



AGENDA SUMMARY EUREKA CITY COUNCIL

TITLE: Approval of Final Maps for Bode Major Subdivisions SDMJ-20-0001 and SDMJ-21-0001

DEPARTMENT: Development Services

PREPARED BY: Caitlin Castellano, Senior Planner

PRESENTED FOR: Action Information only Discussion

RECOMMENDATION

1. Receive report; and
2. Adopt a resolution approving the final map for the Bode Major Subdivision SDMJ-20-0001 at 3634 E Street (APN 010-293-022); and
3. Adopt a resolution 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.

FISCAL IMPACT

No Fiscal Impact Included in Budget Additional Appropriation

COUNCIL GOALS/STRATEGIC VISION

- 2023 Strategic Goal: Economic Development
- 2019-2027 Housing Element Strategy 1: Maximize Development Potential of the Few Remaining Vacant and Underutilized Sites.
- 2019-2027 Housing Element Goal H-2: The City government actively facilitates the creation of a range of new affordable and market rate housing units to accommodate future growth and to address the needs of all socioeconomic segments of the community.

BACKGROUND

At a public hearing at the January 10, 2022 Planning Commission meeting, the applicants, Mike and Ryan Bode, received conditional approval (Resolution No. 2022-02 and Resolution No. 2022-03) of two tentative subdivision maps to subdivide two separate legal parcels into four parcels (two parcels per subdivision):

1. **Subdivision A:** Project No. SDMJ-20-0001 subdivides a developed 13,386-square-foot (sf) (0.31-acre) corner parcel (3634 E Street; APN 010-293-022) into two parcels, of which resultant Parcel A1 will be 7,243.6 sf and remain a corner

lot, and resultant Parcel A2 will be 6,142.4 sf and become an interior lot. An existing single-family home, an attached ADU, and attached garages will be located on resultant Parcel A1, and an existing detached garage will be on resultant Parcel A2 (see Attachment 3. The detached garage is being used as storage for construction equipment associated with the development of adjoining residential lots to the west and will be removed prior to development of resultant Parcel A2.

2. **Subdivision B:** Project No. SDMJ-20-0001 subdivides an undeveloped 16,395-sf (0.38-acre) flag lot (APN 010-293-024) into two parcels, of which 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 (see Attachment 4).

The properties involved were originally one parcel. In 2017, the applicants subdivided the parcel into two parcels. Then in 2019, one of the parcels was further subdivided into four parcels, bringing the total parcel count up to five and triggering the need for a Major Subdivision. Now, the second of the two parcels created in 2017 (APN 010-293-022) is being subdivided into two parcels (Project No. SDMJ-20-0001 “Subdivision A”), and one of the four lots created in 2019 is being subdivided into two parcels (Project No. SDMJ-21-0001 “Subdivision B”). This brings the total parcels created to seven. As a result, each subdivision was processed as a Major Subdivision.

Subsequently, as required by Eureka Municipal Code (EMC) §154.040(D)(1), the City Council, at their February 15, 2022 meeting, reviewed each tentative subdivision map and elected to take no further action, confirming the Planning Commission’s conditional approval. Since then, the applicant has prepared final maps for each subdivision project, and completed the required conditions to obtain the necessary final approvals to record each final map.

A final map is what converts a tentative subdivision map from a conceptual approval by the Planning Commission (and concurrence by Council by taking no further action) into a legal subdivision of land. After the final map is prepared and reviewed and approved by the City Surveyor, and the applicable conditions of approval of the tentative subdivision map have been met, the final map is sent to the City Council for review and approval. The City Council’s approval is ministerial and does not require a public hearing. Per EMC §155.048(E)(2)(b) and CGC §66458, the City Council must approve the final map if the final map substantially conforms with the previously approved tentative map. Once the City Council approves a final map, the map is recorded at the County Recorder’s Office, and the subdivision of land is legally complete.

DISCUSSION

Pursuant to Title XV, Chapter 154 of the EMC (Subdivision Regulations) §154.048(E)(1)(a), after the City Engineer and Planning Commission Executive Secretary have executed a final map, the final map and improvement agreement (if needed) must be approved by the City Council. An improvement agreement was not required, but a development plan was prepared for Subdivision B (as a required condition of approval) illustrating detailed specification as to the development and improvements of the project

site, including setbacks and development restrictions. This development plan is included in Attachment 4.

As discussed above, a report on the Planning Commission's action to conditionally approve each tentative subdivision map was provided to the City Council on February 15, 2022 as required by EMC §154.040(D). Council endorsed the Planning Commission's action by taking no further action, making the Planning Commission's conditional approval of each tentative subdivision map final. Since then, the applicants completed the applicable conditions of approval and prepared the final maps (Attachments 3 and 4) which substantially conform to the approved tentative subdivision maps, and each final map has been approved by the City Engineer pursuant to EMC §154.048(D)(1) and has been executed by both the City Engineer and the Planning Commission Executive Secretary pursuant to EMC §154.048(D)(2).

Therefore, staff recommends the City Council adopt two resolutions approving each final map as follows:

- Final map for the Bode Major Subdivision SDMJ-20-0001 at 3634 E Street (APN 010-293-022), and
- Final map 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.

Suggested motion

"I move the City Council of the City of Eureka adopt a resolution approving the final map for the Bode Major Subdivision SDMJ-20-0001 at 3634 E Street (APN 010-293-022); and, adopt a resolution 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."

ATTACHMENTS:

1. Subdivision A (SDMJ-20-0001) Resolution No. 2023-xx
2. Subdivision B (SDMJ-21-0001) Resolution No. 2023-xx
3. Subdivision A (SDMJ-20-0001) Final Map
4. Subdivision B (SDMJ-21-0001) Final Map and Development Plan

REVIEWED AND APPROVED BY:

- City Attorney
- City Clerk/Information Technology
- Community Services
- Development Services
- Finance
- Fire
- Human Resources
- Police
- Public Works