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April 22, 2012

Via E-mail: jbriltz@lemoore.com

Mr. Jeff Britz
City Manager
Lemoore City Hall
119 Fox St.
Lemoore, CA 93245

SUBJECT: Request to Extend the City of Lemoore

Dear Jeff:

Reference is made to your recent conversations with my client Joshua Peterson of Wathen Castanos Hybrid Homes (WCHH) to discuss the process by which the City of Lemoore (City) would not require the imposition of certain fees for the Tentative Tract Map 872 commonly referred to as SUGARPLUM. For the a variety of reasons discussed below, WCHH does not believe the development impact fees adopted by the City in December of 2006 ("New Development Fees") should be imposed for homes constructed on the 97 lots approved as part of SUGARPLUM project.

WCHH has an option to purchase the SUGARPLUM lots. WCHH understands the sequence of events in this matter to be as detailed on EXHIBIT 1 entitled Tentative Tract Map 872 SUGARPLUM Time Line.

Based on our experience and knowledge of the market in these trying economic times, we are convinced the SUGARPLUM development is not viable with the imposition of the "New Development Fees" adopted by the City in December of 2006. The reasoning in support of the City determining the "New Development Fees" should not be imposed on Sugarplum is based partially on state planning law which is detailed on the attached EXHIBIT 2 entitled, Legal Reasons Against Imposing "New Development Fees" on Tentative Map 872.

To be clear, WCHH has no intention to assert any legal challenge to the fee imposition. WCHH offers the legal citations as another means for the city to be comfortable with their discretionary authority to determine that the "New Development Fees" should not be imposed.

Stronger and more obvious reasons to forgo the aforementioned fees are made by understanding the substantial public benefits that will derive by not imposing the "New Development Fees" and allowing WCHH to complete the SUGARPLUM development. With your support, I would like the opportunity to provide your council the justification supporting the WCHH to not impose the "New Development Fees" on the SUGARPLUM development. Those reasons are provided directly below.

Reason 1 WCHH Builds Quality Homes in Sustainable Projects

As you know, WCHH seeks to build high quality, market rate homes on the remaining Sugarplum lots. As you also know, WCHH has demonstrated its ability to create attractive, sustainable projects and is proud to be part of your development community with our work on Tract 791 located on the north side of East "D" Street. Our mutual effort on Tract 791 has begun the completion of a failed development, creating jobs, completing a neighborhood park and stabilizing the City's real estate market by reducing the supply of foreclosed lots. WCHH seeks to create similar positive attributes with the completion of the SUGARPLUM development.

The company continues to improve their homes through the analysis of the design and construction which has produced the following recognition:

- The 2007, 2008, 2009 and 2010 Energy Star Leadership in Housing Award
- Green Point Rated Builder
- PG&E's Advance Tier II Builder with 30% savings above California's Title 24 Standard
- Builder Challenge Certified Homes
- 2011 and 2012 National Housing Quality Award Winner
- 2011 Energy Value Housing Award Winner

The company is very proud being awarded the 2009 San Joaquin Valley Blueprint Award of Achievement for planning and developing the Harlan Ranch master planned community in the City of Clovis. That award was given by a regional association of the Central Valley Council of Governments.

Reason 2 New Development Fees will Prohibit Developing the Failed SUGARPLUM Project

Marketing experts believe the current housing crisis is more dramatically impacting the Central San Joaquin Valley economy based on its stronger dependence on construction-related employment. Single-family permit authorizations in all Central Valley cities are dramatically below historic annual single-family permit authorizations.

WCHH is aware of no information suggesting the California housing crisis has abated. In fact, the company believes that the stabilization of housing prices and reduced foreclosure activity is years away with smaller secondary markets like Lemoore to realize such stability after larger metropolitan areas reach equilibrium. Imposing additional development fees on the SUGARPLUM project in this very weak market over supplied with foreclosures renders the project noncompetitive with depressed existing or foreclosed homes.

Reason 3 Developing SUGARPLUM by WCHH will Provide Needed Economic Benefits to the City of Lemoore.

WCHH is prepared to discuss the empirical research detailing the positive economic ripple effect of housing on the local economy. According to the *Citizens' Housing and Planning Association*, housing construction and rehabilitation have a high ratio (62.3 %) of value-added to total gross

outlays. This means that a high percentage of the gross outlays for a residential construction project are spent on wages and salaries, thus stimulating job creation. The *U.S. Department of Agriculture's Rural Housing Service* estimates that each single-family home financed by the Section 502 program generates 1.75 jobs and \$50,201 in wages.

Another study concluded the positive economic impacts of building 100 new housing units to local economies as detailed below:

Local Jobs Supported	Local Income	Local Wages and Salaries	Local Business Owner's Income	Local Taxes
102	\$4,845,000	\$3,921,000	\$924,000	\$511,000

Based on an average metropolitan statistical area using homes with an average construction value of \$145,372.

Reason 4 Other Communities have Reduced Fees to Stimulate Economic Development

WCHH conducts business in various cities and counties in California. The company is very active in state building and land planning organizations to assure their products represent the best of the home building industry. Given this background, the company is aware of numerous California cities and counties that have reduced their development and/or impact fees to stimulate the local economy and stabilize the single family market by assisting in eliminating foreclosed and/or unfinished projects.

The basis for this reasoning is simple. The municipalities that have reduced fees would rather realize the economic and public benefits of quality development now than wait an unknown time for the market to stabilize and absorb the original development and/ or impact fees.

Conclusion

As always, WCHH and I appreciate your consideration of this request. I trust you will conclude there are substantial economic and public benefits to the City of Lemoore should WCHH proceed with the SUGARPLUM project without the imposition of the "New Development Fees".

Sincerely,



Dirk Poeschel, A.I.C.P.

c Mr. Joshua Peterson
Mr. Kevin Castanos

EXHIBIT 1

Tentative Tract Map 872 SUGARPLUM Time Line

- On or about May 25, 2005, the City Issued Notice of Intention to authorize a Development Fee Study. Publication was made on May 27, 2005, and a Resolution authorizing the study [Resolution 2005-24] was approved on June 7, 2005.
- On or about February 23, 2006 (or maybe March 1, 2006 latest), an application for the Tentative Map 872 was filed. If not sooner accepted, the application was deemed complete on March 25, 2006 (or maybe March 31, 2006, latest). [See Government Code Section 65943].
- Tentative Map 872 was approved by the City Council on May 2, 2006.
- The “New Development Fees” were adopted by the City Council on December 5, 2006.
- Phase I of Final Subdivision Map 872 for of 33 lots was filed in or about April of 2008.

EXHIBIT 2

Legal Reasons Against Imposing “New Development Fees” on Tentative Map 872

Legal Reason 1 Section 66474.2 “Map Filing Freeze”

The Government Code generally limits the conditions of approval that may be imposed on a Tentative Map to those ordinances in effect on the date that the application for the Tentative Map is deemed complete. There is an exception for ordinances adopted pursuant to studies initiated before the application is deemed complete, but the ordinances must be adopted before the Tentative Map is approved for the exception to apply.

66474.2 (a) provides that “in determining to approve or disapprove an application for a tentative map, the local agency shall apply only those ordinances, policies, and standards in effect at the date the local agency has determined that the application is complete pursuant to Section 65943 of the Government Code.” Clearly, the New Development Fees were not yet “in effect” in May of 2006.

The potentially applicable exception to the above rule, set forth in 66474.2 (b), allows the City to apply ordinances, policies, and standards not yet in effect at the date that the application is complete, if the City “has done both of the following:

- (1) Initiated proceedings by way of ordinance, resolution or motion.
- (2) Published notice.....containing a description sufficient to notify the public of the nature of the proposed change in the applicable.....ordinances.”

Assuming, for the sake of discussion, that the Notice of Intention, Publication and adoption of Resolution 2005-24 met both of those requirements, the concluding language in 66474.2(b) - following the portion quoted above provides:

“A local agency which has complied with this subdivision *may* apply any ordinances, policies, or standards enacted or instituted as a result of those proceedings *which are in effect on the date the local agency approves.....the tentative map.*” (emphasis added)

Obviously, the New Development Fees were not yet in effect when the Tentative Map was approved on May 6, 2006. Further, the city has the discretion to not impose the fees according to the law.

Condition 21 to approval of the Tentative Map pursuant to Resolution 2006-15 provides that, although not yet adopted, the New Development Fees would apply to development within the Tentative Map. The condition fails because, although proceedings may have been initiated and notice published before the application for the Tentative Map was complete, the New Development Fees were not adopted and in effect until after the Tentative Map was approved. The condition is unenforceable because it exceeds the authority allowed the City under Section

66474.2 of the Government Code. The City cannot, by local legislation, constitutionally deprive the developer of the protections provided by the State under Section 66474.2. See Bright Dev. vs. City of Tracy (1993) 20 Cal. App. 4th 783, and Kaufman & Broad vs. City of Modesto (1994) 25 Cal. App. 4th 1577.

Legal Reason 2 Section 65961- “One-Bite of the Apple” Rule

Government Code Section 65961 prohibits local government agencies from imposition of conditions on permits required subsequent to recordation of a final map for residential subdivisions that could lawfully have been imposed on the tentative map. The City could have moved more swiftly on the New Development Fees and adopted them before approving the Tentative Map, but the City did not do so. The prohibition lasts for five years following the recording of the final map.

In this matter, the Final Map for the 33 lots in Phase I of the Tentative Map was recorded in or around April of 2008, and so the New Development Fees may not be imposed, if at all, on the Phase I final map until sometime after April of 2013.

Assuming that one or more additional Final Maps are filed under the Tentative Map before it expires, then, unless the filing is allowed only as a result of the two recent legislative extensions [Government Code Sections 66452.22 or .23], those Final Maps will similarly be protected for five years.

WCHH is aware of the decision in Golden State vs. City of Modesto (1994) 26 Cal. App. 4th 601 as authority for allowing the imposition of the public facilities fees on permits required subsequent to approval of a Tentative Map that is not a “Vesting” Tentative Map, notwithstanding provisions of Section 65961. The holding of the court in that case can be paraphrased: “We can’t give you that much protection, because that’s what you get with a Vesting Tentative Map, and if we did, there wouldn’t be any point to the Vesting Tentative Map law, and laws have to have a point.” The Court made that decision, while at the same time acknowledging the “anomalous result that a local agency which is slow to adopt regulations retains more freedom to impose them than one which adopts the same regulations early in the development process” (id., at page 609).

WCHH believe the decision in the Golden State case is incorrect and is susceptible of being overturned by the Court of Appeal or the California Supreme Court.

Legal Reason 3 Section 66474.3(f)-Vesting Protection for all Maps

Similar to the statute specifically drawn for “vesting” tentative maps, Government Code Section 66474.3(f) provides that “An approved or conditionally approved tentative map or vesting tentative map shall not limit a legislative body from imposing reasonable conditions on subsequent required approvals or permits necessary for the development and authorized by the ordinances, policies and standards described in Section 66474.2 or 66498.1.” (Emphasis added.) The ordinances, policies, and standards described in Section 66474.2 or 66498.1 are those that are in effect as of the date an application for a tentative map or vesting tentative map is deemed complete.

This statute places a limitation on local government agencies to the extent that fees and other requirements cannot be imposed on projects for which both vesting and non-vesting tentative maps have been approved unless the fee or other requirement was authorized by the ordinances, policies and standards in effect on the date at which the application for the vesting or non-vesting tentative map was deemed complete.

The City Attorney may argue that Government Code Section 66474.3(f) applies only to those subdivisions that are affected by a previously enacted initiative measure to the extent there is likely to be a default on land secured bonds issued to finance infrastructure for the project, because the remainder of Section 66474.3 deals with that subject. WCHH disagree. The language of Section 66474.3(f) is clear, unambiguous and not dependent on other provisions of Section 66474.3. The Subdivision Map Act contains other sections that deal with multiple unrelated subjects.

Jarrell Prichard

From: Josh Peterson [joshp@wathen-castanos.com]
Sent: Wednesday, May 09, 2012 3:23 PM
To: Jeff Britz; 'JP Prichard'
Cc: dirk@dplds.com; Kevin Castanos
Subject: Lemoore Fee Reduction Request for City Council
Attachments: Fee Comparison Schedule.xls

Importance: High

Jeff and JP,

I wanted to follow up with you on our request to the City Council for a fee reduction. We are requesting that the Council reconsider the application of new fees "Post 2006" for all maps that were approved during mid 2005 through the end of 2006. As you know, there were several maps that were approved prior to the calculation of the new fee schedule, which occurred in the beginning of 2007. However, these maps had an additional stipulation that the new fee schedule would be utilized once it was determined. I have attached a spreadsheet outlining the fee line items and the cost associated with each line item under both fee scenarios. We are requesting that for those specific maps and any maps that had an applicable extension that the pre 2006 fees be adopted and placed into affect.

Please let me know if you have any questions.

Thank you,

Joshua E. Peterson
Executive Vice President/ CFO
Wathen Castanos Hybrid Homes, Inc.
802 W. Pinedale Ste 104
Fresno CA 93711
Ph. 559 432-8181 Fax 559 432-8595
www.wathen-castanos.com

	Currently Applicable 12/5/06-5/31/08 Fees	Pre 2006 Fees
Streets/Through-East	986.00	1,046.00
Law Enforcement	238.00	198.00
Fire Facilities	-	75.00
General Facility	940.00	626.00
Storm Drainage Facility	805.00	704.00
WW Treat Disposal	573.00	573.00
WW Collection	466.00	258.00
Water Supply/Storage	2,441.00	1,131.00
Water Distribution	200.00	156.00
Parkland Acquisition	1,284.00	1,543.00
Park Improvements	1,805.00	-
Comm Rec Facilities	737.00	-
Refuse Impact Fee	<u>280.00</u>	<u>222.00</u>
Total	\$ 10,755.00	\$ 6,532.00

New Residential Building Permits By Calendar Year

	Single Family Residential	Multi- Family Residential
2006	207	0
2007	108	0
2008	67	130
2009	29	0
2010	11	0
2011	29	80
2012 (YTD)	39	0

RESOLUTION NO. 2005-24**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMOORE DETERMINING TO INITIATE A STUDY TO UPDATE AND INCREASE TO THE DEVELOPMENT IMPACT FEES FOR THE CITY OF LEMOORE AND FINDING AN IMMEDIATE NECESSITY FOR SAID FEE INCREASE**

At a Regular Meeting of the City Council of the City of Lemoore duly called and held on June 7, 2005 at 7:30 p.m. on said day, it was moved by Councilmember Martin, seconded by Councilmember Andreasen, and carried, that the following Resolution be adopted:

WHEREAS, by Ordinance No. 92-10, adopted on August 18, 1992, the City Council (the "City Council") of the City of Lemoore (the "City") granted authority to establish and charge development impact fees as a condition of approval of development projects for the purpose of defraying the costs of public facilities (including public improvements, public services and community amenities) related to development projects; and

WHEREAS, pursuant to the State Mitigation Fee Act (Government Code Sections 66000 et. Seq.), such development impact fees may be established and charged to pay the cost of development of public facilities, including but not limited to streets and thoroughfares, law enforcement facilities and equipment, fire facilities and equipment, general city facilities, storm drainage facilities, wastewater treatment facilities, wastewater collection facilities, water supply and holding facilities, water distribution facilities, parks and recreation facilities, refuse collection equipment, and other areas as identified; and

WHEREAS, in Ordinance No. 92-10, the City Council provided both that in enacting resolutions establishing and imposing such impact fees the City Council shall set forth the specific amount of the fee, describe the benefit and impact areas on which the development impact fee is imposed, list the specific public improvements to be financed, describe the estimated cost of the facilities, describe the reasonable relationship between the fees and the various types of developments, and set forth the time of payment, and that the City Council may further provide in such resolution that specific limitations will apply to reductions, adjustments, waivers, or deferrals of development impact fees and further that the City Council may, in such resolution; and

WHEREAS, the City Council received a report on January 25, 2005, from the City Manager and Public Works Director that current development impact fees are insufficient to pay the increasing costs of public facilities needed to accommodate growth in the city; and

WHEREAS, the updating, establishing, and imposition of increased development impact fees is necessary and proper to defray the cost of development of public facilities related to development projects;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lemoore as follows:

1. The City staff is directed to comply with procedures found in Government Code 66000 to initiate and complete a study to review current development impact fees and increases that may be needed to pay for the increasing costs of public facilities.
2. Paragraph 10 of Resolution No. 9246, and Paragraph 10 of Resolution No. 2000-21, are hereby modified to require payment of Development Impact Fees at the time of the issuance of the building permit for any work of improvement.
3. Any and all development projects approved after the adoption of this Resolution shall be subject to the new impact fees that will be set by Resolution following completion of the study initiated by this Resolution.

* * * * *

Passed and adopted at a Regular Meeting of the City Council of the City of Lemoore held on the 7th day of June, 2005, by the following vote:

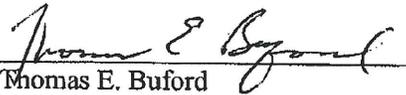
Ayes: Martin, Andreasen, Murray, Grego, Buford

Noes: None

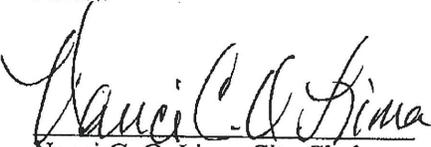
Absent: None

Abstaining: None

Approved:


Thomas E. Buford
Mayor

Attest:


Nanci C. O. Lima, 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 City Council of the City of Lemoore was duly passed and adopted at a Regular Meeting of the City Council held on the 7th day of June, 2005. .

Dated: June 8, 2005



NANCI C. O. LIMA, City Clerk

RESOLUTION NO. 2006-15
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMOORE
APPROVING TENTATIVE SUBDIVISION MAP NO.2006-02/
PLANNED UNIT DEVELOPMENT NO.2006-02/
CONDITIONAL USE PERMIT NO.2006-02 FOR ROBERT BADASCI

At a Regular Meeting of the City Council of the City of Lemoore duly called and held on May 2, 2006, at 7:30 p.m. on said day, it was moved by Councilmember PILOURDE, seconded by Councilmember MARTIN and carried that the following Resolution be adopted:

WHEREAS, Robert Badasci has submitted applications for Tentative Subdivision Map No. 2006-02/ Planned Unit Development No. 2006-02/ Conditional Use Permit No. 2006-02/ Site Plan Review 2006-01/ Environmental Assessment #2006-06 to subdivide and develop Tract 872, Sugarplum Village consisting of 30.51 acres into 89 single family lots; and

WHEREAS, the tract on which the development is proposed is located south of Boxwood Lane, north of Geneva Drive, east of Cinnamon Drive and is described as Assessor Parcel Nos.021-110-033, 005, 006 & 007, 021-060-001, 004, 005 & 006, and 021-050-001, 005 & 006; and

WHEREAS, the Lemoore Planning Commission held a duly noticed public hearing on April 10, 2006 meeting, on the above-stated proposal as required by the City of Lemoore Municipal Code, it being established that all notice requirements as set forth in Section 9-15B-2C of the said code have been complied with; and

WHEREAS, the Planning Commission reviewed the Environmental Impact Assessment pertinent to the proposal and determined that it will not have any significant effect on the environment and recommended adoption of the Negative Declaration pursuant to California Environmental Quality Act, as amended; and

WHEREAS, Section 9-15B-2G of the Lemoore Municipal Code requires the City Council to review the decision of the Planning Commission on a Tentative Subdivision Map / Planned Unit Development / Conditional Use Permit for proposal in a meeting held more than ten (10) days after the Planning Commission's decision; and

WHEREAS, on the basis of the application and the evidence submitted to the Planning Commission, the Planning Commission made the following findings specified in Section 9-15E-6E of the Lemoore Municipal Code:

1. That the proposed location of the Planned Unit Development is in accordance with the objective of the Zoning Ordinance.
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 Title 9 of the Lemoore Municipal Code.
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 the zoning regulations and will not generate more traffic than the streets in the vicinity can carry without congestion and will not overload utilities.

5. When the elevations, floor plans, and overall plot plan are back, the different dwellings will compliment each other and will harmonize with existing and proposed land uses in the vicinity.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lemoore does hereby affirm the Planning Commission's recommendation to adopt a Negative Declaration with an addendum and approve the submitted applications for Tentative Subdivision Map No. 2006-02/ Planned Unit Development No. 2006-02/ Conditional Use Permit No. 2006-02/ Site Plan Review 2006-01/ Environmental Assessment #2006-06 to subdivide and develop Tract 872, Sugarplum Village consisting of 30.51 acres into 97 single family lots with the 21 conditions as applied for by Robert Badasci with the following conditions:

1. Boxwood Drive needs to be altered to accomodate a regular T-intersection, as shown on the detail portion of the submitted Tentative Plat Map, and a new stop sign needs to be added due north of Boxwood to stop southbound apartment traffic from quickly exiting onto the street adjacent to the proposed Prailine Street to address a potential traffic hazards.

The interior streets shall be develop with a 60' right-of-way, have 20' curb radius returns at all street corners and shall be distributed per City Standards with parkway style sidewalks with the exception to the street parallel to the 70-kv powerlines which will not include a sidewalk but will include a 7' landscape area on the south half of the street and a 7.5' parkway will be installed on the north half of the street.

2. The subdivision shall request inclusion in the lighting and landscaping maintainance district (LLMD) to maintain local streets, street lighting, block walls, interceptor line, and the landscape areas on the southern half of the double headed cul-de-sac street on the southerly portion of the subdivision and at the ends of this same cul-de-sac.
3. The developer shall submit revised street names using a single theme naming convention. Lilac Drive shall be changed to Geneva Drive as it continues from an existing street and the cul-de-sac at the north end of the street shall be named Geneva Lane. Himalaya Drive will need to continue into the subdivision and the cul-de-sac at the end of the street shall be named Himalaya Place.
4. Five (5) sets of an overall landscape plans shall be submitted to determine conformity with City standards. Such plans shall include 7' wide landscape strip along the southside of the street and 7.5' in the northerly parkway of the double-headed east-west cul-de-sac and shall include special landscaping and adequate pedestrian access at the end of the street adjacent to the proposed Sugar Street and Lilac Drive as approved by the Community Development Department prior to recordation of the Final Map.
5. A seven foot (7') tall block wall shall be installed along the northsides of lots 82, 83, 84 and 88 to provide adequate buffering from the multi-family uses. A six to seven foot (6-7') high cedar fence with galvanize metal postings shall be erected at the toe of the Lemoore Canal slope along lots 65 to 82 to meet the Lemoore Canal & Irrigation Company's and the City of Lemoore's approval to meet "protective fencing" requirements and exact location. Such fencing may require retaining walls as determined by the Public Works. All fence and wall details along with a detailed elevation and cross-section shall be included on one page of the improvement drawings.
6. All existing and proposed easments identified in the preliminary title report will need to be identified and correctly noted on the Final Map which are anticipated to include a 25' PG&E easement (which may be 40' and located partially on property to the south of proposed project), 15' storm drain easement, and a 10' Public Utility Easement adjacent to all lots that front on public streets within the development.

7. A "Right to Farm" Notice and Disclosure Statement must be recorded on the property, in a form acceptable to the City Attorney and Kings County Planning Department, which states that neighboring residents should be prepared for the inherent and potential inconveniences and discomforts often associated with normal and usual agricultural activities and operations, and that the County will not take any nuisance abatement actions against any normal and usual farming operations.
8. Improvement drawings must show existing and proposed water, sanitary sewer, storm drainage, fire hydrants, street lights, and street infrastructure (including curb, gutter, and parkway style sidewalks) associated with the development in locations recommended by the City Engineer per City standards. All proposed and existing onsite utilities shall be undergrounded by the developer at their expense, with the exception of the 70kv lines, in coordination and approved by PG&E and the City of Lemoore. The final location of gas lines shall also be coordinated and approved by the Southern California Gas company. All improvement plans for the subdivision must be coordinated and approved by the City of Lemoore Engineer and Public Works Departments.
 - a. Water calculations will need to be provided with the submittal of improvement plans and must show existing water lines associated with the development and confirm compliance with the City of Lemoore fire flow requirements of 1,500 g.p.m at 20 p.s.i.
 - b. Sewer shall be provided to the subdivision in compliance with the requirements of the City of Lemoore to service all lots. The applicant's engineer will need to provide sanitary sewer calculations verifying pipe sizes and slopes and coordinate the system development with the City Public Works Department.
 - c. Storm drainage shall be provided for the entire tract and any storm drain system modifications shall have to meet the approval of the City Engineer. The developer shall provide the require capacity for strom/sewer drainage and basin capacity as needed as and shall be included in the improvement drawings. If capacity does not exist, the development will have to make adequate improvements for such capacity. The developer will need to raise the existing storm drain manholes in the storm easement along the south side of the subdivision to finish lot grades.
 - d. Fire hydrants shall be spaced approximately 300 feet apart within the subdivision on the south or east side of the streets, with shut off valves and adequate fire flow as determined by the City Engineer. The total number and locations of such shall be verified by the Lemoore Volunteer Fire Department and included in the improvement drawings.
 - e. Street lights within the subdivision shall installed to comply with City Standards for local streets.
9. In order to address the concerns of the Lemoore Canal Company, an interceptor line shall be placed within the private backyards of Lots No. 65 to 82, to control seepage into the adjacent groundwater to be approved by Public Works and the Lemoore Canal & Irrigation Company and include an appropriate pump station, power and automatic control facilities to return the water to the canal.. A detailed elevation and cross-section of the canal area showing toe, interceptor line, pump station, canal and all pertinent information shall be submitted with the improvement drawings. Lots adjacent to the canal shall waive access rights to the canal easement and the easement shall be fenced with "protective fencing". A 20' wide easement shall be provided along the south of Lot 65 to provide access to the canal and strom pump station with a gate at the 25-foot setback line and a drive improved with either gravel or asphalt surface.
10. The final location and number of cluster mail box units shall be coordinated with the Lemoore Postmaster and the financial responsibility of the developer. The pad locations should try to be adjacent to side yards and should be included on the improvement drawings.

11. The PUD overall footprint plan, elevations, and floorplans shall be submitted for separate review and approval by the Planning Commission and City Council prior to the Final Map being recorded. Review and approval process will be held through a public hearing before the Planning Commission and a City Council meeting and appropriate processing fees paid.

Single family setbacks should follow the PUD guidelines ranging from 18-25' for front yard and a minimum of 5' for both side yards and all utilized floorplans will not exceed a 35% floor area ratio of the useable lot space (for canal lots this would not include area in the canal easement outside an individuals fenced back yard). All floor plans and elevations shall meet the PUD guidelines.
12. Project design and construction shall be accomplished incorporated all the recommendations contained within the soils report therein were into the. Additional "R" value tests will need to be provided to better define the soil with low "R" values. Minimum street structural sections per City Standards are 2-inches of Asphalt Concrete (AC) and 6-inches of Class 2 Aggregate Base.
13. Allow secondary dwelling units with as per State Law once Daphne Lane is constructed to Bush Street.
14. No more than 97 units shall be allowed in the subdivision, so long as the average lot size is not less than 10,300 square feet as shown on the revised map and submitted to the Planning Department.
15. *A digital copy of the final map and improvement plans shall be provided to the City prior to Final Map recordation.*
16. *The developer shall at all times comply with the Fugitive Dust Control Standards of the San Joaquin Valley Unified Air Pollution Control District and shall take complete control of dust during the preparation of the subdivision site and during construction by taking the following measures:*
 - a. *Submit for approval of the Public Works Director a program for the control of dust, which shall include, but not limited to, a watering schedule (frequency and time of day), use of dust control emulsions, and/or other measures necessary for control of dust.*
 - b. *Provide equipment and labor for watering of all exposed or disturbed soil surfaces, including weekends and holidays.*
 - c. *Sweep construction area and adjacent streets of all mud and dust at the end of the workday.*
 - d. *In addition, the developer shall deposit with the City an amount of five thousand dollars (\$5,000) which may be used by the City for dust control measures on this development, should the developer fail to adequately control dust. In case the City incurs costs for dust control in excess of the above amount, the developer shall reimburse the City for this additional amount. Upon acceptance by the City of the subdivision improvements, the deposit sum less any amount expended by the City will be refunded to the subdivider.*
17. *The developer and contractor shall comply with all applicable provisions of the NPDES regulations, and are responsible for all General Permit applications to the Regional Water Quality Control Board. Proof of application shall be provided to the City prior to commencement of construction.*
18. *The developer shall submit to the Community Development Department the following documents for processing after approval of the Tentative Subdivision Map.*

- a) *Five (5) copies of the final subdivision map along with closure calculations, preliminary title report dated within 90 days of submittal, and the final map application fee. The final map shall bear the signature and seal of the licensed land surveyor or registered civil engineer licensed to practice land surveying, preparing the map. If any of these required elements are missing, no attempt will be made to review the submittal.*
 - b) *Five (5) copies of subdivision improvement plans shall be submitted to the Community Development Department including water, sewer, storm drainage, street lighting, sidewalks, curb, gutter and fire hydrants drawn at a scale of not less than 1"=40' horizontal and 1"=4' vertical to be distributed to all commenting parties. General layout and grading may be shown on 24"x36" plan sheets. Plan and profile sheets shall be provided for curb grades and all proposed underground construction, and shall identify points of crossing. Calculations for pavement sections and any nonstandard facilities shall be provided. Details for all construction not covered by City Standard Specifications and/or Detail Drawings shall be provided. Plans shall be signed and sealed by the civil engineer in responsible charge. No review will be attempted on an incomplete submittal.*
 - c) *Two (2) copies of the engineer's cost estimates for the proposed improvements showing quantities and unit prices. Unit prices shall conform to the City standard prices, which are available at the Public Works Department.*
 - d) *After review of the final map is complete, the applicant's engineer shall submit a letter certifying that monumentation is in place and ready for field inspection. Upon receipt of that letter, staff will inspect the monumentation of the tract, prior to final approval of the map. If monumentation of individual lots is to be delayed until construction, the owner shall post with the City a bond-guaranteeing placement of all required monumentation.*
 - e) *Prior to submittal of the original tracings of the final map to the City for signature and recordation, the original tracing shall include notarized signatures (in black indelible ink) of all persons having record interest in the area within the boundary of the map, the seal and signature (in indelible ink) of the Registered Civil Engineer/Licensed Land Surveyor preparing the map, and the signature (in black indelible ink) of the Kings County Tax Collector. Use of improper ink for these signatures may cause rejection of the map by the City or the County Recorder's office.*
 - f) *After approval of the improvement drawings, the City will maintain possession of the original drawings for the duration of the project. The developer or his representative may obtain copies through a certified blueprinting service (Western Blueprinting or Airport Blueprint) that will retrieve the originals, make the needed copies and return the originals to the City.*
 - g) *Upon completion of the subdivision improvements and their acceptance by the City, the developer's engineer shall prepare drawings of as built improvements and shall submit to the City one reproducible and three blue line copies for the City's records.*
19. *All subdivision improvements including water, sewer, storm drainage, curbs, gutters, sidewalks, street lights, fire hydrants and street improvements shall comply with the Public Works Standards of the City unless provided differently in this report as an allowed Planned Unit Development standard and meet the approval of the City Engineer.*
20. *The subdivider shall defend, indemnify and hold harmless the City of Lemoore and all of its departments, officers, agents and employees of and from all claims, actions and proceedings of any kind or nature to attack, set aside, void or annul the actions of the Planning Commission and/or City Council in reviewing and approving the map. This condition is imposed pursuant to Government Code Section 66474.9. The City will promptly notify the subdivider of any such claim or action and will fully cooperate with the subdivider in the defense thereof.*

21. In accordance with Council Resolution 2005-24 adopted June 7, 2005, the Council has authorized staff to prepare an updated impact fee study which is anticipated to be completed within one year. The project will have an impact on the need for new public facilities and improvements in the City. The costs associated with that impact and the connection between the need for new public facilities and the proposed project will be set forth in a new Resolution to be adopted by the City Council. As a result, the applicant shall be subject to and shall pay these impact fees when they are set forth; should construction commence prior to the completion of such fee schedule an interim assessment will have to be made. Development Impact Fees shall be collected upon issuance of building permits for the development at the rate in effect on the date of the building permit.

Passed and adopted at a Regular Meeting of the City Council of the City of Lemoore held on the 2nd day of May, 2006, by the following vote:

AYES: PLOURDE, MARTIN, GREGO, MURRAY, BUFORD
NOES: NONE
ABSTAINING: NONE
ABSENT: NONE

APPROVED:



 Thomas E. Buford, Mayor

ATTEST:



 Nanci C.O. Lima, 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 City Council of the City of Lemoore was duly passed and adopted at a Regular Meeting of the City Council held on May 2, 2006.

DATED: May 3, 2006



 Nanci C.O. Lima, City Clerk

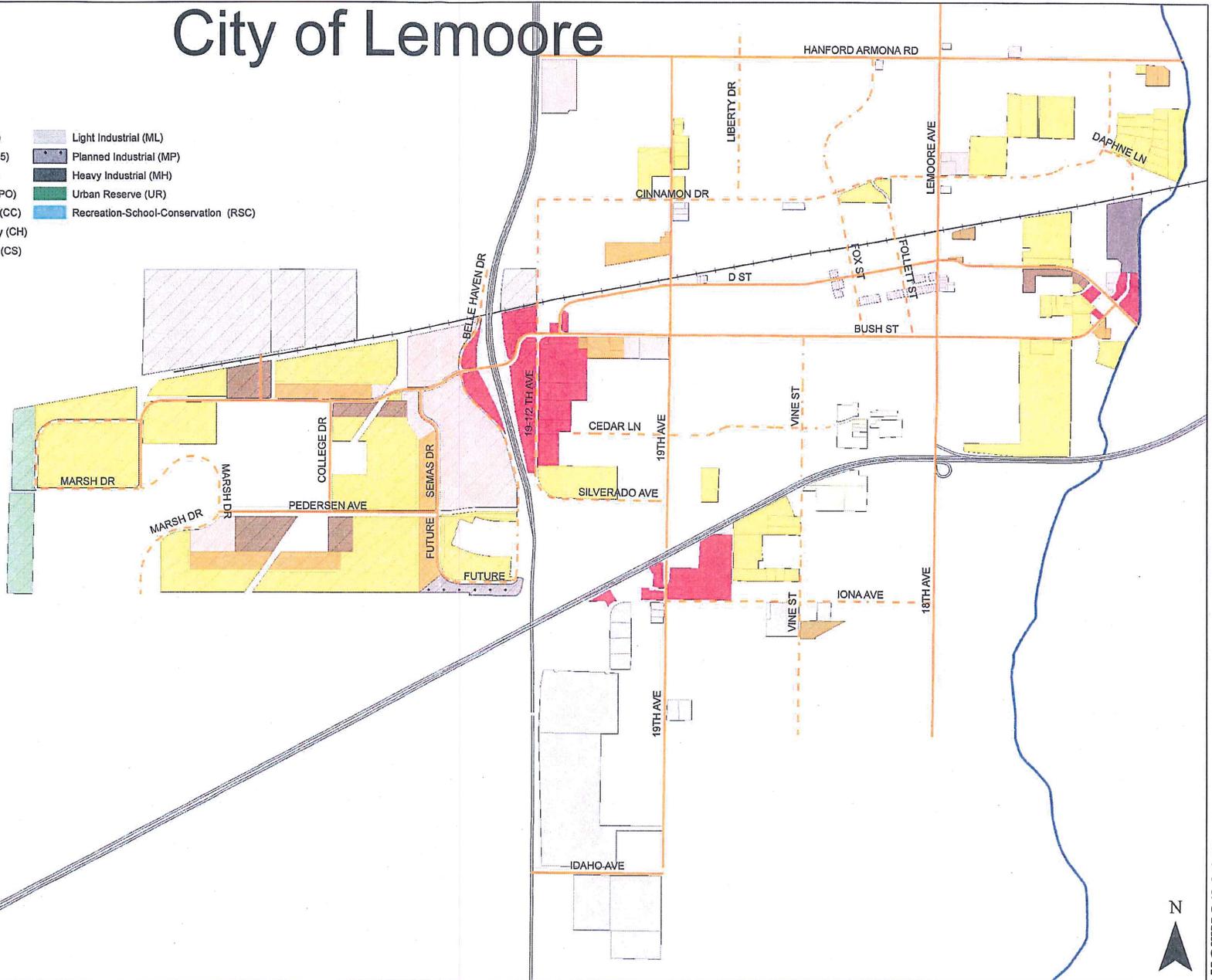
City of Lemoore

Zone Designation

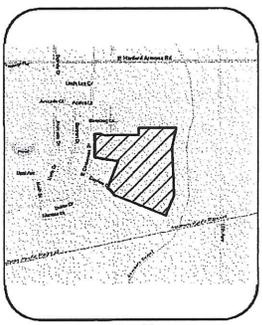
UNDEVELOPED LAND USE	Med. Density (RM-3)	Light Industrial (ML)
WEST (Undeveloped)	Med. Density (RM-2.5)	Planned Industrial (MP)
EAST (Undeveloped)	High Density (RM-2)	Heavy Industrial (MH)
RA-40	Professional Office (PO)	Urban Reserve (UR)
RA-20	Central Commercial (CC)	Recreation-School-Conservation (RSC)
Low-Med. Density (R-1-10)	Commercial Highway (CH)	
Low-Med. Density (R-1-7)	Commercial Service (CS)	

West Side Acreage = 845.51 ac.
 East Side Acreage = 746.55 ac.

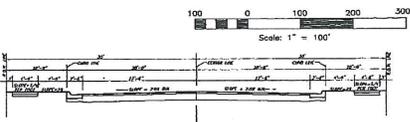
TOTAL = 1592.06 ac.



Drawn By: JGM Date: 09/29/06



Vicinity Map



Street Section (60' R.O.W.)

Site Summary

APNs: 021-110-003, 021-110-005, 021-110-006, 021-110-007, 021-060-001, 021-060-004, 021-060-005, 021-060-006, 021-060-007, 021-060-008, 021-050-005

SITE AREA

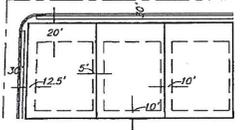
GROSS AREA: 32.40 ACRES (UPDATED AREA PER BOUNDARY SURVEY)
 PROFIT OF WAY AREA: 0.53 ACRES
 LOT AREA: 23.76 ACRES
 OPEN SPACE: 0.55 ACRES

97 LOTS PROPOSED
 97 LOTS / 23.76 ACRES = 4.08 LOTS/ACRE
 AVERAGE LOT SIZE: 10,670 S.F.

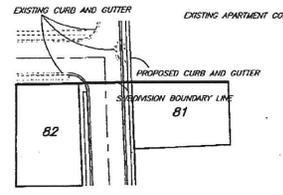
AREA DEVELOPMENT STANDARDS

ZONING DISTRICT	R-1-7 (PROPOSED)
MINIMUM LOT AREA	7,000 S.F.
MINIMUM LOT WIDTH	65'
MINIMUM YARD SETBACKS	FRONT: 25' SIDE: 15' REAR: 10'

- NOTES:**
- EXISTING LAND USE AND ZONE DISTRICTS: R-1 and R-A-20. PROPOSED R-1-7 FOR DEVELOPMENT.
 - COMMUNITY FACILITIES WHICH WILL SERVE THE SUBDIVISION: KINGS COUNTY SCHOOL DISTRICT, LEMOORE CITY FIRE AND POLICE DEPARTMENTS.
 - NAMES OF UTILITY COMPANIES:
 ELECTRICITY: SOUTHERN CALIFORNIA GAS CO.
 GAS: PACIFIC
 WATER & SEWER: LEMOORE CITY PUBLIC WORKS.
 REFER TO SURVEY REPORT FOR EXISTING TREE SPECIES.
 - PROPEITY OWNERS:
 ROBERT S. BADASSO AND ANN C. BADASSO, HUSBAND AND WIFE, AS A COMMUNITY PROPERTY, AS TO PARCELS 1, 4, 5, 6, & 7.
 THE HEIRS OR DEVEASES OF ROBERT I. BADASSO, A SINGLE MAN, DECEASED, THEIR INTEREST BEING SUBJECT TO THE ADMINISTRATION OF THE ESTATE OF SAID DECEASED, AS TO PARCEL 2.
 JANICE ANN BADASSO, A SINGLE WOMAN AND DAANE ANITA BADASSO, A SINGLE WOMAN, AS JOINT TENANTS, AS TO PARCEL 3.
 ROBERT S. BADASSO AND ANN C. BADASSO, HUSBAND AND WIFE AS TRUSTEES, AS TO AN UNDIVIDED 1/2 INTEREST AND DONA M. BADASSO, TRUSTEE OF THE DONNA M. BADASSO REVOCABLE LIVING TRUST DATED JUNE 14, 2002, AS TO AN UNDIVIDED 1/2 INTEREST, AS TO PARCEL 8.
 217 WEST D ST, LEMOORE, CA 93246
 - CONTRIBUTIONS ARE SHOWN WITH A ONE FOOT INTERVAL.
 - LOAD TO BE ESTABLISHED FOR STREET TREES, LIGHTS, SIDEWALKS, INTERCEPTOR LINED PLUM, & STREETS/CURBS/GUTTER.
 - ALL INTERIOR STREET CURB RADIUS = 20'
 - MAINTAIN 5 FT SEPARATION BETWEEN WET AND DRY UTILITIES.
 - POLICE POWERED CORRIDOR TO BE USED AS OPEN SPACE TRACT.



TYPICAL LOT SETBACK SCALE: NONE



Curb & Gutter Plan View SCALE: NONE

Preliminary Drainage Calcs.

AREA: 30.51 acres
 INTENSITY: 3.32 inches
 RUNOFF COEFFICIENT: 0.30
 DETENTION REQUIREMENTS: V-CA
 V=6.44 acres/ft

Centerline Curve Data

Curve#	Delta	Radius	Length	Tangent	Chord	Ch Length
C1	34°28'36"	200.00'	190.04'	102.68'	524°57'35"W	182.97'
C2	22°58'00"	200.00'	80.17'	40.63'	S40°41'53"W	79.63'
C3	31°28'36"	200.00'	109.87'	56.56'	S17°28'35"W	108.50'
C4	7°05'02"	300.00'	37.10'	18.57'	N84°18'40"W	37.07'
C5	11°32'44"	340.00'	68.81'	34.37'	N73°38'36"W	68.40'
C6	10°47'15"	340.00'	64.01'	32.10'	N84°48'35"W	63.82'
C7	22°19'59"	340.00'	132.53'	67.12'	S79°02'13"E	131.89'
C8	6°13'42"	200.00'	21.75'	10.88'	N16°07'35"E	21.23'
C9	15°16'25"	200.00'	53.31'	26.82'	N52°22'29"E	53.16'
C10	21°30'12"	200.00'	75.06'	37.88'	N8°29'21"E	74.62'
C11	17°17'03"	250.00'	76.87'	38.74'	N6°32'49"E	76.57'
C12	5°53'08"	202.29'	190.25'	102.62'	N42°17'55"E	163.31'



PREPARED UNDER THE SUPERVISION OF:
 ARVISU A. TAYLOR, P.E.
 REEVE & ASSOCIATES, INC.

Subdivider:
 Sugar Plum Homes
 Contact: Brad Swenson
 4120 W. Grove Ct.
 Visalia, CA, 93291
 (801) 694-5225 cell
 (559) 741-9290 fax

Sugarplum Village, Tract No. 872

Lemoore City, Kings County, California



REVISIONS	DESCRIPTION
DATE	
BY	
11 FEBRUARY 2006	

Sugarplum Village, Tract No. 872

Tentative Plat

Revised: April 11, 2006

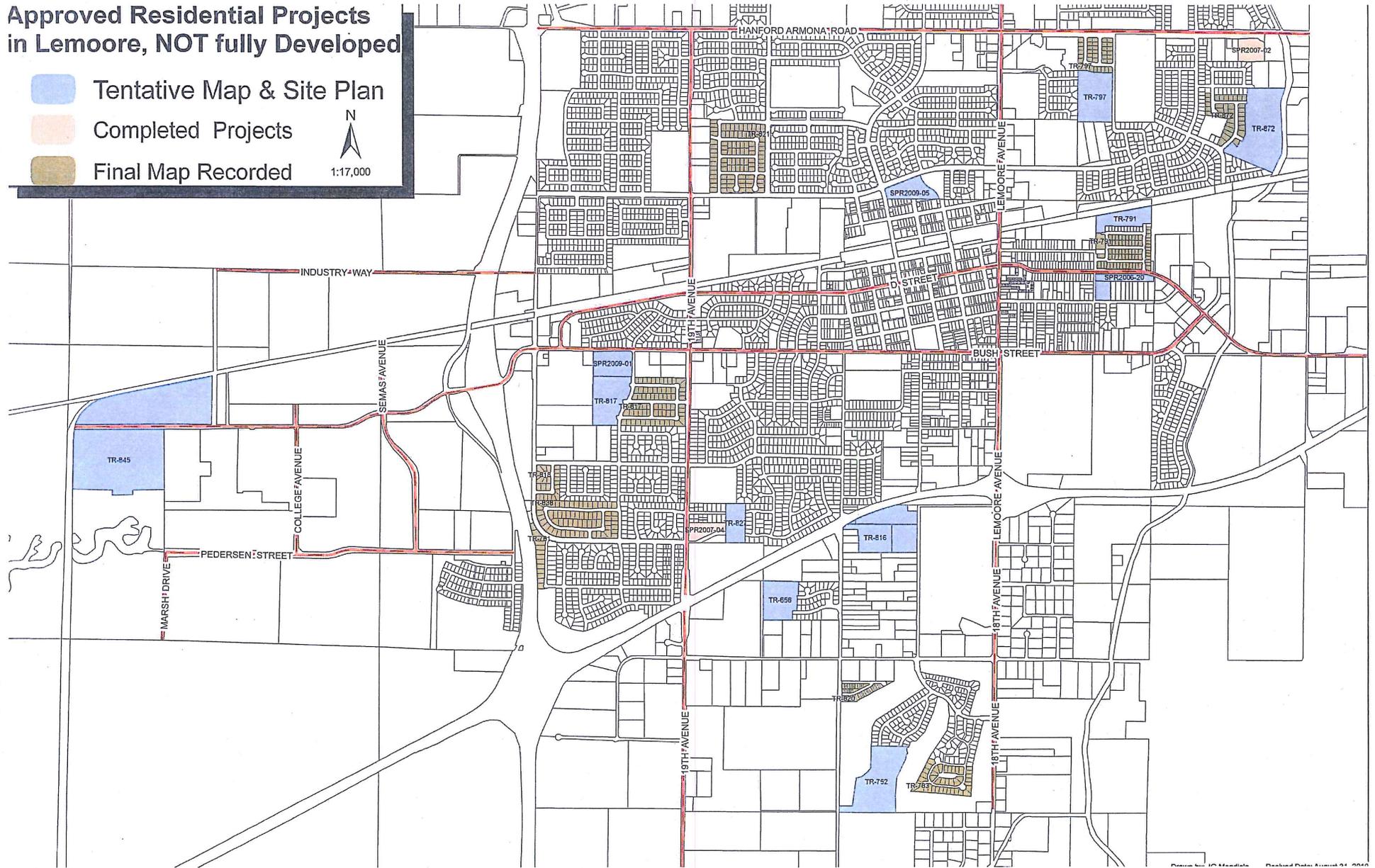
Project Info.
 Engineer: J. Reve
 Designer: S. Sigs
 Begin Date: Jan 5, 2006
 Name: Sugarplum Village
 Tract No.
 Number: 5215-01

THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF REEVE & ASSOCIATES, INC., 4155 S. HARRISON BLVD., EXECUTIVE BLDG., #210, OGDON, MOH 94403, AND SHALL NOT BE PHOTOCOPIED, RE-COPIED, OR USED ON ANY PROJECT OTHER THAN THE PROJECT SPECIFICALLY DESIGNED FOR WITHOUT THEIR WRITTEN PERMISSION. THE OWNERS AND ENGINEERS OF REEVE & ASSOCIATES, INC. DISCLAIM ANY LIABILITY FOR ANY CHANGES OR MODIFICATIONS MADE TO THESE PLANS OR THE DESIGN THEREON WITHOUT THEIR CONSENT.

Approved Residential Projects in Lemoore, NOT fully Developed

- Tentative Map & Site Plan
- Completed Projects
- Final Map Recorded

N
1:17,000



Drawn by J.C. Medina, Revised Date: August 24, 2005

CITY-IMPOSED IMPACT & QUIMBY FEES

(Excludes impact fees from Kings County, Lemoore Elementary School District, and Lemoore High School District, as well as other building inspection and State .)

SINGLE FAMILY RESIDENTIAL

Facility Type	"Pre-Colgan" 1/19/02 thru 12/4/06	"Colgan Fees" 12/5/06 thru 5/31/08	Net-Effect of Collecting "Pre-Colgan" Impact Fees per Impact Fee Fund For Sugarplum - 97 SFRs
Fire	\$ 75.00 ¹	\$ - ^{5,7}	\$ 7,275.00
Law Enforcement	\$ 198.00 ¹	\$ 238.00 ³	\$ (3,880.00)
Park & Recreation	\$ 1,543.00 ¹		\$ 149,671.00
Park Land Acquisition (Quimby/Impact)		\$ 1,284.00 ^{3,6}	\$ (124,548.00)
Park Improvements		\$ 1,805.00 ³	\$ (175,085.00)
Community/Rec Facilities		\$ 737.00 ⁶	\$ (71,489.00)
Water Supply/Storage	\$ 1,131.00 ¹	\$ 2,441.00 ⁴	\$ (127,070.00)
Water Distribution	\$ 156.00 ¹	\$ 200.00 ³	\$ (4,268.00)
Wastewater Treatment/Disposal	\$ 573.00 ¹	\$ 573.00 ¹	\$ -
Wastewater Collection	\$ 258.00 ¹	\$ 466.00 ³	\$ (20,176.00)
General Municipal Facilities	\$ 626.00 ¹	\$ 940.00 ⁵	\$ (30,458.00)
Refuse Vehicles and Containers	\$ 222.00 ²	\$ 280.00 ³	\$ (5,626.00)
Storm Drainage	\$ 704.00 ^{1,8}	\$ 805.00 ³	\$ (9,797.00)
Streets and Thoroughfares	\$ 1,046.00 ¹	\$ 986.00 ⁵	\$ 5,820.00
Total	\$ 6,532.00	\$ 10,755.00	\$ (409,631.00)

- | | Adopted | Effective |
|--|----------|-----------|
| ¹ Resolution 2000-21 | 06/20/00 | 08/19/00 |
| ² Resolution 2001-43 | 11/20/01 | 01/19/02 |
| ³ Resolution 2006-46 | 12/05/06 | 02/03/07 |
| ⁴ Resolution 2006-48 | 12/19/06 | 02/17/07 |
| ⁵ Resolution 2006-49 | 12/19/06 | 02/17/07 |
| ⁶ Resolution 2007-01 | 01/16/07 | 03/17/07 |
| ⁷ East Side Fire Impact fees determined to be invalid | | |
| ⁸ Based on 97 lots over 30.51 acres @ \$2239/acre | | |

CITY OF LEMOORE - BUILDING PERMIT

Permit Number: 0704-046	Date Issued:	Building Sq. Ft.:	1800	Acres:
Valuation: 134,290.80		Garage Sq. Ft.:	460	0
Address: EFFECTIVE 1/9/02 THRU 12/4/0	APN:	Patio / Porch Sq. Ft.:	20	
Owner:	Tract:	SFR NEW SINGLE FAMILY DWELLING 05/10/2012		
Mail Addr:	Lot:	P.U.E Verification: Volume: Page:		
City:	Phone:	RESIDENTIAL	Planner Sig:	
Contractor: OWNER/BUILDER	Lic #:	Type of Construction	Zone	Occupancy
Address:		Setback Front	Setback L. Side	Setback R. Side
City:	Phone:			Setback Rear
Designer: NONE				
Address:				
City:	Phone:			

Item	Permit Fees	Amount
Building Fees		
Bldg Permit Fee	001.3040	1,070.00
Bldg Plan Check	001.3060	353.10
Plumbing	001.3045	106.00
Electrical	001.3050	78.00
Mechanical	001.3055	30.00
Water Meter Install	050.3305	465.00
General Plan Update Fee	001.3630	107.43
Technology Fee	001.3635	40.29
City Impact Fees		
Streets/Through-East	065.3605	1,046.00
Law Enforcement	066.3605	198.00
Fire Facilities-East	067A.3605	75.00
General Facility	068.3605	626.00
Storm Drainage Facility	069.3605	704.00
WW Treatment/Disposal	071.3608	573.00
WW Collection	071A.3609	258.00
Water Supply/Holding	070.3606	1,131.00
Water Distribution	070A.3607	156.00
Parkland Acquisition(Park/Rec)	074A.3605	1,543.00
Refuse Impact Fee	076.3604	222.00
County Fees		
County PFF Fee	090.3886	38.24
County Library Fee	090.3886	322.33
County Wide Criminal Justice	090.3886	1,203.00
School Fees		
School Impact	090.3872	5,927.04
City School Impact	001.3872	120.96
State Fees		
Strong Motion (R)	090.2256	13.43
Bldg Std Admin Spc Rev Fund	001.2243	6.00

Total Due:	16,412.82
Total Collected:	0.00
Balance Due:	16,412.82

Check Number: _____

THIS PERMIT SHALL EXPIRE BY LIMITATION AND BECOME NULL AND VOID IF WORK IS NOT COMMENCED WITHIN 180 DAYS, OR WORK HAS BEEN DISCONTINUED FOR A PERIOD OF 180 DAYS.

ISSUED BY: IRENE

Permit Number: 0704-046

CITY OF LEMOORE - BUILDING PERMIT

Permit Number: 1204-048 Date Issued: _____ Valuation: 134,290.80 Address: EFFECT. 12/5/06 THRU 5/31/08 APN: _____ Owner: _____ Tract: _____ Mail Addr: _____ Lot: _____ City: _____ Phone: _____ Contractor: OWNER/BUILDER Lic #: _____ Address: _____ City: _____ Phone: _____ Designer: _____ Address: _____ City: _____ Phone: _____	Building Sq. Ft.: 1800 Acres: _____ Garage Sq. Ft.: 460 0 Patio / Porch Sq. Ft.: 20 SFR BASED ON 1,800 SQ FT 05/10/2012 P.U.E Verification: Volume: _____ Page: _____ RESIDENTIAL Planner Sig: _____ Type of Construction Zone Occupancy Setback Front Setback L. Side Setback R. Side Setback Rear																																																																																																												
<p>WORKERS' COMPENSATION DECLARATION</p> <p>I hereby affirm under penalty of perjury one of the following declarations: I have and will maintain a certificate of consent to self-insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. I have and will maintain workers compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:</p> Carrier Policy Number _____ <p>I certify that, in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that, I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with these provisions.</p> Date: _____ Applicant: _____ <p>WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES. CONSTRUCTION LENDING AGENCY.</p> <p>I hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civ. C.).</p> Lender's Name _____ Lender's Address _____ <p>I certify that I have read this application and state that the above information is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this county to enter upon the above-mentioned property for inspection purposes.</p> Date: _____ Applicant: _____ <p>Owner Builder Declaration</p> <p>I hereby affirm under penalty of perjury that I am exempt from the Contractors' State License Law for the following reason (Sec. 7031.5, Business and Professions Code: Any city or county that requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for the permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractors' State License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code) or that he or she is exempt therefrom and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500).):</p> <p>1. I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044, Business and Professions Code: The Contractors' State License Law does not apply to an owner of property who builds or improves thereon, and who does the work himself or herself or through his or her own employees, provided that the improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the owner-builder will have the burden of proving that he or she did not build or improve for the purpose of sale.)</p> <p>2. I, as owner of the property, am exclusively contracting with licensed (contractors to construct the project (Sec. 7044, Business and Professions Code: The Contractors' State License Law does not apply to an owner of property who builds or improves thereon, and who contracts for the projects with a contractor(s) licensed pursuant to the Contractors' State License Law.) U) am exempt under Sec. _____, B.P.C. for this reason</p> Date: _____ Applicant: _____	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Item</th> <th>Permit Fees</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td colspan="3">Building Fees</td> </tr> <tr> <td>Bldg Permit Fee</td> <td>001.3040</td> <td>1,070.00</td> </tr> <tr> <td>Bldg Plan Check</td> <td>001.3060</td> <td>353.10</td> </tr> <tr> <td>Plumbing</td> <td>001.3045</td> <td>106.00</td> </tr> <tr> <td>Electrical</td> <td>001.3050</td> <td>78.00</td> </tr> <tr> <td>Mechanical</td> <td>001.3055</td> <td>30.00</td> </tr> <tr> <td>Water Meter Install</td> <td>050.3305</td> <td>465.00</td> </tr> <tr> <td>General Plan Update Fee</td> <td>001.3630</td> <td>107.43</td> </tr> <tr> <td>Technology Fee</td> <td>001.3635</td> <td>40.29</td> </tr> <tr> <td colspan="3">City Impact Fees</td> </tr> <tr> <td>Streets/Through-East</td> <td>065.3605</td> <td>986.00</td> </tr> <tr> <td>Law Enforcement</td> <td>066.3605</td> <td>238.00</td> </tr> <tr> <td>General Facility</td> <td>068.3605</td> <td>940.00</td> </tr> <tr> <td>Storm Drainage Facility</td> <td>069.3605</td> <td>805.00</td> </tr> <tr> <td>WW Treatment/Disposal</td> <td>071.3608</td> <td>573.00</td> </tr> <tr> <td>WW Collection</td> <td>071A.3609</td> <td>466.00</td> </tr> <tr> <td>Water Supply/Holding</td> <td>070.3606</td> <td>2,441.00</td> </tr> <tr> <td>Water Distribution</td> <td>070A.3607</td> <td>200.00</td> </tr> <tr> <td>Parkland Acquisition(Park/Rec)</td> <td>074A.3605</td> <td>1,284.00</td> </tr> <tr> <td>Park Improvements</td> <td>074B.3605</td> <td>1,805.00</td> </tr> <tr> <td>Community/Rec Facilities</td> <td>074C.3605</td> <td>737.00</td> </tr> <tr> <td>Refuse Vehicles and Container</td> <td>076.3604</td> <td>280.00</td> </tr> <tr> <td colspan="3">County Fees</td> </tr> <tr> <td>County PFF Fee</td> <td>090.3886</td> <td>38.24</td> </tr> <tr> <td>County Library Fee</td> <td>090.3886</td> <td>322.33</td> </tr> <tr> <td>County Wide Criminal Justice</td> <td>090.3886</td> <td>1,203.00</td> </tr> <tr> <td colspan="3">School Fees</td> </tr> <tr> <td>School Impact</td> <td>090.3872</td> <td>5,927.04</td> </tr> <tr> <td>City School Impact</td> <td>001.3872</td> <td>120.96</td> </tr> <tr> <td colspan="3">State Fees</td> </tr> <tr> <td>Strong Motion (R)</td> <td>090.2256</td> <td>13.43</td> </tr> <tr> <td>Bldg Std Admin Spc Rev Fund</td> <td>001.2243</td> <td>6.00</td> </tr> <tr> <td colspan="2" style="text-align: right;">Total Due:</td> <td>20,635.82</td> </tr> <tr> <td colspan="2" style="text-align: right;">Total Collected:</td> <td>0.00</td> </tr> <tr> <td>Check Number: _____</td> <td>Balance Due:</td> <td>20,635.82</td> </tr> </tbody> </table>	Item	Permit Fees	Amount	Building Fees			Bldg Permit Fee	001.3040	1,070.00	Bldg Plan Check	001.3060	353.10	Plumbing	001.3045	106.00	Electrical	001.3050	78.00	Mechanical	001.3055	30.00	Water Meter Install	050.3305	465.00	General Plan Update Fee	001.3630	107.43	Technology Fee	001.3635	40.29	City Impact Fees			Streets/Through-East	065.3605	986.00	Law Enforcement	066.3605	238.00	General Facility	068.3605	940.00	Storm Drainage Facility	069.3605	805.00	WW Treatment/Disposal	071.3608	573.00	WW Collection	071A.3609	466.00	Water Supply/Holding	070.3606	2,441.00	Water Distribution	070A.3607	200.00	Parkland Acquisition(Park/Rec)	074A.3605	1,284.00	Park Improvements	074B.3605	1,805.00	Community/Rec Facilities	074C.3605	737.00	Refuse Vehicles and Container	076.3604	280.00	County Fees			County PFF Fee	090.3886	38.24	County Library Fee	090.3886	322.33	County Wide Criminal Justice	090.3886	1,203.00	School Fees			School Impact	090.3872	5,927.04	City School Impact	001.3872	120.96	State Fees			Strong Motion (R)	090.2256	13.43	Bldg Std Admin Spc Rev Fund	001.2243	6.00	Total Due:		20,635.82	Total Collected:		0.00	Check Number: _____	Balance Due:	20,635.82
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POTENTIAL EFFECTS ON IMPACT FEES FROM OTHER DEVELOPMENTS

Projects	Zone	Total Units	Status	Net-Effect of Collecting "Pre-Colgan" Impact Fees per Impact Fee Fund
SUGARPLUM	SFR	97	Final Map	\$ (409,631.00)
Projects Subject To the Same Conditions Of Approval As Sugarplum				
Victory Village *	SFR	284	Tentative Map	\$ (3,052,148.00)
Fairway Homes	SFR	73	Tentative Map	\$ (308,279.00)
Parkview Estates – Frisone	SFR	90	2 of 90 Built	\$ (380,070.00)
David Bader	MFR	3	Built	\$ (7,760.49)
Chevron Station	Commercial		Built	?
Leprino	Industrial		Built	?
				\$ (3,748,257.49)

* The disparity with Victory Village highlights the original reason for the Finding of Immediate Necessity found in Resolution 2005-24. Impact fees in place on the West Side at the time were limited to what would be needed to address infill needs in Cimmaron Park, and did not consider the effects of the West Hills College nor full development of the West Side.