AN ORDINANCE OF THE CITY OF EUREKA ADOPTING A DEVELOPMENT AGREEMENT FOR LUNDBAR HILLS SOUTHWOOD UNIT NO. 6 APN: 301-031-039

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EUREKA AS FOLLOWS:

WHEREAS, on January 8, 2007, the Planning Commission adopted a Mitigated Negative Declaration and Mitigation Monitoring Reporting Program and approved the Lundbar Hills Southwood, 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 tentative map to be finalized over a 10-year term; and

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

WHEREAS, at a duly noticed public hearing on December 12, 2022, the Planning Commission, after considering all public testimony, and by a vote of 3-2, recommended the City Council approve the Lundbar Hill Southwood Unit No. 6 Development Agreement with two additional conditions related to biological surveys and the existing park in the existing Lundbar Hills neighborhood; and

WHEREAS, at a duly noticed public hearing on December 20, 2022, Bill No. 1024-C.S, "An Ordinance of the City of Eureka Adopting a Development Agreement for the Lundbar Hills Subdivision, Unit No. 6 APN 301-031-039" was introduced by the City Council; and

Now, Therefore The City Council Of The City Of Eureka Does Hereby Ordain As Follows:

Section 1.

The Development Agreement is consistent with the General Plan and Low Density Residential (LDR) land use plan designation, and there is no specific plan or area plan;

Bill No. 1024 C.S.	
Ordinance No	C.S

Approved as to Administration:

Section 2.

The original subdivision application (SD-03-003) was previously approved with a Mitigated Negative Declaration with a Mitigation Monitoring Reporting Program. Pursuant to §21166 Subsequent or Supplemental Impact Report of the California Environmental Quality Act (CEQA), additional environmental review is not required because substantial changes are not proposed, substantial changes are not expected to occur, and new information which was not available at the time the Mitigated Negative Declaration has not been provided during the time of processing the Development Agreement.

Section 3.

The City Council hereby adopts the Development Agreement for Lundbar Hills Southwood Unit No. 6 (APN 301-031-039), attached hereto and incorporated herein by reference, and authorizes the City Manager to execute the Development Agreement upon the effective date of this Ordinance. Upon execution of the Development Agreement by all parties, the City Clerk is hereby directed to record the Development Agreement with the Humboldt County Recorder's Office.

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Approved as to form:

Bill No. 1024 C.S. Ordinance NoC.S.		
Miles Slattery, City Manager	Autumn Luna, City Attorney	
THE ABOVE ORDINANCE WAS ATTESTED BY THE CITY CLERK OF THE CITY OF EUREKA on the day of, 2023.		
	Pamela J. Powell, City Clerk	