

RESOLUTION NO. 2023-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EUREKA APPROVING THE FINAL MAP AND DEVELOPMENT PLAN FOR THE BODE MAJOR SUBDIVISION SDMJ-21-0001 LOCATED ON THE SOUTH SIDE OF PONDEROSA COURT, WEST OF E STREET, ON A PARCEL KNOWN AS APN 010-293-024

WHEREAS, the applicants, Mike and Ryan Bode, are requesting approval of a final map to subdivide an undeveloped 16,395-sf (0.38-acre) flag lot (APN 010-293-024) located on the south side of Ponderosa Court into two parcels(Subdivision B); and

WHEREAS, resultant Parcel B1 will be 9,195 sf and remain a flag lot, and resultant Parcel B2 will be 7,200 sf and will be accessed via a private easement over resultant Parcel B1; 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 January 10, 2022 at 5:30 p.m., both in-person in the Council Chamber and via Zoom, to consider the tentative subdivision map and development plan approval request, and voted unanimously to conditionally approve the Tentative Map with one commissioner absent; and

WHEREAS, the 15-day appeal period for the Planning Commission's decision ended on January 25, 2022 with no appeal filed, and subsequently staff provided a report to the City Council at their February 15, 2022 meeting at which, Council took no further action and the Planning Commission's action to conditionally approve the tentative subdivision map was final; and

WHEREAS the applicants completed the applicable conditions of approval and prepared a final map, and pursuant to Eureka Municipal Code §155.048(E)(2)(b) and California Government Code §66458 (Subdivision Map Act), the City Council cannot deny approval of the final map if the final map substantially conforms with the previously approved tentative map; and

WHEREAS the City Engineer and the Planning Commission Executive Secretary have approved the final map and it conforms with the previously approved tentative subdivision map.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUREKA, the City Council approves the final map and development plan for the Bode Major Subdivision (SDMJ-21-0001) located on the south side of Ponderosa Court, west of E Street, on a parcel known as APN 010-293-024, on the following basis:

1. The prepared final map substantially conforms with the previously approved tentative subdivision map.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka in the

RESOLUTION NO. 2023-
Page 2

County of Humboldt, State of California, on the 3rd day of October, 2023 by the following vote:

AYES: COUNCILMEMBERS
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS

Kim Bergel, Mayor of the City of Eureka

Attest:

Pamela J. Powell, City Clerk

Approved as to Administration:

Approved as to form:

Miles Slattery, City Manager

Autumn Luna, City Attorney