

**CITY OF UKIAH**  
**City Engineer Public Hearing MINUTES**  
**Conference Room #1**  
**300 Seminary Avenue**  
**Ukiah, CA 95482**  
**May 3, 2018**  
**11:00 a.m.**

**STAFF PRESENT**

Tim Eriksen, City Engineer  
Michelle Irace, Planning Manager  
Cathy Elawadly, Recording Secretary

**OTHERS PRESENT**

**1. CALL TO ORDER**

City Engineer Tim Eriksen called the meeting to order at 11:00 a.m. in Conference Room No.1, Ukiah Civic Center, 300 Seminary Avenue, Ukiah, California.

*City Engineer Tim Eriksen presiding.*

**2. SITE VISIT VERIFICATION**

Staff confirmed.

**3. APPROVAL OF MINUTES**

a. The Minutes of January 11, 2018.

**City Engineer Tim Eriksen** approved the January 11, 2018 minutes, as submitted.

**4. APPEAL PROCESS**

*Note: For matters heard at this meeting the final date to appeal is May 14, 2018 at 5:00 p.m.*

**5. VERIFICATION OF NOTICE**

Staff confirmed.

**6. PUBLIC HEARING**

a. **Lot Line Adjustment:** Conduct a public hearing on the property owners' request for City Engineer approval of a lot line adjustment to adjust  $\pm 2.7$  acres of Parcel "B" APN 180-120-05, 06 & 184-080-16, 25 & 26 into Parcel "A" APN 180-120-04 & 184-080-01 so that Parcel "A" will lie entirely within the City limits and on the westerly side of State Highway and to adjust  $\pm 3.35$  acres of Parcel "A" into Parcel "B" so that Parcel "B" will lie entirely within the County of Mendocino and on the easterly side of State Highway 101.

**Presenter:** Planning Manager Michelle Irace gave a staff report as provided on pages of the 1-5 staff report and the other accompanying relevant documents for this agenda item.

*PUBLIC HEARING OPENED: 11:07 A.M.*

**Public Comment:**

None.

**PUBLIC HEARING CLOSED: 11:08 A.M.**

**City Engineer Tim Eriksen** eliminated *Draft* Condition of Approval #8:

'It appears the parcels on the west side of US 101 are being accessed from Norgard Lane by way of the North Coast Railroad Authority (NCRA) right of way. This does not appear to be a legally defined access. If the access is legally defined and deeded, the current parcel owner(s) will be required to provide an approved Caltrans encroachment permit because the land under the overpass is within Caltrans right of way. If there are future plans to modify the existing zoning and/or usage of the western parcel, it is strongly encouraged to develop an easement to the parcel from Airport Park Blvd. to prevent the parcel from becoming land-locked and/or to provide a second access.'

**City Engineer Tim Eriksen** approved Lot Line Adjustment to adjust  $\pm 2.7$  acres of Parcel "B" APN 180-120-05, 06 & 184-080-16, 25 & 26 into Parcel "A" APN 180-120-04 & 184-080-01 so that Parcel "A" will lie entirely within the City limits and on the westerly side of State Highway and to adjust  $\pm 3.35$  acres of Parcel "A" into Parcel "B" so that Parcel "B" will lie entirely within the County of Mendocino and on the easterly side of State Highway 101 with Findings in attachment 1 and subject to the Conditions of Approval in attachment 2, as modified.

**7. ADJOURNMENT**

There being no further business, the meeting adjourned at 11:10 a.m.

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Cathy Elawadly, Recording Secretary

**ATTACHMENT 1**

**FINAL FINDINGS  
LOT LINE ADJUSTMENT ON  
APNS 180-120-04, 05 & 06  
184-080-01, 16, 25 & 26  
FILE NO. MUNIS 3541**

The following findings are supported by and based on information contained in the staff report, the application materials and documentation, and the public record:

1. The adjustment will not create a greater number of parcels than existed prior to the adjustment;
2. The adjustment will not result in an increase in the number of nonconforming parcels;
3. The adjustment will not increase the nonconformity of any parcel;
4. All of the parcels resulting from the adjustment, as subject to the conditions of approval, are consistent with the General Plan, Zoning Ordinance, and Building Code.

**ATTACHMENT 2**

**FINAL CONDITIONS OF APPROVAL  
LOT LINE ADJUSTMENT ON  
APNS 180-120-04, 05 & 06  
184-080-01, 16, 25 & 26  
FILE NO. MUNIS 3541**

Approval is granted to the Project based on the project description submitted to the Planning and Community Development Department, and as shown on the Plot Plan contained therein, except as modified by the following conditions of approval:

1. All fees related to the Lot Line Adjustment application must be paid prior to the final approval and the recordation of the Lot Line Adjustment.
2. The lot line adjustment shall be reflected in deeds meeting the approval of the City Engineer and shall be recorded with the Mendocino County Recorder. The recorded deeds shall include legal descriptions and plat maps, and shall be prepared by a Licensed Land Surveyor or a Registered Civil Engineer.
3. If required, any existing easement, utility or other infrastructure affected by the Lot Line Adjustment shall be adjusted or relocated, as determined by the City Engineer.
4. If required, property owners shall obtain partial reconveyances from any mortgagor or other lien holders for any portion of a parcel being transferred to an adjacent parcel and that any liens covering the adjacent property have been modified to cover the newly created larger parcel.
5. Prior to recordation of deeds, written verification shall be provided by a title company that partial reconveyances and modified deeds of trust will be filed, as necessary.
6. Prior to recordation of deeds, certificates of compliance shall be recorded for the existing parcels.
7. The project must comply with the requirements of the City of Ukiah Public Works Department Lot Line Adjustment Procedures.
8. Resulting Parcel A contains a Primary 12Kv Feed for the City of Ukiah Waste Water Treatment Plant. All future site improvements shall be submitted to the City's Electric Utility Department for review and comment.
9. This approval is contingent upon agreement of the applicant and property owner and their agents, successors and heirs to defend, indemnify, release and hold harmless the City, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this application. This indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the City's action on this application, whether or not there is concurrent passive or active negligence on the part of the City. If, for any reason any portion of this indemnification

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agreement is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect.

