



17575 Peak Avenue Morgan Hill CA 95037

APPROVAL CERTIFICATE NO. 23-022

APPLICATION NUMBER: Design Permit SR2020-0026: Peak - Amas

LOCATION: Northeast corner Peak Avenue and West Dune Avenue at 17090 Peak Avenue (APN: 767-03-017)

SITE AREA: 1.9 - Acres

GENERAL PLAN: Residential Attached Medium (RAM)

ZONING: Residential Attached Medium Density (RAM)

DESCRIPTION: Design Permit to expand the existing Senior Care Facility into a new 18,700 square foot, two-story building that consists of 54 bedrooms/108 beds with ancillary communal space and associated onsite improvements.

RECITALS

1. On November 19, 2020 the Development Services Department received an application for Design Permit to add a new two-story building for a Senior Care Facility. Pursuant to Municipal Code Section 18.108.040.C.(Design Permit), new non-residential buildings and/or structure physical site improvements deemed significant are proposed.
2. The project was reviewed by the Design Review Committee on November 25, 2020 and comments were received from the various departments and agencies.
3. Prior to continuation in processing the Design Permit, the project required the review and approval of a Conditional Use Permit. The Use Permit application was reviewed and approved by the Planning Commission at the July 25, 2023 Planning Commission hearing.
4. On September 12, 2023 the Development Services Department publicly noticed that there is a pending action taking place on the Design Permit for the project and received a request for an administrative hearing on the item.
5. On October 3, 2023 the Development Services Director held an administrative hearing and considered said application after the duly noticed 10-day public comment period; 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. Pursuant to the authority set forth pursuant to 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 Findings

The following findings have been made in approving the Design Permit in accordance with Section 18.108.040 (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.

The project is consistent with the General Plan, specifically, but not limited to Policies: CNF-2.1, CNF-2.3, CNF-2.4, and CNF-8.3 in that the project is infill development that expands compatible uses adjacent to another residential care facility, a Masonic Center, multi-family housing, and single-family housing. The continued use and new expansion of the residential care facility will allow for continued service for existing and future senior residents of Morgan Hill.

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

The proposal is consistent with all provisions in the Zoning Code and Municipal Code.

3. The proposed project substantially complies with all applicable design standards and guidelines contained in the design review handbook.

The project is consistent with the Design Review Handbook.

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

The Initial Study concluded the qualification of a Categorical Exemption, the Development Services Director has determined that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332, Class 32; and has further determined that none of the exceptions to the exemption apply.

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.

An Initial Study was completed for the project which concluded the project with mitigations will not have a detrimental impact on public health, safety, or welfare or be material injurious to the properties or improvements in the vicinity. The new structure will be built in compliance to current building and safety codes.

6. The proposed project complies with all applicable Design Review Criteria in 18.108.040 (H.).

The project has been designed to be compatible with the neighborhood and supports a walkable/pedestrian environment. The massing and scale of the buildings complement the neighboring structures. Attractive, accessible and functional open space has been provided for the development.

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 approved project shall be subject to all conditions contained within Exhibit A, incorporated herein by reference.

APPROVED THIS 8 DAY OF FEBRUARY, 2024.



Jennifer Carman
Development Services Director

**EXHIBIT "A"
STANDARD CONDITIONS**

APPLICATION NO: SR2020-0026

**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 Design Permit to expand the existing Senior Care Facility into a new 18,700 square foot, two-story building that consists of 54 bedrooms/108 beds with ancillary communal space and associated onsite improvements.

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

- A. UP2020-0009
- B. EA2020-0018

II. PROJECT CONDITIONS OF APPROVAL

This Design Permit approval is limited to the plan set with approval stamp on file (File Number SR2020-0026) 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 Resolution shall remain in effect for two years from approval date. 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 18.108.040)**

SITE DEVELOPMENT

A. **Final Site Development Plans:** Final site development plans shall be reviewed for conformance with SR2020-0026 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, berthing, 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. **Bicycle parking.** The project shall provide short-term and long-term bicycle parking spaces in conformance with Section 18.72.080 and Table 18.72-7 of the Morgan Hill Municipal Code:

Table 18.72-7: Required Bicycle Parking Spaces

Land Use	Required Bicycle Parking Spaces	
	Short-Term Spaces	Long-Term Spaces
Non-Residential Uses Care Facilities are considered Commercial	10 percent of required automobile spaces	1 bicycle space per 20 required automobile spaces

1. **Short-Term/Class II Bicycle Parking Standards.** Short-term bicycle parking shall be located within one hundred feet of the primary entrance of the structure or use it is intended to serve.
2. **Long-Term Bicycle Parking Standards.** The following standards apply to long-term bicycle parking:
 - a. Location. Long-term bicycle parking shall be located on or within seven hundred fifty feet of the use that it is intended to serve.
 - b. Security. Long-term bicycle parking spaces shall be secured. Spaces are considered secured if they are:
 - i. In a locked room or area enclosed by a fence with a locked gate;
 - ii. Within view or within one hundred feet of an attendant or security guard;
 - iii. In an area that is monitored by a security camera; or
 - iv. Visible from employee work areas.
3. **Parking Space Dimensions.**
 - a. Minimum dimensions of two feet by six feet shall be provided for each bicycle parking space.
 - b. An aisle of at least five feet shall be provided behind all bicycle parking to allow room for maneuvering.
 - c. 2 feet of clearance shall be provided between bicycle parking spaces and adjacent walls, polls, landscaping, pedestrian paths, and other similar features.
 - d. Four feet of clearance shall be provided between bicycle parking spaces and adjacent automobile parking spaces and drive aisles.
4. **Rack Design.** Bicycle racks must be capable of locking both the wheels and the frame of the bicycle and of supporting bicycles in an upright position.
5. **Cover.** Required cover for bicycle parking spaces shall be permanent, designed to protect the bicycle from rainfall, and at least seven feet above the floor or ground.

The location of all bicycle parking spaces shall be identified prior to issuance of a building permit.

D. **Electric Vehicle Charging Stations:** The Project shall provide electric vehicle charging stations in compliance with Section 18.72.040.C of the Morgan Hill Municipal Code. The developer shall provide location of each charging station prior to issuance of building permit.

E. **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 facia 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**

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) in addition to the standards within this section.

1. Interior Landscaping. All areas within a parking lot not utilized for parking spaces or access/circulation shall be landscaped. For parking lots with more than fifteen spaces, the minimum amount of interior landscaping is specified in Table 18.72-6. Interior landscaping is defined as any landscaped area surrounded on at least two sides by parking spaces or drive aisles, and excluding areas around the perimeter of the parcel or development site.

Table 18.72-6: Minimum Required Parking Lot Landscaping

Number of Required Parking Spaces	Percent of Surface Parking Area to be Landscaped
16-30	10 percent
31-60	15 percent
Over 60	20 Percent

2. **Shade Trees.**

- a. One shade tree shall be provided for every five parking spaces in a parking lot.
- b. Shade trees shall be a minimum twenty-four-inch box in size and shall provide a minimum thirty-foot canopy at maturity.
- c. Shade trees shall be of a type that can reach maturity within fifteen years of planting and shall be selected from a city-recommended list of canopy tree species.
- d. Shade trees shall be arranged in a parking lot to provide maximum shade coverage (based on a thirty-foot canopy) on August 21. The arrangement should approximate nearly fifty percent shade coverage.

3. **Concrete Curbs.**

- a. All landscape areas shall be separated from parking spaces, drive aisles and driveways by a continuous, raised concrete curb. Raised concrete curbs shall be a minimum of six inches high by four inches deep.
- b. The city may approve alternatives to raised concrete curbs as needed to comply with any mandatory stormwater drainage standards.

4. **Parking Space Landscaping.** A maximum of two feet at the front end of a parking space may be landscaped with low shrubs or ground cover in which a vehicle could extend over in lieu of paving surface. This landscaping may not count toward minimum required parking lot landscaped area.

5. **Timing.** Landscaping shall be installed prior to the city's authorization to occupy any buildings served by the parking area, or prior to the final inspection for the parking lot.

B. **Landscape maintenance agreement:** The applicant may be required to enter into a two-year landscape maintenance agreement effective upon acceptance of landscaping improvements and provide an appropriate bond as required by Section 18.64.070 (Landscaping maintenance and enforcement) of the Municipal Code. If bond is required, amount shall be equal to 100 percent of the value of the landscaping and irrigation improvements for the development project.

D. **Lighting:** Walkways and pedestrian pathways in landscaped areas or common areas not considered building entrances or a part of parking lot areas shall be illuminated with a minimum of one (1) foot-candle to ensure safe nighttime conditions. **(MHARH p.30, 67, 108)**

1. A final photometric plan shall be provided for review and approval to the Development Services Director prior to issuance of a building permit.

E. **Undeveloped site area:** The balance of a building site not developed as part of this project approval shall have landscaping installed acceptable to the Planning Division. **(MHARH p., 57, 98)**

F. **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.

G. **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)**

SIGNS

A. **Separate application required for sign approval:** Signs proposed for this development shall be designed in conformance with the Sign Ordinance and shall require separate application and approval by the Planning Division prior to installation of any signs.

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)**

B. Basic Construction Mitigation Measure (BCMMs) Related to Dust Suppression. The following measures shall be implemented with the project:

1. All exposed surfaces (e.g. parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. All vehicle speeds on unpaved roads shall be limited to 15 mph.
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of [CCR]). Clear signage shall be provided for construction workers at all access points.
7. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
8. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

For projects that exceed BAAQMD thresholds:

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.

CULTURAL RESOURCES

A. **Significant historic or archaeological materials:** A moderate potential exists for unrecorded historic-period archaeological resources to be within the project area. The developer shall enter into written contracts with an archaeologist and the Tamien Nation Tribe, and pay all fees associated with the activities required by this condition. The following policies and procedures for treatment and disposition of inadvertently discovered human remains or archaeological materials shall apply:

1. Prior to start of grading or earthmoving activity on the "first day of construction", the archaeologist and Tamien Nation Tribal Monitor shall hold a pre-construction meeting for the purposes of "cultural sensitivity training" with the general contractor and subcontractors.
2. A Tamien Nation Tribal Monitor shall be present on-site to monitor all ground-disturbing activities and an archaeologist shall be on-call. Where historical or archaeological artifacts are found, work in areas where remains or artifacts are found will be restricted or stopped until proper protocols are met, as described below:
 - a. Work at the location of the find will halt immediately within fifty feet of the find. If an archaeologist is not present at the time of the discovery, the applicant shall contact an archaeologist for evaluation of the find to determine whether it qualifies as a unique archaeological resource as defined by this chapter;
 - b. If the find is determined not to be a Unique Archaeological Resource, construction can continue. The archaeologist will prepare a brief informal memo/letter in collaboration with a tribal representative that describes and assesses the significance of the resource, including a discussion of the methods used to determine significance for the find;
 - c. If the find appears significant and to qualify as a unique archaeological resource, the archaeologist will determine if the resource can be avoided and will detail avoidance procedures in a formal memo/letter; and
 - d. If the resource cannot be avoided, the archaeologist in collaboration

with a tribal representative shall develop within forty-eight hours an action plan to avoid or minimize impacts. The field crew shall not proceed until the action plan is approved by the Development Services Director. The action plan shall be in conformance with California Public Resources Code 21083.2.

3. The following policies and procedures for treatment and disposition of inadvertently discovered human remains or archaeological materials shall apply. If human remains are discovered, it is probable they are the remains of Native Americans,
 - a. If human remains are encountered, they shall be treated with dignity and respect as due to them. Discovery of Native American remains is a very sensitive issue and serious concern. Information about such a discovery shall be held in confidence by all project personnel on a need to know basis. The rights of Native Americans to practice ceremonial observances on sites, in labs and around artifacts shall be upheld.
 - b. Remains should not be held by human hands. Surgical gloves should be worn if remains need to be handled.
 - c. Surgical mask should also be worn to prevent exposure to pathogens that may be associated with the remains.
4. In the event that known or suspected Native American remains are encountered, or significant historic or archaeological materials are discovered, ground-disturbing activities shall be immediately stopped. Examples of significant historic or archaeological materials include, but are not limited to, concentrations of historic artifacts (e.g., bottles, ceramics) or prehistoric artifacts (chipped chert or obsidian, arrow points, ground stone mortars and pestles), culturally altered ash stained midden soils associated with pre-contact Native American habitation sites, concentrations of fire-altered rock and/or burned or charred organic materials and historic structure remains such as stone lined building foundations, wells or privy pits. Ground-disturbing project activities may continue in other areas that are outside the exclusion zone as defined below.
5. An "exclusion zone" where unauthorized equipment and personnel are not permitted shall be established (e.g., taped off) around the discovery area plus a reasonable buffer zone by the contractor foreman or authorized representative, or party who made the discovery and initiated these protocols, or if on-site at the time of discovery, by the monitoring archaeologist and tribal representative (typically twenty-five to fifty feet for

single burial or archaeological find).

6. The discovery locale shall be secured (e.g., 24-hour surveillance) as directed by the City or County if considered prudent to avoid further disturbances.
7. The Contractor Foreman or authorized representative, or party who made the discovery and initiated these protocols shall be responsible for immediately contacting by telephone the parties listed below to report the find and initiate the consultation process for treatment and disposition:
 - The City of Morgan Hill Development Services Director (408) 779-7247
 - The Contractor's Point(s) of Contact
 - The Coroner of the County of Santa Clara (if human remains found) (408) 793-1900
 - The Native American Heritage Commission (NAHC) in Sacramento (916) 653-4082
 - The Amah Mutsun Tribal Band (916) 481-5785 (H) or (916) 743-5833 (C)
 - The Tamien Nation (707)295-4011 (office) and (925)336-5359 (THPO)
8. The Coroner has two working days to examine the remains after being notified of the discovery. If the remains are Native American the Coroner has 24 hours to notify the NAHC.
9. The NAHC is responsible for identifying and immediately notifying the Most Likely Descendant (MLD). (Note: NAHC policy holds that the Native American Monitor will not be designated the MLD.)
10. Within 24 hours of their notification by the NAHC, the MLD will be granted permission to inspect the discovery site if they so choose.
11. Within 24 hours of their notification by the NAHC, the MLD may recommend to the City's Development Services Director the recommended means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The recommendation may include the scientific removal and non-destructive or destructive analysis of human remains and items associated with Native American burials. Only those osteological analyses or DNA analyses recommended by the appropriate tribe may be considered and carried out.
12. If the MLD recommendation is rejected by the City of Morgan Hill the parties

will attempt to mediate the disagreement with the NAHC. If mediation fails then the remains and all associated grave offerings shall be reburied with appropriate dignity on the property in a location not subject to further subsurface disturbance.

NOISE

A. **Construction Hours:** The project shall comply with Chapter 8.28 of the Morgan Hill Municipal Code which prohibits construction activities between 8:00 PM and 7:00 AM, Monday through Friday, and between 6:00 PM and 9:00 AM on Saturdays. Construction activities may not occur on Sundays or federal holidays.

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. **Covenants, Conditions and Restrictions:** The applicant shall provide a set of Covenants, Conditions and Restrictions (CC&R's), Bylaws and Articles of Incorporation, for review and approval by the Development Services Director prior to final occupancy or recordation of a final map. All such CC&Rs shall include the following:

1. The Owners recognize that the use, modification and proper maintenance of the Common Area and public right-of-way(s)* are for the benefit of all citizens of the City of Morgan Hill (City) and that the City is an intended third party beneficiary of these covenants, conditions and restrictions and may, upon notice of hearing as set forth below, exercise the same powers of enforcement as the Association.

*Public right-of-way: Exclusive of streets dedicated to and accepted by the City of Morgan Hill.

2. The City may, by mail or personal delivery, give written notice of the breach of any maintenance obligation to the Association with a demand that such breach be remedied. If such breach is not remedied within thirty (30) days of the mailing or delivery of such notice, the City shall have standing and the right (but not the obligation) to bring a court action against the Association and Owners to enforce such provision. In addition, the City shall be entitled to recover reasonable attorneys' fees and costs incurred in such action.
3. The Notice may also contain a date for a hearing on the matter before a City employee designated by the City (which hearing shall be held no sooner than fifteen (15) days after mailing of such notice), and if after such hearing the City determines that there has been inadequate maintenance, the City shall have the right (but not the obligation) to undertake the maintenance of the Common Area or public right-of-way in question. Any and all costs incurred by the City in so maintaining the Common Area or public right-of-way shall be a lien against all the properties included with the Project and shall be the personal responsibility of the Owners and the Association.
4. The entire Project and all of the properties located thereon shall be subject to the conditions and restrictions of all subdivision and other Project approvals by the City, with respect to the Project. Any changes and/or modifications to the Project and/or any Unit, including but not limited to changes to the exterior of any Unit, may be subject to review and approval of the City of Morgan Hill as may be determined by review of the Project approvals by the City of Morgan Hill.
5. This section may not be amended without the prior written consent of the Development Services Director for the City. Nothing contained in this section shall limit any other right or remedy which the City may have under its ordinances or state law.
6. For the purposes of this section, the question of whether there has been a breach of a maintenance obligation or adequate maintenance shall be determined by the provisions of the original Declaration as first recorded with the County Recorder for Santa Clara County and by any amendment thereto, but only to the extent that such maintenance obligation or duty of maintenance is increased by such amendment.

ENGINEERING DIVISION

A. Project Specific:

1. **Sidewalk:** If existing utilities do not hinder the location of a detached sidewalk, the project shall install a detached sidewalk along the Dunne Avenue frontage.
2. **Frontage:** At landscape strip along Peak Avenue and Dunne Avenue (if item (A) applies), install street trees as required by the City Engineer (October Glory). The landscape strip shall be privately irrigated and maintained.
3. **Accessible Ramp:** Project shall install ADA compliant ramp at the corner of Peak and Dunne Avenue.
4. **Streetlights:** Project shall install public streetlights along the Peak and Dunne Avenue frontage per City Standards/City Engineer.
5. **Existing Water Services:** At Building Permit review, verify existing domestic, irrigation, and fire services meet current city standards for meter and backflow devices. Services shall be brought up to current city standards if they are deficient. Note: Meters for domestic and irrigation are to be located in the landscape strip (fire does not require a meter); all backflow devices shall be located behind the back of sidewalk.
6. **Stormwater System:** Stormwater system shall be designed and maintained as outlined below (see section Storm Drain System and NPDES Water Quality Stormwater Management Development standards). Note: release of private stormwater system shall only tie into the back of an existing curb inlet or proposed curb inlet.
7. **Peak Avenue (Pavement Moratorium):** The City completed street pavement improvements along Peak Avenue on January 19, 2022. Per the City's Pavement Rehabilitation and Street Cut Moratorium Policy, all streets within the City of Morgan Hill which have received any type of pavement resurfacing or reconstruction are not permitted for any excavation or utility cut for a period of five (5) years from project completion. If the project excavates or cuts into the Peak Avenue Street frontage prior to January 19, 2027, the project will be required to restore the roadway to the limits, using the method determined by the City Engineer and at a minimum the restoration shall be from edge of pavement to edge of pavement.
8. No additional stormwater runoff shall be released onto 385 W. Dunne Avenue.
9. The project is subject to impact fees, see attached Impact Fee estimate (Exhibit B).

10. The project shall reimburse the City for improvements previously completed by the City along west Dunne Avenue (estimated amount of \$166,315)

GENERAL

- A. **Public and Private Improvements:** The applicant shall cause the construction of all public and private improvements in accordance with the latest City Standard Drawings and Specifications. (**MHMC 12.02.090 A; 17.32.010 A**)
- B. **Improvement Plans:** The applicant shall submit as part of the improvement drawings for the project, profiles of all improvements in the project and typical cross-sections of all streets and details of curbs, gutters, and sidewalks, to be accomplished to the satisfaction of the City Engineer prior to submittal of Final Map. (**MHMC Sec 17.32.060 B; 17.32.070; 17.32.080 A**)
 1. Improvement plans are to show water lines, sanitary sewer, storm drain system, pavement widths, curve radius, and existing utilities.
- C. **Encroachment Permits:** Obtain necessary encroachment permits from the City of Morgan Hill and provide guarantee covering off-site improvements. (**MHMC 12.08.040 A; 12.08.090**)
- D. **Improvement Agreement:** If needed, enter into a [Improvement Agreement] with the City of Morgan Hill to cover required improvements. (**MHMC 12.02.150; 17.32.010 B; 17.32.160**)
- E. **Impact Fees & Fee Increase:** 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**)
 1. The developer shall pay all applicable impact fees and other engineering review fees prior to building permit issuance and at building final. The fees shall be based on the Public Works Fee Schedule prepared by Land Development Engineering.
 2. The project will be subject to the updated Water Capacity fees, which become effective May 15, 2023. Information related to the City's impact and development fees are available on the City's Finance Department webpage at: <https://www.morganhill.ca.gov/1572/Fee-Schedules>.

STREET IMPROVEMENTS

- A. **Right-of-way Dedication:** The project shall re-dedicate the street right-of-way frontages in fee to the City. **(MHMC 12.02.010; 12.02.50; 12.02.080; 12.02.90; 12.02.100; 17.28.010)**
- B. **Corner Cutoff:** The project shall dedicate the required corner cutoff at the intersection of Peak Avenue and Dunne Avenue. **(MHMC 12.02.010; 12.02.50; 12.02.080; 12.02.100; 17.28.010)**
- C. **Underground Existing Utilities:** All existing overhead utilities adjacent to any site boundary or along any street frontage of the site shall be placed underground in accordance with City standards and affected utility company guidelines. **(MHMC 12.02.090 B; 17.32.020 E.1)**

SANITARY SEWER SYSTEM

- A. **Design of Sewer Improvements:** The applicant shall cause to be undertaken the design and construction of sanitary sewer improvements including, but not limited to installation of sewer line extension on the proposed public street(s) or private street(s)/drive aisle(s). The sanitary collection system shall include, but not be limited to manholes with manhole frames and covers, cleanouts, wye-branches and laterals, and separate sewer taps to each lot. These are to be installed by the developer. **(MHMC 13.20.355; 17.32.020 C; CMH Sewer System Master Plan; CMH Design Standards and Standard Details for Construction)**
- B. **Sewer Connection:** All existing and future sewer lines shall be tied into the City's system and existing septic systems shall be abandoned in accordance with City requirements. Provide Sanitary MH at release point into the City system. **(MHMC 13.24.060; 17.32.20 C)**

STORM DRAIN SYSTEM

- A. **Storm Drainage Study:** A complete storm drainage study of the proposed development must be submitted showing amount of run-off, and existing and proposed drainage structure capacities. This study shall be subject to review and approval by the City Engineer. All needed improvements will be made by the applicant. No overloading of the existing system will be permitted. **(MHMC 17.32.020 B; 17.32.090; CMH Design Standards and Standard Details for Construction)**
- B. **Storm Drainage Design:** The applicant shall cause the design and construction to be undertaken for a storm drainage collection system shown on the Tentative Map/Design Review plans. All storm drain improvements shall be constructed to the satisfaction of the City Engineer. **(MHMC 17.32.020 A & B)**

C. **Storm Drainage Capacity:** Collection system shall be designed to be capable of handling a 10-year storm without local flooding. On-site detention facilities shall be designed to a 25-year storm capacity. Streets shall be designed to carry 100-year storm. Items of construction shall include, but not be limited to installation of storm line extension on proposed public street(s), surface and subsurface storm drain facilities, manholes with manhole frames and covers, catch basins and laterals. Note: the project may be required to **retain** stormwater runoff as part of resolution R3-2013-0032 prior to releasing discharge rates at pre-development flows. (**MHMC 17.32.020 B; 18.74.440; CMH Design Standards and Standard Details for Construction; CMH Storm Drainage System Master Plan**)

D. **Storm Drainage General Requirements:** Prior to issuance of a grading permit, the applicant shall complete the following to the satisfaction of the City Engineer.

1. Storm drain calculations to determine detention/retention pond sizing and operations.
2. Plan describing how material excavated during construction will be controlled to prevent this material from entering the storm drain system.
3. Water Pollution Control Drawings (WPCD) for Sediment and Erosion Control. (**CMH Design Standards and Standard Details for Construction**)

E. **NPDES Construction Activity General Permit/SWPPP Requirements:** As required by the State Water Resources Control Board (SWRCB) Order No. 2009-0009-DWQ, construction activity resulting in a land disturbance of one (1) acre or more of soil, or whose projects are part of a larger common plan of development that in total disturbs more than one (1) acre, are required to obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 for Discharges of Storm Water Associated with Construction Activity (General Permit). To be permitted with the SWRCB under the General Permit, owners must file a complete Notice of Intent (NOI) ONLINE at: <http://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.jsp> and develop a Storm Water Pollution Prevention Plan (SWPPP) Manual in accordance with the General Permit. The SWPPP Manual shall follow the CASQA SWPPP template/format at <https://www.casqa.org/store/products/tabid/154/p-167-construction-handbookportal-initial-subscription.aspx> and shall be approved by Public Works Engineering. A Waste Discharger Identification (WDID) number to be issued to the construction site after the SWRCB receives and verifies the submitted ONLINE NOI information. The WDID number and approved SWPPP Manual shall be provided to Public Works and the Building Department prior to any approval of grading activities (**SWRCB NPDES General Permit CAS000002**).

F. NPDES General Permit Site SWPPP Inspections and Compliance:

1. ALL project onsite and offsite construction activity shall have the site inspected by a **qualified third party SWPPP Inspector (QSD or QSP or RCE)**.
2. SWPPP Inspections shall occur weekly during the rainy season (September 15th thru May 1st).
3. SWPPP Inspections shall occur bi-weekly during the non-rainy season.
4. 48 hours prior to and following a forecasted rain event, SWPPP Inspections shall occur in addition to those of items 2 or 3 above.
5. Per each of the inspection conditions 2, 3, or 4, the NPDES SWPPP Inspector shall certify in writing to the Building and Public Works Department if the site is in compliance or non-compliance with the NPDES General Permit for Stormwater, site SWPPP Manual, and Water Pollution Control Drawings (per the CMH-SWPPP Inspection Check List to be provided by Public Works). QSD/QSP SWPPP Inspectors shall forward onsite and offsite information/certification to the Building (on-site private property issues) and Public Works (public right-of-way issues) inspectors respectively. SWPPP inspection reports, and when applicable, Rain Event Action Plans (REAPS) shall be e-mailed to: sw.construction@morganhill.ca.gov no later than 12:00 PM each Monday for the previous week's inspections with a brief statement whether the site is in compliance or non-compliant.
6. Prior to rain events, BMPs not in compliance will need to be corrected immediately.
7. Illicit discharges per the NPDES General Permit, non-compliance of tracking control, and inlet protection within the public right-of-way shall be addressed immediately.
8. Other non-compliance issues need to be addressed within a 24-hour period.
9. Non-compliance issues which have been corrected shall be verified by NPDES SWPPP Inspector by a follow-up inspection.
10. BMP maintenance/inspections shall include tree protection, if applicable.

WATER SYSTEM

A. **Domestic Water System:** The applicant shall cause the design and construction to be undertaken of a domestic water system to the satisfaction of the City Engineer. The water system improvements shall be constructed within public easements or street rights-of-way to the satisfaction of the City Engineer and dedicated to the City. (**MHMC 17.32.020 A & D; CMH Design Standards and Standard Details for Construction; CMH Water System Master Plan**)

B. **Water Well Abandonment:** Abandonment of any existing water well shall be in conformance with Santa Clara Valley Water District (SCVWD) Ordinance 90-1. Location and disposition to be shown on the plan. Well(s) shall be properly registered with the SCVWD and either be maintained or abandoned in accordance with SCVWD standards.

- C. **Water Line Extension:** Install water line extension on the proposed public streets and/or private streets. (**MHMC 17.32.020 A & D; CMH Water System Master Plan**)
- D. **Water Meters:** Provide separate water services, meters, and back flow devices for each building. These are to be installed by the developer. (**MHMC 17.32.020 D**)

OTHER CONDITIONS

- A. **Easement Dedications:** The owner shall dedicate a 10 feet public service easement (PSE) along the project frontage. (**MHMC 12.02.080 D; 17.28.010 A**)
- B. **Undergrounding New Utilities:** The applicant shall cause the design and construction required to underground all electric, gas, Cable TV and communication lines within the development. Such design and construction shall be to the satisfaction of the affected utilities and the City Engineer. (**MHMC 17.32.020 E.1**)
- C. **Landscaping and Irrigation Systems:** Landscaping and irrigation systems serving common areas that are required to be installed in the public right-of-way on the perimeter of this project shall be continuously maintained by the property owner or designated maintenance entity.
- D. **Final Landscape Plans:** Final landscape plans shall be submitted with and included as part of the improvement plans for the project. (**MHMC 17.08.090**)
- E. **Pre-construction Meeting:** Prior to the approval of any Building Permit for grading activity, the developer shall schedule a pre-construction meeting with the Public Works Inspection Division with the following project team members:
 1. Civil Engineer of record
 2. Geotechnical Engineer of record
 3. Third Party QSD/QSP SWPPP Inspector
 4. General Contractor
 5. Sub-Contractors

NPDES STORMWATER MANAGEMENT DEVELOPMENT STANDARDS

- F. **Stormwater 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_hydmmod_charette_index.shtml). A copy of the Guidance Manual can be obtained from the City's Land Development Engineering webpage. Project shall provide Stormwater Runoff Management Plan, Stormwater Control Plan and Checklist, and applicable calculations per the Guidance Manual. Project shall meet the applicable 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

G. **Peak Storm Water Runoff Discharge Rates:** Post-development peak storm water runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increased peak storm water discharge rate will result in increased potential for downstream erosion. Note: the project may be required to **retain** stormwater runoff as part of resolution R3-2013-0032 prior to releasing discharge rates at pre-development flows.

H. **Storm Drain System Stenciling and Signage:** Storm drain stencils are highly visible source controls that are typically placed directly adjacent to storm drain inlets. The stencil contains a brief statement that prohibits the dumping of improper materials into the storm water conveyance system. Graphical icons, either illustrating anti-dumping symbols or images of receiving water fauna, are effective supplements to the anti-dumping message. All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as: "NO DUMPING – DRAINS TO CREEK") and/or graphical icons to discourage illegal dumping. Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area. Legibility of stencils and signs must be maintained.

I. **Outdoor Material Storage Areas:** The following Structural or Treatment BMPs are required for outdoor material storage areas:

1. Materials with the potential to contaminate storm water must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar structure that prevents contact with runoff or spillage to the storm water conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
2. The storage area must be paved and sufficiently impervious to contain leaks and spills.
3. The storage area must have a roof or awning to minimize collection of storm water within the secondary containment area.

J. **Trash Enclosure Areas:** In addition to compliance with the requirements under Municipal Code Section 18.92.155 (Refuse and Recycling Enclosures), all trash

enclosure areas must meet the following Structural or Treatment Control BMP requirements:

1. Roof Required: Trash enclosure areas shall have an all-weather noncombustible solid roof to prevent rainwater from mixing with the enclosure's contents
2. Walls Required: Trash enclosure shall have structural walls to prevent unauthorized off-site transport of trash.
3. Doors: Trash enclosure shall have door(s) which can be secured when closed.
4. Grades: The pad for the enclosure shall be designed to not drain outward, and the grade surrounding the enclosure shall be designed to not drain into the enclosure.
5. Drain Inlet: Within the enclosure, an area drain with an approved (Zurn) vandal proof drain shall be installed and shall be plumbed to the sanitary sewer system with grease trap. Grease trap shall be located within the trash enclosure footprint.

K. Design Standards for Structural or Treatment Control BMPs: The post-construction treatment control BMPs shall incorporate, at a minimum, either a volumetric or flow- based treatment control design standard, or both, as identified below to mitigate (infiltrate, filter or treat) storm water runoff:

1. Volumetric Treatment Control BMP
 - a. The 85th percentile 24-hour runoff event determined as the maximized capture storm water volume for the area, from the formula recommended in Urban Runoff Quality Management, WEF Manual of Practice No. 23/ASCE Manual of Practice No. 87, (1998); or
 - b. The volume of annual runoff based on unit basin storage water quality volume, to achieve 80 percent or more volume treatment by the method recommended in California Stormwater Best Management Practices Handbook – Industrial/ Commercial, (2003); or
 - c. The volume of runoff produced from a historical-record based reference 24-hour rainfall criterion for “treatment” that achieves approximately the same reduction in pollutant loads achieved by the 85th percentile 24-hour runoff event.
2. Flow Based Treatment Control BMP
 - a. The flow of runoff produced from a rain event equal to at least two times the 85th percentile hourly rainfall intensity for the area; or
 - b. The flow of runoff produced from a rain event that will result in treatment of the same portion of runoff as treated using volumetric standards above.

L. Inlets and Riser Pipes for Underground Stormwater Infiltration and Storage Facilities: Underground stormwater infiltration and storage facilities shall include adequate inlets and/or risers for visual inspection, maintenance and as flush ports.

M. Stormwater Runoff Management Plan (SWRMP): 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.

1. The Stormwater Runoff Management Plan shall be prepared under the direction of a professional civil engineer registered in the State of California. The responsible professional civil engineer shall stamp and sign the approved Stormwater Runoff Management Plan.
2. The developer shall provide a signed certification from the civil engineer responsible for preparing the Stormwater Runoff Management Plan that all stormwater best management practices have been designed to meet the requirements of this chapter.
3. Each certifying civil engineer shall establish to the City's satisfaction that such person has been trained on the design of stormwater quality best management practices not more than three years prior to the certification signature date.
4. Qualifying training shall be conducted by an organization with stormwater quality management expertise, such as a university, the Bay Area Stormwater Management Agencies Association, the American Society of Civil Engineers, the American Public Works Association, or the California Water Environment Association.

N. Stormwater BMP Operation, Maintenance, and Replacement Responsibility

1. Prior to building final, the property owner shall submit a signed certification (with signature, date & license number/seal) certifying that all post-construction stormwater management/BMP facilities shown on the as-built drawings were inspected by the civil engineer (or by a qualified third party stormwater inspector hired by the permittee/owner) and have been constructed in accordance with the approved plans and specifications.
2. 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.
3. Any repairs or restoration/replacement and maintenance shall be in accordance with City-approved plans.
4. 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.

O. Stormwater BMP Operation and Maintenance Agreement (SWBOMA):

1. Prior to the issuance of any 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 BMPs. The City standard Stormwater BMP Operation and Maintenance Agreement will be provided by Land Development Engineering at building permit/improvement plan stage.
2. The Stormwater BMP Operation and maintenance agreement shall require that the BMPs not be modified and BMP maintenance activities not alter the designed function of the facility from its original design unless approved by the city prior to the commencement of the proposed modification or maintenance activity.
3. The stormwater BMP operation and maintenance agreement shall provide that in the event that maintenance or repair is neglected, or the stormwater management facility becomes a danger to public health or safety, the city shall have the authority to perform maintenance and/or repair work and to recover the costs from the owner.

P. 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 **certified Qualified Stormwater Practitioner (QSP)**.
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 QSP. 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.

Q. 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.

- R. **Annual Certification of SWRMP:** On or before September 30th of each year, a Registered Civil Engineer (RCE) shall provide written certification that the project's stormwater quality design standards are properly maintained and functioning as required by the SWRMP.
- S. **Parking Lots:** Design of Parking Area: The project shall comply with the following design criteria for parking areas:
 1. Reduce impervious land coverage of parking areas.
 2. Infiltrate or treat runoff.
 3. Treat to remove oil and petroleum hydrocarbons at parking lots that are heavily used (e.g. fast food outlets, lots with 25 or more parking spaces, sports event parking lots, shopping malls, grocery stores, discount warehouse stores).
 4. Ensure adequate operation and maintenance of treatment systems particularly sludge and oil removal, and system fouling and plugging prevention control.

BUILDING DIVISION

- A. The Accessible parking spot shall be connected to the accessible path of travel that leads to the main entrance and to the public right of way.
- B. The trash enclosure should be designed to be in compliance with recently passed City of Morgan Hill Ordinance 2328. <https://www.morganhill.ca.gov/DocumentCenter/View/40220/Ordinance-2328-Refuse-and-Recycle-Enclosures?bId=1> All trash enclosures not compliant with this ordinance will be required to be in compliance by 1/1/2030, therefore it is recommended to design the trash enclosure for compliance. Provide trash enclosure designs to verify compliance. Note: This ordinance requires a pedestrian entrance this pedestrian entrance shall be accessible and connected to the accessible path of travel.
- C. On-site parking and paths shall comply with the lighting requirements of MHMC 15.40 Building Security. Provide a Photometric plan to show compliance. https://library.municode.com/ca/morgan_hill/codes/code_of_ordinances?nodeId=TIT15BUCO_CH15.40BUSE
- D. Project shall be designed to comply with the current edition of the California Codes of Regulations as amended by the Morgan Hill Municipal Code Title 15.
- E. Project is in a Geological Hazard Areal and shall comply with MHMC 18.70. Plan review by the City Geologist is required at time of Building Permit Application.

This review requires additional time.

https://library.municode.com/ca/morgan_hill/codes/code_of_ordinances?nodeId=TIT18ZO_DIVIZOCO_CH18.70GEHA

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

1. MHMC 15.65 Sustainable Building Regulations. (Project is required to score LEED Silver)
https://library.municode.com/ca/morgan_hill/codes/code_of_ordinances?nodeId=TIT15BUKO_CH15.65SUBURE
2. MHMC 18.72.040 C. Electric Vehicle Charging.
3. MHMC 15.40 Building Security
https://library.municode.com/ca/morgan_hill/codes/code_of_ordinances?nodeId=TIT15BUKO_CH15.40BUSE
4. MHMC 18.148 Water Conservation
https://library.municode.com/ca/morgan_hill/codes/code_of_ordinances?nodeId=TIT18ZO_DIVIIDEOCO_CH18.148WACO
5. MHMC 15.63 Prohibition of Natural Gas Infrastructure in New Buildings (GAS IS PROHIBITED)
https://library.municode.com/ca/morgan_hill/codes/code_of_ordinances?nodeId=TIT15BUKO_CH15.38WATHPR

G. An acoustical analysis report shall be submitted with the building permit documents showing interior and exterior noise mitigations for compliance to the MHMC, California Building Code and CALGreen Code.

H. A Geotechnical Report is required for this project.

FIRE DIVISION

A. No gate may be installed across a required Fire Department access road or driveway without approval from the Fire Prevention Division. A detailed plan shall be submitted for review and approval prior to installation. The following apply to all gate installations:

1. Security gates equipped with electronic control devices shall have an approved Fire Prevention Division override key switch, and shall allow operation of the gate during power outages.
1. Manual locking mechanisms, such as padlocks, shall be approved by the Fire Prevention Division.

2. Forms for ordering approved key switches and padlocks shall be obtained from the Fire Prevention Division.
3. All manually operated gates shall be designed to remain in the open position when left unattended. Activation of an approved key switch for an electronically controlled gate shall open the gate and cause it to remain in the open position until reset by emergency response personnel.
4. When open, gates shall not obstruct any portion of the required width of the driveway or access road, shall be adequately supported to prevent dragging, and shall be operable by one person. Sliding gates shall slide parallel to the security fence. Swing-style gates shall open a full 90 degrees (minimum) and may swing in either direction.
5. Gate components shall be maintained in an operative condition at all times and be replaced or repaired when defective.
6. A durable sign stating "NO PARKING – FIRE LANE" shall be provided on both sides of the gate.

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.
- B. **Camera Access.** The Police department will require access to camera feed and camera recordings to be able to view real time and recorded footage if/when required.

ENVIRONMENTAL SERVICES

- A. Compliance with Morgan Hill Municipal Code 18.64.060.A.
 1. All plants and trees shall be categorized as low or very low water use in the Central Coast as defined by the water use classification of landscape species (WUCOLS) database.
 2. Turf areas shall be limited to flat areas designed exclusively for active recreation and should not exceed twenty-five percent of the landscaped area.

3. Plant Groupings. Where irrigation is proposed, plants shall be grouped in separate hydrozones (i.e., plants within each irrigation valve area shall have the same watering requirements).

4. Water Features. Decorative water features (e.g., fountains, ponds, waterfalls) must be approved by the planning commission and shall have recirculating water systems.

B. Compliance with Morgan Hill Municipal Code 18.64.060.B.

1. Separate landscape water meters for landscape areas exceeding five thousand square feet.
2. Irrigation controllers capable of percent adjustment, multiple programming, and rain sensor.
3. Drip or bubbler irrigation is required in all areas except turf areas installed
4. Rain-sensing override devices are required for all irrigation systems.

C. According to Morgan Hill Municipal Code 18.148.090.B specify the landscape design plan, at a minimum shall:

1. Contain the following statement: "I have complied with the criteria of the ordinance and applied them for the efficient use of water in the landscape design plan"

D. Compliance with MHMC 18.148.060

The landscape project application shall include the following elements:

1. Project information:
 - a. Date;
 - b. Project applicant;
 - c. Project address (if available, parcel and/or lot numbers);
 - d. Project type (e.g., new, rehabilitated, public, private, cemetery, homeowner-installed);
 - e. Total landscape area (square feet);
 - f. Water supply type (e.g., potable, recycled, well) and identify the local retail water purveyor if the applicant is not served by a private well;
 - g. Checklist of all documents in landscape documentation package;
 - h. Project contacts to include contact information for the project applicant and property owner;

- i. Applicant signature and date with statement, "I agree to comply with the requirements of the water efficient landscape ordinance and submit a complete landscape documentation package."
- 2. Water budget calculations, if applicant selects to use a water budget approach rather than comply with the turf area limitations or specified plant type restrictions (Section 18.148.080);
- 3. Soil management report or soil management survey (Section 18.148.080);
- 4. Landscape design plans (Section 18.148.090);
- 5. Irrigation system design plans (Section 18.148.100);
- 6. Landscape audit report (Section 18.148.130); and (submitted after construction is completed, before final sign off)
- 7. 7. Grading design plan or grading design survey (Section 18.148.110).

E. Ensure that all applicable parts of MHMC 18.148.090 A. and B. are stated in the landscape design plan notes.

F. Ensure that all applicable parts from MHMC 18.148.100 A. and B. are stated in the irrigation design plans notes where applicable

G. The applicant shall submit a Certificate of Completion at the end of the project per MHMC 18.148.120 with all applicable elements.

**CITY OF MORGAN HILL PUBLIC WORKS DEPARTMENT**

17575 Peak Avenue Morgan Hill CA 95037 - Office (408) 778-6480 Fax (408) 779-7236

FEE SCHEDULE: 01.15.2024**PROJECT INFO**TRACT # / APN: 767-03-017ADDRESS / LOT: 17090 Peak AvenuePROJECT DESC: Vila Monte Care Facility**APPLICANT INFO**APPLICANT NAME: 439 S. 4th Street LLC

MAILING ADDRESS: _____

CITY, STATE, ZIP: _____

PHONE NUMBER: _____

 THIS FEE SCHEDULE IS ESTIMATE ONLY

IF BOX ABOVE CHECKED: FEE SCHEDULE IS ONLY FOR ESTIMATE PURPOSES. FEE SCHEDULE CALCULATED BASED ON INFORMATION PROVIDED TO CITY BY APPLICANT. FINAL FEE SCHEDULE MAY DIFFER BASED UPON CHANGE IN SCOPE OF PROJECT.

MULTI-FAMILY IS DEFINED AS ANY UNIT WITH TWO BEDROOMS OR LESS.

SINGLE FAMILY IS DEFINED AS ANY UNIT WITH 3 BEDROOMS OR MORE.

1. METER DEPOSIT (149 - IMP001):**650-37672** Subtotal: \$2,010.08

1"	\$573	x	0	=	\$0
1 1/2"	\$1,782	x	0	=	\$0
2"	\$2,010	x	1	=	\$2,010
* 4"	\$3,999	x	0	=	\$0
* 6"	\$12,218	x	0	=	\$0
* 8"	\$18,163	x	0	=	\$0

* For meters 3" and greater, arrangements shall be made for the meters to be picked up at the City Corporation Yard located at 100 Edes Court.

** 5/8" -\$277 x 0 = \$0

** 3/4" -\$322 x 0 = \$0

** Credit for 5/8" and 3/4" existing meter (if applicable)

2. BACKFLOW CONST. INSPECTION (154 - IMP002):**650-37859** Subtotal: \$158.00

\$79	x	2	Each	=	\$158
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3a. WATER FRONTAGE CHARGE (146 - IMP003):**650-37663** Subtotal: \$0.00

1 Side	\$85	x	0	LF	=	\$0
2 Sides	\$47	x	0	LF	=	\$0

3b. SEWER FRONTAGE CHARGE (146 - IMP004):**640-37663** Subtotal: \$0.00

1 Side	\$85	x	0	LF	=	\$0
2 Sides	\$47	x	0	LF	=	\$0

3c. STORM FRONTAGE CHARGE (135 - IMP005):**304-37663** Subtotal: \$0.00

1 Side	\$139	x	0	LF	=	\$0
2 Sides	\$67	x	0	LF	=	\$0

3d. UNDERGROUNDING UTILITIES (145 - IMP006):**350-37648** Subtotal: \$0.00

1 Side	\$875	x	0	LF	=	\$0
2 Sides	\$442	x	0	LF	=	\$0

4. WATER CAPACITY FEE (IMP007):

651-37648 Subtotal: \$37,415.00

5/8-1 inch meter	\$11,692	x 0	= \$0
1.5-inch meter	\$23,385	x 0	= \$0
2-inch meter	\$37,415	x 1	= \$37,415
3-inch meter	\$74,830	x 0	= \$0
4-inch meter	\$116,923	x 0	= \$0
6-inch meter	\$233,845	x 0	= \$0
8-inch meter	\$374,152	x 0	= \$0

WATER CREDITS

\$0 / x 0 / = \$0

5. SEWER IMPACT FEE (IMP008):

641-37648 Subtotal: \$923,030.64

Single Family	\$19,514	/DU	x 0	DU	= \$0
Multi Family	\$16,515	/DU	x 0	DU	= \$0
Senior/Downtown	\$16,515	/DU	x 0	DU	= \$0
Commercial	\$64.26	/GPD	x 14364	GPD	= \$923,031
Industrial	\$64.26	/GPD	x 0	GPD	= \$0
Office	\$64.26	/GPD	x 0	GPD	= \$0
Auto Dealership	\$64.26	/GPD	x 0	GPD	= \$0
Hotel	\$64.26	/GPD	x 0	GPD	= \$0
Secondary DU	TBD	/DU	x 0	DU	= \$0

SEWER CREDITS

\$0 / x 0 / = \$0

6. STORM DRAIN IMPACT FEE (IMP009):

303-37648 Subtotal: \$0.00

Single Family	\$2,468	/DU	x 0	DU	= \$0
>1,200 SF Multi Family	\$1,405	/DU	x 0	DU	= \$0
< 1,200 SF Multi Family	\$654	/DU	x 0	DU	= \$0
>1,200 SF Senior/Downtown	\$1,405	/DU	x 0	DU	= \$0
< 1,200 SF Senior/Downtown	\$654	/DU	x 0	DU	= \$0
Commercial	\$26,725	/ACRE	x 0	AC	= \$0
Industrial	\$19,677	/ACRE	x 0	AC	= \$0
Office	\$26,725	/ACRE	x 0	AC	= \$0
Auto Dealership	\$26,725	/ACRE	x 0	AC	= \$0
Hotel	\$395	/ROOM	x 0	RM	= \$0
Secondary DU	TBD	/DU	x 0	DU	= \$0

STORM CREDITS

\$0 / x 0 / = \$0

7. TRAFFIC IMPACT FEE (IMP0010):

309-37648 Subtotal: \$101,906.64

Single Family	\$4,289	/DU	x 0	DU	= \$0
>1,200 SF Multi Family	\$2,658	/DU	x 0	DU	= \$0
< 1,200 SF Multi Family	\$1,673	/DU	x 0	DU	= \$0
>1,200 SF Senior/Downtown	\$2,658	/DU	x 0	DU	= \$0
< 1,200 SF Senior/Downtown	\$1,673	/DU	x 0	DU	= \$0
Secondary DU	TBD	/DU	x 0	DU	= \$0
Commercial	\$4,289	/PHT	x 23.76	PHT	= \$101,907
Industrial	\$4,289	/PHT	x 0	PHT	= \$0
Office	\$4,289	/PHT	x 0	PHT	= \$0
Auto Dealership	\$4,289	/PHT	x 0	PHT	= \$0
Hotel	\$4,289	/PHT	x 0	PHT	= \$0

TRAFFIC CREDITS

\$0 / PHT x 0 PHT = \$0

8a. PARK IMPACT FEE (IMP0011):

301-37648 Subtotal: \$0.00

Subdivision: Single Family	\$7,384	/DU	x 0	DU	= \$0
Multi Family	\$7,114	/DU	x 0	DU	= \$0
Senior/Downtown	\$4,873	/DU	x 0	DU	= \$0
Secondary DU	TBD	/DU	x 0	DU	= \$0
No Subdivision Single Family	\$5,369	/DU	x 0	DU	= \$0
Multi Family	\$5,178	/DU	x 0	DU	= \$0
Senior/Downtown	\$3,543	/DU	x 0	DU	= \$0
Secondary DU	TBD	/DU	x 0	DU	= \$0

PARK CREDITS

\$0 / x 0 / = \$0

8b. QUIMBY / PARKLAND IN-LIEU FEE (IMP0012):

375-37648 Subtotal: \$0.00

\$0 / x 0 EA = \$0

8c. PARK MAINTENANCE DEV. FEE (IMP0013):

302-37649 Subtotal: \$0.00

\$0 / x 0 EACH = \$0

9. PUBLIC FACILITIES IMPACT FEE (IMP0014):						347-37648	Subtotal: <u>\$0.00</u>
Single Family	\$703	/DU	x 0	DU	=	\$0	
Multi Family	\$677	/DU	x 0	DU	=	\$0	
Senior/Downtown	\$464	/DU	x 0	DU	=	\$0	
Secondary DU	TBD	/DU	x 0	DU	=	\$0	
Commercial	\$1,548	/ACRE	x 0	AC	=	\$0	
Industrial	\$2,168	/ACRE	x 0	AC	=	\$0	
Office	\$1,840	/ACRE	x 0	AC	=	\$0	
Auto Dealership	\$621	/ACRE	x 0	AC	=	\$0	
Hotel	\$18.24	/ROOM	x 0	RM	=	\$0	
PUBLIC FACILITIES CREDITS	<u>\$0</u>	/	x 0	/	=	<u>\$0</u>	
10. LIBRARY IMPACT FEE (IMP0015):						348-37648	Subtotal: <u>\$0.00</u>
Single Family	\$2,712	/DU	x 0	DU	=	\$0	
Multi Family	\$2,612	/DU	x 0	DU	=	\$0	
Senior/Downtown/SDU	\$1,788	/DU	x 0	DU	=	\$0	
Secondary DU	TBD	/DU	x 0	DU	=	\$0	
LIBRARY CREDITS	<u>\$0</u>	/	x 0	/	=	<u>\$0</u>	
11. COMMNTY/REC CNTRS IMPACT FEE (IMP0016):						360-37648	Subtotal: <u>\$0.00</u>
Single Family	\$5,029	/DU	x 0	DU	=	\$0	
Multi Family	\$4,412	/DU	x 0	DU	=	\$0	
Senior/Downtown	\$3,330	/DU	x 0	DU	=	\$0	
Secondary DU	TBD	/DU	x 0	DU	=	\$0	
COMMNTY/REC CNTRS CREDITS	<u>\$0</u>	/	x 0	/	=	<u>\$0</u>	
12. PUBLIC SAFETY FACILITIES IMPACT FEE (IMP0017):						315-37648	Subtotal: <u>\$0.00</u>
>1,200 SF	Single Family	\$2,468	/DU	x 0	DU	=	\$0
< 1,200 SF	Multi Family	\$2,182	/DU	x 0	DU	=	\$0
>1,200 SF	Multi Family	\$1,634	/DU	x 0	DU	=	\$0
< 1,200 SF	Senior/Downtown	\$2,182	/DU	x 0	DU	=	\$0
< 1,200 SF	Senior/Downtown	\$1,634	/DU	x 0	DU	=	\$0
Secondary DU	TBD	/DU	x 0	DU	=	\$0	
Commercial	\$13,791	/ACRE	x 0	AC	=	\$0	
Industrial	\$16,553	/ACRE	x 0	AC	=	\$0	
Office	\$16,534	/ACRE	x 0	AC	=	\$0	
Auto Dealership	\$6,615	/ACRE	x 0	AC	=	\$0	
Hotel	\$76	/ROOM	x 0	RM	=	\$0	
PUBLIC SAFETY FACILITIES CREDITS	<u>\$0</u>	/	x 0	/	=	<u>\$0</u>	
13. ENGINEERING & INSPECTION FEE (112 - IMP0018):						206-38734	Subtotal: <u>\$0.00</u>
ENGR ESTIMATE:	<u>\$0</u>	36.56%	\$1	to	\$100,000	=	\$0
ENGR EST. DATE:		18.82%	\$100,001	to	\$200,000	=	\$0
		14.23%	\$200,001	to	\$500,000	=	\$0
		11.97%	\$500,001	to	\$1,000,000	=	\$0
		2.05%	\$1,000,001	to	\$5,000,000	=	\$0
		4.80%	over		\$5,000,000	=	\$0
DEPOSIT PAID							<u>\$0</u>
14. LONG RANGE PLANNING FEE (127 - IMP0019):						207-37912	Subtotal: <u>\$0.00</u>
LONG RANGE PLANNING FEE (15% of E&I)						=	<u>\$0</u>
15. GIS/TECHNOLOGY FEE (128 - IMP0020):						206-37913	Subtotal: <u>\$0.00</u>
GIS/TECHNOLOGY FEE (5% of E&I)						=	<u>\$0</u>
16. MAP CHECKING FEE (101 - IMP0021):						206-38716	Subtotal: <u>\$0.00</u>
PARCEL MAP:						\$9,039	= <u>\$0</u>
TRACT/SUBD. MAP:						\$10,680	= <u>\$0</u>

17. OTHER FEES:

Subtotal: **\$179,827.00**

Cert. of Compliance - LLA /Merger (94 - IMP0022)	\$ 7,123	206-38712	= \$0
Parcel Map - LLA /Merger (100 - IMP0023)	\$ 7,662	206-38712	= \$0
Additional Plan Review (105 - IMP0024)	\$ 238 /hr	206-38734	= \$0
- 4th submittal and up, at \$238/hr with 2-hour min. charge, OT at \$275/hr			
Plan Revisions (114 - IMP0025)	\$ 238 /hr	206-38719	= \$0
- Revision after approval of public improvement plans, at \$238/hr with 2-hour min. charge, OT at \$275/hr			
Engineering Services (IMP0025):			
- Consultation (102 - IMP0025)	\$ 230 /hr	206-38719	= \$0
- * Consultation at fully burdened rate at \$230/hr, OT at \$265/hr			
- Preliminary Review (103 - IMP0025)	\$ 2,383	206-38719	= \$0
- Preliminary Fee Estimate (104 - IMP0025)	\$ 357	206-38719	= \$0
- Complexity Fee (106 - IMP0025)	\$ 2,859	206-38719	= \$0
- Re-inspection Fee (107 - IMP0026)	\$ 238 /hr	206-38734	= \$0
- * Re-inspection fee at \$238/hr with 4-hour min. charge, OT at \$275/hr			
Public Easement Review (113 - IMP0027)	\$ 3,218	206-38737	= \$0
Street Vacation Review (115 - IMP0027)	\$ 9,295	206-38737	= \$0
Easement Abandonment (116 - IMP0027)	\$ 9,295	206-38737	= \$0
Reimbursement Agreement (119 - IMP0028)	\$ 5,124	206-38741	= \$0
FEMA Compliance (110 - IMP0029)			
New Structure Application	\$ 1,000	206-38725	= \$0
New Acc. Struct. or ADU Application	\$ 761	206-38725	= \$0
Improvement of Existing Structure			
Non-substantial Imp w/o detailed review	\$ 569 /structure	206-38725	= \$0
Non-substantial Imp w/ detailed review	\$ 807 /structure	206-38725	= \$0
Substantial Imp (except Acc. Struct.)	\$ 1,297 /structure	206-38725	= \$0
Substantial Imp of Acc. Struct.	\$ 881 /structure	206-38725	= \$0
FEMA Elevation Certificate Review	\$ 656 /structure	206-38725	= \$0
FEMA Flood Field Inspection	\$ 596	206-38725	= \$0
FEMA Flood Study Valley Water Coord.	\$ 1,549	206-38725	= \$0
Review of CLOMR/F, LOMR/F	\$ 953	206-38725	= \$0
FEMA Pub. Outreach LOMR/F	\$ 1,430	206-38725	= \$0
BFE Determination (Zone A w/o BFE or Zone D)	\$ 477	206-38725	= \$0
Stormwater Runoff Management Plan (SWRMP) Review (111 - IMP0030)			
Tier 1 Project	\$ 2,740	206-38734	= \$0
Tier 2 Project	\$ 7,149	206-38734	= \$0
Tier 3 Project	\$ 10,248	206-38734	= \$0
Tier 4 Project	\$ 12,393	206-38734	= \$12,393
Erosion & Sediment Control/SWPPP Document Review (129 - IMP0031)			
Type 1 & 2 Projects: <1 Acre Soil Dist	\$ 537	206-37687	= \$0
Type 1 & 2 Projects: >1 Acre Soil Dist	\$ 894	206-37687	= \$0
Type 3 Projects	\$ 418	206-37687	= \$0
Type 4 Projects	\$ 298	206-37687	= \$298
Stormwater Construction Inspections (130 - IMP0032)			
Type 1 & 2 Projects: <1 Acre Soil Dist	\$ 9,509	206-37688	= \$0
Type 1 & 2 Projects: >1 Acre Soil Dist	\$ 16,956	206-37688	= \$0
Type 3 & 4 Projects	\$ 96	206-37688	= \$0
Stormwater Post-Construction BMP Initial Setup (140 - IMP0033)			
Base Fee & 1st BMP	\$ 684	206-38734	= \$684
Each Additional BMP	\$ 137 /BMP	206-38734	= \$137
Assessment District Reapportionment (137 - IMP0034)	see separate appl.	206-38719	= \$0
Private Sanitary Agreement (138 -)	\$ 2,740	206-38719	= \$0
Stormwater O&M Agreement (139 -)	\$ 2,145	206-38719	= \$0
Agreement Extensions/Amendments (143 - FIN062)			
With City Manager Approval	\$ 2,980	206-38719	= \$0
With City Council Approval	\$ 4,528	206-38719	= \$0
Reimbursement for Dunne Ave. Improv.	\$ 166,315	TBD	= \$166,315
RDCS School Pedestrian Safety (IMP035)	\$	355-37655	= \$0
RDCS Public Facilities (IMP036)	\$	346-37649	= \$0
RDCS Park Development (IMP037)	\$	302-37649	= \$0
RDCS Public Facilities Circulation (IMP038)	\$	346-37649	= \$0
RDCS LED Streetlight Fund (IMP039)	\$	010-37722	= \$0

TOTAL FEES DUE: **\$1,244,347.36**TOTAL FEES DUE:
(with 2.7% Credit Card Fee) **\$1,277,944.74**

Notes & Comments:

Proposed 54-bedroom Residential Care Facility

(N) 2-story residential care facility; 54 bedrooms, 108 beds/patients.

Sanitary Sewer Impact - gallons per day (gpd)

Residential Care/Nursing Home Coefficient = 133 gpd/bed

133	x	108	=	14364 gpd
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Traffic Impact - peak hour trips (PHT) per ITE 10th edition

Retail Coefficient = 0.22 PHT/bed (Nursing Home - Code 620; weekday PM peak hour of adjacent street traffic)

0.22	x	108	=	23.76 PHT
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Note: 13. ENGINEERING & INSPECTION FEE (112 - IMP0018) not calculated; requires estimate of civil engineering improvement cost.