

Item # 2

AGENDA DATE: 11/22/16

SUPPLEMENTAL # 3

Revised Exhibit D to

Attachment 3 (DA-16-01)

**EXHIBIT D
SPECIFIC RESTRICTIONS AND REQUIREMENTS**

The following chart describes the applicable reference in the Morgan Hill Municipal Code to the requirement, a description of the commitments specific to the Project, the requirement timing of the implementation and the total estimated costs of improvement or applicable fee commitment. These commitments are IN ADDITION to any mitigation requirements under CEQA, impact fee, in-lieu fees or other requirements under federal or state laws, or the Morgan Hill Municipal Code (See Section 2.03 of the Agreement)

*Estimated cost are estimates and may require augmentation for the completion of improvements. Impact fees are subject to the provisions of Section 2.03 (b) of this Agreement.

Municipal Code Reference	Description of Requirement	Time of Implementation (Specify date or phase #)	Estimated Cost or Fee Amount*
18.78.210	Schools		
B 1. Developer fees	Pay district adopted developer fees as provided by the Leroy F. Green School Facilities Act of 1988.	Prior to issuance of each building permit.	Fee at time of permit issuance.
B 4. Off-site pedestrian safety improvements	Provide off-site pedestrian safety improvements or traffic safety improvements to an elementary school located within 3/4 miles of the project site or to a middle school or high school up to \$4,950 per unit.	Prior to the issuance of a Certificate of Occupancy	\$4,950 per unit
18.78.220	Open Space		
4. Transfer Development Credit (TDC)	Pay double the amount for Transfer of Development Credit	Prior to the issuance of a Certificate of Occupancy	Fee at time of permit issuance.

18.78.240	Public Facilities		
2.f Provides public improvements	Provides public facility, off-site storm drainage improvements or pedestrian improvements from a City-approved list or improvements on or adjacent to the project in excess of standard requirements, e.g. sewer, traffic control to be determined by Public Works. The project commits to provide up to \$4,400 per unit.	Prior to the issuance of a Certificate of Occupancy	\$4,400 per unit
2.g Contribution to RDCCS Capital Improvements fund	The project will contribute \$1,100 per unit to the RDCCS Capital Improvement Program Fund.	Prior to the issuance of a Certificate of Occupancy	\$1,100 per unit
18.78.250	Parks and Paths		
1. ≤50 units: Fees in lieu of park land dedications (State amount calculated pursuant to Muni Code Chapter 17.28)	The project shall pay an in-lieu fee consistent with the requirements contained in Chapter 17.28 of the Municipal Code.	Prior to the issuance of a Certificate of Occupancy	NA
3. Bike Lanes	Project shall provide at least .2 miles of Class II bike lanes. Prior to installation, the Project shall coordinate with City of Morgan Hill to determine the location for the Class II bike lane improvements to be installed.	Prior to improvement plan approval	NA
7. ≤50 units. Triple standard park impact fees (State Amount)	In addition to standard park fees, project shall pay the lesser of either eighteen times the in-lieu park fees or \$6,600 per unit.	Prior to the issuance of a Certificate of Occupancy	\$6,600 per unit
18.78.260	Housing Needs		
1. Secondary Units	The project will include two secondary units.	Prior to issuance of Architectural and Site Plan Review.	NA

2a. Housing mitigation fee (State Amount)	The project will pay the standard housing fee computed at eight percent (8%) of the total project.	Prior to the issuance of a Certificate of Occupancy	NA
2b. Payment of double standard housing in-lieu fee	In addition to the payment of the standard housing fee stated in 2a above, the project will pay double the standard housing fee computed at 8% of the total project (including replacement units).	Prior to the issuance of a Certificate of Occupancy	NA
18.78.270	Housing Types		
4. Visibility Accessible Units	The project will include 3 units as visitability accessible units.	Prior to issuance of Architectural and Site Plan Review.	NA
18.78.280	Quality of Construction		
<p>B1. Over and above commitments made in the Natural and Environmental category, the proposed development will install the following:</p>	<ul style="list-style-type: none"> a. Installation of OSB/Plywood wrap b. Foundations: 20% reduction of cement in the concrete mix design by use of fly ash, slag, silica fume or rice hull ash c. Installation of light weight wallboard for all walls excluding code requirement for fire walls d. Installation of one dedicated ¾ inch electrical raceway for a future circuit to accommodate two 220 Volt electric car charging stations inside the garage f. Installation of 90% high efficiency fan forced heating g. Zoned heating and air conditioning for all one and two-story homes. For multi-family projects with multi-story units, air returns are installed on two floors to improve temperature distribution. h. The proposed development will provide all the following: <ul style="list-style-type: none"> 1. Listed sound attenuated materials in walls that adjoin a bathroom and/or bedroom walls; 2. Installation of high efficiency energy star water heater with energy factor of 0.70; 3. Installation of ultra high efficiency or dual flush toilet; and 4. Installation of rain sensor monitor on irrigation system. 	<p>Prior to issuance of a building permit.</p>	NA

18.78.300	Circulation Efficiency		
B4. General Community Benefit	The applicant agrees to spend \$2,200/unit toward the construction of roadway improvements near or adjacent to the proposed development.	Prior to improvement plan approval.	NA
18.78.310	Safety and Security		
	<p>The project shall install the following features to enhance safety and security:</p> <ul style="list-style-type: none"> a. Install a fire proof safe that is bolted to the floor or in another suitable location. b. Provides a first aid kit with a poison control document to be installed in the kitchen area of the home. d. Lighting on all buildings shall meet Police Department specifications, California Electrical Code and MHMC. f. Illuminated address numbers for each unit and painted reflective curb numbers will be provided. g. Dead bolts will provided on all swinging exterior doors. k. All pedestrian walkways to the front doors will be illuminated with a minimum of one (1) foot candle to ensure safe nighttime conditions. 	Prior to the issuance of a Certificate of Occupancy	NA
B2. Crime Prevention through Environmental Design (CPTED)	The listed principles of Crime Prevention through Environmental Design (CPTED) will be incorporated in the development design .	Prior to Design Permit approval	NA
B3. Lockable Hardware	Lockable hardware will be installed on all side yard and patio gates.	Prior to the issuance of a Certificate of Occupancy	NA

18.78.335	Livable Communities		
<p>6. Architectural variation and differentiation</p>	<p>The project architecture shall include the following features to provide variation and differentiation:</p> <ul style="list-style-type: none"> a. Porches, balconies, for any area viewed from the public right-of-way on at least 25% of units to promote a neighborhood feel b. Use of at least two different roof lines and two different pitches throughout the project, i.e. gable, hip, dormers, Mansard, etc. c. Use of architecture, profiles and massing that are compatible and work with the existing surrounding neighborhoods. d. Provides a consistent level of architectural relief and detailing on all four building elevations. Where two-story rear and/or side-yard building elevations occur, architectural relief shall include some third dimensional design element such as bay windows, balconies, covered porches, decorative trellis, etc. In addition, each standard trim and base color must represent no more than 15% (project size permitting) of the project. 	<p>Prior to Design Permit approval</p>	<p>NA</p>