

**CITY OF HAYWARD PLANNING COMMISSION
CONDITIONAL USE PERMIT APPLICATION NO. UP-25-0012
BUBBLE MACHINE CAR WASH – 22235 MISSION BOULEVARD
DRAFT CONDITIONS OF APPROVAL**

General:

Planning

1. The developer shall assume the defense of and shall pay on behalf of and hold harmless the City, its officers, employees, volunteers and agents from and against any or all loss, liability, expense, claim costs, suits and damages of every kind, nature and description directly or indirectly arising from the performance and action of this permit.
2. The permittee, property owner or designated representative shall allow the City's staff to access the property for site inspection(s) to confirm all approved conditions have been completed and are being maintained in compliance with all adopted city, state and federal laws.
3. Failure to comply with any of the conditions set forth in this approval, or as subsequently amended in writing by the City, may result in failure to obtain a building final and/or a Certificate of Occupancy until full compliance is reached. The City's requirement for full compliance may require minor corrections and/ or complete demolition of a non-compliant improvement regardless of costs incurred where the project does not comply with design requirements and approvals that the applicant agreed to when permits were pulled to construct the project.
4. All outstanding fees owed to the City, including permit charges and staff time spent processing or associated with the development review of this application shall be paid in full prior to any consideration of a request for approval extensions and/or the issuance of a building permit.
5. If determined to be necessary for the protection of the public peace, safety and general welfare, the City of Hayward may impose additional conditions or restrictions on this permit. Violations of any approved land use conditions or requirements will result in further enforcement action by the Code Enforcement Division. Enforcement includes, but is not limited to, fines, fees/penalties, special assessment, liens, or any other legal remedy required to achieve compliance including the City of Hayward instituting a revocation hearing before the Planning Commission.
6. A copy of these conditions of approval shall be scanned and included on a separate, full-sized sheet(s) in the building permit plan check set.
7. The owner shall maintain in good repair all building exteriors, walls, lighting, drainage facilities, landscaping, driveways, and parking areas. The premises shall be kept clean and weed-free.

8. The Approving Body may revise or revoke the conditions of this Use Permit for failure to comply with, or complete all, conditions of approval or improvements indicated on the approved plans.
9. The proposed use shall operate according to these conditions of approval as well as the approved narrative and the project plans dated September 5, 2025. Any future change, modification or expansion of the approved use may require submitting a modification of the use permit, and subject to additional review and approval by the City.
10. The car wash shall be limited to six total bays, consisting of one automatic bay and five self-service bays.
11. The car wash hours of operation shall be limited from 7:00 AM to 9:00 PM daily. Any variation in these hours of operation must be reviewed and approved by the Planning Division prior to going into effect.
12. All self-service car washing activities shall occur on site. No washing or temporary parking of vehicles utilizing the self-service car wash facilities shall occur offsite or on any of the adjacent streets.
13. A sign shall be posted reminding customers to be considerate of the neighbors and turn off audio systems while cleaning their vehicles.
14. Prior to operation, a masonry wall shall be constructed along the property lines shared with 22240 Pearce Street to replace the existing wood fence. The wall shall be constructed to a maximum height of four feet within the required street-side yard (Pearce Street) and six feet along the remaining side yard (shared property lines with 22240 Pearce Street). The wall colors and materials shall be reviewed and approved by the Planning Division prior to the issuance of a building permit.
15. The property owner shall be responsible for litter-free maintenance of the property and shall remove any litter on or within 50 feet of the property daily to ensure that the property and its street frontage remain clear of any abandoned debris or trash.
16. The property owner shall be responsible and take any necessary steps to ensure the orderly conduct of employees, patrons, and visitors on the premises.
17. No signs are approved with this project. Any signs placed on-site or off-site shall be reviewed and approved by the Planning and Building Divisions and a Sign Permit application shall be required, consistent with Hayward Municipal Code Sign Ordinance requirements.
18. Prior to operation, issuance of a Building Permit or Certificate of Occupancy, the applicant shall contact the Planning Division and be subject to a site inspection by the designated project planner to verify that all applicable mitigations and conditions of approval have been satisfied. The cost of inspection, including any subsequent inspections that are deemed necessary by the City, shall be paid by the applicant.
19. This Use Permit approval is void 36 months after the effective date of approval unless:

- a. Prior to the expiration of the 36-month period, a building permit application has been submitted and accepted for processing by the Building Official or a time extension of the approval has been granted by the Planning Director.
 - b. If a building permit is issued for construction of improvements authorized by the conditional use permit approval, said approval shall be void two years after issuance of the building permit, or three years after approval of the application, whichever is later, unless the construction authorized by the building permit has been substantially completed or substantial sums have been expended in reliance on the conditional use permit approval. A request for an extension must be submitted in writing to the Planning Division at least 30 days prior to the above date.
 - c. Business operations have commenced in accordance with all applicable conditions of approval, have secured a business license and shall maintain a valid business license, including annual renewals, required for operation.
20. All conditionally permitted uses that cease operation for a period of more than six consecutive months shall be deemed to be discontinued, and the use permit establishing said use shall become null and void. Re-establishment of said use shall only be permitted upon obtaining a new use permit.

Building

21. A building permit and the associated plan review process is required for this project. Additional comments will be provided during that review.
22. Any equipment that weighs over 400 pounds must be seismically anchored. Structural calculations and details shall be provided with the building permit submittal drawings if the equipment is above the weight threshold.

Fire

23. A 2A:10B:C portable fire extinguisher shall be provided every 75 feet of travel or 3,000 square feet.
24. Minimum building address shall be 12" high with 1.5" stroke. When building is located greater than 50 feet from street frontage, address shall be minimum 16" high with 1.5" stroke.

Engineering

25. The existing non-standard driveway approach on Pearce Street shall be removed and replaced with a standard, ADA-compliant driveway approach, constructed in accordance with City of Hayward Standard Detail SD-108A, to the satisfaction of the City Engineer. All work within the public right-of-way shall require an encroachment permit.
26. The applicant/property owner shall be responsible to remove and replace curb, gutter, sidewalks, driveways, signs, pavements, pavement markings and such other public infrastructure damaged during construction of the proposed project prior to the

completion of the project. The applicant/property owner is responsible for documenting the existing conditions prior to the start of construction to serve as a baseline for this requirement.

27. All new utility service connections to the project, if any, shall be installed underground.

Transportation

28. Pursuant to City of Hayward Traffic Code Article 9, the Property Owner shall maintain adequate visibility and sight distance, as defined by City of Hayward Traffic Code, at all driveway(s) and access point(s) to the subject property.
29. No vehicles entering or exiting the subject property shall queue within, encroach into or block the public right-of-way, including but not limited to the sidewalk and/or general-purpose travel lane(s). The City reserves the right to impose additional restriction(s) on the operation(s) of the car wash facility including but not limited to temporary closure of the automated car wash facility, if it has been determined by the Public Works Director or his/her designee that vehicle or traffic queues associated with car wash operation(s) and/or the subject property are encroaching into, blocking or otherwise resulting in traffic operational or safety deficiencies within the public right-of-way, including but not limited to the sidewalk or general purpose travel lane(s). Such restrictions shall remain in place until such deficiencies have been adequately addressed by the Property Owner and/or their Tenant(s) to the satisfaction of the Public Works Director or his/her designee.

Utilities

30. The property has an existing 1 ½" domestic water meter. Any modifications to existing water services such as but not limited to upsize, downsize, relocation, and abandonment shall be performed by City of Hayward Water Distribution personnel at the Applicant's expense.
31. All connections to existing public water mains shall be performed by City of Hayward Water Distribution personnel at the Applicant's expense.
32. The Applicant is responsible for applicable water and sewer installation and connection fees at the current rates in effect at the time of application for water and/or sewer service. The current utility installation and connection fees are available on our website at www.hayward-ca.gov/water-service/connection-fees.
33. The Applicant is responsible for payment of sewer connection and/or capacity fees at the current rates at the time when application for water and sewer service is submitted. Sewer connection fees for non-residential connections are calculated based on the volume and strength of the wastewater discharge. The project's permitted sewer capacity and related sewer capacity fees shall be further assessed during the building permit application.
34. Water mains must be located at least ten (10) feet horizontally from and one (1) foot vertically above any parallel pipeline conveying untreated sewage, and at least four (4)

feet from and one (1) foot vertically above any parallel pipeline conveying storm drainage, per the current California Waterworks Standards, Title 22, Chapter 16, Section 64572. The minimum horizontal separation distances can be reduced by using higher grade piping materials with approval by the City Engineer.

35. All public water mains and appurtenances shall be constructed in accordance with the City's latest ["Specifications for the Construction of Water Mains and Fire Hydrants."](#)
36. All sanitary sewer mains and appurtenances shall be constructed in accordance with the City's latest ["Specifications for the Construction of Sewer Mains and Appurtenances."](#)
37. Sewer cleanouts shall be installed on each sewer lateral at the connection with the building drain, at any change in alignment, and at uniform intervals not to exceed 100 feet. Manholes shall be installed in the sewer main at any change in direction or grade, at intervals not to exceed 400 feet, and at the upstream end of the pipeline.
38. Where sanitary sewer lines and/or laterals are the same size as the sanitary sewer line, the connection must be made with a manhole.

Prior to Issuance of Building Permit:

Utilities

39. Should construction need to be performed, the City requires that construction and demolition debris be recycled per certain ordinance requirements. Submittal of a waste management plan is required at the time of your building permit. Please visit [Hayward's Green Halo](#) webpage and create a waste management plan. You can also fill out the Debris Recycling Statement instead of filling out the waste management plan in Green Halo. The form can also be found at <http://www.hayward-ca.gov/services/city-services/construction-and-demolition-debris-disposal>.

Engineering

40. Prior to any work within public right of way or City easement, the developer shall obtain an encroachment permit from the City and notify the Supervising Construction Inspector in the City's Public Works Department.
41. Developer shall comply with the pre-construction and post-construction requirements of the Municipal Regional Permit (MRP). The project shall also include erosion control measures to prevent soil, dirt, debris and contaminated materials from entering the storm drain system, in accordance with the regulations outlined in the ABAG Erosion and Sediment Control Handbook.

During Construction:

Hazardous Materials

42. The applicant shall apply for and keep current an annual Unified Hazardous Materials/Hazardous Waste Management Regulatory Program Permit.

43. The storage and use of hazardous materials shall be electronically reported through the California Environmental Reporting System for the HMBP elements if hazardous materials exceed required reporting levels.
44. The containers/vessels used for the storage of hazardous liquids and having a volumetric capacity of 55 gallons or more require secondary containment as stipulated in the Hayward City Ordinance and the California Fire Code. The secondary containment shall be provided as specified in the Secondary Containment Guidelines, which can be obtained by contacting the Hazardous Materials Office at 510-583-4910.
45. All containers and storage areas for hazardous materials shall be appropriately identified following the Hayward Fire Department's Labeling Guidelines, which can be obtained by calling the Hazardous Materials Office at 510-583-4910.
46. Hazardous waste shall be managed and disposed of per Title 22 of the California Code of Regulations. All containers holding hazardous waste shall be properly labeled and identified with a hazardous waste label. Labeling shall include Generator information, EPA ID number, accumulation start date, contents, physical state and hazard of the waste. Provisions shall also be made for the management and disposal of universal/electronic waste which are a category of hazardous waste.

Engineering

47. Developer shall be responsible for preventing the discharge of pollutants and sediments into the street and/or the public storm drain system from the project site during construction in accordance with Hayward Municipal Code Sections 11-5.19-11-5.19. Projects proposed for construction between October 1st and April 30th, must have an erosion and sedimentation control program approved, and implemented to the maximum extent possible, prior to the start of any land disturbing activity. Trash and debris must be adequately contained at all times. Such measures shall be maintained during the project's construction period. Violations or other noncompliance with stormwater management measures may result in the project being shut down, including any building permit activity, until full compliance with stormwater management requirements is achieved.
48. The Developer shall remove and replace curb, gutter, sidewalks, driveways, signs, pavement, pavement markings, etc. damaged during construction of the proposed project prior to issuance of the Final Construction Report by the City Engineer. Damaged pavement surfaces shall be repaired or resurfaced as required by the City Engineer. Unused driveways or unused portions thereof shall be removed and replaced with curb, gutter and sidewalk per City standards.

Utilities

49. Water services, meters, and backflow prevention devices shall be installed and connected to the satisfaction of the City Water Distribution personnel prior to final Certificate of Occupancy.

- End of Conditions -