

**Resolution No. 2024-25-04
of the Mendocino Local Agency Formation Commission**

**Approving the
City of Ukiah Western Hills Annexation and Sphere Amendment (File No. A-2022-02) and Findings Pursuant to the California Environmental Quality Act**

WHEREAS, the Mendocino Local Agency Formation Commission, hereinafter referred to as the “Commission”, administers California Government Code Section 56000 et. seq., known as the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, on December 6, 2023, the City of Ukiah (Ukiah or City) City Council adopted Resolution No. 2023-42 to initiate the Western Hills Annexation and Sphere Amendment application, which was subsequently amended on February 7, 2024 to include exhibits for reference; and on June 19, 2024, the Ukiah City Council adopted Resolution No. 2024-27 to revise the resolution of application to effectively Prezone all proposed annexation parcels (File No. A-2022-02); and

WHEREAS, the proposed reorganization includes annexation of 27 assessor parcels of approximately 791 acres (732 acres to be City-owned) and a sphere amendment in the Western Hills of the Ukiah Valley for open space preservation, public-access, and limited residential development; and

WHEREAS, most of the proposed annexation area is located within the City’s Sphere of Influence (SOI) boundary adopted by the Commission on December 19, 2022, and the proposal includes a sphere amendment to add 40-acres of City-owned property (APN 003-190-11) that is within the City’s General Plan Planning Area and adjacent to the City limits; and

WHEREAS, the purpose of the proposal is to: (a) Preserve property in the Western Hills as open space and watershed for the Ukiah Valley; (b) Create opportunities for access trails, including, but not limited to, public hiking, biking, and associated recreational activities; (c) Develop public facilities for various municipal purposes, provided that it does not conflict or interfere with the preservation of the property as open space and for watershed protection; and (d) Allow for the limited development of residential improvement in proximity to resources and available infrastructure to prevent sprawl and unorderly development; and

WHEREAS, the annexation parcels intended for residential development have been Prezoned Low Density Residential-Hillside (R1-H) and feature a Hillside Residential (HR) General Plan Land Use Designation, and annexation parcels proposed for public uses are Prezoned Public Facilities (PF) and feature a Public (P) General Plan Land Use Designation; and

WHEREAS, on September 13, 2024, Mendocino County and the City of Ukiah provided a joint letter to LAFCo to express their agreement that the recently adopted Master Tax Sharing Agreement (MTSA) applies to the proposed annexation and that there are no special circumstances particular to this request that require additional or separate negotiation between the parties; and

WHEREAS, a Certificate of Filing was issued on September 27, 2024 indicating receipt of a complete application pursuant to California Government Code Section 56658; and

WHEREAS, the Executive Officer gave sufficient notice of a public hearing to be conducted by the Commission in the form and manner prescribed by law; and

WHEREAS, the proposal meets the statutory criteria outlined in LAFCo law and adopted local policy requirements; and

WHEREAS, the Executive Officer's report, which included factors for consideration required under California Government Code Section 56668 and recommendations on the proposal, was presented to the Commission in the manner provided by law and adopted local policy; and

WHEREAS, the Commission heard and fully considered all the testimony and evidence presented at a public hearing held on November 4, 2024; and

WHEREAS, the Commission has reviewed and considered this resolution and hereby finds that it accurately sets forth the intentions of the Commission with respect to the proposal.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Mendocino Local Agency Formation Commission, as follows:

1. The City of Ukiah is the Lead Agency for the proposal under the California Environmental Quality Act (CEQA). Mendocino LAFCo is a Responsible Agency for environmental review. The City of Ukiah determined that the proposal is consistent with determinations made in the adopted Mitigated Negative Declaration (MND), Mitigation Monitoring and Reporting Program (MMRP), and the Addendum adopted on December 6, 2023 and February 7, 2024 (SCH No. 2021040428), which analyzed the impacts associated with the project. Pursuant to CEQA Guidelines Section 15132 (Subsequent EIRs and Negative Declarations), no subsequent environmental review is required because no new or further environmental effects are anticipated by the proposed annexation, nor has any new information about the Annexation and Sphere Amendment been revealed since adoption of the Mitigated Negative Declaration and Addendum on December 6, 2023 and February 7, 2024.
2. Acting as a Responsible Agency under CEQA, the Commission considered the information in the MND, MMRP, and the Addendum for the proposal on which the Lead Agency based its environmental findings, and makes the following findings:
 - a. The Commission has independently reviewed the MND and the Addendum for Ukiah Western Hills Open Land Acquisition and Limited Development Agreement Project and associated documents in connection with consideration of the City of Ukiah Western Hills Annexation and Sphere Amendment.
 - b. The City of Ukiah found, based upon substantial evidence discussed throughout the MND and the Addendum, that the Project's impacts would be: (1) no impact for Mineral Resources; (2) less than significant for Aesthetics, Agricultural and Forestry Resources, Energy, Greenhouse Gas Emissions, Land Use and Planning, Population and Housing, Public Services, Recreation, and Transportation; (3) Less than significant with mitigation for Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Tribal Cultural Resources, Utilities and Services Systems, Wildfire, and Mandatory Findings of Significance; and (4) Significant and unavoidable for none of the environmental factors.
 - c. The Commission finds that the Lead Agency's environmental determination was prepared in accordance with the requirements of CEQA and is consistent with State law and the City's environmental document prepared for the Annexation and Sphere Amendment is determined to be legally adequate.

3. The boundaries of the annexation area shall be defined by the map depicted in Exhibit "A" and written geographic description depicted in Exhibit "B", attached hereto and incorporated herein by reference.
4. The proposal is assigned the following distinctive short-term designation: "City of Ukiah Western Hills Annexation and Sphere Amendment (File No. A-2022-02)".
5. The annexation area is uninhabited, and the Commission waives Protest Proceedings for the proposal pursuant to California Government Code Section 56663 finding that no written opposition to the proposal was received and not withdrawn from landowners or registered voters within the affected territory before the conclusion of the public hearing.
6. The effective date of the annexation shall be the date of the filing of the Certificate of Completion for the proposal. The Certificate of Completion shall not be filed until all charges assessed and fees due to the Commission have been paid by the applicant and all materials required for final processing of the proposal have been sufficiently prepared and submitted.
7. Any work commenced or costs incurred by the applicant prior to satisfying all terms and conditions of this approval, and within the 30-day Reconsideration Period and/or CEQA statute of limitations timeframe, are completed at the agency's own risk.
8. The Clerk of the Commission is designated as the custodian of the documents and other materials that constitute the record of the proceedings upon which the Commission's decision herein is based. These documents may be found at the office of the Clerk of the Commission, 200 South School Street, Ukiah, CA 95482.

BE IT FURTHER RESOLVED that the City of Ukiah 2022 Sphere of Influence boundary is hereby amended to include APN 003-190-11 as depicted in Exhibit "C", attached hereto and incorporated herein by reference.


PASSED and ADOPTED by the Mendocino Local Agency Formation Commission this 4th day of November 2024 by the following vote:

AYES: Ward, Rodin, Gonzalez, Horsley, Mulheren, McGourty

NOES:

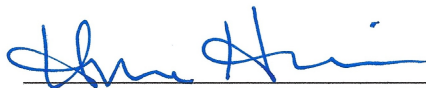
ABSTAIN:

ABSENT:



MAUREEN MULHEREN,
Commission Chair

ATTEST:



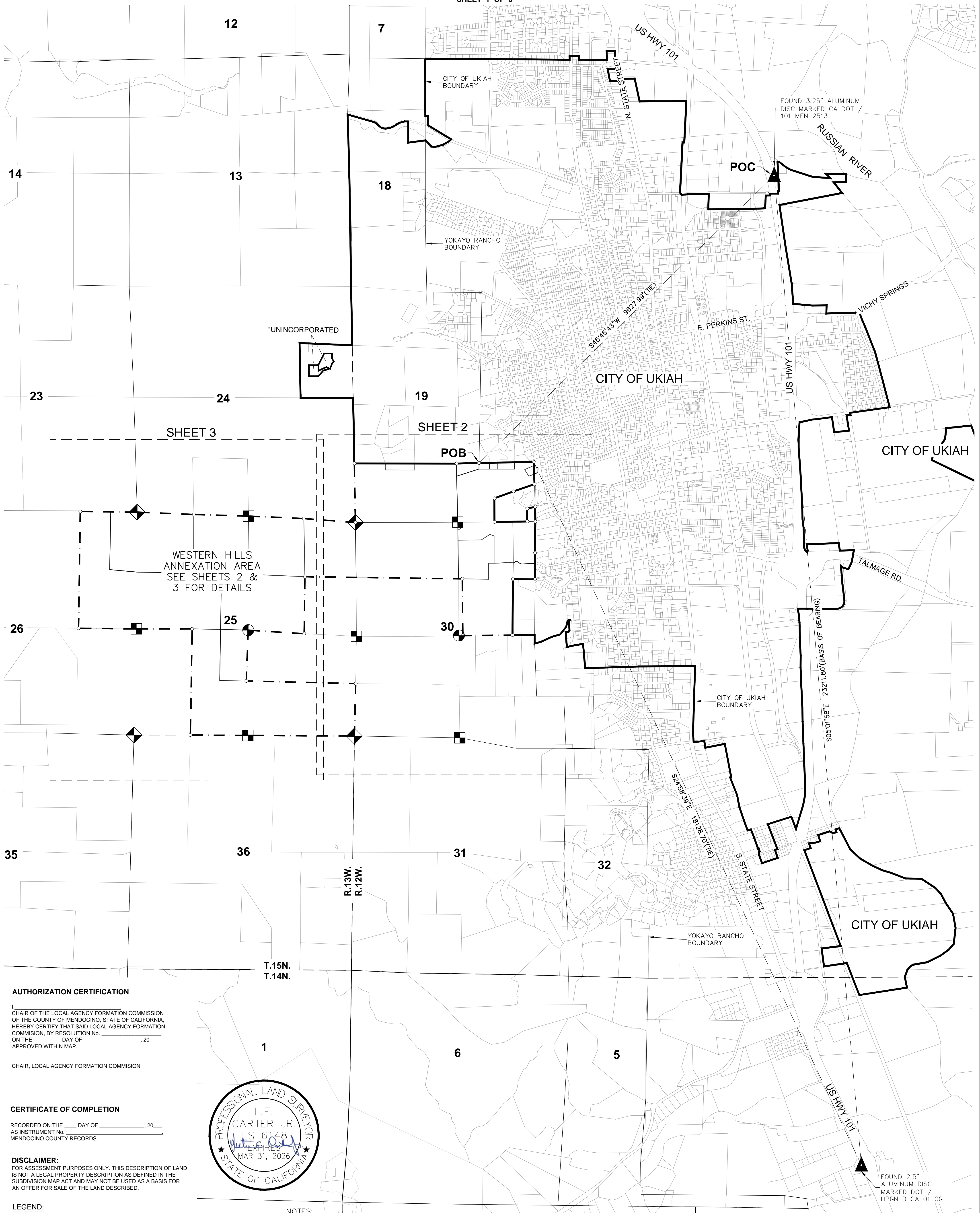
UMA HINMAN, Executive Officer

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
SHEET 1 OF 3



AUTHORIZATION CERTIFICATION

CHAIR OF THE LOCAL AGENCY FORMATION COMMISSION
OF THE COUNTY OF MENDOCINO, STATE OF CALIFORNIA,
HEREBY CERTIFY THAT SAID LOCAL AGENCY FORMATION
COMMISSION, BY RESOLUTION No. _____,
ON THE _____ DAY OF _____, 20____,
APPROVED WITHIN MAP.

CHAIR, LOCAL AGENCY FORMATION COMMISSION

CERTIFICATE OF COMPLETION

RECORDED ON THE _____ DAY OF _____, 20____,
AS INSTRUMENT No. _____,
MENDOCINO COUNTY RECORDS.

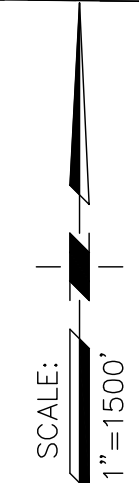
DISCLAIMER:
FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND
IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE
SUBDIVISION MAP ACT AND MAY NOT BE USED AS A BASIS FOR
AN OFFER FOR SALE OF THE LAND DESCRIBED.

LEGEND:

- 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
- CENTER ONE-QUARTER CORNER

NOTES:

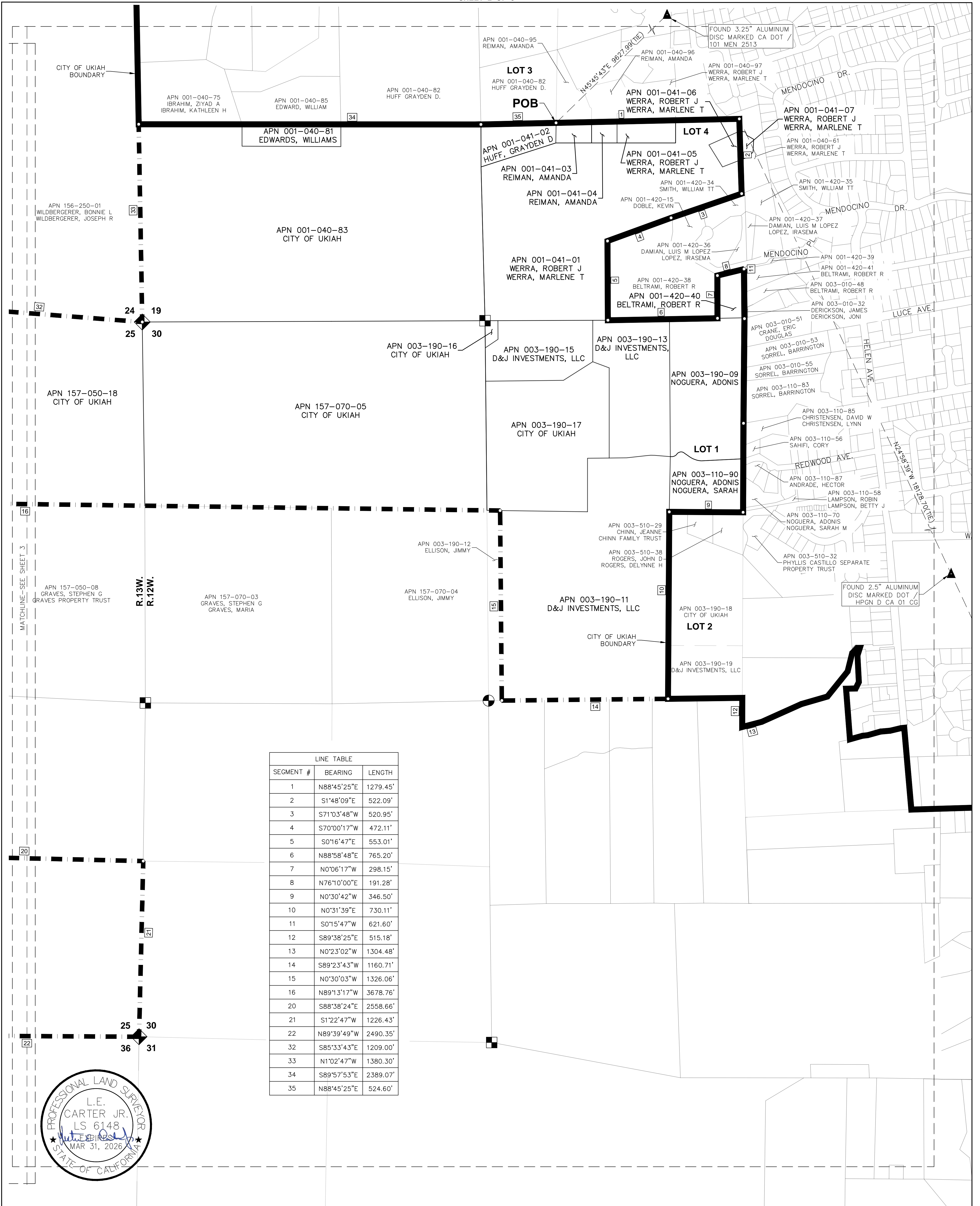
1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS BASED ON NAD 83, CALIFORNIA COORDINATE SYSTEM (CCS83), ZONE 2 (2010.00 EPOCH DATE) USING THE TWO FOUND NATIONAL GEODETIC SURVEY MONUMENTS DESIGNATED "101 MEN 25.13 AND "HPGN D CA 01 CG". ALL DISTANCES 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 UPON ANY FIELD SURVEYS.



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
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COUNTY OF MENDOCINO, STATE OF CALIFORNIA
JUNE, 2024
SHEET 2 OF 3

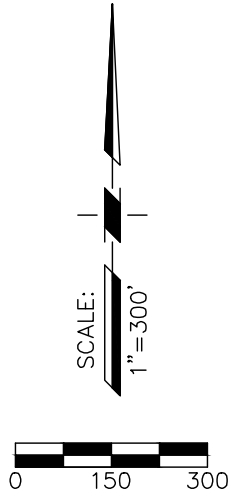


LINE TABLE		
SEGMENT #	BEARING	LENGTH
1	N88°45'25"E	1279.45'
2	S1°48'09"E	522.09'
3	S71°03'48"W	520.95'
4	S70°00'17"W	472.11'
5	S0°16'47"E	553.01'
6	N88°58'48"E	765.20'
7	N0°06'17"W	298.15'
8	N76°10'00"E	191.28'
9	N0°30'42"W	346.50'
10	N0°31'39"E	730.11'
11	S0°15'47"W	621.60'
12	S89°38'25"E	515.18'
13	N0°23'02"W	1304.48'
14	S89°23'43"W	1160.71'
15	N0°30'03"W	1326.06'
16	N89°13'17"W	3678.76'
20	S88°38'24"E	2558.66'
21	S1°22'47"W	1226.43'
22	N89°39'49"W	2490.35'
32	S85°33'43"E	1209.00'
33	N1°02'47"W	1380.30'
34	S89°57'53"E	2389.07'
35	N88°45'25"E	524.60'



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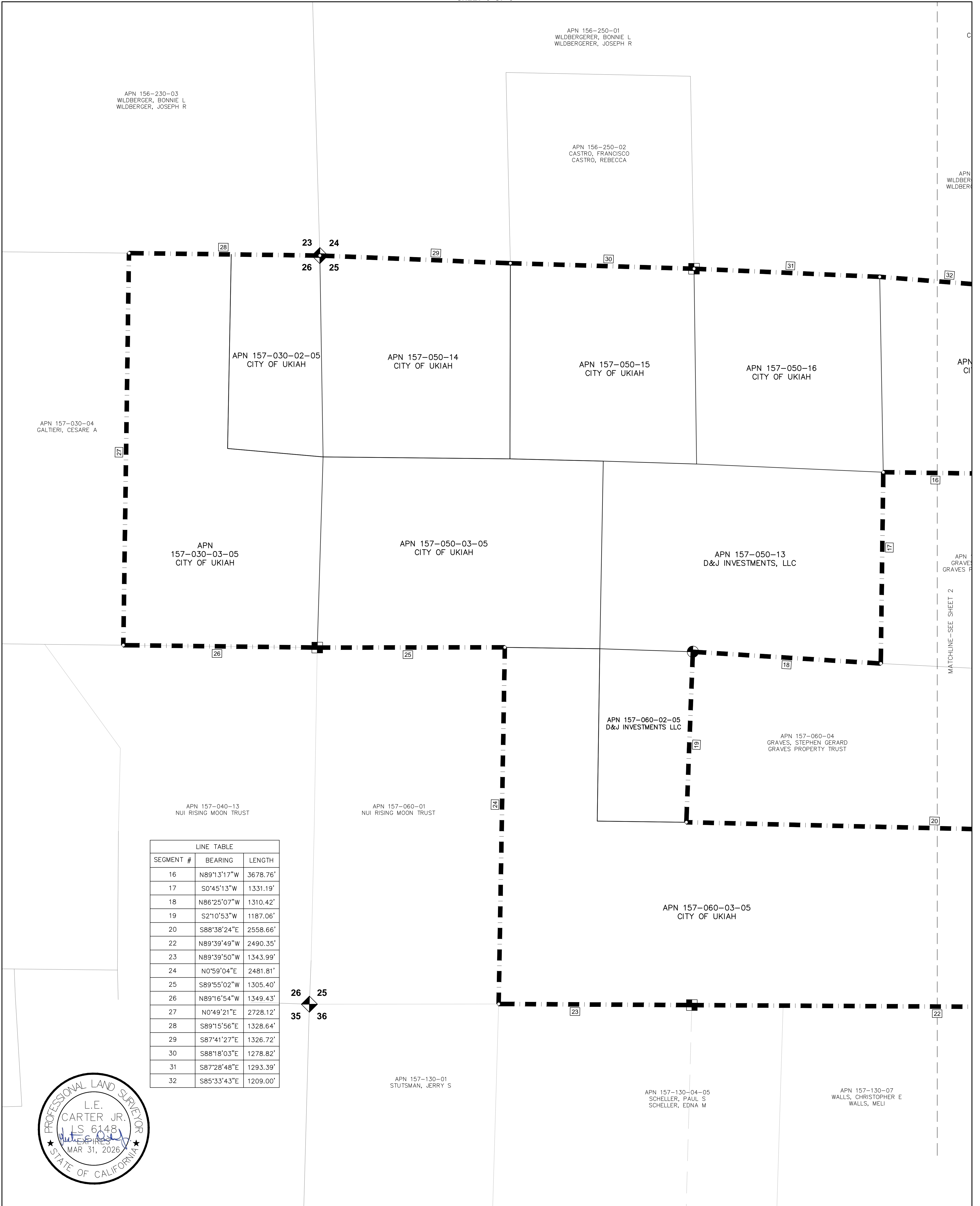
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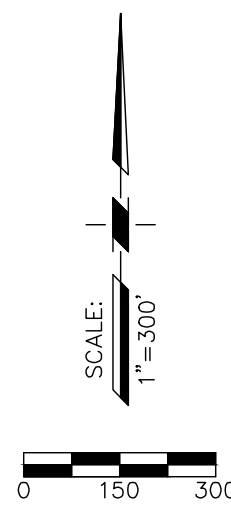
COUNTY OF MENDOCINO, STATE OF CALIFORNIA

JUNE, 2024
SHEET 3 OF 3



- LEGEND:**
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PSOMAS
PREPARED AT THE REQUEST OF:
THE CITY OF UKIAH

Exhibit B

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 one-quarter 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 one-quarter 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**.

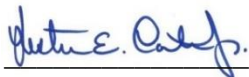
Total Annexation Area contains approximately 789 acres, more or less.

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.

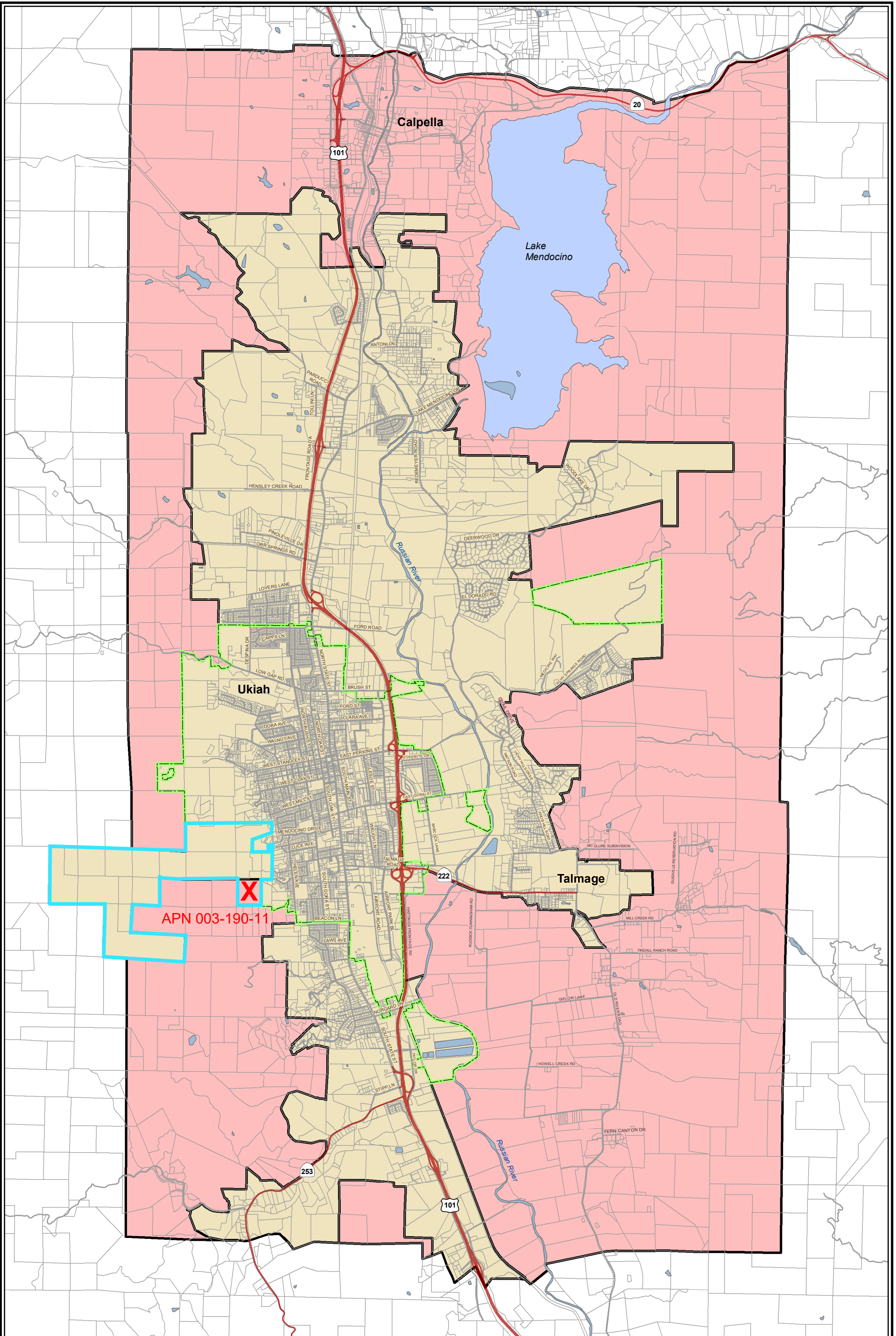


Lester E. Carter Jr., CA. LS No 6148

5/10/2024

Date





**City of Ukiah
Area of Interest**

Source: This map was created by the Mendocino County Information Services GIS Program, November 30, 2022. Updated July 22, 2024.
Note: This map is not a survey product and should not be used to determine legal boundaries.

- Area of Interest
- Sphere of Influence
- City of Ukiah
- A_2022-02 Area
- Parcels
- Highways
- Roads

City of Ukiah Western Hills Annexation and Sphere Amendment Proposal (File No. A-2022-02)

