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Filing Requirements For TRANSFER OF DEVELOPMENT CREDITS (TDC'S)

PURPOSE

The TDC process is intended to allow the implementation of General Plan policies, which encourage the preservation of significant environmental features, particularly hillside areas within the Hillside Combining District. Transfer of permitted development rights shall be acted upon by the Planning Commission and City Council under the provisions set forth in Section 18.30.040 of the Municipal Code.

FILING REQUIREMENTS

An application shall be made by the property owner or agent thereof and must be accompanied by the following information in order to be accepted for processing:

1. Uniform Application
2. **Two (2) copies of Submittal Plans**
 - All plans shall be drawn on uniform sheet no greater than 8 1/2" x 11" in size (or as approved by the Development Services Department)
 - All plans shall be clear, legible and accurately scaled
 - Site Plan - Scale: Engineering scale not to exceed 1"=40'. The following information shall be included on the plan:
 - Name, address, and phone number of applicant, architect and/or engineer.
 - Graphic scale and north arrow
 - Vicinity Map
 - Data table to include:
 - Assessor's Parcel Number
 - Site Area
 - Zoning
 - General Plan Designation
 - Residential Development Rights permitted and accompanying calculations, as applicable (slope density formula)
 - Property lines and dimensions
 - Location of all existing structures
 - Location of all structures, driveways, parking areas, trees and drainage courses within 100' of the perimeter of the subject property
 - Zoning and existing land use of adjacent parcels
 - Existing Topographical Plan

- Scale: Engineering scale not to exceed 1"-40'
- Topographical plans must be prepared by a Licensed Civil Engineer
- All items (existing and proposed) shall be drawn to scale and clearly defined with distances, spot elevations, gradients, contours, details, etc.
- The following information shall be included on the plan:
 - Name, address, and phone number of applicant and/or engineer
 - Legend, north arrow, scale, vicinity map
 - Contour grading
 - Maximum contour interval will be as follows:
 - Slope Less than 2% 2% - 5% 5% - 10% Over 10%
 - 1' 2' 5' 10'
 - Easements, property lines, rights-of-way
 - Existing feature within, and 100' beyond the site boundaries; natural ground, trees, structures, drainage courses, streets, trails, slopes, wells, etc.
 - Delineate open space areas (20% or greater slope)

3. A legal description of the open space to be preserved by the transfer, accompanied by an open space (scenic) easement of open space suitable for recordation, and the applicable open space policy to be implemented by the transfer.
4. A title report and any other documentation disclosing all existing interests or obligations against the transferor site property to be affected by the open space easement. If other interests exist, a subordination agreement (in a recordable form) acknowledging the reservation of the City of Morgan Hill's open space easement claim shall be submitted with the title report.
5. The location, site area, and related residential development credits of the transferor site which the applicant proposes to transfer.
6. Where applicable, the number of building allotments granted to the recipient site under the Residential Development Control System (RDCS).
7. **Two (2)** copies of Public Hearing Information (See Public Hearing Requirement Examples attached to the Uniform Application)
 - Typed list of all property owners within 300' of the perimeter of the proposed project site pursuant to most recent equalized assessment rolls (including Assessor's Parcel Numbers)
 - Two sets of stamped, addressed, legal size envelopes (4 1/8" x 9 1/2") of all property owners from the list above
 - Use forever stamps, **do not use postage meter**
 - Be sure to include Assessor's Parcel Number **above** owner's name
 - Do not put return address on envelopes
 - Mailing List Affidavit (attached to Uniform Application)

8. **One (1)** cd or USB flash drive containing application, submittal plans and all supporting documents in pdf format
9. Filing Fees (see Fee Schedule attached to the Uniform Application)