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Planning Department

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Staff Report

To: Lemoore City Council **Item # 5**
From: Holly Smyth, Planning Director
Date: January 14, 2009
Subject: Resolution 2009-03 Amending Planned Unit Development Design Guidelines

Discussion:

Since the 1970's the general purpose of Planned Unit Developments (PUDs) was to overcome the inflexibility of conventional single use districts and to achieve a more integrated development pattern. Rather than apply design standards on a lot by lot basis, PUD's are based on a unified master plan, allowing flexibility of uses and exemptions from dimensional and density requirements.

The purpose of the PUD Ordinance in Section 9-15-E of the Lemoore Municipal Code (copy attached) states that "PUDs, involving the careful application of design, are encouraged to achieve a more functional, aesthetically pleasing and harmonious living and working environment within the City which otherwise might not be possible by strict adherence to the regulations of this title. In May 2002, the City Council adopted Ordinance 2002-07 applying the PUD overlay over single family residential designated areas where more than 10 acres of vacant contiguous property existed and in multi-family designated areas containing more than 5 acres of contiguously designated land. The Council then adopted Resolution 2002-18 approving the Livable Neighborhood Development: Implementation Guideline to a Landscape of Choice and the principles, concepts and development choices contained therein. Finally, on September 17, 2002, the City Council adopted Resolution 2002-37 which provided 28 guidelines to "assist the designing of projects on PUD zoned residential lands" (copy attached). The purpose of the City creating these PUD overlays, which were previously only done by developers making a request, and guidelines was to eliminate "cookie cutter" looking subdivisions and create unique pedestrian oriented neighborhoods.

Between the Ordinance and the Guidelines, all PUD's were required to get their elevations and floor plans and a subdivision-wide foot print plan (which pre-plots all models and elevations on specific lots) approved by the Planning Commission and City Council with public hearings at both bodies prior to recording their Final Map and moving forward with construction. Under the current Guidelines, staff can administratively approve different previously approved floor plans and/or elevations on different lots so long as they continue to conform to the PUD Guidelines and do not equate to more than 20% of the lots being changed throughout the entire subdivision. Given the current housing market and slowing economy, Cambridge-Lennar, DeVante Villas, and Flatley Homes want to utilize new floor plans in their subdivisions and/or exceed the 20% modification limit without having to go back to the Planning Commission and City Council due to the processing time frames and associated fees. They believe that decisions need to be made quickly to keep buyers interested.

Only Silva 10's (Tract 838) PUD was approved to allow the administrative approval of floor plans and their elevations on an individual plot plan basis and a plot plan process was developed and a fee set to recoup staff processing costs. However, sample models were submitted to show the Planning

Commission and City Council the quality of homes to be expected. Staff believes that this administrative process should be extended to other subdivisions given the current economy which should require the addition of item 29 to the "City of Lemoore Conceptual Guidelines for Application to Planned Unit Development" which was adopted as part of City Council Resolution 2002-37 to read as follows:

29. Should the general development plan, also known as an "Overall Plot Plan", need to be modified to add a new floor plan/elevation or make additional modifications to more than 20% of the lots, the developer may use the administrative individual plot plan approval process and pay the processing fee to add or modify plans without going back to the Planning Commission and City Council prior to pulling building permits. Such new or modified plans shall meet all PUD Guidelines as they relate to aesthetics and variability of the home and shall be of similar quality to the originally approved plans as determined by the Planning Director taking the original conditions of approval into consideration.

This process insures that plans are sufficiently varying in their elevation features. Currently this process requires an application page showing the proposed and previously approved front elevations and floor plan footprints with dashed rooflines of a six parcel grouping, with the subject parcel in the middle, so that diversity can be simply evaluated as identified in the PUD guidelines. The proposed home must contain five significantly varying features from the adjacent five homes from roof design/color/material, to entryway design elements, architectural style and/or major architectural elements (balconies, porches, lofts, etc.), material and/or color of the building facade, garage style, and the like (see sample page). Additionally, setbacks and floor area ratios are identified to insure that coverage does not exceed 40% and building codes are met.

Budget Impact:

Staff time is covered by the current fees of \$70 for revisions to pre-plotted approved models and \$110 for non-pre-plotted plans outlined in Council Resolution 2008-33.

Recommendation:

At their January 12, 2009 meeting, the Planning Commission unanimously recommended that the City Council add item #29 to the PUD Design Guidelines by adopting attached Resolution 2009-03.

CHAPTER 15

ADMINISTRATION AND ENFORCEMENT

ARTICLE E. PLANNED UNIT DEVELOPMENTS

SECTION:

- 9-15E-1: Purposes and Authority
- 9-15E-2: Application of Provisions
- 9-15E-3: Permitted Uses
- 9-15E-4: Site and Structure Requirements
- 9-15E-5: Required Conditions
- 9-15E-6: Use Permit Procedure

9-15E-1: **PURPOSES AND AUTHORITY:** Planned unit developments, involving the careful application of design, are encouraged to achieve a more functional, aesthetically pleasing and harmonious living and working environment within the City which otherwise might not be possible by strict adherence to the regulations of this Title.

In certain instances, the objectives of this Title may be achieved by the development of planned units which do not conform in all respects with the land use pattern designated on the Zone Plan or the district regulations prescribed by this Title. A planned unit development may include a combination of different dwelling types and/or a variety of land uses which are made to complement each other and harmonize the existing and proposed land uses in the vicinity by design. In order to provide locations for such well-planned developments, the Planning Commission is empowered to grant use permits for planned unit developments, subject to review by the City Council; provided, that such developments comply with the regulations prescribed in this Article.

9-15E-2: **APPLICATION OF PROVISIONS:** A planned unit development may be located in any district upon the granting of a use permit in accordance with the provisions of this Article.

9-15E-3: **PERMITTED USES:** A planned unit development shall include only those uses permitted, either as permitted uses or conditional uses, in the zoning district in which the planned unit development is located, subject to the following exceptions:

- A. Any use permitted in an R, RM or PO District as a permitted use or a conditional use, or any combination of such uses may be included in a planned unit development located in a UR, R or RM District.
- B. Any use permitted in any RM, PO or CS District as a permitted use or conditional use, or any combination of such uses may be located in a planned unit development located in a CC District.
- C. Only mobilehome dwellings located on permanent foundations may be included within a planned unit development for a mobilehome subdivision.
- D. Any use permitted in a CS District as a permitted use or a conditional use, or any combination of such uses, may be included in a planned unit development located in a CH District.

9-15E-4: **SITE AND STRUCTURE REQUIREMENTS:**

- A. The minimum site area for a planned unit development shall be one acre.
- B. The standards of site area and dimensions, site coverage, yard spaces, distances between structures, off-street parking and off-street loading facilities and landscaped areas need not be equivalent to the standards prescribed for the regulations for the district in which the planned unit development is located if the applicant had demonstrated by his design proposal that the objectives of this Title and the objectives of this Article will be achieved.
- C. The average population density per net acre may exceed by not more than twenty five percent (25%) the maximum population density prescribed by the site area regulations or the site area per dwelling unit regulations for the district in which the planned unit development is to be located if the applicant can demonstrate by his design proposal and such additional evidence as may be submitted that the objectives of this Article will be achieved. Since planned unit development may also involve the subdivision process, the applicant must be prepared to show what changes in conventional street and lot design will be necessary to achieve desired goals.
- D. A planned unit development of single-family lots proposed within the R-1-7 District shall not be required to meet the provisions of Section 9-15E-6 of this Article which call for specific building placement and site design; provided however, that each building placement and site design shall be subject to the site plan review procedures of Article B of this Chapter.

9-15E-5: **REQUIRED CONDITIONS:** No use shall be permitted and no process, equipment or materials shall be employed which are found by the Planning Commission to be objectionable to persons residing or working in the vicinity or injurious to property located in the vicinity by reason of odor, fumes, dust, smoke, cinders, dirt, refuse, water-carried wastes, noise, vibration, illumination, glare, unsightliness or heavy truck traffic or to involve any hazard of fire or explosion.

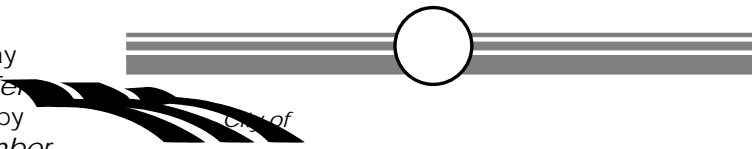
9-15E-6: **USE PERMIT PROCEDURE:** The regulations prescribed in Sections 9-15B-2, 9-15B-3B and 9-15B-4 through 9-15B-8 of this Title shall control the procedure for making application for and processing of a use permit for a planned unit development, subject to the following exceptions:

- A. In addition to the drawing of the site prescribed in subsection 9-15B-2A7 of this Title, the application shall be accompanied by a general development plan of the entire planned unit development, drawn to scale, and showing provisions for: draining of surface waters, watercourses, railroad and public utility rights of way, streets, driveways and pedestrian walks, off-street parking and loading facilities, reservations and dedications for public uses, private uses including dwelling types, lot layout, locations, heights and elevations of structures and landscaped areas.
- B. In addition to the data and drawing prescribed in subsection 9-15B-2A of this Title and subsection A of this Section, the application shall be accompanied by a tabulation of the area proposed to be devoted to each land use and a tabulation of the average population density and number of housing units per net acre in the area or areas proposed to be devoted to residential use.
- C. When a planned unit development involves proposals which necessitate the filing of a tentative subdivision map and/or which would also necessitate the granting of exceptions of the regulations of the Subdivision Ordinance,¹ the Planning Commission may grant tentative approval of the proposal. Where such tentative approval is requested by the applicant, the requirements of subsections A and B of this Section may be waived temporarily, provided the applicant submits the following:
1. In lieu of the drawing of the site prescribed in subsection A of this Section, the application shall be accompanied by a schematic drawing drawn to the minimum scale of one inch equals one hundred feet (1" = 100') , showing the general relationships contemplated among all public and private uses and existing and proposed physical features.
 2. A written statement setting forth the source of water supply, method of sewage disposal, means of drainage, dwelling types, nonresidential uses, lot layout, public and private access, height of structures, lighting, landscaped areas, area to be devoted to various uses and population density per net acre contemplated by the applicant.
- Upon approval of a tentative subdivision map in accordance with the procedures prescribed by the Subdivision Ordinance, the applicant shall submit a development plan in accordance with the requirements of subsections A and B of this Section before the Planning Commission may grant a final approval of the applicant's proposal.
- D. The Building Official shall make an investigation and analysis of the application and shall prepare a report thereon which shall be submitted to the Planning Commission. Such report shall include a recommendation as to the action to be taken by the Commission and a statement supporting such recommendation. The Building Official shall give written notice to the applicant of the time when the application will be considered by the Planning Commission.

1. See Title 8, Chapter 7 of this Code.

- E. The Planning Commission shall consider the application within thirty days following the date of filing. The Commission may grant a use permit for a planned unit development as the use permit was applied for or in modified form if, on the basis of the application and the evidence submitted, the Commission makes the following findings:
1. That the proposed location of the planned unit development is in accordance with the objectives of this Title.
 2. That the proposed location of the planned unit development and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety and welfare or materially injurious to properties or improvements in the vicinity.
 3. That the proposed planned unit development will comply with each of the applicable provisions of this Section.
 4. That the standards of population density, site area and dimensions, site coverage, yard spaces, height of structures, distance between structures, off-street parking and off-street loading facilities, landscaped areas and street design will produce an environment of stable and desirable character consistent with the objectives of this Title, and will not generate more traffic than the streets in the vicinity can carry without congestion and will not overload utilities.
 5. That the combination of different dwelling types and/or variety of land uses in the development will complement each other and will harmonize with existing and proposed land uses in the vicinity.
- F. The Planning Commission may deny an application for a use permit for a planned unit development.
- G. At the first regular City Council meeting held more than ten (10) days after a decision on a use permit application by the Planning Commission, the City Council shall review the decision. The City Council may affirm or modify the decision of the Planning Commission on an application for a use permit for a planned unit development; provided, that if a decision denying a use permit is reversed or a decision granting a use permit is modified, the City Council shall, on the basis of the record transmitted by the Planning Commission and such additional evidence as may be submitted, make the findings prerequisite to the granting of a use permit for a planned unit development prescribed in subsection E of this Section. (Ord. 7901, 1-6-79 as amended, 1-1986)

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LEMOORE
CALIFORNIA

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PROCEDURE TO SUBMIT PUD PLOT PLANS FOR REVIEW/APPROVAL:

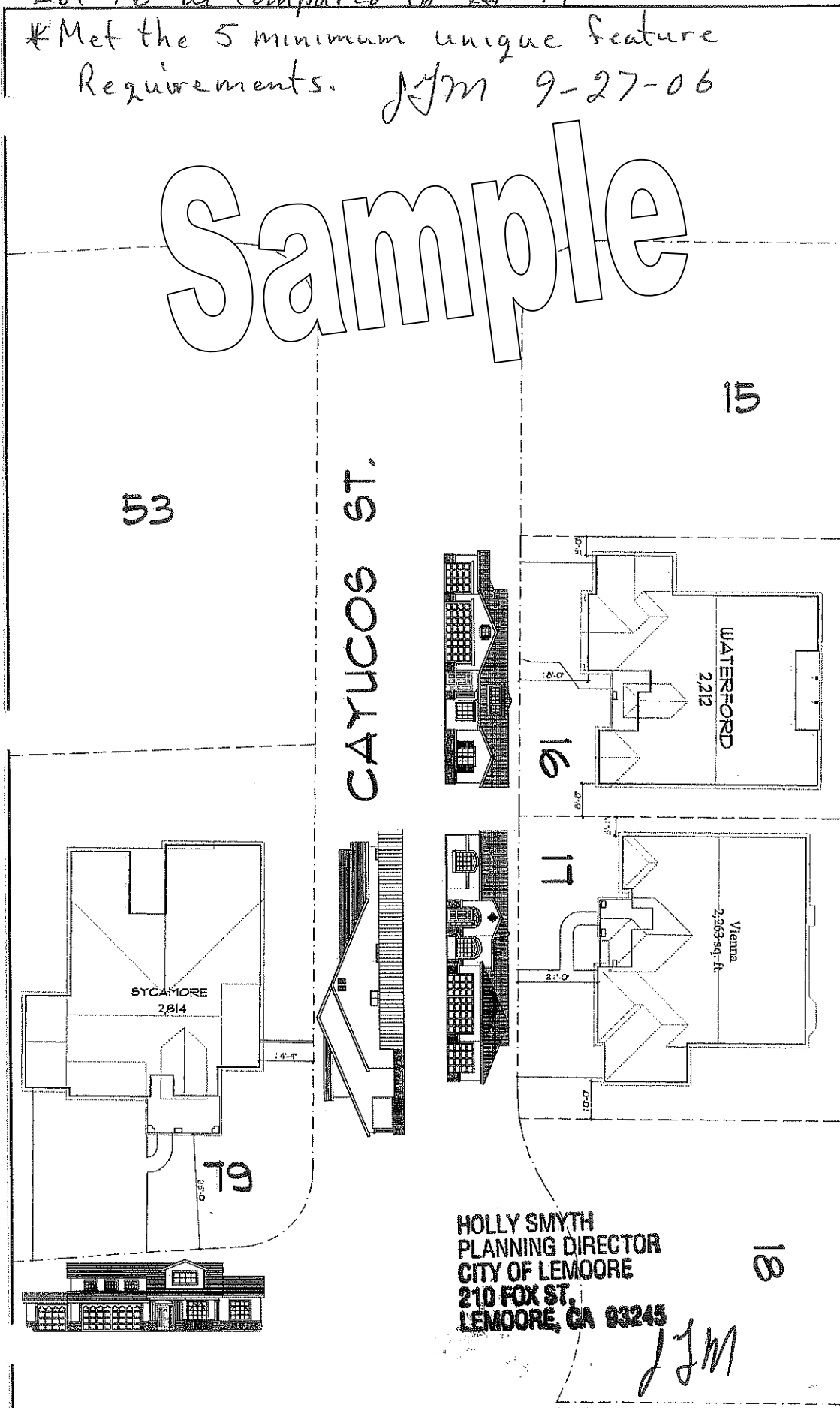
1. Submit PUD plot plan approval requests to the **Building Department** as follows:
 - a. One 8½" x 11" copy set of the **individual plot plan** with lot number, street address, house plan, elevation reference, and delineated setback information in accordance with the previously approved overall subdivision plot plan.
 - b. One 8½"x11" **elevations page** which shows the front, both sides, and rear elevations as approved by the City Council
 - c. One 8½"x11" **floor plan** which shows dimensions, 1st floor square footage, including garage, and 2nd floor square footage which should match the City Council approval.
2. Changes can be made regarding the specific plan or elevation to be located on a specific lot which is different from the approved overall plot plan for the overall subdivision. If this is wanted the following information needs to be submitted in addition to those shown in item #1 above to the **Planning Department** and will be reviewed to assure that the same plan with the same elevation is not located within a "six-pack block" and may take up to 10 days to process:
 - a. A transmittal sheet noting that a revision to the original is being requested.
 - b. One copy set of the above three pages (listed as items 1a, 1b, and 1c) with "Revised" clearly delineated across the page.
 - c. Plot plan layout of the applicable lot and the 5 properties around it with floor plans and elevations delineated so staff can verify the "six-pak" rule (see attached sample).
 - d. Applicable processing fee set by City Council.
3. If changes to any yard requirements are submitted please note on an individual transmittal for the particular lot and submit items listed in #1 and #2 above with the requested changes clearly delineated.
4. If changes are wanted regarding using different models, different elevations, or modifying approved elevations/floor plans a change request will be needed and the following information shall be submitted and meet the Planned Unit Development Design Guidelines discussed in City Council Resolution 2009-03 (or otherwise discussed in the original approval):
 - a. A transmittal sheet noting what revision is wanted.
 - b. One copy set of the above four pages (listed as items 1a, 1b, 1c, and 2c) with "Revised" clearly delineated across the page
 - c. Applicable processing fee per lot
 - d. Planning Director shall then review all draft documents to assure that they are in compliance with the PUD guidelines and are of similar quality of the plans approved by Planning Commission and City Council. This process may take up to 3 weeks to make a determination.
 - e. Should the applicant not agree with the Planning Director's determination, an appeal can be made within twenty (20) days of the decision and placed on the Planning Commission's next regular meeting after paying applicable fee.

All incomplete packets will be mailed back accordingly and must be resubmitted to the Planning Department. Decisions shall be forwarded via letter/transmittal forwarded to the applicant and the Building Department. If you have any questions, please contact Assistant Planners Joe Mendiola or G. Hobbs at (559) 924-6740. THANK YOU FOR YOUR CONTINUED COOPERATION.

Lot 16 as compared to Lot 17

*Met the 5 minimum unique feature Requirements. JFM 9-27-06

Sample



HOLLY SMYTH
 PLANNING DIRECTOR
 CITY OF LEMOORE
 210 FOX ST.
 LEMOORE, CA 93245

JFM

UNIQUE HOUSE FEATURES, COMPARED TO SURROUNDING LOTS, 5 MINIMUM.	
LEGEND	
<input checked="" type="checkbox"/>	= LOT HAS FEATURE
<input type="checkbox"/>	= DOES NOT HAVE FEATURE
<input type="checkbox"/>	= POTENTIAL ITEMS
LOT 17	
LOT 79	
<input checked="" type="checkbox"/>	Front Porch
<input checked="" type="checkbox"/>	Covered Flat
<input type="checkbox"/>	Raised
<input checked="" type="checkbox"/>	Arched & Raised
<input type="checkbox"/>	Primary Front Exterior:
<input type="checkbox"/>	Stucco
<input type="checkbox"/>	Siding
<input checked="" type="checkbox"/>	Windows, square
<input checked="" type="checkbox"/>	Windows, arched
<input type="checkbox"/>	Architectural Features:
<input type="checkbox"/>	Stucco Details
<input type="checkbox"/>	Columns
<input checked="" type="checkbox"/>	Arches
<input type="checkbox"/>	Soffits
<input type="checkbox"/>	Bay Window
<input checked="" type="checkbox"/>	Window Shutters
<input type="checkbox"/>	Other:
<input type="checkbox"/>	Roof, Main Span:
<input type="checkbox"/>	Gable
<input type="checkbox"/>	Hip
<input type="checkbox"/>	Dutch-hip
<input type="checkbox"/>	Tudor
<input checked="" type="checkbox"/>	Dormer
<input checked="" type="checkbox"/>	Roof, Accessory Spans:
<input checked="" type="checkbox"/>	Gable
<input checked="" type="checkbox"/>	Hip
<input type="checkbox"/>	Dutch-hip
<input type="checkbox"/>	Tudor
<input type="checkbox"/>	Other:
<input type="checkbox"/>	Roof Tile:
<input type="checkbox"/>	'S'-tile
<input type="checkbox"/>	Flat tile
<input type="checkbox"/>	Color
<input type="checkbox"/>	Garage:
<input type="checkbox"/>	Straight
<input type="checkbox"/>	Side-loaded
<input type="checkbox"/>	W/tandem 3rd car (2 car)
<input type="checkbox"/>	Door, w/ windows
<input type="checkbox"/>	Door, designer style
<input type="checkbox"/>	Veneer, stone or brick
<input type="checkbox"/>	Veneer, entire front face
<input type="checkbox"/>	Courtyard
<input type="checkbox"/>	Courtyard, w/ raised entry
<input type="checkbox"/>	Other:
<input type="checkbox"/>	Other:
<input type="checkbox"/>	Other:
<input type="checkbox"/>	Wrap Architectural Feature (Corner Lot Only)
5	TOTALS
17	
79	

RESOLUTION NO. 2009-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMOORE SUPERSEEDING RESOLUTION 2002-37 AND REITERATING ALL PLANNED UNIT DEVELOPMENT DESIGN GUIDELINES

At a Regular Meeting of the City Council of the City of Lemoore duly called and held on _____ 2009 at 7:30 p.m. on said day, it was moved by Council Member _____ seconded by Council Member _____ and carried that City Council Resolution 2002-37, adopted September 17, 2002, should be superseded by the following Resolution:

WHEREAS, the City Council passed Ordinance No. 2002-07 rezoning all contiguous vacant single family zoned lands over 10 acres and all contiguous vacant multi-family zoned lands over 5 acres in the City of Lemoore with a Planned Unit Development (PUD) overlay; and

WHEREAS, the City Council adopted Resolution 2002-37 which identified 28 PUD Design to assist with the designing of projects on PUD zoned residential lands.

WHEREAS, in order to provide more flexibility to single family developers during a housing down turn, more flexibility needs to be incorporated into the PUD to allow units to still be built while retaining high quality design,

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Lemoore hereby amends the Design Guidelines for Planned Unit Developments to include the below listed item 29 and reiterates the original 28 guidelines.

CITY OF LEMOORE

Design Guidelines for Planned Unit Developments

1. The garage portion of the dwelling should not project beyond five feet (5') to the front of the main dwelling, and preferably should be even with or behind the primary dwelling structure. Minimum garage setback would be 20 ft. from the front property line. Garage locations are encouraged to vary in order to provide interesting streetscape.
2. All roofing material and exterior finishes may vary or be of the same character and materials, if so required by the City. (For example, all exterior finishes may be either stucco or lap sided.)
3. Not more than three (3) dwelling units on facing or adjoining lots should be of the same model floor plan, and building elevations with the same floor plan on adjoining lots should have elevation features that sufficiently vary from each other.
4. Front building setbacks may be reduced to 18 ft. or less based on site plan approval for the project. Front yards on lots at street curve should be at least 24 ft. wide. Architectural features such as porches and balconies may encroach further into the front yard but should usually be not less than 15 ft. from the front property line.
5. Side yard widths may be reduced from those required by underlying zone district, based on overall project design. No air conditioning units or accessory structures should be located in such side yards. The distance between dwellings on adjoining lots shall not be less than 10 ft.

6. City may require all dwellings, depending on the project location, to be of the same architectural character (Mediterranean, Contemporary, Neo-Traditional, Manufactured units, etc.).
7. Up to twenty percent (20%) of the locations of models on lots may be allowed to vary from the approved foot print plan with the administrative approval of the Community Development Director. Any further variation would require approval of the Planning Commission.
8. Not more than forty-five percent (45%) of the homes may be of double story in a single-family residential development.
9. Single and double story dwelling mix should be such that they form an interesting skyline and architectural blend. For this purpose, not more than 3 dwellings on adjoining lots should be of double story.
10. Based on the size and location of the project, the City may require the PUD to include an integrated greenbelt park like area, or open space.
11. The City may require inclusion of pedestrian or bike trails within the greenbelt or private park in the project. In such case, the City may approve sidewalk along only one side of the road.
12. A PUD project may have narrower than the City standard street widths and be maintained by homeowners association. Such streets may have parking and sidewalk only on one side of the street or be provided on both sides of the streets in a staggered manner to provide better aesthetics.
13. The pavement width of private streets with one side parking can be 32 ft. as opposed to 40 ft. required per city local street standards. If on-street parking is not required, the paved road width may be 25 ft.
14. The residential density in PUD projects would be generally guided by the density in the underlying zone district.
15. The City may allow a blend of various types of housing (single family, condominiums, patio homes, etc.) and some complementary non-residential uses such as a coffee/snack shop, day care center, laundromat, etc.
16. A PUD project may be required to include amenities such as an activity center, swimming pool, play areas and tot lots and may include associated parking.
17. The City may require formation of a homeowners association with bylaws and dues for the maintenance of private streets, common landscaped areas, and other common amenities. Such association documents are subject to City review and approval.
18. Any later addition or modification of any completed dwelling (after it has been occupied) may be allowed with the approval of the Community Development Director, or with a conditional use permit if the proposed addition exceeds fifteen percent (15%) of the original habitable floor area of the dwelling, provided the originally approved building setbacks are met.
19. Developments may be required to have pedestrian trails, walkways and bikeways to encourage walking and bicycling. These should have landscaped areas on both sides to provide a visible, safe, and pleasant environment.

20. Continued or through streets laid on a grid are preferred so as to provide continuity into adjoining vacant lands and developments. For this reason, loop streets and cul-de-sac streets are generally discouraged.
21. At least 60 percent of the lots should have north/south exposure so as to reduce energy consumption.
22. Shared off-street parking spaces may be provided in lieu of on-street parking, and such facilities would be approved by the City as to the size, shape and relationship to the sites to be served. Parking areas should be landscaped.
23. Local streets should be aligned to form three-way intersections when possible. Such intersections create an inherent right of way assignment as the through street receives precedence, and reduces accidents without the use of traffic controls.
24. A local street that intersects a collector or arterial street should be aligned with another street to form a four-way intersection which can be easily regulated by a stop sign or other traffic control device.
25. Curb cuts for driveways to individual residential lots are prohibited along arterial or collector streets. Curb cuts for driveways to individual lots are limited to local streets.
26. Local street lengths should generally not exceed 800 feet, and streets may be designed with gentle curves and changes to break the sight line of the road into smaller visual elements to cause drivers to slow down.
27. Dwellings on corner lots are encouraged to have a wrap-around building elevation with similar aesthetic consideration from both adjoining streets.
28. Zero lot line development, where houses are shifted to one side of the lot, is allowed to provide greater usable yard space on each lot. The minimum distance between all buildings should be at least 15 ft. and provide recesses in the sidewall plane facing a courtyard of at least 5 ft. every 30 ft. of the property line, windows or other openings, which allow for visibility into the side yard of the adjacent lot, are prohibited.
29. Should the general development plan, also known as an "Overall Plot Plan", need to be modified to add a new floor plan/elevation; change an existing plan exterior; or make additional modifications to more than 20% of the lots, the developer may use the administrative individual plot plan approval process and pay the set fee to add or modify plans without going back to the Planning Commission and City Council prior to pulling building permits. Such new or modified plans shall meet all PUD Guidelines as they relate to aesthetics and variability of the home and shall be of similar quality to the originally approved plans as determined by the Planning Director taking the original conditions of approval into consideration.

Passed and adopted at a Regular Meeting of the City Council of the City of Lemoore held on January 20, 2009 by the following votes:

AYES:

NOES:

ABSTAINING:

ABSENT:

APPROVED:

John F. Murray, Mayor

ATTEST:

**Nanci C.O. Lima, CMC
City Clerk**

CERTIFICATE

STATE OF CALIFORNIA))
COUNTY OF KINGS) ss.
CITY OF LEMOORE)

I, Nanci C. O. Lima, City Clerk of the City of Lemoore, do hereby certify the foregoing Resolution of the Lemoore City Council was duly passed and adopted at a Regular Meeting of the City Council held on January 20, 2009

DATED: January 20, 2009

**Nanci C. O. Lima, CMC
City Clerk**