



CITY OF MORGAN HILL

Development Services Center – Planning Division

17575 Peak Avenue Morgan Hill CA 95037

APPROVAL CERTIFICATE NO. 21-005

APPLICATION NUMBER: Design Permit SR2020-0011: Peak-St. Catherine

LOCATION: 17400 Peak Avenue on the northwest corner of Noble Court and Peak Avenue (APN 767-04-010).

SITE AREA: 7.94-acres

GENERAL PLAN: Residential Attached Low Density (RAL)

ZONING: Residential Attached Low Density 3,500 (RAL 3,500)

DESCRIPTION: A Design Permit to allow an approximate 1575 square foot addition to an existing church building. The proposed church addition will allow for an increase of attendees from 580 people to 657 people. The church renewal project will consist of adding a covered entry, accessible restrooms, vestry, and crying room. Exterior remodel will include relocating the accessible parking to add a sidewalk/drop-off curb that provides accessibility from the church rectory and parish center.

RECITALS

1. On May 7, 2020, the Development Services Department received an application for a Design Permit approval to allow an approximate 1575 square foot addition to an existing church building. The proposed church addition will allow for an increase of attendees from 580 people to 657 people. The church renewal project will consist of adding a covered entry, accessible restrooms, vestry, and crying room. Exterior remodel will include relocating the accessible parking to add a sidewalk/drop-off curb that provides accessibility from the church rectory and parish center. Pursuant to Municipal Code Section 18.108.040.C.4 (Design Permit), projects with additions to an existing building visible from a public right-of-way must receive Design Permit approval prior to development;
2. Said application was deemed complete for processing and was considered by the Development Review Committee (DRC) at its regular meeting of July 1, 2020, at which time the Committee recommended conditional approval of application SR2020-0011: Peak-St. Catherine. However, it was determined that a Conditional Use Permit was required to recognize the existing church building and also community assembly use for the property;

3. On January 26, 2021, Planning Commission approved Resolution 21-01 to approve Conditional Use Permit application UP2020-0007: Peak-St. Catherine to permit an approximately 1,575 square foot addition to an existing 9,269 square foot church building.
4. The proposed project was reviewed in compliance with the California Environmental Quality Act (CEQA). The project was found to be exempt from CEQA pursuant to Section 15301 and does not meet any of the exceptions to categorical exemptions set forth in Section 15300.2 of the CEQA guidelines. A Notice of Exemption was prepared and posted for 30 days with the Santa Clara County Clerk-Recorder's Office;
5. Comments received from the public and from the applicant, along with exhibits and drawings and other materials have been considered in the review process;
6. On May 11, 2021 the Development Services Department considered said application at the close of a duly noticed 10-day public comment period; and,
7. Pursuant to the authority set forth under Section 18.108.040 (Design Permit) of the Morgan Hill Municipal Code, the Development Services Director hereby approves the project application subject to the conditions contained within this approval certificate.

FINDINGS

SECTION 1. Design Permit and Subdivision Findings

The following findings are made for the purposes of approving a Design Permit in accordance with Section 18.108.40 (J.) of the Morgan Hill Municipal Code.

1. The proposed project is consistent with the General Plan and any applicable specific plan, area plan, or other design policies and regulations adopted by the City Council.

Community assembly uses are typically found within or adjacent to residential area and are allowed with an approved Conditional Use Permit. The place of worship also serves as a neighborhood center to the surrounding area.

2. The proposed project complies with all applicable provisions of the zoning code and municipal code.

Community assembly is allowed within the RAL 3,500 zone district with an approved Conditional Use Permit and complies with the development standards set forth in Section 18.18.030 of the Morgan Hill Municipal Code.

3. The proposed project complies with all applicable design standards and guidelines contained in the City's Design Review Handbook

The existing church building's exterior is being updated as well as renovating the interior to create additional functional space for community assembly purposes. The exterior remodeling will relocate accessible parking and create a new pick-up/drop-off curb for

accessibility purposes. Adequate on-site parking shall continue to be provided and the updated landscaping plan is consistent with City's standards for landscaping.

4. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

The Development Services Director hereby finds that, based on the whole record before it, that the project is exempt from CEQA pursuant to Section 15301 and does not meet any of the exceptions to categorical exemptions set forth in Section 15300.2 of the CEQA guidelines. The custodian of the documents or other material which constitute the record shall be the Development Services Department.

5. The proposed development will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.

Adequate parking will be provided on-site. Typical services are held indoors. The proposed addition to the existing facility would not be detrimental to the public health, safety, and welfare of the neighborhood.

6. The proposed project complies with all applicable design review criteria outlined in Subsection H of Section 18.108.040 of the Morgan Hill Municipal Code.

The proposed addition is consistent with the character and architectural style of the surrounding community. Adequate parking and landscaping shall be provided and maintained.

SECTION 2. The proposed project will not result in a violation of the requirements established by the Regional Water Quality Control Board.

SECTION 3. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA). The Development Services Director hereby finds that, based on the whole record before it, that the project is exempt from CEQA under Section 15301 and does not meet any of the exceptions to categorical exemptions set forth in Section 15300.2 of the CEQA guidelines. The custodian of the documents or other material which constitute the record shall be the Development Services Department.

SECTION 4. Pursuant to the authority set forth under Section 18.100.030 and 18.108.040 of the Morgan Hill Municipal Code, the Development Services Director hereby approves the project application subject to the attached conditions of approval outlined in Exhibit A.

APPROVED THIS 11th DAY OF May, 2021.



Jerifer Carman
Development Services Director

A F F I D A V I T

I, _____ hereby agree to accept and abide by the terms and conditions specified in this approval certificate.

Fr. Hao Dinh
Roman Catholic Welfare Corporation of San Jose

Date

APPROVED THIS 11th DAY OF May, 2021.

Jennifer Carman
Development Services Director

AFFIDAVIT

I, X HAO DINH hereby agree to accept and abide by the terms and conditions specified in this approval certificate.

X Hao Dinh
Fr. Hao Dinh
Roman Catholic Welfare Corporation of San Jose

X 6/16/2021
Date

**EXHIBIT "A"
STANDARD CONDITIONS**

APPLICATION NO: SR2020-0011: Peak – St. Catherine

THE FOLLOWING APPROVAL REQUIREMENTS AND ANY SPECIAL CONDITIONS SHALL BE APPLIED THROUGH THE DEVELOPMENT APPROVAL PROCESS.

Legend

MHMC= Morgan Hill Municipal Code

MHARH= Morgan Hill Architectural Review Handbook

CMH= City of Morgan Hill

CFC= California Fire Code

I. PROJECT DESCRIPTION

The project includes the construction of an approximate 1575 square foot addition to an existing church building. The proposed church addition will allow for an increase of attendees from 580 people to 657 people. The church renewal project will consist of adding a covered entry, accessible restrooms, vestry, and crying room. Exterior remodel will include relocating the accessible parking to add a sidewalk/drop-off curb that provides accessibility from the church rectory and parish center.

The project shall comply with all requirements of related project approvals granted by the City, including all of the following:

- A. Design Review SR2020-0011
- B. Conditional Use Permit UP2020-0007

II. PROJECT CONDITIONS OF APPROVAL

This Design Permit approval is limited to the plan set date stamped March 31, 2021 on file (File Number SR2020-0011) with the Development Services Department. The approved building plans and landscape plans must be in substantial conformance with the Design Permit plans as determined by the Development Services Director. These documents show the location and dimensions of all vehicle and pedestrian circulation ways (ingress/egress), common areas, and other easement areas.

It shall be the responsibility of the Owner to ensure that any changes or modifications to the Project or any Unit are in compliance with the original City Conditions of Approval of the Project, which are hereby incorporated herein as set forth in full.

PLANNING DIVISION

DEFENSE AND INDEMNITY

- A. As part of, and in connection, with this application to the City of Morgan Hill, Applicant agrees to defend, indemnify, and hold harmless the City of Morgan Hill, its officers,

agents, employees, officials and representatives (Indemnitees) from and against any and all claims, actions, or proceedings arising from any suit for damages or for equitable or injunctive relief which is filed against City to attack, set aside, void or annul its approval of this application or any related decision, or the adoption of any environmental documents which relates to said approval. The City shall promptly notify the Applicant of any such claim, action or proceeding and the City shall cooperate fully in the defense thereof. In the event that Applicant is required to defend Indemnitees in connection with the proceeding, Indemnitees shall retain the right to approve (a) the counsel to so defend Indemnitees; (b) all significant decisions concerning the manner in which the defense is conducted; and (c) any and all settlements, which approval shall not be unreasonably withheld. This indemnification shall include, but is not limited to, (a) all pre-tender litigation costs incurred on behalf of the City, including City's attorney's fees and all other litigation costs and expenses, including expert witnesses, required to defend against any lawsuit brought as a result of City's approval or approvals; (b) reasonable internal City administrative costs, including but not limited to staff time and expense spent on the litigation, after tender is accepted; and (c) all damages, costs, expenses, attorney fees or expert witness fees that may be awarded to the prevailing party arising out of or in connection with the approval of the application or related decision. City may, in its sole discretion, participate in the defense of such action; but such participation shall not relieve Applicant of its obligations under this condition. The undersigned hereby represents that they are the Applicant or are fully empowered by the Applicant as their agent to agree to provide the indemnification, defense and hold harmless obligations, and the signature below represents the unconditional agreement by Applicant to be bound by such conditions.

TIME LIMITS

- A. **Term:** The Design Permit approval granted pursuant to this Approval Certificate shall remain in effect for two years to May 11, 2023. Failure to obtain building permits within this term shall result in termination of approval unless an extension of time is granted with a showing of just cause prior to expiration date. **(MHMC 18.104.210)**

SITE DEVELOPMENT

- A. **Final Site Development Plans:** Final site development plans shall be reviewed for conformance with (SR2020-0014) and in accordance with Morgan Hill Municipal Code Section 18.108.040 (Design Permit) and approved by the Development Services Department prior to issuance of a building permit. All such plans shall include:
1. Detail depicting all concrete curbs as full formed.
 2. Provision of catalogue drawings depicting the proposed parking area lighting fixtures. Exterior lighting of the building and site shall be designed so that lighting is not directed onto adjacent properties and light source is shielded from direct off-site viewing.
 3. Ramps, special parking spaces, signing and other physical features for the disabled, shall be provided throughout the site for all publicly used facilities.

4. All mechanical equipment, including electrical and gas meters, post indicator valve, backflow prevention devices, etc., shall be architecturally screened from view or located interior to the building. All ground mounted utility appurtenances such as transformers shall not be visible from any public right-of-way and shall be adequately screened through the use or combination of concrete or masonry walls, berming, and landscaping. **(MHARH p.20, 45, 79)** For additional screening, backflow preventers shall be painted dark green, except the fire connection which shall be painted yellow.
5. All existing on-site overhead utilities shall be placed underground in an approved conduit from the service connection at the street or at the property line to the service connection at the building.

B. Pedestrian Access: The Project shall provide pedestrian walkways in compliance with ADA requirements and with Section 18.72.060.H of the Morgan Hill Municipal Code, which states the following:

1. Parking lots with more than thirty parking spaces shall include a pedestrian walkway in compliance with ADA requirements.
2. The design of the pedestrian walkway shall be clearly visible and distinguished from parking and circulation areas through striping, contrasting paving material, or other similar method as approved by the Development Services Director.

C. Tree Protection: Unless tree removal has been previously approved, all trees located within 25 feet of any site disturbance shall be protected using the following minimum protection measures (these guidelines shall be included with all site development plans):

1. Mark all trees to be saved with a survey flag or ribbon. Do not nail or staple directly to the tree.
2. Erect a temporary fence enclosing an area equal to at least the dripline of the tree (or as far from the trunk as possible). This tree protection zone shall not be used for parking, storage of building materials, or other equipment or the placement of temporary or permanent fill. Signs should be posted identifying the restriction of uses in the tree protection zone.
3. Locate structures, grade changes, and other ground or surface disturbances (e.g. concrete pours) as far as feasible from the "dripline" area of the tree.
4. Avoid root damage through grading, trenching, and compaction, at least within an area 1.5 times the dripline area of the tree. Where root damage cannot be avoided, roots encountered over 1 inch in diameter should be exposed approximately 12 inches beyond the area to be disturbed (towards the tree stem), by hand excavation, or with specialized hydraulic or pneumatic equipment, cut cleanly with hand pruners or power saw and immediately back-filled with soil. Avoid tearing or otherwise disturbing that portion of the roots to remain.
5. The addition of plant or other landscaping materials shall remain outside of the

dripline of all trees.

6. All trees proposed to be removed from the project site shall be replaced at a 1:1 ratio. Replacement trees shall be consistent with the City of Morgan Hill Master Street Tree. All replacement trees shall be a minimum of 15-gallons in size. All mitigation/replacement trees shall be shown on the landscape plans and approved by the Development Services Director prior to the issuance of the building/grading permit.
7. Any tree subject to Chapter 12.32 Restrictions on Removal of Significant Trees of the Morgan Hill Municipal Code requires approval from the Planning Division. The applicant shall request approval prior to removing any significant trees.

BUILDING DESIGN

- A. **Roof mounted mechanical equipment:** All roof mounted mechanical equipment shall be placed within a screened roof top enclosure depicted on the elevation drawings or located below the parapet level and shall not be visible from the ground at any distance from the building. Cross section roof drawings shall be provided at the building permit stage indicating the relative height of the screen wall or parapet. Minimum screen height or parapet depth shall be 5 feet or greater to match the height of any proposed equipment. **(MHARH p.48, 65, 87, 106)**
- B. **Building mounted lighting:** Lighting fixtures shall not project above the fascia or roofline of the building. Any ground mounted lighting projecting onto the building or site shall be subject to the review and approval of the Development Services Director. Adjustment to the lighting intensity may be required after the commencement of the use. **(MHARH p. 67, 109)**
- C. **Architectural elements:** A final site development plan shall be provided at the building permit stage for review and approval to the Development Services Director prior to issuance of a building permit.
 1. All vents, gutters, downspouts, flashing, electrical conduits, etc. shall be painted to match the color of the adjacent surface or otherwise designed in harmony with the building exterior.
 2. Soffits and other architectural elements visible from view but not detailed on the plans shall be finished in a material in harmony with the exterior of the building.

PARKING, VEHICULAR ACCESS AND LANDSCAPING

- A. **Parking lot landscaping:** All landscaping within parking lots shall comply with the requirements of Chapter 18.72 (Landscaping).
- B. **Planting and irrigation working drawings:** Detailed landscape planting and irrigation working drawings shall be submitted to the Development Services Director for approval prior to issuance of building permits. Landscape plans for streets and landscape easements shall be part of the improvement plan submittal.

- C. **Trees and shrubs minimum size:** All trees within approved landscape plans shall be a minimum 15-gallon size. All shrubs shall be minimum 5-gallon size unless otherwise approved by the Development Services Director.
- D. **Maintenance of landscaping:** The landscaping installed and accepted with this project shall be maintained on the site as stated within the approved plans. Any alteration or modification to the landscaping shall not be permitted unless otherwise approved by the Development Services Director.
- E. **Water Conserving Landscape Ordinance:** The landscape plans shall be in conformance with the City's Water Conserving Landscape Ordinance that was developed in accordance with California law. This Ordinance restricts landscaping turf to certain areas, specifies plant selection, requires certain types of irrigation equipment, and calls for the development of comprehensive water use calculations as an aspect of the submitted landscape plans. **(MHMC 18.64)**

HABITAT PLAN

- A. **Fees:** The approved project is covered pursuant to the Santa Clara Valley Habitat Plan (Habitat Plan) and subject to fees and conditions contained in the Habitat Plan.
- B. **Application Package:** Prior to issuance of a grading permit, the project shall complete and submit a Habitat Plan Application Package. All fees shall be paid prior to issuance of a grading permit. **(MHMC 18.132)**
- C. **Conditions:** Any additional conditions or mitigations required by the Habitat Plan shall be clearly stated on all plans that involve any ground disturbing activity (i.e. grading plans, improvement plans, paving plans, demolition plans or other plans for site clearing or temporary stockpile of dirt). **(MHMC 18.132)**

AIR QUALITY

- A. **Dust, Noise, Vibration and Materials Management Plan:** A management plan detailing strategies for control of noise, dust and vibration, and storage of hazardous materials during construction of the project shall be submitted for review prior issuance of a grading permit and requirements shall be included on all site development and grading plans. The intent of this condition is to minimize construction related disturbance of residents of the nearby or adjacent properties. **(MHMC 18.76)**
 - 1. All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.
 - 2. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
 - 3. Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air porosity.

4. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
5. The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.
6. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
7. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12-inch compacted layer of wood chips, mulch, or gravel.
8. Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent.
9. Minimizing the idling time of diesel-powered construction equipment to two minutes.
10. The project shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NOX reduction and 45 percent PM reduction compared to the most recent ARB fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available.
11. Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., Regulation 8, Rule 3: Architectural Coatings).
12. Requiring that all construction equipment, diesel trucks, and generators be equipped with Best Available Control Technology for emission reductions of NOx and PM.
13. Requiring all contractors use equipment that meets CARB's most recent certification standard for off-road heavy-duty diesel engines.

GENERAL

- A. **Mitigation Fee Act:** Notice is hereby given that, pursuant to the Mitigation Fee Act, the City of Morgan Hill charges certain fees (as such term is defined in Government Code Section 66000) in connection with approval of this development project for the purpose of defraying all or a portion of the cost of public facilities related to this development project (Mitigation Fee Act Fees). These fees do not include fees for processing applications for governmental regulatory actions or approvals, fees collected as part of development agreements, or as a part of the application for the City's Residential Development Control System. The Mitigation Fee Act Fees applying to this project are

listed in the schedule of fees to be provided at building permit stage. Notice is also hereby given that the Developer has an opportunity to protest the imposition of the Mitigation Fee Act Fees within 90 days of the approval or conditional approval of this development project and that the 90-day protest period has begun.

- B. **Signed copies of Approval Certificate:** Submit two (2) signed copies of the Approval Certificate 21-005 to the Planning Division prior to issuance of a building permit.

ENGINEERING DIVISION

STORMWATER MANAGEMENT: The project is required to comply with the California Regional Water Quality Control Board Central Coast Region Resolution No. R3-2013-0032 as documented by the Stormwater Management Guidance Manual for Low Impact Development and Post-Construction Requirements. A copy of the guidance manual can be obtained from the following URL: <http://www.morganhill.ca.gov/DocumentCenter/View/12671>.

- A. The project is proposing to use the existing retention pond/basin at the site to satisfy Performance Requirement No. 2 – Water Quality Treatment. A “Supplemental Drainage Calculations for Performance Requirement No. 2” dated February 19, 2021 was submitted for review. At building permit stage, submit a Stormwater Runoff Management Plan/Report and applicable calculations, stamped and signed by the responsible professional civil engineer, to show compliance with Performance Requirement No. 2 – Water Quality Treatment.

I. GENERAL

- A. If off-site improvements are proposed, obtain necessary encroachment permit from the City of Morgan Hill and provide guarantee covering off-site improvements. **(MHMC 12.08.040 A; 12.08.090)**
- B. **Impact Fees:** The project is subject to impact fees. The City of Morgan Hill, pursuant to City Code Chapter 3.56 has established impact fees to finance the cost of improvements required by new development. City Code Chapter 3.56.050 provides for automatic annual (July 1st) adjustment of those fees in existence utilizing the Engineering News Record Index for the preceding twelve months. The City maintains historical records on the Engineering News Record Index. These records are available for inspection during normal business hours. **(MHMC 3.56.010; 3.56.030; 3.56.050)**
- C. **Storm Drainage General Requirements:** Prior to issuance of a grading permit, the applicant shall complete Water Pollution Control Drawings (WPCD) for Sediment and Erosion Control to the satisfaction of the City Engineer.
(CMH Design Standards and Standard Details for Construction)

II. NPDES WATER QUALITY STORMWATER MANAGEMENT DEVELOPMENT STANDARDS

- A. **Stormwater Management Guidance Manual for Low Impact Development State Water Resources Control Board Post Construction Requirements (PCRs):** Project shall comply with the California Regional Water Quality Control Board Central Coast

Region Resolution No. R3-2013-0032 as documented by the **Stormwater Management Guidance Manual for Low Impact Development and Post-Construction Requirements** (developed from Resolution No. R-2013-0032 Attachment 1 and 2 at: http://www.waterboards.ca.gov/centralcoast/water_issues/programs/stormwater/docs/lid/lid_hydromod_charette_index.shtml). Project shall meet the applicable requirements of the Stormwater Management Guidance Manual for Low Impact Development and Post-Construction Requirements:

1. Performance Requirement 1: Site Design and Runoff Reduction
2. Performance Requirement 2: Water Quality Treatment
3. Performance Requirement 3: Runoff Retention
4. Performance Requirement 4: Peak Management

B. Stormwater Runoff Management Plan (SWRMP) Required: The stormwater runoff management plan shall include sufficient information to evaluate the environmental characteristics of affected areas, the potential impacts of the proposed development on water resources, and the effectiveness and acceptability of measures (post construction BMPs) proposed for managing stormwater runoff.

C. Stormwater BMP operation, maintenance, and replacement responsibility

1. All on-site stormwater management facilities shall be operated and maintained in good condition and promptly repaired/replaced by the property owner(s), an owners' or homeowners' association or other legal entity approved by the City.
2. Any repairs or restoration/replacement and maintenance shall be in accordance with City-approved plans.
3. The property owner(s) shall develop a maintenance schedule for the life of any stormwater management facility and shall describe the maintenance to be completed, the time period for completion, and who shall perform the maintenance. This maintenance schedule shall be included with the approved stormwater runoff management plan.

D. Stormwater BMP operation and Maintenance Agreement (SWBOMA) Required:

Prior to the issuance of a building permit requiring stormwater management BMPs, the owner(s) of the site shall enter into a formal written stormwater BMP operation and maintenance agreement with the City. The City shall record this agreement, against the property or properties involved, with the County of Santa Clara and it shall be binding on all subsequent owners of land served by the storm water management treatment BMPs (City standard STORMWATER BMP OPERATION AND MAINTENANCE AGREEMENT to be provided by Land Development Engineering).

E. Stormwater BMP inspection responsibility

1. The property owner(s) shall be responsible for having all stormwater management facilities inspected for condition and function by a **Registered Civil Engineer (RCE)**.
2. Unless otherwise required by the City Engineer or designee, stormwater facility inspections shall be done at least twice per year (April 15th and September 15th) by the RCE. Written records shall be kept of all inspections and shall include, at minimum, the following information:
 - a. Site address;
 - b. Date and time of inspection;

- c. Name of the person conducting the inspection;
 - d. List of stormwater facilities inspected;
 - e. Condition of each stormwater facility inspected;
 - f. Description of any needed maintenance or repairs; and
 - g. As applicable, the need for site re-inspection.
3. Upon completion of each inspection, an inspection report shall be submitted to Land Development Engineering.

F. Records of maintenance and inspection activities: On or before April 15th and September 15th of each year, the party responsible for the operation and maintenance of on-site stormwater management facilities under the BMP operation and maintenance agreement shall provide the City Engineer or designee with records of all inspections, maintenance and repairs.

G. Annual Certification of SWRMP: On or before September 30th of each year a Registered Civil Engineer (RCE) shall provide written certification that the developments stormwater quality design standards are properly maintained and functioning as required by the SWRMP.

BUILDING DIVISION

A. California Code of Regulations: Project shall be designed to comply with the 2016 California Code of Regulations as amended by Morgan Hill Municipal Code Title 15. Building Permit applications submitted after January 1, 2020 shall be designed to comply with the 2019 California Codes of Regulations.

B. Compliance with Morgan Hill Municipal Code: Project shall comply with the Morgan Hill Municipal Code (MHMC) including but not limited to:

1. MHMC 15.65 Sustainable Building Regulations.
2. MHMC 18.72.040 C. Electric Vehicle Charging.
When Required. Electric vehicle charging stations shall be provided:
 - For new structures or uses required to provide at least twenty-five parking spaces; and
 - Additions or remodels that increase an existing parking lot of fifty or more spaces by ten percent or more.Number of Charging Stations. The number of required charging stations shall be as follows:
 - Twenty-five to forty-nine parking spaces: One charging station.
 - Fifty to one hundred parking spaces: Two charging stations, plus one for each additional fifty parking spaces.
3. MHMC 15.40 Building Security
4. MHMC 15.38 Wage Theft Preventions

FIRE DIVISION

- A. **Preliminary Review Only:** The requirements and conditions stated in this review are preliminary and are intended to be used for the purposes of project planning. An official Fire Department review of the project will be conducted upon receipt of a complete plan submittal application that clearly shows all intended grading, demolition, construction or building modifications.
- B. **Proposal limited to:** Review of this Development proposal is limited to acceptability of site access as they pertain to fire department operations, and shall not be construed as a substitute for formal plan review to determine compliance with adopted model codes. Prior to performing any work, the applicant shall make application to, and receive from, the Building Department all applicable construction permits.
- C. **Automatic Fire Sprinkler System Required:** Buildings requiring automatic fire sprinkler system shall be equipped throughout with an approved automatic fire sprinkler system. The fire sprinkler system shall be hydraulically designed per National Fire Protection Association (NFPA) Standard #13. **(CFC Chapter 9 as amended by MHMC 15.44.170)**
- D. **Private on-site Fire Service Mains and Hydrants:** Installations shall conform to National Fire Protection Association Standard #24, and the City of Morgan Hill Standard Details and Specifications. Provide plan submittal to the City of Morgan Hill for review and approval prior to installation.

POLICE DEPARTMENT

- A. **Safety and Security Plan.** The Police Department shall review and approve a safety and security plan for the facility including a security camera plan prior to the issuance of a building permit or site development permit, whichever one is issued first.