the census tract or census division in which the applicant premises are located exceeds the ratio of off-sale retail licenses to population in the county in which the applicant premises are located.

(b) Notwithstanding Section 23958, the department may issue a license as follows:

(1) With respect to a nonretail license, a retail on-sale bona fide eating place license, a retail license issued for a hotel, motel, or other lodging establishment, as defined in subdivision (b) of Section 25503.16, a retail license issued in conjunction with a beer manufacturer’s license, or a winegrower’s license, if the applicant shows that public convenience or necessity would be served by the issuance.

(2) With respect to any other license, if the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance. The 90-day period shall commence upon receipt by the local governing body of (A) notification by the department of an application for licensure, or (B) a completed application according to local requirements, if any, whichever is later.

If the local governing body, or its designated subordinate officer or body, does not make a determination within the 90-day period, then the department may issue a license if the applicant shows the department that public convenience or necessity would be served by the issuance. In making its determination, the department shall not attribute any weight to the failure of the local governing body, or its designated subordinate officer or body, to make a determination regarding public convenience or necessity within the 90-day period.

(c) For purposes of this section, the following definitions shall apply:

(1) "Reporting districts" means geographical areas within the boundaries of a single governmental entity (city or the unincorporated area of a county) that are identified by the local law enforcement agency in the compilation and maintenance of statistical information on reported crimes and arrests.

(2) "Reported crimes" means the most recent yearly compilation by the local law enforcement agency of reported offenses of criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny, theft, and motor vehicle theft, combined with all arrests for other crimes, both felonies and misdemeanors, except traffic citations.

(3) "Population within the census tract or census division" means the population as determined by the most recent United States decennial or special census. The population determination shall not operate to prevent an applicant from establishing that an increase of resident population has occurred within the census tract or census division.

(4) "Population in the county" shall be determined by the annual population estimate for California counties published by the Population Research Unit of the Department of Finance.

(5) "Retail licenses" shall include the following:

(A) Off-sale retail licenses: Type 20 (off-sale beer and wine) and Type 21 (off-sale general).

(B) On-sale retail licenses: All retail on-sale licenses, except Type 43 (on-sale beer and wine for train), Type 44 (on-sale beer and wine for fishing party boat), Type 45 (on-sale beer and wine for boat), Type 46 (on-sale beer and wine for airplane), Type 53 (on-sale general for train and sleeping car), Type 54 (on-sale general for boat), Type 55 (on-sale general for airplane), Type 56 (on-sale general for vessels of more than 1,000 tons burden), and Type 62 (on-sale general bona fide public eating place intermittent dockside license for vessels of more than 15,000 tons displacement).

(6) A "premises-to-premises transfer" refers to each license being separate and distinct, and transferable upon approval of the department.

(d) For purposes of this section, the number of retail licenses in the county shall be established by the department on an annual basis.

(e) The enactment of this section shall not affect any existing rights of any holder of a retail license issued before April 29, 1992, whose premises were destroyed or rendered unusable as a result of the civil disturbances occurring in Los Angeles from April 29 to May 2, 1992, to reopen and operate those licensed premises.

(f) This section shall not apply if the premises have been licensed and operated with the same type license within 90 days of the application.

(Amended by Stats. 2013, Ch. 76, Sec. 6. (AB 383) Effective January 1, 2014.)

COMMON ABC LICENSE TYPES AND THEIR BASIC PRIVILEGES

LICENSE TYPE	DESCRIPTION
01	BEER MANUFACTURER - (Large Brewery) Authorizes the sale of beer to any person holding a license authorizing the sale of beer, and to consumers for consumption on or off the manufacturer's licensed premises. Without any additional licenses, may sell beer and wine, regardless of source, to consumers for consumption at a bona fide public eating place on the manufacturer's licensed premises or at a bona fide eating place contiguous to the manufacturer's licensed premises. May conduct beer tastings under specified conditions (Section 23357.3). Minors are allowed on the premises.
02	WINEGROWER - (Winery) Authorizes the sale of wine and brandy to any person holding a license authorizing the sale of wine and brandy, and to consumers for consumption off the premises where sold. Authorizes the sale of all wines and brandies, regardless of source, to consumers for consumption on the premises in a bona fide eating place that is located on the licensed premises or on premises owned by the licensee that are contiguous to the licensed premises and operated by and for the licensee. May possess wine and brandy for use in the preparation of food and beverage to be consumed at the bona fide eating place. May conduct winetastings under prescribed conditions (Section 23356.1; Rule 53). Minors are allowed on the premises.
20	OFF SALE BEER & WINE - (Package Store) Authorizes the sale of beer and wine for consumption off the premises where sold. Minors are allowed on the premises.
21	OFF SALE GENERAL - (Package Store) Authorizes the sale of beer, wine and distilled spirits for consumption off the premises where sold. Minors are allowed on the premises.
23	SMALL BEER MANUFACTURER - (Brew Pub or Micro-brewery) Authorizes the same privileges and restrictions as a Type 01. A brewpub is typically a very small brewery with a restaurant. A micro-brewery is a small-scale brewery operation that typically is dedicated solely to the production of specialty beers, although some do have a restaurant or pub on their manufacturing plant.
40	ON SALE BEER - (Bar, Tavern) Authorizes the sale of beer for consumption on or off the premises where sold. No wine or distilled spirits may be on the premises. Full meals are not required; however, sandwiches or snacks must be available. Minors are allowed on the premises.
41	ON SALE BEER & WINE – EATING PLACE - (Restaurant) Authorizes the sale of beer and wine for consumption on or off the premises where sold. Distilled spirits may not be on the premises (except brandy, rum, or liqueurs for use solely for cooking purposes). Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.
42	ON SALE BEER & WINE – PUBLIC PREMISES - (Bar, Tavern) Authorizes the sale of beer and wine for consumption on or off the premises where sold. No distilled spirits may be on the premises. Minors are not allowed to enter and remain (see Section 25663.5 for exception, musicians). Food service is not required.
47	ON SALE GENERAL – EATING PLACE - (Restaurant) Authorizes the sale of beer, wine and distilled spirits for consumption on the licenses premises. Authorizes the sale of beer and wine for consumption off the licenses premises. Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.
48	ON SALE GENERAL – PUBLIC PREMISES - (Bar, Night Club) Authorizes the sale of beer, wine and distilled spirits for consumption on the premises where sold. Authorizes the sale of beer and wine for consumption off the premises where sold. Minors are not allowed to enter and remain (see Section 25663.5 for exception, musicians). Food service is not required.
49	ON SALE GENERAL – SEASONAL - Authorizes the same privileges and restrictions as provided for a Type 47 license except it is issued for a specific season. Inclusive dates of operation are listed on the license certificate.



LICENSE TYPE	DESCRIPTION
51	CLUB - Authorizes the sale of beer, wine and distilled spirits, to members and guests only, for consumption on the premises where sold. No off-sale privileges. Food service is not required. Minors are allowed on the premises.
52	VETERAN'S CLUB - Authorizes the sale of beer, wine and distilled spirits, to members and guests only, for consumption on the premises where sold. Authorizes the sale of beer and wine, to members and guest only, for consumption off the licensed premises. Food service is not required. Minors are allowed on the premises.
57	SPECIAL ON SALE GENERAL - Generally issued to certain organizations who cannot qualify for club licenses. Authorizes the sale of beer, wine and distilled spirits, to members and guests only, for consumption on the premises where sold. Authorizes the sale of beer and wine, to members and guests only, for consumption off the licensed premises. Food service is not required. Minors are allowed on the premises.
59	ON SALE BEER AND WINE – SEASONAL - Authorizes the same privileges as a Type 41. Issued for a specific season. Inclusive dates of operation are listed on the license certificate.
60	ON SALE BEER – SEASONAL - Authorizes the sale of beer only for consumption on or off the premises where sold. Issued for a specific season. Inclusive dates of operation are listed on the license certificate. Wine or distilled spirits may not be on the premises. Minors are allowed on the premises.
61	ON SALE BEER – PUBLIC PREMISES - (Bar, Tavern) Authorizes the sale of beer only for consumption on or off the licensed premises. Wine or distilled spirits may not be on the premises. Minors are not allowed to enter and remain (warning signs required). Food service is not required.
67	BED AND BREAKFAST INN - Authorizes the sale of wine purchased from a licensed winegrower or wine wholesaler only to registered guests of the establishment for consumption on the premises. No beer or distilled spirits may be on the premises. Wine shall not be given away to guests, but the price of the wine shall be included in the price of the overnight transient occupancy accommodation. Removal of wine from the grounds is not permitted. Minors are allowed on the premises.
70	ON SALE GENERAL – RESTRICTIVE SERVICE - Authorizes the sale or furnishing of beer, wine and distilled spirits for consumption on the premises to the establishment's overnight transient occupancy guests or their invitees. This license is normally issued to "suite-type" hotels and motels, which exercise the license privileges for guests' "complimentary" happy hour. Minors are allowed on the premises.
75	ON SALE GENERAL – BREWPUB - (Restaurant) Authorizes the sale of beer, wine and distilled spirits for consumption on a bona fide eating place plus a limited amount of brewing of beer. This license does not authorize the sale of alcoholic beverages for consumption off the premises where sold. Minors are allowed on the premises.
80	BED AND BREAKFAST INN – GENERAL - Authorizes the sale of beer, wine and distilled spirits purchased from a licensed wholesaler or winegrower only to registered guests of the establishment for consumption on the premises. Alcoholic beverages shall not be given away to guests, but the price of the alcoholic beverage shall be included in the price of the overnight transient occupancy accommodation. Removal of alcoholic beverages from the grounds is not permitted. Minors are allowed on the premises.
86	INSTRUCTIONAL TASTING LICENSE —Issued to the holder of and premises of a Type 20 or Type 21 licensee, authorizes the tasting of alcoholic beverages as authorized to be sold from the off-sale premises, on a limited basis. Requires physical separation from the off-sale premises while tasting is taking place and generally requires the participation of a specifically-authorized manufacturer or wholesaler licensee.



SPECIAL EVENTS

The Department also issues licenses and authorizations for the retail sale of beer, wine and distilled spirits on a temporary basis for special events. The most common are listed below. Other less common ones are found in Business and Professions Code Section 24045.2, et seq.

SPECIAL DAILY BEER AND/OR WINE LICENSE - (Form ABC-221) Authorizes the sale of beer and/or wine for consumption on the premises where sold. No off-sale privileges. Minors are allowed on the premises. May be revoked summarily by the Department if, in the opinion of the Department and/or the local law enforcement agency, it is necessary to protect the safety, welfare, health, peace and morals of the people of the State. In some instances, the local ABC office may require the applicant to obtain prior written approval of the local law enforcement agency. Issued to non-profit organizations. (Rule 59, California Code of Regulations)

DAILY ON SALE GENERAL LICENSE - (Form ABC-221) Authorizes the sale of beer, wine and distilled spirits for consumption on the premises where sold. No off-sale privileges. Minors are allowed on the premises. May be revoked summarily by the Department if, in the opinion of the Department and/or the local law enforcement agency, it is necessary to protect the safety, welfare, health, peace and morals of the people of the State. In some instances, the local ABC office may require the applicant to obtain prior written approval of the local law enforcement agency. Issued to political parties or affiliates supporting a candidate for public office or a ballot measure or charitable, civic, fraternal or religious organizations. (Section 24045.1 and Rule 59.5 California Code of Regulations)

CATERING AUTHORIZATION - (Form ABC-218) Authorizes Type 47, 48, 51, 52, 57, 75 and 78 licensees (and catering businesses that qualify under Section 24045.12) to sell beer, wine and distilled spirits for consumption at conventions, sporting events, trade exhibits, picnics, social gatherings, or similar events. Type 47, 48 and 57 licensees may cater alcoholic beverages at any ABC-approved location in the State. Type 51 and 52 licensees may only cater alcoholic beverages at their licensed premises. All licensees wishing to cater alcoholic beverages must obtain prior written authorization from the Department for each event. At all approved events, the licensee may exercise only those privileges authorized by the licensee's license and shall comply with all provisions of the ABC Act pertaining to the conduct of on-sale premises and violation of those provisions may be grounds for suspension or revocation of the licensee's license or permit, or both, as though the violation occurred on the licensed premises. (Section 23399 and Rule 60.5 California Code of Regulations)

EVENT AUTHORIZATION - (Form ABC-218) Authorizes Type 41, 42, 47, 48, 49, 57, 75 and 78 licensees to sell beer, wine and distilled spirits for consumption on property adjacent to the licensed premises and owned or under the control of the licensee. This property shall be secured and controlled by the licensee and not visible to the general public. *The licensee shall obtain prior approval of the local law enforcement agency.* At all approved events, the licensee may exercise only those privileges authorized by the licensee's license and shall comply with all provisions of the ABC Act pertaining to the conduct of on-sale premises (including any license conditions) and violations of those provisions may be grounds for suspension or revocation of the licensee's license or permit, or both, as though the violation occurred on the licensed premises. (Section 23399)

WINE SALES EVENT PERMIT - (Form ABC-239) Authorizes Type 02 licensees to sell bottled wine produced by the winegrower for consumption off the premises where sold and only at fairs, festivals or cultural events sponsored by designated tax exempt organizations. The licensee must notify the city and/or county where the event is being held and obtain approval from ABC for each event (Form ABC-222). The licensee must also comply with all restrictions listed in Business and Professions Code Section 23399.6.

Note:

1. "Minor" means any person under 21 years of age.
2. Consult Section 25663(b) regarding age of employees in off-sale premises; consult Sections 25663(a) and 25663.5 regarding age of employees in on-sale premises.
3. In certain situations, ABC may place reasonable conditions upon a license, such as restrictions as to hours of sale, employment of designated persons, display of signs, restrictions on entertainment or dancing, etc. If a license has been conditioned, it will be endorsed as such on the face of the license. (Conditional licenses, Sections 23800-23805.)

4. Licensees whose license allows minors on the premises may have a “house policy” restricting minors from entering certain areas of the premises or prohibiting minors in the premises during certain hours.
5. This handout contains only abbreviated information. Contact your local ABC office for full information before doing anything which may jeopardize your license. Also available from the ABC: Quick Summary of Selected ABC Laws (form ABC-608); Alcoholic Beverage Control Act (complete laws); Rules & Regulations; and P-90 (describes privileges of non-retail licenses).

Business Concept and Operations
DHRL Associates, LLC
DBA: Burgerim

Business Location: 2300 El Portal Ave. #F, San Pablo, CA 94806

Concept: At Burgerim, our goal is to provide incredible taste at a modest price point in a welcoming, stylish atmosphere. In addition to a unique and flavorful experience, our designer restaurants have a modern and inviting décor, making it the perfect environment for any occasion, from date night to family outing. Our trained franchisees and their staff are well practiced in ensuring consistent and excellent customer service and, unlike most fast food restaurants, we provide delivery for your convenience.

The majority of our business (approximately 80%-90%) will be generated from food sales. It is anticipated that 10% to 20% will be with the combination of food and beer/wine.

Business Hours: Monday – Thursdays and Sundays 11 am – 10 pm
Fridays and Saturdays 11 am – 11 pm

of Employees: 10 Employees

Website: Burgerim.com

Pictures:





Burgerim

ALWAYS MORE THAN ONE

MENU

OUR MINI-BURGERS

A selection of our signature 2.8oz mini-burger patties with house sauce, lettuce, tomato & onions
(choice of white or wheat Burgerim bun)



THE DUO

TWO of our Mini-Burgers
\$9.95



THE TRIO

THREE of our Mini-Burgers
\$12.95

accompanied by our Burgerim fries & soft drink

MINI-BURGERS À LA CARTE

2 pack:
\$8.95

3 pack:
\$11.95



THE PARTY BOX

16 of our Mini-Burgers
(Up to 4 of your favorites)
\$44.95

MIX YOUR FLAVORS

Beef	Chicken	Merguez <i>(Spicy Beef)</i>
Turkey	Chorizo	Wagyu +\$1.00
Lamb	Salmon	Veggie
Dry Aged		

TOPPINGS | (+.50) Each Burger

Pineapple	Grilled Onions
Jalapeño	Sautéed Mushrooms
Avocado	Sunny Side Up Egg
Bacon	American Cheddar
	American Cheese



Burgerim

STARTERS



CHICKEN WINGS

with your choice of sweet chili sauce, bbq sauce, crunchy garlic or buffalo sauce

6-Piece **\$6.95** or 12-Piece **\$10.95**

CRISPY CHICKEN STRIPS

with bbq sauce or sweet chili sauce on the side **\$5.95**

BEEF CHORIZO SAUSAGE WRAP

grilled onions, tomato, topped with tahini sauce **\$5.95**

SANDWICHES

(On a choice of white or wheat Burgerim roll)



CRISPY CHICKEN SANDWICH

with romaine lettuce, tomato, grilled onion & garlic aioli sauce **\$10.95**

GRILLED RIBEYE SANDWICH

with arugula, tomato, grilled onions with garlic aioli sauce **\$11.95**

GRILLED CHICKEN SANDWICH

grilled marinated chicken fillet, romaine lettuce, tomato, sautéed mushroom & garlic aioli sauce **\$10.95**

SIDE DISHES

BURGERIM FRIES \$2.95

SWEET POTATO FRIES \$2.95

ONION RINGS \$2.95

HALF&HALF

(choose 2 of the above) **\$3.95**

HOME FRIES cubed potatoes tossed in sweet

SALADS



PANZANELLA SALAD

fresh arugula with tomatoes, radishes, red onions, green onions, kalamata olives, basil, & croutons tossed with a lemon vinaigrette dressing **\$8.95**

GRILLED CHICKEN SALAD

fresh mixed greens, cucumbers, grilled onion, tomatoes, mushrooms, toasted almond & grilled marinated chicken fillet tossed with a balsamic vinaigrette dressing **\$10.95**

BURGERIM CHOPPED SALAD

tomato, cucumber, onion, parsley, mint leaves tossed with a lemon & olive oil dressing & tahini sauce on a bed of romaine **\$7.95**

BASKET SALAD

fresh arugula, sliced strawberries, glazed pecans, goat cheese tossed with a raspberry vinaigrette dressing **\$8.95**

ADDITIONS

ADD GRILLED MARINATED CHICKEN FILLET +\$2.25

ADD CRISPY CHICKEN +\$2.25

ADD SLICED GRILLED RIBEYE +\$3.95

ADD BURGER PATTIE +\$2.95

KIDS BURGERIM MEAL

ONE MINI-BURGER

(Choose from Beef, Chicken, or Veggie)
sliced cucumber, Burgerim fries & kids drink **\$6.95**

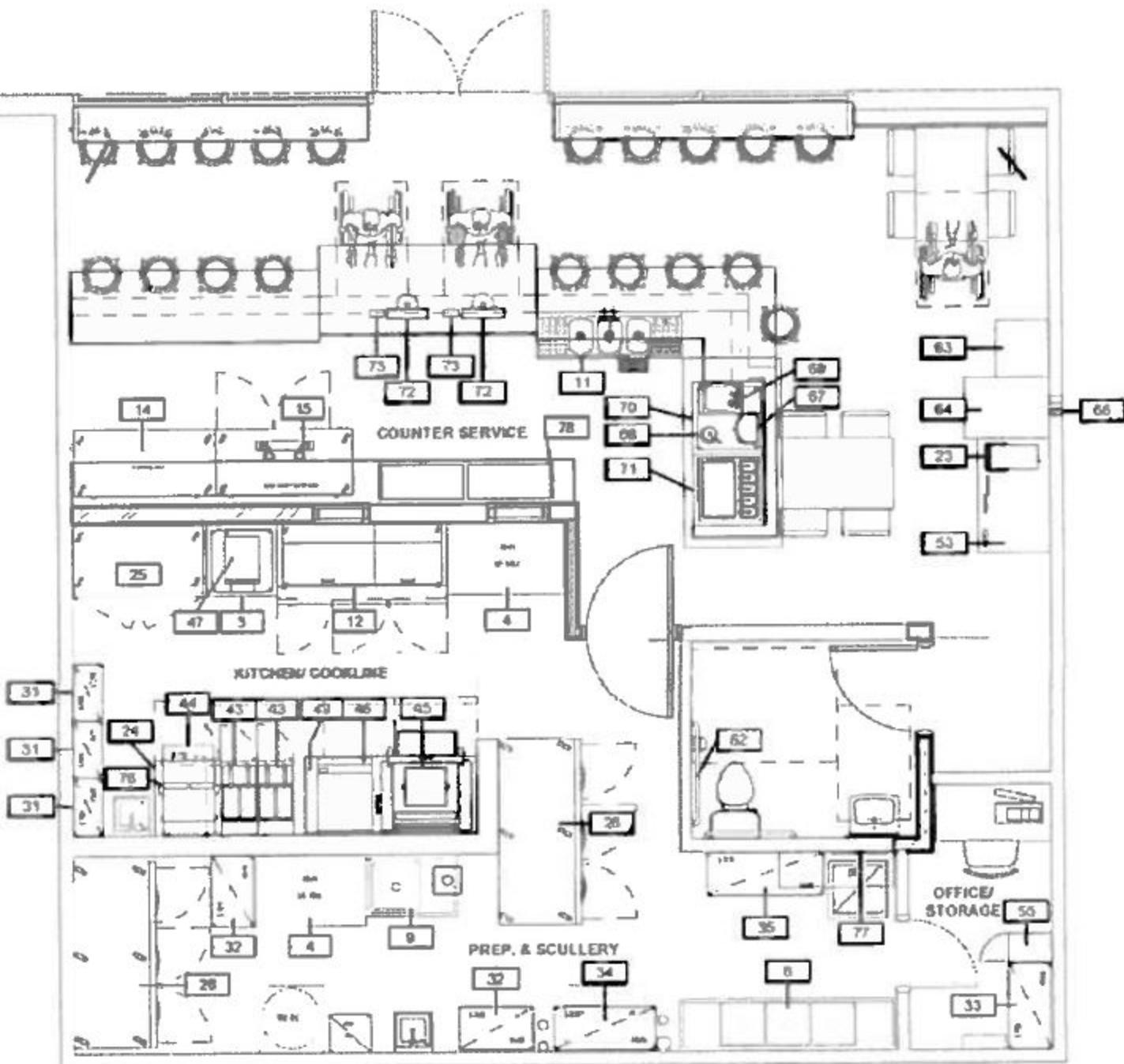
DESSERTS

NEW YORK CHEESECAKE \$3.95

MARSHMALLOW DREAM \$2.95

FLOURLESS CHOCOLATE CAKE \$3.95

(Gluten Free)



West County Times

1050 Marina Way S
Richmond, CA 94804
(510) 262-2740

2015901

SAN PABLO CITY OF
CITY CLERK OFFICE
LEHNY CORBIN
13831 SAN PABLO AV BLDG #1
SAN PABLO, CA 94806

PROOF OF PUBLICATION

FILE NO. PLAN1711-0036

In the matter of

West County Times

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter.

I am the Principal Legal Clerk of the West County Times, a newspaper of general circulation, printed and published at 2640 Shadelands Drive in the City of Walnut Creek, County of Contra Costa, 94598

And which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Contra Costa, State of California, under the date of August 29, 1978. Case Number 188884.

The notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

02/17/2018

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Executed at Walnut Creek, California.
On this 20th day of February, 2018.



Signature

Legal No.

0006107236



CITY OF SAN PABLO
City of New Directions

CITY OF SAN PABLO NOTICE OF PUBLIC HEARING TUESDAY, FEBRUARY 27, 2018

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of San Pablo, State of California, will hold a public hearing on the following item:

PLAN1711-0036: Consideration of a Conditional Use Permit for an on-site alcohol license for beer and wine only for a new restaurant, Burgerim, at 2300 El Portal Drive, San Pablo, CA 94806, APN 416-160-039. The property is within the San Pablo Avenue Specific Plan and has the Neighborhood Commercial land use designation. It has been determined that the proposed project is exempt from the California Environmental Quality Act (CEQA), consistent with the provisions of CEQA Guidelines Section 15301, Class 1, Existing Facilities. Class 1 addresses an existing private structure, such as this recently renovated building, where a restaurant will be operating.

NOTICE IS HEREBY FURTHER GIVEN that said hearing before the Planning Commission will be on Tuesday, February 27th, 2018. The meeting will be held at 6:30 p.m. in the City Council Chambers at One Alvarado Square, 13831 San Pablo Avenue, San Pablo, CA 94806, at which time and place all persons interested may appear and be heard thereon. Questions may be directed to the City of San Pablo Development Services Department at (510) 215-3030.

NOTE: If you challenge this item in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

If you need Spanish language assistance, please contact Development Services at (510) 215-3030. Si necesita asistencia en español, por favor contacte al Departamento de Servicios de Desarrollo al (510) 215-3030.

**Sandra Marquez, Assistant Planner
Development Services Department**

WCT 6107236 February 17, 2018



MEMORANDUM

TO: Planning Commission

FROM: Rod Simpson
Consulting Planner

DATE: February 21, 2018

SUBJECT: 2018 Calendar of the Planning Commission Meetings
Revised per Ordinance 18-009 (changing to 4th Tuesday)

BACKGROUND

The purpose of this memo is to establish Planning Commission Meeting dates for the calendar year 2018, revised pursuant to Ordinance 18-009, adopted by City Council 1/16/18 and taking effect 3/7/18. Planning Commission meetings will now be held on the **fourth Tuesday of each month**, at 6:30pm, at the City’s Council Chambers. The following table identifies the meeting dates.

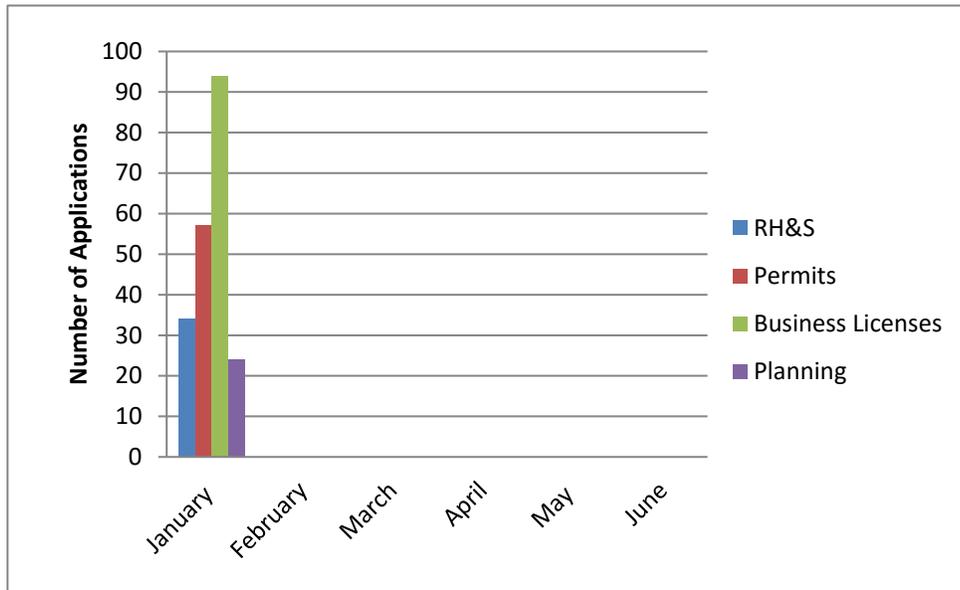
MONTH	4 TH TUESDAY
JANUARY	23 rd
FEBRUARY	27 th
MARCH	27 th
APRIL	24 th
MAY	22 nd
JUNE	26 th
JULY	24 th
AUGUST	28 st
SEPTEMBER	25 th
OCTOBER	23 rd
NOVEMBER	27 th
DECEMBER	(25 th) cancelled

RECOMMENDATION: Approve Revised Planning Commission Meeting dates (changed from third Tuesday to fourth Tuesday of the month) for the calendar year 2018.



DEVELOPMENT SERVICES

Statistical Data



Applications Received: Residential Health & Safety, Building Permits, Business Licenses & Community Planning (January 2018 – June 2018)

YTD Total Applications Received – 209 YTD Total Fees Collected - \$155,194.57

YTD Total Number of Customers Assisted – 400

Total fees collected by DS Department in January: \$155,194.57

Total # of applications received in January: 209

Total # of customers assisted at counter in January: 400

Residential Health & Safety Program January summary:

Total fees collected – \$15,981.00, plus Imaging - \$633.00, Technology - \$820

- Single Family Resale: \$4,301.00
- Single Family Rental: \$3,910.00
- Multi-Family Resale/Rental: \$9,219.00
- Total units inspected: 40
- Total Certificates of Compliance issued: 38
- Customer Counter Assistance: 27

Building Permit January summary:

Total fees collected \$99,306.19

- Building Permits: \$59,462.82
- Electrical Permits: \$8,228.00
- Plumbing permits: \$6,794.90
- Mechanical permits: \$4,068.80
- Plancheck fees: \$12,324.68
- Imaging fees: \$3,768.09



- Technology fees: \$4,658.90
- Total Permits finalized: 28
- Fee Estimates provided: 7
- Customer Counter Assistance: 101
- Public Records Requests: 15
- Employee time spent responding to Public Records Requests: 12 hours

Business License January summary:

Total fees collected: \$26,250.88

- Business licenses issued: 94
- Customer Counter Assistance: 65

Community Planning January summary:

- Total Fees Collected: \$12,207.50 for (2) Design Review, (12) Info./Misc., (1) Sign Review, (7) Land Use Review, (2) Pre-Application.
- Customer Counter Assistance: 35

Planning Commission: The Planning Commission met on January 23, 2018. The following items were considered:

PLAN1710-0027:

Consideration of a Conditional Use Permit for tandem parking on a lot less than 50 feet in width, and Design Review to allow a new two-story single family residence of 2,084 square feet, which includes a single-car garage on a substandard lot of 2,500 square feet at 2800 11TH Street, San Pablo, CA (APN 412-090-001). The property is zoned R-1 Single-Family Residential. It has been determined that the proposed project qualifies for an exemption from the California Environmental Quality Act (CEQA), consistent with the provisions of CEQA Guidelines Section 15303(a), which allows for the construction of a new single family residence.

Staff Recommendation:

Adopt Resolution 18-01 approving Conditional Use Permit and Minor Design Review (PLAN1710-0027 - 2800 11th Street).

PLANNING COMMISSION REORGANIZATION:

Conducted Planning Commission Re-organization:

a. Chair: Chairperson Rita Xavier was voted Planning Commission Chairperson for January 2018 through January 2019.

b. New Vice Chair: Commissioner Feliciano was voted Vice Chair of the Planning Commission for January 2018 through January 2019.

The regularly scheduled Planning Commission meeting for February 21, 2018, was cancelled per minute action by the Planning Commission at its meeting on January 23, 2018. There will be a Special Meeting of the Planning Commission on Tuesday, February 27, 2018, at 6:30 p.m. in the Council Chambers, 13831 San Pablo Avenue, San Pablo, California.



Customer Counter Assistance for One-Stop Shop Service:

- Dump Vouchers: 19
- Public Works: 31
- Code Enforcement: 5
- Miscellaneous: 117 (Questions - information, pick up papers, sewer lateral replacement, questions, certificate of compliance, rent control/evictions, book box, making a complaint, proposal drop-off, pick up check, solar/PV, interview, house plans, permit information, telecom, Maple Hall, report, bid, general information, etc.)

Significant Events / Work Plan Accomplishments

Planning

- Weekly Planning Staff meetings reviewing current and upcoming projects.
- Special Planning Commission meeting held 1/23/18 (rescheduled from 1/17/18).
- Conditional Use Permit for tandem parking on a lot less than 50 feet in width, and Design Review to allow a new two-story single family residence at 2800 11th Street approved by Planning Commission.
- Planning Commission Chair and Vice Chair voted in for January 2018 through December 2018.
- Updated the business license page on the website.

Building

- Updated Residential Health & Safety program information on website.
- Issued building permits for *Jersey Mike's*.
- Started issuing "combo permits" for solar, kitchen and bathroom remodel.
- Updated RH&S letter templates.
- Monthly report to include combination permits.
- Trained front counter staff and inspectors on the new combination permits, answered questions about inspections.

Development Services

- Bimonthly Supervisors meetings with Assistant City Manager.
- Development Services and Code Enforcement coordination meetings.
- Held Oral Board interviews for Administrative Clerk I position.
- Preparation meeting with consultant for off-side DS Department Teambuilding to be held in February.

Citywide

- Posted SB 341 Annual Report for Fiscal Year 2017 to Housing Element page of City's website.
- Completed Housing Element Annual Progress Report 2017 for presentation at 2/20/18 City Council meeting.
- Completed Existing City Hall General Plan and Specific Plan Amendments and Mitigated Negative Declaration for public hearing at 1/6/18 City Council meeting, with public hearing continued to 2/20/18 City Council meeting.

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of San Pablo
 Reporting Period 1/1/2017 - 12/31/2017

Table A

Annual Building Activity Report Summary - New Construction Very Low-, Low-, and Mixed-Income Multifamily Projects

Housing Development Information							Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions		
1	2	3	4				5	5a	6	7	8
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Est. # Infill Units*	Assistance Programs for Each Development	Deed Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.
			Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income			See Instructions	See Instructions	
410-080-011	SF	R			1		1	1		Program H-3.4.1	
411-202-020	SF	R			1		1	1		Program H-3.4.1	
411-242-007	SF	R			1		1	1		Program H-3.4.1	
412-344-013	SU	O		1			1	1		Program H-3.3.1	
(9) Total of Moderate and Above Moderate from Table A3 ▶▶								4			
(10) Total by income Table A/A3 ▶▶								4			
(11) Total Extremely Low-Income Units*											

* Note: These fields are voluntary

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of San Pablo

Reporting Period 1/1/2017 - 12/31/2017

Table A2
Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity				0	
(2) Preservation of Units At-Risk				0	
(3) Acquisition of Units				0	
(5) Total Units by Income	0	0	0	0	

* Note: This field is voluntary

Table A3
Annual building Activity Report Summary for Above Moderate-Income Units (not including those units reported on Table A)

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for Moderate	3			1		4	4
No. of Units Permitted for Above Moderate						0	

* Note: This field is voluntary

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of San Pablo
Reporting Period 1/1/2017 - 12/31/2017

Table B

Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.												Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level	RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9			
Very Low	Deed Restricted											160	
	Non-deed restricted												
Low	Deed Restricted			1							1	97	
	Non-deed restricted												
Moderate	Deed Restricted											93	
	Non-deed restricted			3							3		
Above Moderate												100	
Total RHNA by COG. Enter allocation number:				4							4	450	
Total Units ▶ ▶ ▶													
Remaining Need for RHNA Period ▶ ▶ ▶ ▶ ▶													

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of San Pablo
Reporting Period 1/1/2017 - 12/31/2017

Table C

Program Implementation Status

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.		
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
Program H-1.1.1 -Establish City Staff Work Priorities for Implementing Housing Element Programs	Identification of annual work priorities for housing.	Annually	Ongoing - Reviewed in April.
Program H-1.1.2 -Review the Housing Element Annually	Review and monitor Housing Element implementation: submit Annual Report to HCD.	Annually	Ongoing - Submit APR to HCD and OPR. The SB 341 Annual Report regarding Successor Funds has been posted in the City's website
Program H-1.2.1 -Adopt Priority Procedures for Providing Water and Sewer Service to Affordable Housing Developments	Comply with Government Code Section 65589.7.	2015	Complying with Government Code Section 65589.7.
Program H-1.2.2 -Housing Coordination with Contra Costa County	Maximize annual subsidies available to San Pablo residents.	Annually	Ongoing - Staff has met with Contra Costa County Housing to review available funding opportunities, and monitors programs.
Program H-1.2.3 -Work with Housing Developers (Non-Profit and For-Profit) on Housing.	Outreach and involvement of non-profit and for-profit housing developers.	Ongoing.	The City works with both non-profit and for-profit developers about development opportunities to create more housing units.
Program H-1.2.4 -Lobby for Changes to State Law Requirements and Housing Funding	Work with other Contra Costa County jurisdictions and lobby for modifications to State law.	2017 and as needed	Ongoing.
Program H-1.3.1 -Publicize and Provide Information on Housing Programs	Distribute educational materials at public locations and make public services announcements through different media at least two times a year.	2017 and update as needed	Ongoing. Information on available programs through the County is currently provided in City offices and on the City's website. The San Pablo Economic Development Corporation is promoting WISH - Workforce Initiative Subsidy Homeownership - a program to assist qualified first-time homebuyers make the transition from renting to owning.
Program H-1.3.2 -Undertake Community Outreach When Implementing Housing Element Programs	Conduct community outreach and distribute materials.	Consistent with program timeframes	Ongoing. Information provided upon implementing programs.
Program H-1.3.3 -Conduct Neighborhood Meetings	Early community involvement and discussion when housing developments are proposed.	Ongoing	Ongoing. As developments are proposed.
Program H-2.1.1 -Provide Low Interest Loans for Housing Rehabilitation through the Contra Coast County Neighborhood Preservation Program.	Rehabilitation of 27 lower income units by 2023.	2015-2023	Ongoing. Information of the program provided to participants in the City's Residential Health and Safety program.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of San Pablo
Reporting Period 1/1/2017 - 12/31/2017

Program H-2.1.2 -Allow for Deferred Loans for Property Improvements	Provision of 10 deferred loans for property improvements.	2015-2023	Ongoing. Information of programs through Contra Costa County is provided to the public and through the City's Residential Health and Safety program as available.
Program H-2.1.3 -Provide Technical Assistance and Counseling for Rehabilitation Loans	Provision of technical assistance and referrals.	Ongoing	Ongoing. Information of programs through Contra Costa County is provided to the public and through the City's Residential Health and Safety program as available.
Program H-2.2.1 -Implement the Neighborhood Clean-Up Program	Reduce trash and improve the appearance of neighborhoods.	Annually	Ongoing. The City provides a dump voucher program, available to all residents, four times a year which reduces the cost of dump fees. Additionally, the City provides free dumpsters seven (7) days in the calendar year for use by San Pablo residents.
Program H-2.2.2 -Implement the Motor Vehicle Abatement Program	650 abandoned vehicles tagged per year.	Ongoing	Ongoing. The City's Code Enforcement and Police Department implements the program consistently. For 2017, 797 abandoned vehicles were tagged.
Program H-2.2.3 -Monitor Housing Conditions	Tracking of housing and neighborhood conditions to assist in identifying potential locations for neighborhood improvements.	2016, 2018, 2020, and 2022	Biannually. Program for 2017 and beyond.

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of San Pablo
Reporting Period 1/1/2017 - 12/31/2017

Program H-2.2.4 -Assist Contra Costa County with Implementing the Neighborhood Stabilization Program	Assistance for 5 lower income housing units.	2015-2023	Ongoing. Assistance provided to Contra Costa County as needed.
Program H-2.2.5 -Assist CESC with Healthy Homes Program Implementation	Healthy Homes improvements for 5 lower income units.	2015-2023	Ongoing. Assistance provided as needed.
Program H-2.2.6 -Assist Contra Costa County with Implementing Home Repair Programs	Repairs to 20 lower income homes.	2015-2023	Ongoing. Assistance provided to Contra Costa County as needed.
Program H-2.3.1 -Inventory Potential Historically Significant Buildings	Mitigate potential impacts on historically significant buildings.	Ongoing	Inventory listed in the City's General Plan and updated as needed. Potential impacts monitored.
Program H-2.3.2 -Preserve Archaeologically Significant Sites	Preservation of significant archaeological sites.	Ongoing	Ongoing.
Program H-2.3.3 -Promote a Unified Architectural Design	Unified design of buildings in the City.	Ongoing	Design Guidelines have been adopted by the City.
Program H-2.4.1 -Inspect Rental Housing Units.	Inspect about 750 rental units per year.	2015-2023	Inspections are ongoing through the City's Residential Health and Safety Program. For 2017, 410 rental units were inspected.
Program H-2.4.2 -Inspect Owner-Occupied Housing	Inspect about 400 single-family, townhome, and condominium units per year.	2015-2023	Inspections are ongoing through the City's Building Division. For 2017, there were over 2000 individual inspections of which 288 were single-family, townhome, and resale condominium inspections.
Program H-2.5.1 -Coordinate Building Plans with the Police Department	Police Department review of development proposals.	Ongoing	Major development plans are routed to the Police Department for review and comment.
Program H-3.1.1 -Provide Density Bonuses and Incentives for Affordable and Special Needs Housing.	Incentives for affordable housing to be built.	2015 and Ongoing	Ongoing. The City provides Density Bonuses per state regulations and the City's adopted ordin
Program H-3.1.2 -Preserve At Risk Affordable Rental Units	Preserve all at-risk units.	Annual Monitoring	The City monitors threats to affordable rental units, and has recently adopted a multi-family overlay district to assist in maintaining potential at-risk rental units.
Program H-3.1.3 -Promote Contra Costa County's Mortgage Credit Certificate Program	Subsidy for 10 first-time homebuyers.	2015-2023	Ongoing support of the program.
Program H-3.1.4 -Strive to Replace Housing	Replacement of affordable housing units.	2015-2023	Ongoing.
Program H-3.1.5 -Enact Inclusionary Housing Requirements	Construction of affordable housing units as part of new development.	In 2017	Research for future project.
Program H-3.1.6 -Facilitate Affordable Rental and Cooperative Family Housing Opportunities	Provision of affordable housing with support services.	Ongoing	Ongoing.
Program H-3.1.7 -Provide Information and Promote Rental Assistance Programs	Continued availability of rental housing vouchers for San Pablo residents	Annually	Ongoing.

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of San Pablo

Reporting Period 1/1/2017 - 12/31/2017

Program H-3.2.1 -Update the Zoning Ordinance to Implement Land-Use Designations	Consistency of the Zoning Ordinance with the San Pablo General Plan 2030.	In 2015	An updated Zoning Ordinance was updated and adopted May 18, 2015.
Program H-3.2.2 -Promote Mixed Commercial/Residential Development	Development of mixed commercial/residential sites in the Mixed Use Center, Commercial	In 2016	The City continues to promote mixed use development through the various mixed use zoning ordinances and specific plans.
Program H-3.2.3 -Maintain an Inventory of Available Sites for Housing.	Listing of potential sites for housing.	Ongoing	The City continues to maintain an inventory of available sites for housing as identified in Appendix A of the 2015-2023 City of San Pablo Housing Element.
Program H.3.2.4 -Facilitate Lot Consolidation	Creation of lot consolidation opportunities and increased housing development in support of the General Plan 2030.	Ongoing	Ongoing. The City continues to investigate opportunities to consolidate lots to increase housing development.
Program H-3.2.5 -Reduce Parking Requirements Along San Pablo Avenue Near Transit	Parking incentives for new residential development in support of the General Plan 2030.	Ongoing	Reduced parking requirements are adopted as part of the Plaza San Pablo mixed use regulating code and have been applied throughout the development. No parking is required for new accessory dwelling units within 1/2 half mile of a bus stop pursuant to recently adopted state law on accessory dwelling units.
Program H-3.2.6 -Reduce Parking Standards for Multi-Family and Mixed-Use Housing	Parking incentives for new residential development in support of the General Plan 2030.	In 2015	Ongoing.
Program H-3.3.1 -Promote Second Units	20 new secondary dwelling units by 2023 (about 2 per year; 10 extremely low income, 5 very low income, and 5 low income).	2015-2023	The City continues to support of secondary residential units as regulated by Zoning Ordinance Section 17.60.070, Secondary Residential Units. Building permits were issued for one units 2017.
Program H-3.3.2 -Promote the Development of Single Room Occupancy and Efficiency Units.	10 new SRO extremely low-income units by 2023.	In 2017	Research for future projects. Single-Room Occupancy are regulated by Zoning Ordinance Section 17.60.090.
Program H-3.3.3 -Encourage Innovative and "Non-Traditional" Forms of Housing	Opportunity for innovative housing types.	In 2017	Research for future projects.
Program H-3.3.4 -Facilitate Home Sharing and Tenant Matching Opportunities	10 home sharing opportunities created.	2015-2023	The City continues to be open to home sharing opportunities. 0 units for 2017.
Program H-3.3.5 -Encourage Manufactured Housing	20 moderate income manufactured housing units	2015-2023	The City continues to support manufactured housing and follows State regulations. 1 unit for 2017.

City of San Pablo

Certificate of Appreciation

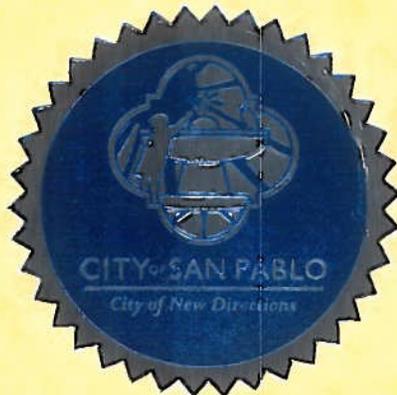
Commending

MATTHEW TRUJILLO

***For Dedicated Service on the San Pablo Planning Commission
September 2015 – February 2018***



*The City of San Pablo recognizes your commitment to the City and the Community.
Your dedication and involvement will not go unnoticed and we Thank You for your service.*



*IN WITNESS WHEREOF, I have hereunto set my hand and caused the
Seal of the City of San Pablo to be affixed this 15th day of February, 2018.*

Genoveva Garcia Calloway

Genoveva Garcia Calloway, Mayor