

**FINAL CONDITIONS OF APPROVAL
MAJOR SITE DEVELOPMENT PERMIT
CONSTRUCTION OF A SINGLE-STORY COMMERCIAL SHELL WITH ASSOCIATED SITE
IMPROVEMENTS
1294 and 1296 N. STATE STREET, UKIAH, CA; APN 001-370-36 AND APN 001-370-37
FILE NO. 25-001039; PA25-000017 (FORMERLY FILE NO. 17-3069)**

The following Conditions of Approval shall be made a permanent part of the Site Development Permit, and shall remain in force regardless of property ownership, and shall be implemented in order for this entitlement to remain valid.

Approved Project Description:

The project consists of the construction and operation of a new single-story, ±3,261-square-foot commercial shell building and associated site improvements located at 1294 and 1296 N. State Street (APNs 001-370-36 and 001-370-37) within the Community Commercial (C-1) Zoning District, approved via a Major Site Development Permit; File No.: 25-001039; PA25-000017 (formerly File No. 17-3069). The structure features a contemporary design with storefront glazing, parapet detailing, and a maximum height of 18 feet. This approval is explicitly conditioned upon the permanent removal of the originally proposed drive-through facility, eliminating all associated dedicated queuing, stacking (previously 8 spaces), and access aisle infrastructure. The development revitalizes a vacant commercial parcel previously destroyed by fire, incorporating comprehensive site enhancements, including 32 total vehicle parking spaces and 3 bicycle parking spaces; expanded pedestrian walkways to enhance connectivity from the parking lot to the building frontage (via modification of the former 6-ft wide planter area); provision for potential outdoor dining; installation of shading elements; and implementation of a new landscaping plan achieving 21% coverage of the total parcel area, ensuring the project is consistent with the City's General Plan goals and exempt from further environmental review under a Categorical Exemption (Class 32, In-Fill Development).

CITY OF UKIAH STANDARD CONDITIONS

1. 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. 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 plot plans accompanying the application or submitted by applicant in support thereof.
3. 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 of the City of Ukiah; except where higher standards are imposed by law, rule, or regulation or by action of the Planning Commission such standards shall be met.
4. Building permits shall be issued within two years after the effective date of the Planning Permit or same shall be null and void.
5. 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. A Final Signage Plan shall be submitted prior to issuance of Building Permit. The Applicant shall obtain all required Sign Permits, in compliance with Division 3, Chapter 7, Signs, of the UCC. Prior to the placement/installation of any sign(s), the applicant shall make application for and receive approval of a sign permit. Any signage shall be in substantial conformance with the design and development standards of the Downtown Zoning Code.
7. A Final Landscaping Plan shall be submitted prior to issuance of Building Permit, in accordance with all applicable City codes. All landscaping shall be irrigated and maintained to a satisfactory condition throughout the life of the project.
8. 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 issuance of building permits.
9. All fees associated with the project planning permits and approvals shall be paid in full prior to occupancy.
10. 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.
11. In accordance with Public Resource Code 21082, 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.

CITY OF UKIAH SPECIAL CONDITIONS

12. **Plan Revision:** Prior to the issuance of building permits to the satisfaction of the Community Development Director, the applicant shall submit revised plans removing all elements of the drive-through, including the stacking lane, service window, etc. The paved area designated for queuing shall be converted to general maneuvering/parking area or incorporated into landscaping/pedestrian paths.
13. **Compliance with Design Review:** Prior to the issuance of building permits, the applicant shall submit to the satisfaction of the Community Development Director a final building and 'Landscape Plan' incorporating all previous design enhancements relating to pedestrian connectivity (e.g., modified planter beds for access) and window shading, consistent with the Design Review Board's input.
14. **Final Onsite Circulation and Signage Plan:** Prior to the issuance of building permits, the applicant shall submit for review and approval by the Department of Public Works and Community Development Department, a final, detailed 'Onsite Circulation and Signage Plan'.

This plan must demonstrate compliance with all applicable standards of the Ukiah City Code (UCC) and adhere to the following specific requirements:

A. Onsite Circulation and Traffic Safety

The plan shall clearly define all vehicular, bicycle, and pedestrian routes, ensuring safe, convenient, and predictable movement on the site.

1. Reconfiguration of the Drive-Through Area:

The plan shall reflect the removal of all drive-through elements, including the stacking aisle and service window. The paved area formerly used for queuing shall be repurposed for general maneuvering, parking area, or incorporated into landscaping/pedestrian paths.

2. Safety Requirements:

The location, size, and layout of all circulation elements shall be designed so as not to create a hazardous or inconvenient vehicular or pedestrian traffic pattern.

3. Cross-Access and Internal Movement:

The plan shall clearly delineate all existing and proposed access points to improve site circulation and further distribute vehicular traffic.

4. Parking and Maneuvering:

All off-street parking areas and maneuvering aisles shall be designed and positioned so that their accessibility and relation to traffic on adjacent streets will not create a hazardous or inconvenient condition to adjacent or surrounding uses.

B. Pedestrian Facilities and Accessibility: The plan shall incorporate all required pedestrian improvements to enhance walkability and connectivity.

1. Walkway Delineation: All pedestrian facilities and pathways shall be clearly delineated. This includes the delineation of pedestrian sidewalks or marked pedestrian facilities within paved or parking areas. For areas with twelve (12) or more parking stalls, marked pedestrian facilities shall be no less than three feet (3') in width.

2. ADA Accessibility: The plan shall demonstrate enhanced ADA accessibility, including refining access points and walkways, and the installation of necessary improvements such as tactile warning surfaces, appropriate signage, and accessible routes.

C. Signage Requirements: The plan shall include detailed specifications and locations for all permanent, directional, and informational signage, ensuring compliance with UCC Division 3, Chapter 7.

- 15. Cross-Access and Parking Easement:** Prior to the issuance of building permits, the applicant shall provide evidence of a recorded cross-access and shared-parking easement between APNs 001-370-36 and 001-370-37 to ensure legal access, circulation, and parking across both parcels. The easement shall be reviewed and approved by the Community Development Director and shall ensure continued shared vehicular and pedestrian access, parking use, and circulation between the two parcels as reflected in the approved site plan. If a recorded easement cannot be provided, the applicant shall revise the site plan to demonstrate independent site circulation, access, and parking consistent with Ukiah City Code requirements, subject to review and approval by the Community Development Director and Public Works Department.

MENDOCINO COUNTY DEPARTMENT OF TRANSPORTATION SPECIAL CONDITIONS

- 16.** The applicant must re-construct the commercial driveway approach onto North State Street (CR 104), consistent with Mendocino County Road and Development Standards No. A50, A40B, or as modified and approved by MCDOT staff during field review.
- 17.** The applicant must construct a concrete sidewalk along North State Street (CR 104) fronting APN's 001-370-36 and 001-370-37, in accordance with Mendocino County Road and

Development Standards No. A40A, A40B. The curb and gutter need to be re-constructed during the removal of the driveway approach and cannot be poured monolithically with the sidewalk.

18. The applicant must construct an ADA pedestrian ramp at the southwest corner of North State Street (CR 104) and Empire Drive (City of Ukiah). This ramp needs to be designed by a licensed civil engineer and approved by both MCDOT and the City of Ukiah.
19. The applicant must obtain an encroachment permit from the Mendocino County Department of Transportation for any work performed within the County right-of-way

CITY OF UKIAH PLANNING COMMISSION SPECIAL CONDITION OF APPROVAL

20. The applicant shall install signage to restrict egress onto North State Street by only allowing a right-hand turn from the southeastern encroachment and; the applicant is recommended to install additional pedestrian access improvements along Empire Drive to encourage multimodal access.