



AGENDA SUMMARY EUREKA CITY COUNCIL

TITLE: Lundbar Hills Southwood Unit No. 6 Development Agreement

DEPARTMENT: Development Services - Planning

PREPARED BY: Aubrie Richardson, Associate Planner

PRESENTED FOR: Action Information only Discussion

RECOMMENDATION

- Waive full reading, read by title only and adopt Bill No. 1024-C.S., "An Ordinance of the City of Eureka Adopting a Development Agreement for Lundbar Hills Southwood Unit No. 6, APN 301-031-039."

FISCAL IMPACT

 No Fiscal Impact Included in Budget Additional Appropriation

COUNCIL GOALS/STRATEGIC VISION

- Strategic Goal: Maximize all levels of housing stock within the City limits.
- Housing Element GOAL H-1: Eureka's development regulations, permit processing procedures, and customer service standards are development-friendly and conducive to the production of housing.
- 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.

DISCUSSION

At the January 3, 2023 meeting, Council held a public hearing to consider adopting a Development Agreement for Lundbar Hills Southwood Unit No. 6, to prevent expiration of a Vesting Tentative Map for a previously approved major subdivision, which is currently set to expire February 20, 2023. The proposed Development Agreement would act as a 10-year extension, providing a vested right to approve and file the Final Map and develop the project for 10 years from the effective date of the Development

Agreement, unless the agreement is extended or terminated, as outlined in Section 4.9 and Articles Five and Six of the proposed agreement.

The hearing was noticed in the Time Standard, and one person (the applicant) provided testimony for the project, and one person provided testimony against the development agreement at the meeting. Council then introduced the bill and requested modifications to the Development Agreement to:

- Amend Section 2.6 (Development Fees) to clarify traffic impact fees are not covered by Section 2.6; and
- Add a condition requiring coordination with the Community Services Department on naming and adding signage to Lundbar Hills Park, as recommended by Planning Commission.

There has already been some coordination over park signage since the hearing, with the Community Services Department providing an estimate of the full cost of purchasing and installing a park sign, and the applicant, Bill Barnum, agreeing to pay the cost.

Section 2.6 of the Development Agreement has been amended, and a Section 2.7 has been added, to address Council's request, as follows [changes shown in red underline]:

Section 2.6 Development Fees. Landowners shall not have an obligation to pay, contribute, or otherwise provide as a condition or exaction of any subsequent approval by the City for the development of the Property, any new or increased development or impact fees imposed by the City after the Effective Date of this Agreement, excepting therefrom traffic impact fees and third-party agency fees that may be assessed against the Project. City makes no representations as to such third-party fees. Parties acknowledged that water and sewer connection and impact fees shall be set as of the Effective Date of this Agreement and remain set for a period of ten (10) years.

Section 2.7 Lundbar Hill Park. Within one year of the Effective Date of this Agreement, Landowners shall coordinate with Community Services on naming and adding signage to the Lundbar Hills Park, to the satisfaction of the Director of Community Services.

STAFF'S RECOMMENDATION

Staff recommends the City Council waive full reading, read by title only and adopt Bill No. 1024-C.S., to approve the Development Agreement for Lundbar Hills Southwood Unit No. 6.

SUGGESTED MOTION

"I move the City Council waive full reading, read by title only, and adopt Bill No. 1024 C.S., 'An Ordinance of the City of Eureka Adopting a Development Agreement for Lundbar Hills Southwood Unit No. 6 APN 301-031-039.'"

DOCUMENTS ATTACHED

1. Bill No. 1024-C.S.
2. Proposed Development Agreement

REVIEWED AND APPROVED BY:

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