

RESOLUTION NO. 2022-29

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EUREKA
RECOMMENDING THE CITY COUNCIL APPROVE A DEVELOPMENT AGREEMENT FOR
LUNDBAR HILLS SOUTHWOOD SUBDIVISION, UNIT NO. 6 (APN 301-031-039)**

WHEREAS, on December 12, 2022 the Planning Commission adopted a Mitigated Negative Declaration and Mitigation Monitoring Reporting Program and approved the Lundbar Hills Subdivision, Unit No. 6, a major subdivision creating 56 residentially zoned lots, along with a Conditional Use Permit for a Timber Harvest, a Lot Line Adjustment to increase the size of the lot located at 4829 Dickson Drive, and a Variance to allow reduced lot depth for lot 170; and

WHEREAS, on February 20, 2007 the City Council endorsed the action of the Planning Commission, with the removal of one condition of approval; and

WHEREAS, the applicant has exhausted all statutory and legislative extensions for the subdivision approval and the Vesting Tentative Map is set to expire on February 20, 2023; and

WHEREAS, William Barnum, the agent for the landowners, has applied for a Development Agreement which would allow the subdivision map to be finalized over a 10-year term; and

WHEREAS, the zoning for the property is Low Density Residential (R1) and the land use designation is Low Density Residential (LDR); and

WHEREAS, no substantial changes are proposed or will occur with respect to the circumstances in which the project is being undertaken, and no new information has been provided which was not available at the time the environmental review was completed; therefore, pursuant to CEQA Guidelines §15162, no subsequent or supplemental environmental impact report to the adopted Mitigated Negative Declaration (SCH # 2006082100) is required; and

WHEREAS, the Planning Commission of the City of Eureka did hold a duly noticed public hearing at City Hall in the City of Eureka on December 12, 2022 at 5:30 p.m. in person and via Zoom in the Council Chamber; and

WHEREAS, the Planning Commission of the City of Eureka has reviewed the proposed Development Agreement in accordance with California Government Code 65864 et. seq., and considered all testimony, evidence, and reports offered at the public hearing; and

WHEREAS, in the opinion of the Planning Commission of the City of Eureka, the proposed Development Agreement for Lundbar Hills Southwood Unit No. 6 should be adopted.

NOW THEREFORE, BE IT RESOLVED, the Planning Commission of the City of Eureka does hereby recommend the City Council approve the Lundbar Hills Southwood Unit No. 6 Development Agreement with additional conditions requiring:

1. Preconstruction surveys for nesting birds, sensitive plant species, and non-aquatic amphibians prior to starting work with findings to be sent to referral agencies as appropriate; and
2. Coordination with Community Services to explore naming and adding signage to the Lundbar Hills park to better encourage the larger Eureka community to utilize the park.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Eureka in the County of Humboldt, State of California, on the 12th day of December, 2022, by the following vote:

AYES: COMMISSIONERS MAIER, FREITAS, AND KRAFT
NOES: COMMISSIONERS LAZAR AND BENSON
ABSENT: NONE
ABSTAIN: NONE

Meredith Maier, Chair, Planning Commission

Attest:

Cristin Kenyon, Acting Executive Secretary