

**FINAL CONDITIONS OF APPROVAL
MINOR SITE DEVELOPMENT PERMIT
RENOVATION & REUSE OF AN EXISTING COMMERCIAL STRUCTURE
105 POMEROY STREET, UKIAH, CA; APN 002-247-02; FILE NO. PA25-000007**

The following Conditions of Approval shall be binding on all current and future owners, lessees, and occupants of the subject property. These conditions constitute an integral component of the Site Development Permit and must be fully satisfied and maintained for the permit to remain effective.

Approved Project Description: The Applicant requests a Minor Site Development Permit to renovate and repurpose an existing commercial structure and utilize its previously approved signage allowance for continued restaurant use. The project includes the integration of a drive-through component, as permitted under Ukiah City Code (UCC) §9081, and in compliance with the off-street parking requirements of UCC §9198(D). File No. PA25-000007.

CITY OF UKIAH STANDARD CONDITIONS

1. **Permit Activation:** This approval is not effective until the 10-day appeal period applicable to this Planning permit has expired without the filing of a timely appeal. If a timely appeal is filed, the project is subject to the outcome of the appeal and shall be revised as necessary to comply with any modifications, conditions, or requirements that were imposed as part of the appeal.
2. **Project Conformance:** All use, construction and the location thereof, or occupancy, shall conform to the application and to any supporting documents submitted therewith, including any maps, sketches, or plans accompanying the application or submitted by applicant in support thereof.
3. **Standard Specifications:** Any construction shall comply with the "Standard Specifications" for such type of construction now existing or which may hereafter be promulgated by the Department of Public Works Department of Building Inspection Division of the City of Ukiah; except where higher standards are imposed by law, rule, or regulation or by action of the Zoning Administrator such standards shall be met.
4. **Permit Deadline:** Building permits shall be issued within two years after the effective date of the Planning Permit or same shall be null and void.
5. **Code Compliance:** In addition to any particular condition which might be imposed; any construction shall comply with all building, fire, electric, plumbing, occupancy, and structural laws, rules, regulations, and ordinances in effect at the time the Building Permit is approved and issued.
6. **Permit Verification:** The Applicant shall submit verification of all applicable permits or approvals in compliance with all local, state and federal laws to the Community Development Department prior to finalization of the Site Development Permit.
7. **Fee Payment:** All fees associated with the project planning permits and approvals shall be paid in full prior to occupancy.
8. **Permit Revocation:** As outlined in Article 20, Administration and Procedures, of the Zoning Code this planning permit may be revoked through the City's revocation process if the approved project related to this Permit is not being conducted in compliance with these stipulations and conditions of approval; or if the project is not established within two years of the effective date of this approval; or if the established use for which the permit was granted has ceased or has been

suspended for 24 consecutive months.

9. Archaeological Discovery: In accordance with California Public Resource Code, in the event that prehistoric archaeological features such as a concentration of flaked stone artifacts, or culturally modified soil (midden) or dietary shell are encountered at any time during preparatory grading or underground excavation to remove existing structures, all work should be halted in the vicinity of the discovery. A qualified archaeologist should be contacted immediately to make an evaluation and determine if the discovered material represents a definite cultural resource. If it is determined that a potentially significant feature has been revealed, a temporary suspension of earth disturbing activities should be enforced until an appropriate mitigation program can be developed and implemented to satisfy the Planning Division. An archaeological monitor shall observe all further work during construction activities that are located within or near an archaeological site area, and formal tribal consultation may be required.

SPECIAL CONDITIONS OF APPROVAL

10. A Final Sign Plan shall be submitted to and approved by the Community Development Director prior to the issuance of any building permit for illuminated signage. All signage shall comply with the applicable design and development standards of the Ukiah City Code and remain consistent with previous entitlements or approvals related to signage on the site.
11. For parking lot trees, the Applicant shall provide additional space for any identified parking lot trees; a Final Landscaping Plan shall be submitted to and approved by the Community Development Director prior to issuance of any building permit for renovation.
12. As part of the northerly encroachment modification onto Pomeroy Street, the applicant shall maintain or reduce the existing encroachment width through a combination of striping, landscaping, and curb modifications. These improvements shall create additional separation from the Perkins Street intersection and ensure ADA compliance for the adjacent sidewalk, to the satisfaction of the City Engineer and the Community Development Director.
13. The applicant shall work with the City Engineer to expand the landscaped area along the Pomeroy Street sidewalk frontage, in place of the standard street tree requirement. This modification shall be incorporated into the Final Landscaping Plan.
14. Prior to final occupancy, the applicant shall demonstrate compliance with the State's Model Water Efficient Landscape Ordinance (MWELO). This includes submittal of a completed Landscape Documentation Package and a Certificate of Completion, signed by a licensed landscape professional. A post-installation irrigation audit, conducted by a certified irrigation auditor, shall be submitted to the City for review and approval as part of the final compliance verification.

BUILDING DIVISION AND UKIAH VALLEY FIRE AUTHORITY CONDITIONS

15. A permit will be required for T.I. (Tenant Improvements) Please submit plans, building permit application, and hardship form see links below. Please submit four complete plan sets, two wet stamped and signed.
16. The design and construction of all site alterations shall comply with the 2022 California Building Code, 2022 Plumbing Code, 2022 Electrical Code, 2022 California Mechanical Code, 2022 California Fire Code, 2022 California Energy Code, 2022 Title 24 California Energy Efficiency Standards, 2022 California Green Building Standards Code and City of Ukiah Ordinances and

Amendments.

MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT

- 17. Asbestos Notification:** Pursuant to 40 CFR 61, a completed Asbestos Demolition-Renovation Notification with copy of CAC survey/ test results must be submitted to AQMD (required for all commercial structures) prior to work commencing. (Notification Form attached for reference).

ELECTRIC UTILITY DEPARTMENT

- 18. Underground Service:** The property will be served from underground electric service.
- 19. Load Calculations:** Developer must provide accurate total connected load calculations to Electrical Utility Department (EUD).
- 20. Equipment Standards:** Developer must use Electric Utility Service Equipment Requirements Committee (EUSERC) approved electrical equipment per City's Acceptability Chart.
- 21. Future Site Plans:** Submit future site improvements to EUD for review. Service voltage, costs, and requirements will be determined at that time.
- 22. Cost Responsibility:** Developer/customer will bear all associated project costs (labor, materials, equipment, and services).
- 23. Utility Easements:** An easement must be provided for any primary electric lines across the site or near City electric equipment.