

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORGAN HILL APPROVING A SITE REVIEW PERMIT TO ALLOW FOR A NEW 10,000, THREE STORY BUILDING WITH ROOF DECK AT 17395 MONTEREY ROAD (APN: 767-07-047)

WHEREAS, such request was considered by the Planning Commission at their regular meeting of September 27, 2016 at which time the Planning Commission approved application UP2016-0014: Monterey - McCranie; and

WHEREAS, testimony received at a duly-noticed public hearing, along with exhibits and drawings and other materials have been considered in the review process.

NOW, THEREFORE, THE MORGAN HILL PLANNING COMMISSION DOES RESOLVE AS FOLLOWS:

SECTION 1. The approved use is consistent with the Zoning Ordinance and the General Plan.

SECTION 2. In 2009, the Morgan Hill City Council adopted a resolution certifying the Master Environmental Impact Report (MEIR) for the Downtown Specific Plan. In accordance with Section 15164 of the State Guidelines for Implementation of California Environmental Quality Act (CEQA), in August the City of Morgan Hill completed an environmental assessment which concluded that the project would not result in any new environmental impacts that were not previously disclosed in the FEIR for the Downtown Specific Plan, nor would it result in a substantial increase in the magnitude of any significant environmental impacts previously identified.

SECTION 3. The approved Site Review has been found consistent with the Downtown Specific Plan development standards for Central Business District and Ground Floor Overlay standards in Chapter 2 of the Downtown Specific Plan, in addition to Design Guidelines criteria for Site Review approval contained in Chapter 5 of the Downtown Specific Plan. The basis and the findings are set forth in the staff report of the Planning Commission Meeting of September 27, 2016, which findings were duly considered by the Commission and are hereby adopted.

SECTION 4. The use shall be expressly conditioned on conformance to conditions incorporated herein and as attached as Exhibit "A".

SECTION 5. The approved project shall be consistent with the proposed discussion within the staff report of the Planning Commission Meeting of September 27, 2016 and Site Plans titled 2nd & Monterey, and stamped date received September 13, 2016 and by this reference incorporated herein.

SECTION 6. 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 your use for the purpose of defraying all or a portion of the cost of public facilities related to your development project (Mitigation Fee Act Fees). These fees do not include fees

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for processing applications for governmental regulatory actions or approvals, or fees collected (a) under development agreements, (b) pursuant to agreements with the Morgan Hill Redevelopment Agency or (c) as a part of your application for development allocations under the City's Residential Development Control System. The Mitigation Fee Act Fees applying to your project are listed in the schedule of fees provide. Notice is also hereby given that you have the opportunity to protest the imposition of the Mitigation Fee Act Fees within 90 days of the approval of the approval or conditional approval of your development project and that the 90-day approval period in which you may protest has begun. This right to protest does not apply to voluntary Residential Development Control System fees.

PASSED AND ADOPTED THIS 27th DAY OF SEPTEMBER 2016, AT A REGULAR MEETING OF THE PLANNING COMMISSION BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ATTEST:

APPROVED:

Jenna Luna , Deputy City Clerk

Wayne Tanda, Chair

EXHIBIT "A"

CONDITIONS OF APPROVAL

APPLICATION: SR2016-0013: Monterey-McCranie

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE ISSUANCE OF BUILDING PERMIT UNLESS OTHERWISE SPECIFIED IN THE CONDITIONS. APPROVAL REQUIREMENTS ARE NOT LIMITED TO THE ITEMS LISTED BELOW.

PLANNING DIVISION

1. This Site Review is for a 10,000 square foot, three story building with roof deck as shown in the Site Plans titled 2nd & Monterey, and stamped date received September 13, 2016 and by this reference incorporated herein.
2. The owner/designee shall work with staff through the building permit process to insure:
 - a. Roof top Trellis height will be no taller than 50 feet from finished grade.
 - b. The gutters and downspouts are compatible with the building's character and are minimized from public view.
 - c. To minimize public view of vent pipes. The vent pipes shall be painted a color to match the building.
 - d. All roof top equipment shall be screened from public view.
 - e. Awnings shall have a minimum 8 foot clearance between walk and awning.
3. All landscaped areas will be of adequate size for the proposed plantings, irrigated with the appropriate system to avoid overspray, and maintained appropriately.
4. If awning material is faded or deteriorating due to weather, the property owner or designee shall replace the awnings, as necessary or upon request by the Community Development Director.
5. Building lighting shall be designed to illuminate only the intended areas of the building.
6. Compliance with the City of Morgan Hill Conditions of Approval: It shall be the responsibility of each Owner and the Association to insure 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 if set forth in full.
 - A. FINAL SITE DEVELOPMENT PLANS: Final site development plans shall be reviewed and approved by the Community Development Department prior to issuance of a building permit. All such plans shall include:
 1. Detail depicting all concrete curbs as full formed.(MHMC 18.50.270)
 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. (MHMC 18.74.370)

3. Ramps, special parking spaces, signing and other physical features for the disabled, shall be provided throughout the site for all publicly used facilities. (MHMC 18.50.110; 18.74.470)
4. Trash enclosures shall be constructed of a sturdy, opaque material, minimum 6 feet in height with solid view obstructing gates and shall be designed in harmony with the architecture of the building(s). In residential areas, restaurants or other food service commercial uses, trash enclosure areas shall require an overhead shade structure. Trash enclosures shall be required in all commercial and industrial projects and in residential projects containing four or more dwelling units. (MHMC 18.74.505)
5. 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. (MHMC 18.74.320) For additional screening, backflow preventers shall be painted dark green, except the fire connection which shall be painted yellow.
6. 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. 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 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 18.48.005) The plan must include the following “Basic Construction Mitigation Measures” per BAAQMD:

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 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of

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Regulations [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 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.
- C. 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 ft. or greater to match the height of any proposed equipment. **(MHMC 18.74.320)**
- D. ROOF TOP LIGHTING: Roof top lighting is not permit for any building. Any ground mounted lighting projecting onto the building or site will be subject to the review and approval of the Director of Community Development. Adjustment to the lighting intensity may be required after the commencement of the use. All parking lot lighting shall be high pressure sodium.
- E. 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. **(MHMC 18.74.360)**
 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. **(MHMC 18.74.340)**
- F. PARKING AREA LANDSCAPING: The property owner or designee shall work with staff on new landscaping and fencing opportunities along the rear of the property near the driveway entrance along 2nd street.
- G. RECIPROCAL INGRESS/EGRESS EASEMENTS: Prior to issuance of a certificate of occupancy, the property owner shall record an appropriate deed restriction and covenant running with the land subject to review and approval of the Community Development Director for a reciprocal ingress/egress easement along the common driveway.
- H. SIGNED COPIES OF APPROVAL RESOLUTION: Submit two (2) signed copies of Approval Resolution to the Planning Division prior to issuance of building permits.
- I. SIGNS
1. The owner shall apply for a sign program with the Planning Department prior to approval of certificate of occupancy.

J. OTHER CONDITIONS

1. Defense and indemnity. Applicant agrees to defend and indemnify and hold City, its officers, agents, employees, officials and representatives free and harmless from and against any and all claims, losses, damages, injuries, costs and liabilities arising from any suit for damages or for equitable or injunctive relief which is filed against City by reason of its approval of this Site Review permit. In addition, applicant shall pay 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, but shall not be required to pay any litigation from the City. However, applicant shall continue to pay reasonable internal City administrative costs, including but not limited to staff time and expense spent on the litigation, after tender is accepted. The undersigned hereby represents that they 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.
 - a. Submit two (2) signed copies of the approved resolution to the Planning Division prior to the commencement of the use or issuance of building permits.
 - b. Prior to occupancy, an emergency evacuation plan shall be developed by the businesses and approved by the Fire Department. All instructors and staff shall be trained on the implementation of the emergency evacuation plans.

K. PRETREATMENT

1. A 1,500 gallon grease interceptor (or approved equivalent alternative) with samples box would be required for the proposed project.
2. The trash enclosure must have a noncombustible roof over it or approved equivalent.
3. The owner/operator may elect to install a trash enclosure which may be cleaned/maintained by washing it with soapy water. If a washable trash enclosure is desired, a sloping floor must be installed, and vandal-proof floor drain (or approved equivalent), a small grease/solids plumbing trap, and a protected/recessed box for running water for the trash enclosure. The applicant may contact pretreatment at 408-846-0436.

N. PUBLIC WORK DEPARTMENT

1. Developer and developer's engineer shall meet with Public Works Engineering to determine the overhead utility undergrounding requirements; contact Scott Creer/Charlie Ha at 408-778-6480.
2. The proposed balconies along Second Street encroaches into the City right-of-way, which shall require an easement agreement with the City.
 - a. At a minimum, the balcony easement agreement shall include indemnification for the City, owner's insurance and maintenance requirements. Language of the easement agreement shall be reviewed and approved by the City Attorney.

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- b. If necessary, the balcony easement agreement shall obtain City Council approval as required by the City Attorney.
 - c. Prior to the issuance of any Building or Encroachment permit, the balcony easement agreement shall be fully executed by the owner and the City.
- 3. Along Second Street frontage remove and replace curb, gutter, sidewalk, and back alley driveway, excluding frontage which contains colored sidewalk paver .
- 4. The project water, fire, and irrigation services shall each have back flow devices per City standards.
 - a. The irrigation service shall be metered.
 - b. Each suite shall have a separate water meter.
 - c. Each suite shall have a separate sanitary service.
 - d. Any grease traps installed shall be located within the westerly driveway aisle on private property.
 - e. If necessary, developer maybe required to enter into a public improvement agreement with the City.
 - f. Public Works impact fees shall be paid prior to issuance of any Building or Encroachment permit.

II. GENERAL

- A. 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. The applicant shall submit as part of the improvement drawings for the project, profiles of all improvements in the subdivision and typical cross-sections of all streets and details of curbs, gutters, and sidewalks, to be accomplished to the satisfaction of the Director of Public Works prior to submittal of Final Map. **(MHMC Sec 17.32.060 B; 17.32.070; 17.32.080 A)**
- C. Obtain necessary encroachment permits from:
 - ☒ City of Morgan Hilland provide guarantee covering off-site improvements. **(MHMC 12.08.040 A; 12.08.090)**
- D. Improvement plans are to show water lines, sanitary Sewer, storm drain system, pavement widths, curve radius, and existing utilities.
- E. Verify reciprocal access easements and maintenance agreements ensuring access to all parcels and joint maintenance of all common roads, drives or parking areas exist or easements shall be provided and recorded prior to issuance of building permit. **(MHMC 17.20.350 H)**
- F. **IMPACT 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 Public Works Department 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)**

III. STREET IMPROVEMENTS

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- A. The applicant shall cause the design and construction of all new public and private streets serving the project. The design of all new public and private streets shall be consistent with the General Plan Land Use and Circulation Element as well as the Street Standard Details as contained within the Public Works Standards Details. The construction of the streets shall be undertaken to the lines and grades and in a manner satisfactory to the Director of Public Works. All street improvements shall be constructed to the satisfaction of the Director of Public Works. The timing of the improvements will be determined by the City. **(MHMC 12.02.010; 12.02.090; 17.32.060 B; CMH General Plan; CMH Design Standards and Standard Details for Construction)**
- B. The project shall install and dedicate street improvement including, but not limited to, curb and gutter, sidewalk, compaction, street paving, oiling, storm drainage facilities, sewer and water, fire protection, undergrounding of utilities and street lighting in conformance with City of Morgan Hill requirements. **(MHMC 12.02.010; 12.02.50; 12.02.080; 12.02.100; 17.28.010; 17.32.060)**
- C. Underground existing utilities: all existing overhead utilities adjacent to any site boundary or along any street frontage of 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)**

IV. SANITARY SEWER SYSTEM

- A. 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. 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. **(MHMC 13.24.060; 17.32.20 C)**

V. STORM DRAIN SYSTEM

- A. 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 Director of Public Works. 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. The applicant shall cause the design and construction to be undertaken for a storm drainage collection system shown on the Tentative Map/Site Review plans. All storm drain improvements shall be constructed to the satisfaction of the Director of Public Works. **(MHMC 17.32.020 A & B)**
- C. Collection system shall be designed to be capable of handling a 10 year storm without local flooding. 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

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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. Develop a Storm Water Pollution Prevention Plan (SWPPP) Manual in accordance with 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.
- E. 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)**.
 - 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.
 - 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 address 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.

VI. WATER SYSTEM

- A. The applicant shall cause the design and construction to be undertaken of a domestic water system to the satisfaction of the Director of Public Works. The water system improvements shall be constructed within public easements or street rights-of-way to the satisfaction of the Director of Public Works 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. Installation of water line extension on the proposed public streets and/or private streets. **(MHMC 17.32.020 A & D; CMH Water System Master Plan)**
- C. Provide separate water services and meters for each suite. These are to be installed by developer. **(MHMC 17.32.020 D)**

VII. OTHER CONDITIONS

- A. The owner shall dedicate all necessary utility easements. **(MHMC 12.02.080 D; 17.28.010 A)**

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- B. 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 Director of Public Works. **(MHMC 17.32.020 E.1)**
- C. Landscaping and irrigation systems serving common areas that are required to be installed in the public right-of-way on the perimeter of this tract area shall be continuously maintained by the owner.
- D. Final landscape plans shall be submitted with and included as part of the improvement plans for the subdivision. **(MHMC 17.08.090)**
- E. Prior to the approval of any Building Permit for grading activity, the developer shall schedule a preconstruction 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.

STORMWATER MANAGEMENT

- 1. 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). A copy of the guidance manual can be obtained through the Department of Public Works internet site.

 - a. Project shall provide Stormwater Control Plan Checklist and applicable calculations per the Stormwater Management Guidance Manual for Low Impact Development and Post-Construction Requirements.
 - b. Project shall meet the applicable requirements of the Stormwater Management Guidance Manual for Low Impact Development and Post-Construction Requirements:
 - i. Performance Requirement 1: Site Design and Runoff Reduction
 - ii. Performance Requirement 2: Water Quality Treatment
 - iii. Performance Requirement 3: Runoff Retention
 - iv. Performance Requirement 4: Peak Management
 - c. **Submit/re-submit site review plans (SR) to include requirements of item “a” and “b” above.**
- 2. Design Standards Applicable to All Categories.
 - a. **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.

- b. **Minimize Storm Water Pollutants of Concern** - Storm water runoff from a site has the potential to contribute oil and grease, suspended solids, metals, gasoline, pesticides, and pathogens to the storm water conveyance system. The development must be designed so as to minimize, to the maximum extent practicable, the introduction of pollutants of concern that may result in significant impacts, generated from site runoff of directly connected impervious areas (DCIA), to the storm water conveyance system as approved by the building official. Pollutants of concern consist of any pollutants that exhibit one or more of the following characteristics: current loadings or historic deposits of the pollutant are impacting the beneficial uses of a receiving water, elevated levels of the pollutant are found in sediments of a receiving water and/or have the potential to bio-accumulate in organisms therein, or the detectable inputs of the pollutant are at concentrations or loads considered potentially toxic to humans and/or flora and fauna.

In meeting this specific requirement, “minimization of the pollutants of concern” will require the incorporation of a BMP or combination of BMPs best suited to maximize the reduction of pollutant loadings in that runoff to the Maximum Extent Practicable. Those BMPs best suited for that purpose are those listed in:

- i. [California Stormwater Quality Association \(CASQA\) Handbook: BMPs for New Development and Redevelopment](#)
- ii. [Bay Area Stormwater Management Agencies Association \(BASMAA\) Design Guidance Manual for Stormwater Quality Protection: Start at the Source 1999](#)

Other available sources of BMPs

- iii. [California Storm Water Best Management Practices Handbooks](#)
- iv. [Caltrans Storm Water Quality Handbook: Planning and Design Staff Guide](#)

- c. **Provide 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.
- d. **Properly Design Trash Enclosure Areas** - All trash enclosure areas must meet the following Structural or Treatment Control BMP requirements (individual single family residences are exempt from these requirements):
- i. **Roof Required:** Trash enclosure areas shall have an all weather noncombustible solid roof to prevent rainwater from mixing with the enclosure’s contents
 - i. **Walls Required:** Trash enclosure shall have structural walls to prevent unauotherized off-site transport of trash.

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- ii. Doors: Trash enclosure shall have door(s) which can be secured when closed.
 - iii. 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.
 - iv. Drain Inlet: Within the enclosure, an area drain with an approved coverguard shall be installed and shall be plumbed to the sanitary sewer system.
- e. **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:
- i. Volumetric Treatment Control BMP
 - 1. 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
 - 2. 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
 - 3. 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.
 - ii. Flow Based Treatment Control BMP
 - 1. 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
 - 2. 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.

FIRE DEPARTMENT

Prior to Fire Department Approval, the following comments shall be addressed:

- a) Modify the hood and duct extinguishing system to accommodate new or relocated cooking appliance under the hood. A licensed C-16 fire protection contractor shall submit two (2) sets of drawings, a permit application, and applicable fees for review and approval prior to performing work. Note: if the building is equipped with a fire alarm or monitoring system, the hood and duct system shall be connected to the fire alarm or monitoring system FACP for off-site monitoring. (CFC 904)
- b) Premises Identification. Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Numbers shall contrast with their background and be a minimum of four inches in height. (CFC section 505)
- c) Tenant shall have access to a minimum of __TBD__, 2A10BC minimum rated fire extinguisher(s) located 75 feet of travel distance. (CFC 906)

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- d) 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)
- e) Fire Department Key Box Required. The building shall be equipped with a permanently installed emergency access key lock box (Knox), conforming to the City of Morgan Hill Standard Detail and Specification sheet 11-I. At time of final inspection, access keys shall be provided to the fire department. (CFC section 506)
- f) Provide a monitoring system. A licensed C-10 fire alarm contractor shall submit two (2) sets of drawings, a permit application, and applicable fees for review and approval prior to performing work. (CFC 903.4)
- g) Exit doors shall be operable from the inside without use of any special knowledge or effort. Thumb turn deadbolt locks are NOT acceptable. (CFC 1008.1.8.3)
- h) Provide illuminated exit signs, and tactile exit signs. (CFC 101)
- i) Provide HVAC automatic shutoff devices. (CMC 608.0)
- j) Provide plans for the automatic fire-extinguishing system associated with the Type I hoods and associated portable fire extinguishers, complying with UL 300. Submit (2) two sets of completed plans, (2) two sets of hydraulic calculations, cut sheets and specifications. Submit plans to the City of Morgan Hill Building Department.