ORDINANCE NO. 1240

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH AMENDING ORDINANCE 2017 TO PREZONE CERTAIN PARCELS IN ASSOCIATION WITH THE WESTERN HILLS ANNEXATION AND SPHERE OF INFLUENCE AMENDMENT APPLICATION (LAFCO FILE NO. A-2022-02)

The City Council of the City of Ukiah hereby ordains as follows:

SECTION ONE. FINDINGS

- The City has proposed to annex approximately 797 acres identified as the 'Western Hills Annexation Area', as conveyed in Exhibit A and below:
 - a. **2021 Original Western Hills Parcels**: APNs (157-060-03; 157-060-02; 157-050-13; 157-050-03; 157-030-03; 157-030-02; 157-050-14; 157-050-15; 157-050-16; 157-050-18; 157-070-05; 001-040-83; 003-190-17; 003-190-13; 003-190-09; 003-190-16; 003-190-15; 003-110-90).
 - b. **2022 Clean-Up/Correction Parcels**: APNs (001-420-40; 001-041-02; 001-041-03; 001-041-04; 001-041-05; 001-041-06; 001-041-01; 001-040-81).
 - c. 2023 Western Hills Purchase Agreement: APN (003-190-11).
- 2. Government Code Section 65859 allows the City to adopt a zoning district for land outside of the city limits in anticipation of annexation and development, i.e. prezone.
- 3. As visually conveyed on Exhibit B, the parcels within the 'Western Hills Annexation Area' proposed or associated with residential development are prezoned Low-Density Residential Hillside Overlay (R1-H) and feature a Hillside Residential (HR) General Plan Land Use Designation; the parcel proposed for public uses is prezoned Public Facilities (PF) and features a General Plan Land Use Designation: Public (P).
- 4. On October 6, 2021, the City Council adopted Ordinance No. 1217, approving the Ukiah Western Hills Open Land Acquisition & Limited Development Project ("2021 Western Hills Project") to facilitate acquisition, annexation and prezoning, as well as adopting the associated Initial Study and Mitigated Negative Declaration (ISMND; SCH No. 2021040428).
- 5. On December 7, 2022, the City Council adopted Resolution No. 2022-78 and Resolution No. 2022-79, approving the City's 2040 General Plan and certifying the associated Environmental Impact Report (EIR; SCH No. 2022050556). The 2040 General Plan and associated EIR identified the 'Western Hills Annexation Area' as an unincorporated area that the City programmatically evaluated for reorganization. Under this environmental review, the "2022 Clean-Up/Correction Parcels" were identified and analyzed in addition to the existing annexation area; and
- 6. On December 6, 2023, the City of Ukiah adopted Resolution No. 2023-42 to facilitate the purchase, development agreement and prezoning of APN 003-190-11, which enabled revisions to LAFCo File. No. A-2022-02 to include a Sphere of Influence (SOI) Amendment bringing the 'Western Hills Annexation Area' to its present total of approximately 797

acres. Pursuant to Section 15164 of the CEQA Guidelines, an Addendum to the adopted MND was prepared and adopted by the City of Ukiah as minor changes or additions were necessary to progress the project, and none of the conditions described in Section 15162 of the CEQA Guidelines calling for the preparation of a subsequent EIR or subsequent MND occurred.

7. An amendment to Ordinance 2017 is required to address considerations identified in the Mendocino LAFCo Incomplete Letter dated April 19, 2024 that requires the City to effectively prezone all proposed annexation parcels that were added after City Ordinance No. 1217, in accordance with GOV §56375(a)(7). No changes to the application or project are requested or required.

SECTION TWO.

- 1. The proposed annexation and sphere of influence amendment would not be detrimental to the public interest, health, safety, convenience or welfare of the City.
- A list of the affected parcels is set forth in Exhibit A, and a map of the affected territories is set forth in Exhibit B, and the legal description and associated plats for the annexation set forth in Exhibit C.
- 3. The proposed prezoning is consistent with Government Code Section 65859 and Ukiah City Code Section 9267, as the City Planning Commission conducted a public hearing on November 8, 2023 to consider a proposal for prezoning territory. The Commission formulated a recommendation to the City Council and the City Council conducted a public hearing on December 6, 2023 that considered the prezoning proposal, and rendered a decision. Due to the fact, however, that the City did not "effectively" prezone additional parcels by Ordinance, but by Resolution, an amended ordinance codifying previous City Council approvals is required.
- 4. The intended use, and proposed prezoning of the affected territories are set forth in Exhibit B, attached hereto and by reference incorporated herein.

SECTION THREE.

- 1. Publication: Within fifteen (15) days after its adoption, this Ordinance shall be published once in a newspaper of general circulation in the City of Ukiah. In lieu of publishing the full text of the Ordinance, the City may publish a summary of the Ordinance once five (5) days prior to its adoption and again within fifteen (15) days after its adoption.
- Effective Date: Section 2 and 3 of this amended ordinance shall become effective on the date that LAFCo Executive Officer provides the City of Ukiah with the Certificate of Completion for LAFCo File No. A-2022-02.

Introduced by title only on June 19, 2024, by the following roll call vote:

AYES: Councilmembers Rodin, Orozco, Crane, and Mayor Dueñas

NOES: None

ABSENT: Councilmember Sher

ABSTAIN: None

Adopted on July 17, 2024, by the following roll call vote:

AYES:

Councilmembers Rodin, Sher, Crane, and Mayor Dueñas

NOES:

None

ABSENT:

Councilmember Orozco

ABSTAIN:

None

ATTEST:

Josefina Dueñas, Mayor

Kristine Lawler, CMC/City Clerk

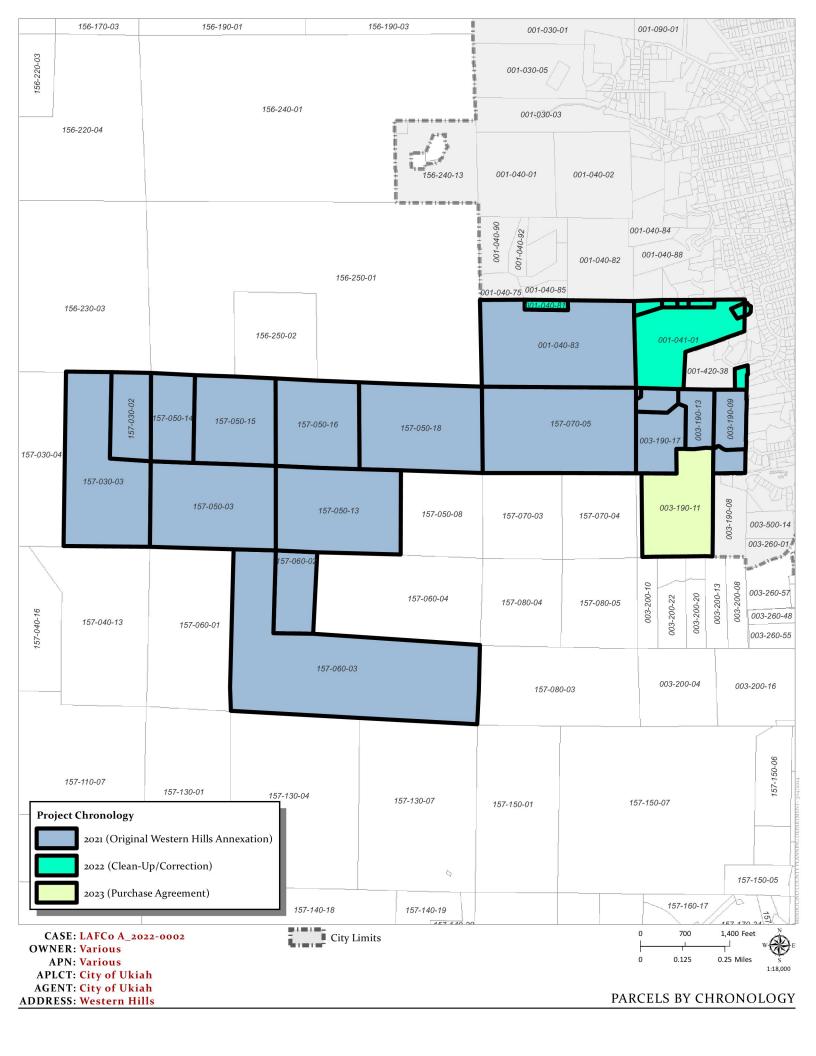
Exhibit A: List of Parcels

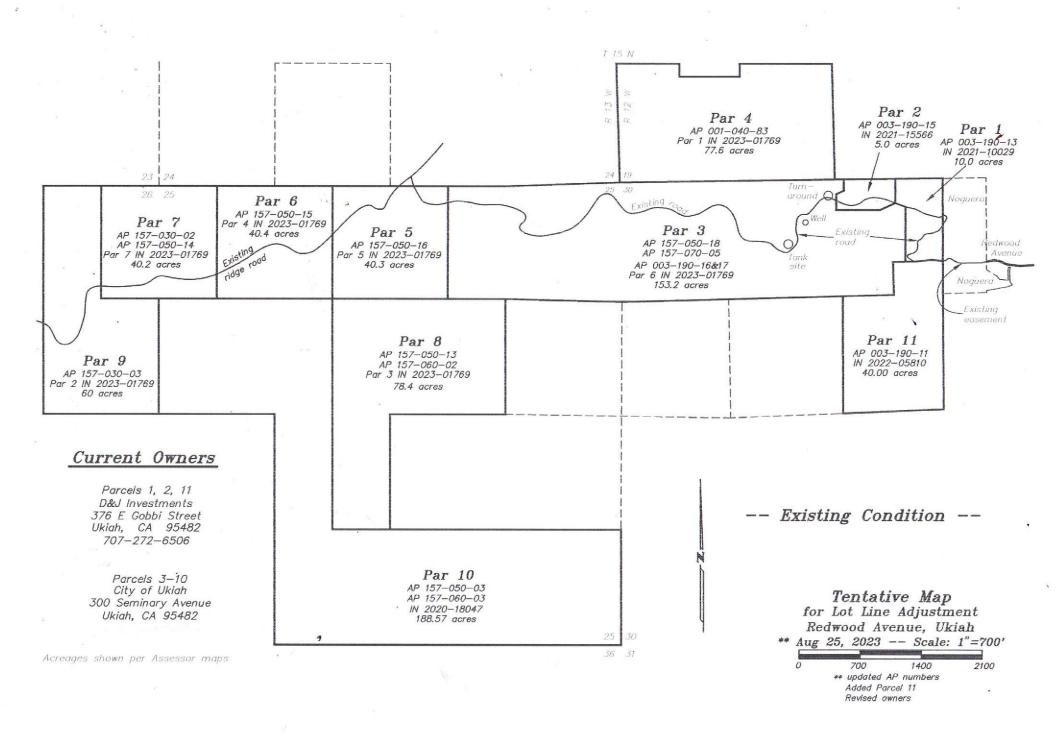
Exhibit B: Prezone & General Plan Designation Map

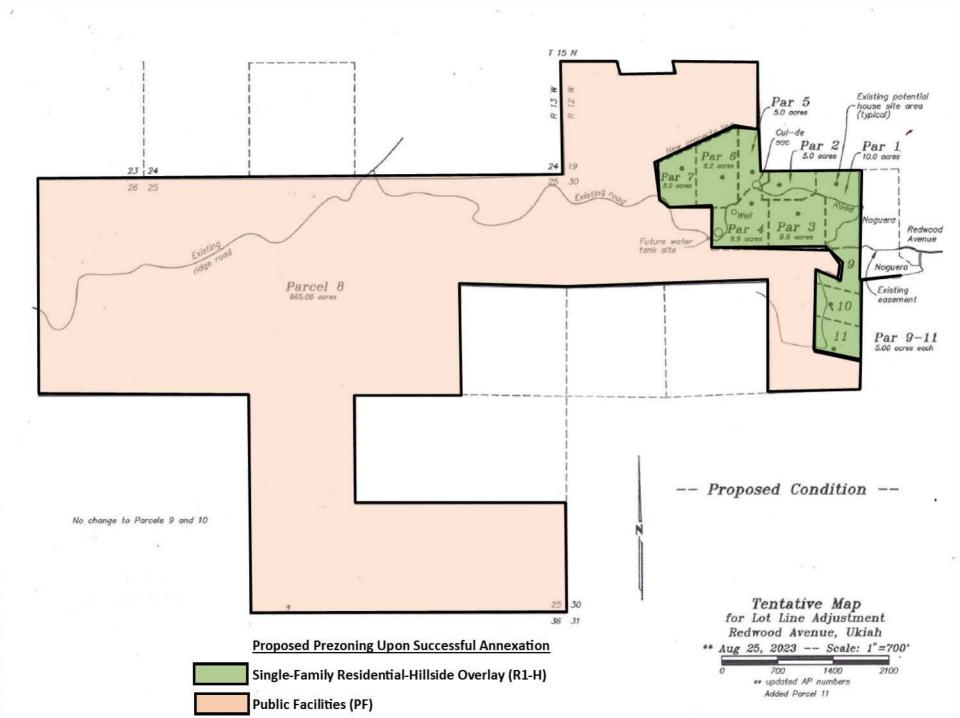
Exhibit C: Legal Description & Plats - Updated (June 2024)

ANNEXATION PARCEL	CURRENT APNs	SITUS	OWNER	CURRENT ACREAGE	PROPOSED ACREAGE	COUNTY ZONING	UKIAH PROPOSED GENERAL PLAN	UKIAH PROPOSED ZONING	SANITATION	WATER
003-110-90 (Private)	003-110-90	620 Redwood Ave.	Adonis & Sarah Noguera	4.14	4.14	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	CoU; UVSD	CoU; None
003-190-09 (Private)	003-190-09	620 Redwood Ave.	Adonis & Sarah Noguera	10.2	10.2	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD	None
001-420-40 (Private)	001-420-40	145 Mendocino Place	Robert R Beltrami	1.49	1.49	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD; CoU	CoU
001-041-02 (Private)	001-041-02	500 Lookout Dr.	Grayden Huff	1.33	1.33	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD; CoU	CoU; None
001-041-03 (Private)	001-041-03	4 Lookout Dr.	Amanda Reiman	0.66	0.66	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD; CoU	CoU; None
001-041-04 (Private)	001-041-04	3 Lookout Dr.	Amanda Reiman	0.48	0.48	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD; CoU	CoU; None
001-041-05 (Private)	001-041-05	2 Lookout Dr.	Marlene Werra TTEE	1.13	1.13	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD; CoU	CoU; None
001-041-06 (Private)	001-041-06	415 Hillview Ave.	Marlene Werra TTEE	0.74	0.74	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD; CoU	CoU; None
001-041-01 (Private)	001-041-01	TBD	Marlene Werra TTEE	35.5	35.5	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD	None
001-040-81 (Private)	001-040-81	335 Janix Dr.	William Edwards	2.4	2.4	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	CoU; None	CoU; None
Development Agreement - Parcel 1	003-190-13	TBD	D&J Investments, LLC	10	10	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD	Private Shared
Development Agreement - Parcel 2	003-190-15	TBD	D&J Investments, LLC	5	5	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD	Private Shared
Development Agreement - Parcel 3	157-050-18; 157-070-05; 003-190-16; 003-190-17	TBD	D&J Investments, LLC	153.2	5	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD	Private Shared
Development Agreement - Parcel 4	001-040-83	TBD	D&J Investments, LLC	77.6		Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD	Private Shared
Development Agreement - Parcel 5	157-050-16	TBD	D&J Investments, LLC	40.3	9.9	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD	Private Shared
Development Agreement - Parcel 6	157-050-15	TBD	D&J Investments, LLC	40.4	9.2	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD	Private Shared
Development Agreement - Parcel 7	157-030-02; 157-050-14	TBD	D&J Investments, LLC	40.2	5	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD	Private Shared
Development Agreement - Parcel 8	157-050-13; 157-060-02	TBD	City of Ukiah	78.4	665.09	Upland Residential (UR:40)	Public (P)	PF - Public Facility (Open Space)	UVSD; None	None
Development Agreement - Parcel 9	157-030-03	TBD	D&J Investments, LLC	60	5	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD	Private Shared
Development Agreement - Parcel 10	157-050-03; 157-060-03	TBD	D&J Investments, LLC	188.57	5	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD	Private Shared
Development Agreement - Parcel 11	003-190-11	TBD	D&J Investments, LLC	40	5	Upland Residential (UR:40)	Hillside Residential (HR)	R1(-H) - Low Desnity Residential (Hillside)	UVSD	Private Shared

2021 Western Hills - Annexation Parcel	
(Original)	
2022 Western Hills - Correction/Clean-	
Up Parcels	
2023 Western Hills - Purchase	
Agreement	







LEGAL DESCRIPTION CITY OF UKIAH - WESTERN HILLS ANNEXATION (LAFCO FILE No. A-2022-02)

All that certain real property situated in the unincorporated area of Mendocino County, State of California, being portions of Sections 19 and 30 of Township 15 North, Range 12 West and Sections 25 and 26 of Township 15 North, Range 13 West, Mount Diablo Base and Meridian and as shown on that certain map entitled "YOKAYO RANCHO" redrawn (August 1971) from the Original Map made in 1886-1870 by Charles T. Healey and as shown on the General Land Office Survey, Map of Rancho Yokayo, Mendocino County Records (M.C.R), more particularly described as follows:

COMMENCING at a United States National Geodetic Survey Station, being a 3-1/4" aluminum disc marked "CA DOT-101 MEN 25.13"; thence South 45°45'43" West 9,627.99 feet to the southeast corner of Lot 3 of said Section 19, being an angle point on the City of Ukiah Boundary Line, said City Boundary Line is coincident with portions of said Rancho Yokayo Boundary, said angle point also being the **POINT OF BEGINNING**; thence from said Point of Beginning, along said City of Ukiah boundary line, the following thirteen (13) courses:

- 1. North 88°45'25" East 1279.45 feet to the northeast corner of Lot 4 of said Section 19, from which a 2.5" aluminum disc marked "DOT / HPGN DCA 01 CG" bears S24°58'39" East 18128.70 feet, thence continuing along said City Limit line, and the east line of said Lot 4;
- 2. South 01°48'09" East 522.09 feet, to the northeast corner of Barnette Subdivision, as shown on the Map filed in Map Case 1, Drawer 10, at Page 78, M.C.R., thence continuing along said City of Ukiah boundary line the following eleven (11) courses;
- 3. (1) South 71°03'48" West 520.95 feet,
- 4. (2) South 70°00'17" West 472.11 feet;
- 5. (3) South 00°16'47" East 553.01 feet; to the south line of said Section 19; thence along said south line of said Section 19;
- 6. (4) North 88°58'48" East 765.20 feet, thence leaving said south line of Section 19, continuing along said City of Ukiah Boundary line;

- 7. (5) North 00°06'17" West 298.15 feet;
- 8. (6) North 76°10'00" East 191.28 feet;
- 9. (7) South 00°30'42" East 346.50 feet
- 10. (8) South 00°31'39" West 730.11 feet;
- 11. (9) South 00°15'47" West 621.60 feet;
- 12.(10) North 89°38'45" West 515.18 feet;
- 13.(11) South 00°23'02" West 1304.48 feet, to the south line of the southwest onequarter of the northeast one-quarter of Section 30, thence leaving said south line and said City of Ukiah Boundary line, the following fifteen (15) courses;
- 14. (1) South 89°23'43" West 1160.71 feet along said south line of the southwest one-quarter of the northeast one-quarter of Section 30, thence leaving said south line;
- 15. (2) North 00°30'03" West 1326.06 feet to the south line of the north one-half of the northeast one-quarter of said Section 30, thence;
- 16. (3) North 89°13'17" West 3678.76 feet, along the south line of said north one-half of the northeast one-quarter of said Section 30, also being the south line of the north one-half of the northwest one-quarter of said Section 30, to the northeast one-sixteenth corner of said Section 25, thence;
- 17. (4) South 00°45'13" West 1331.19 feet along the east line of the southwest one-quarter of the northeast one-quarter of said Section 25 to the east one-sixteenth corner of said Section 25;
- 18. (5) North 86°25'07" West 1310.42 feet along the south line of the northeast one-quarter of said Section 25 to the center one-quarter corner of said Section 25;
- 19. (6) South 02°10'53" West 1187.06 feet along the east line of the southwest one-quarter of said Section 25 to the south one-sixteenth corner of said Section 25;
- 20. (7) South 88°38'24" East 2558.66 feet along the north line of the south one-half of the southeast one-quarter of said Section 25 to the south one-sixteenth corner of said Section 25;
- 21. (8) South 01°22'47" West 1226.43 feet along the east line of said Section 25 to the common corner of said Sections 25, 30, 31 & 36;
- 22. (9) North 89°39'49" West 2490.35 feet along the south line of said Section 25 to the south one-sixteenth corner of said Section 25;

- 23. (10) North 89°39'49" West 1343.99 feet continuing along the south line of said Section 25 to the south one-sixteenth corner of said Section 25;
- 24. (11) North 00°59'04" East 2481.81 feet along the west line of the east one-half of the southwest one-quarter of said Section 25 to the west one-sixteenth corner of said Section 25;
- 25.(12) South 89°55'02" West 1305.40 along the south line of the northwest one-quarter of said Section 25 to the one-quarter corner of said Sections 25 & 26;
- 26.(13) North 89°16'54" West 1349.43 feet along the south line of the northeast onequarter of said Section 26;
- 27.(14) North 00°49'21" East 2728.12 feet along the west line of the east one-half of the northeast one-quarter of said Section 26, to the north one-sixteenth corner of said Section 26;
- 28.(15) South 89°15'56" East 1328.64 feet along the north line of said Section 26 to the common corner of said Sections 23, 24, 25 & 26, thence along the north line of said Section 25 the following four (4) courses:
- 29.(1) South 87°41'27" East 1326.72 feet to the west one-sixteenth corner of said Section 25;
- 30.(2) South 88°18'03" East 1278.82 feet to the north one-quarter corner of said Section 25;
- 31.(3) South 87°28'48" East 1293.39 feet along the north line of said Section 25 to the east one-sixteenth corner of said Section 25;
- 32.(4) South 85°33'43" East 1209.00 feet to the common corner of said Sections 19, 24, 25 and 30, thence;
- 33. North 01°02'47" West 1380.30 feet along the west line of the south one-half of the southwest one-quarter of said Section 19, to the northwest corner of the south one-half of the south one-quarter corner of said Section 19, thence;
- 34. South 89°57'53" East 2389.07 feet along the north line of the south one-half of the southwest one-quarter of said Section 19, thence continuing;
- 35. North 88°45'25" East 524.60 feet along the north line of the south one-half of the southwest one-quarter of said Section 19 to said **POINT OF BEGINNING**.

Total Annexation Area contains approximately 789 acres, more or less.

The Basis of Bearings for this description is based on NAD 83, California Coordinate System (CCS83), Zone 2 (2010.00 epoch) using the two found National Geodetic Survey monuments designated "101 MEN 25.13" and "HPGN D CA 01 CG" said bearing being South 05°01'58" East.

The purpose of this description is for annexation purposes and to comply with the State Board of Equalization's "Written Legal (Cadastral/Geodetic) Description Requirements". This description is to be used to establish geodetic position only and is not intended to establish property ownership.

See Exhibit "A", Plat to accompany description, attached hereto and made a part hereof.

This legal description was prepared by me or under my supervision pursuant to Section 8729 (2) of the Professional Land Surveyors Act.

Lester E. Carter Jr., CA. LS No 6148

5/10/2024

Date

Exp. 3/31/2026 No. 6148

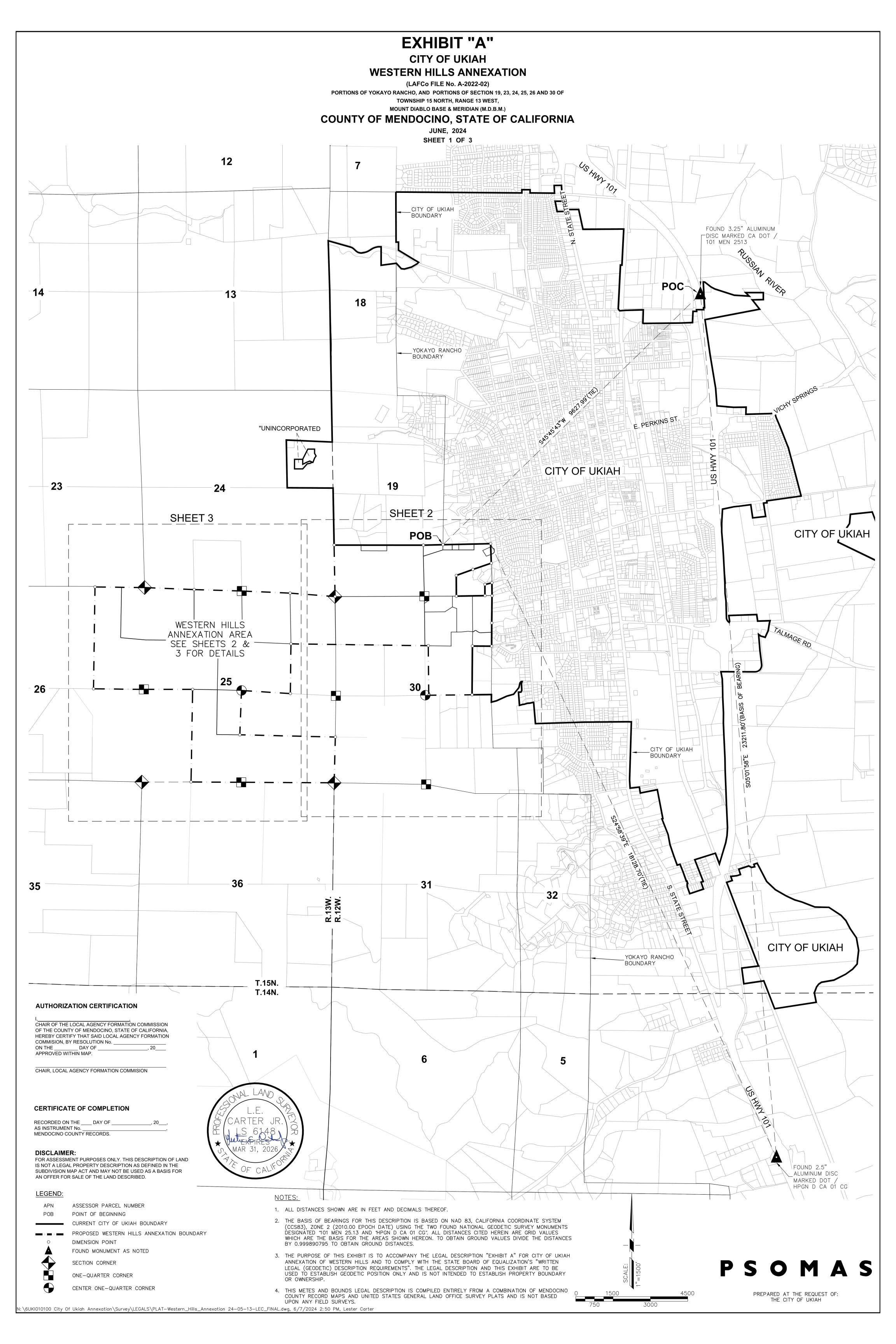


EXHIBIT "A"

CITY OF UKIAH

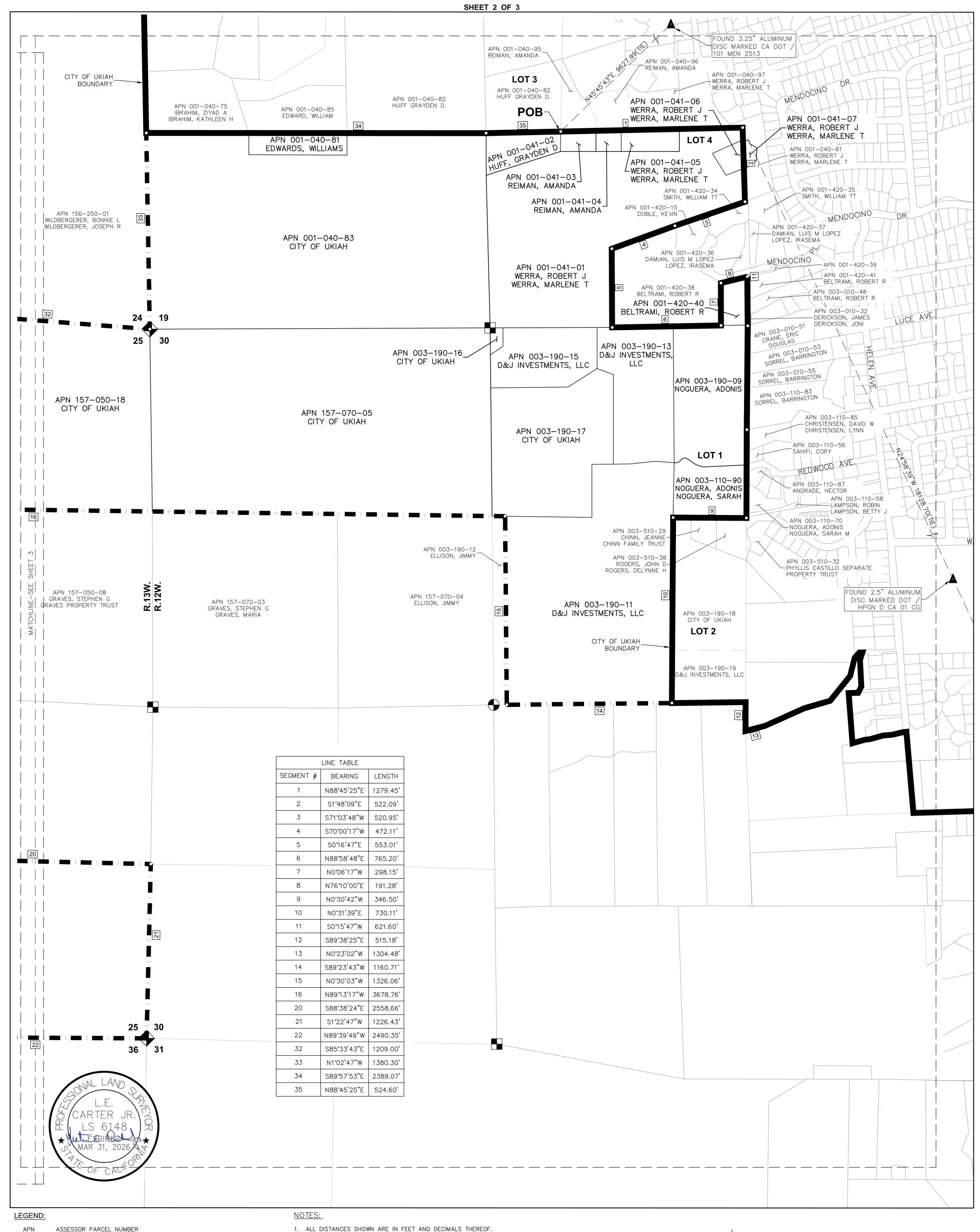
WESTERN HILLS ANNEXATION

(LAFCo FILE No. A-2022-02) PORTIONS OF YOKAYO RANCHO, AND PORTIONS OF SECTION 19, 23, 24, 25, 26 AND 30 OF

TOWNSHIP 15 NORTH, RANGE 13 WEST, MOUNT DIABLO BASE & MERIDIAN (M.D.B.M.)

COUNTY OF MENDOCINO, STATE OF CALIFORNIA

JUNE. 2024



POB

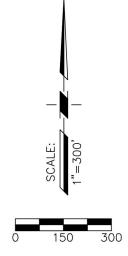
ASSESSOR PARCEL NUMBER POINT OF BEGINNING CURRENT CITY OF UKIAH BOUNDARY PROPOSED WESTERN HILLS ANNEXATION BOUNDARY DIMENSION POINT

FOUND MONUMENT AS NOTED SECTION CORNER ONE-QUARTER CORNER

CENTER ONE-QUARTER CORNER

- 1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
- 2. THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS BASED ON NAD 83, CALIFORNIA COORDINATE SYSTEM (CCS83), ZONE 2 (2010.00 EPOCH DATE) USING THE TWO FOUND NATIONAL GEODETIC SURVEY MONUMENTS DESIGNATED "101 MEN 25.13 AND "HPGN D CA 01 CG". ALL DISTANCES CITED HEREIN ARE GRID VALUES WHICH ARE THE BASIS FOR THE AREAS SHOWN HEREON. TO OBTAIN GROUND VALUES DIVIDE THE DISTANCES BY 0.999890795 TO OBTAIN GROUND DISTANCES.
- 3. THE PURPOSE OF THIS EXHIBIT IS TO ACCOMPANY THE LEGAL DESCRIPTION "EXHIBIT A" FOR CITY OF UKIAH ANNEXATION OF WESTERN HILLS AND TO COMPLY WITH THE STATE BOARD OF EQUALIZATION'S "WRITTEN LEGAL (GEODETIC) DESCRIPTION REQUIREMENTS". THE LEGAL DESCRIPTION AND THIS EXHIBIT ARE TO BE USED TO ESTABLISH GEODETIC POSITION ONLY AND IS NOT INTENDED TO ESTABLISH PROPERTY BOUNDARY OR OWNERSHIP.
- 4. THIS METES AND BOUNDS LEGAL DESCRIPTION IS COMPILED ENTIRELY FROM A COMBINATION OF MENDOCINO COUNTY RECORD MAPS AND UNITED STATES GENERAL LAND OFFICE SURVEY PLATS AND IS NOT BASED

N:\6UKI010100 City Of Ukiah Annexation\Survey\LEGALS\PLAT-Western_Hills_Annexation 24-05-13-LEC_FINAL.dwg, 6/3/2024 12:10 PM, Lester Carter



PSOMAS

PREPARED AT THE REQUEST OF: THE CITY OF UKIAH

EXHIBIT "A"

CITY OF UKIAH

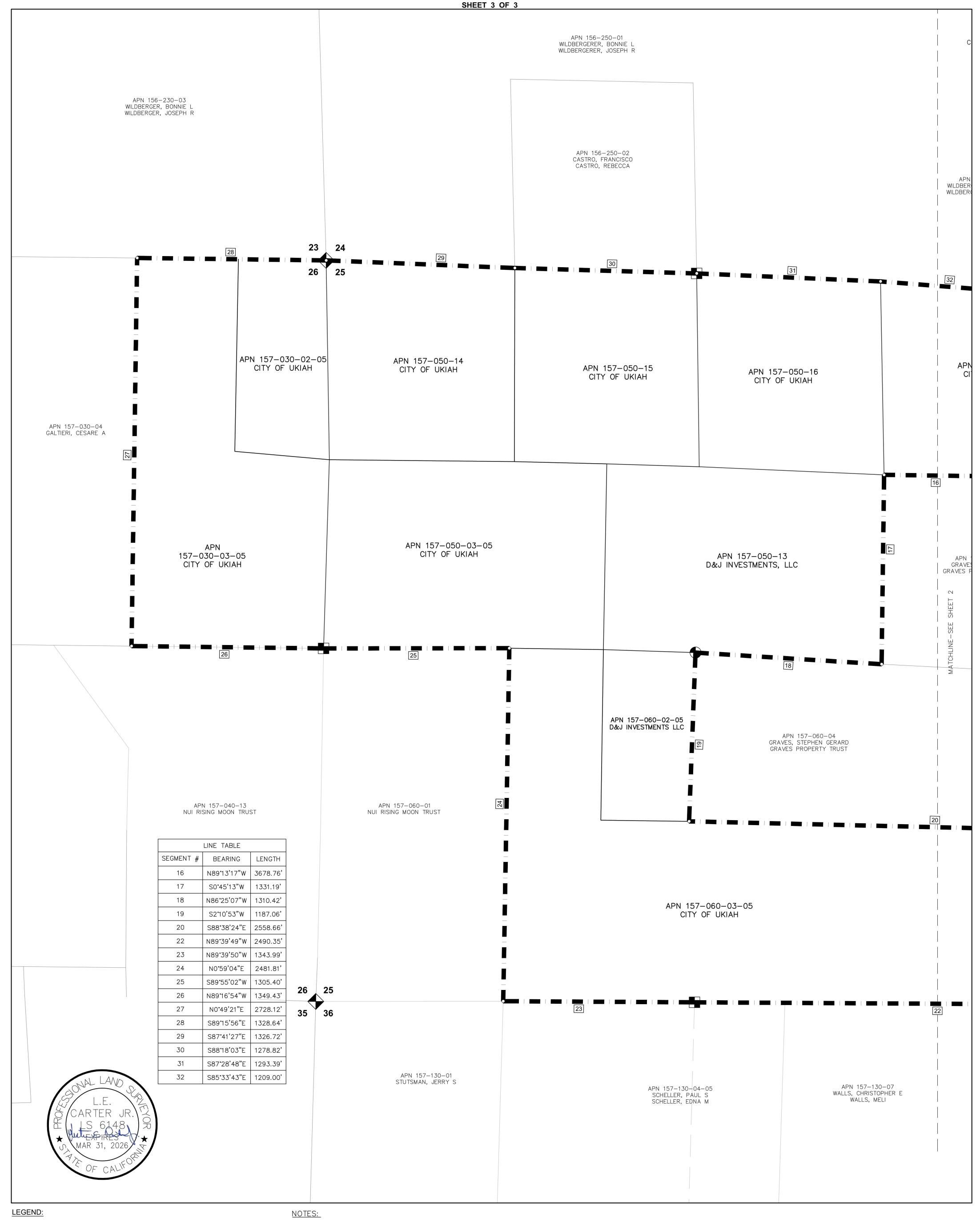
WESTERN HILLS ANNEXATION

(LAFCo FILE No. A-2022-02)
PORTIONS OF YOKAYO RANCHO, AND PORTIONS OF SECTION 19, 23, 24, 25, 26 AND 30 OF
TOWNSHIP 15 NORTH, RANGE 13 WEST,

COUNTY OF MENDOCINO, STATE OF CALIFORNIA

MOUNT DIABLO BASE & MERIDIAN (M.D.B.M.)

JUNE, 2024



APN ASSESSOR PARCEL NUMBER

POB POINT OF BEGINNING

CURRENT CITY OF UKIAH BOUNDARY

PROPOSED WESTERN HILLS ANNEXATION BOUNDARY

DIMENSION POINT
FOUND MONUMENT AS NOTED

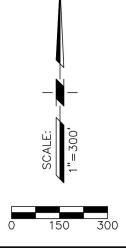
SECTION CORNER

ONE-QUARTER CORNER

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COUNTY RECORD MAPS AND UNITED STA UPON ANY FIELD SURVEYS. N:\6UKI010100 City Of Ukiah Annexation\Survey\LEGALS\PLAT-Western_Hills_Annexation 24-05-13-LEC_FINAL.dwg, 6/3/2024 12:10 PM, Lester Carter



P S O M A S

PREPARED AT THE REQUEST OF: THE CITY OF UKIAH