



**COUNTY OF MENDOCINO**  
**DEPARTMENT OF PLANNING AND BUILDING SERVICES**  
860 NORTH BUSH STREET · UKIAH · CALIFORNIA · 95482  
120 WEST FIR STREET · FORT BRAGG · CALIFORNIA · 95437

BRENT SCHULTZ, DIRECTOR  
PHONE: 707-234-6650  
FAX: 707-463-5709  
FB PHONE: 707-964-5379  
FB FAX: 707-961-2427  
pbs@mendocinocounty.org  
www.mendocinocounty.org/pbs

**November 21, 2018**

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Mendocino County Airport Land Use Commission at its regular meeting on Thursday, December 6, 2018, at 2:00 p.m., to be held in the Board of Supervisors Chambers, 501 Low Gap Road, Ukiah, California, will conduct a public hearing on the following project at the time listed or as soon thereafter as the item(s) may be heard.

**CASE#:** ALUC\_2018-0006

**DATE FILED:** 9/7/2018

**OWNER:** JBT INVESTMENTS LLC

**APPLICANT:** KYLE GREENHALGH

**AGENT:** RICHARD RUFF

**REQUEST:** Review and possible comment on the City of Ukiah's proposed Overrule of Decision of ALUC\_2018-0006 to deem the proposed use incompatible with the Mendocino County Airport Comprehensive Land Use Plan. This decision was rendered on October 18, 2018.

**LOCATION:** In the City of Ukiah, lying on the west side of Cunningham Street at its intersection with Talmage Road, located at 1076 Cunningham Street (APN: 003-140-52).

**STAFF PLANNER:** KEITH GRONENDYKE

The staff report will be available for public review 10 days prior to the hearing at 860 North Bush Street, Ukiah, California and on the Department of Planning and Building Services website at:

<https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/airport-land-use-commission>

Your comments regarding the above project(s) are invited. Written comments should be submitted to the Department of Planning and Building Services Commission Staff, at 860 North Bush Street, Ukiah, California, 95482, no later than December 5, 2018. Oral comments may be presented to the Airport Land Use Commission during the public hearing. All persons are invited to appear and present testimony in this matter.

If you challenge the project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Department of Planning and Building Services or the Airport Land Use Commission at, or prior to, the public hearing.

Additional information regarding the above noted item(s) may be obtained by calling the Department of Planning and Building Services at 234-6650, Monday through Friday, 8:00 a.m. through 5:00 p.m. Should you desire notification of the Planning Commission's decision you may do so by requesting notification in writing and providing a self-addressed stamped envelope to the Department of Planning and Building Services.

BRENT SCHULTZ, Director of Planning and Building Services



## MEMORANDUM

**DATE:** DECEMBER 6, 2018

**TO:** AIRPORT LAND USE COMMISSIONERS

**FROM:** KEITH GRONENDYKE, PLANNER III

**RE:** AIRPORT LAND USE COMMISSION APPLICATION: ALUC 2018-0006 HERITAGE MENDOCINO

---

This memo is regarding the above noted application that was filed on September 7, 2018 for an Airport Comprehensive Land Use Plan Consistency Determination with the Mendocino County Department of Planning and Building Services for a proposed cannabis microbusiness that would include distribution, dispensary/retail, manufacturing, and processing of recreational and medicinal products within an existing 2,480 sq. ft. building. The existing building footprint would not be expanded. Ancillary parking has been proposed for 13 parking spaces within a 4,237 sq. ft. parking lot, along with curb and sidewalk improvements and accessibility upgrades. The proposed project includes building and parking lot lighting and signage. The applicant has also proposed 5,081 sq. ft. of landscaping, street trees, and a 6 ft. tubular steel security fence around the site perimeter, in the City of Ukiah, lying on the west side of Cunningham St., at its intersection with Talmage Rd., located at 1076 Cunningham St., Ukiah (APN: 003-140-52).

This application was determined by the Mendocino County Planning Department to not be consistent with the County's Airport Comprehensive Land Use Plan (ACLUP) and this determination was presented to the commission by County staff at a public hearing on October 18, 2018. At that Airport Land Use Commission (ALUC) meeting, the Commission members voted unanimously to adopt Resolution AC\_2018-0004 that provided findings of inconsistency to substantiate the County's position.

Subsequent to this determination by the ALUC, the City of Ukiah's Planning Department, at the direction of the Ukiah City Council, has drafted a follow up Resolution that would overrule the ALUC determination and presents the City's own proposed findings on how the application ALUC\_2018-0006 *is* consistent with the ACLUP.

Attachments:

- A. County Resolution, AC\_2018-0004.
- B. City of Ukiah proposed overrule Resolution.
- C. City of Ukiah complete packet dated September 7, 2018.
- D. County complete packet dated October 18, 2018.

## Resolution Number AC\_2018-0004

County of Mendocino  
 Ukiah, California  
 October 18, 2018

## ALUC\_2018-0006 – HERITAGE MENDOCINO ACLUP CONSISTENCY DETERMINATION

RESOLUTION OF THE AIRPORT LAND USE COMMISSION, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, FOR AIRPORT COMPREHENSIVE LAND USE PLAN CONSISTENCY DETERMINATION FOR A PROPOSED CANNABIS MICROBUSINESS THAT WOULD INCLUDE DISTRIBUTION, DISPENSARY/RETAIL, MANUFACTURING, AND PROCESSING OF RECREATIONAL AND MEDICINAL PRODUCTS WITHIN AN EXISTING 2,480 SF BUILDING. THE APPLICANT ALSO PROPOSES 5,081 SF OF LANDSCAPING, STREET TREES, AND A 6-FOOT TUBULAR STEEL SECURITY FENCE AROUND THE SITE PERIMETER.

WHEREAS, the applicant, Kyle Greenhalgh (Heritage Mendocino), filed an application on September 7, 2018 for an Airport Comprehensive Land Use Plan Consistency Determination with the Mendocino County Department of Planning and Building Services for a proposed cannabis microbusiness that would include distribution, dispensary/retail, manufacturing, and processing of recreational and medicinal products within an existing 2,480 sq. ft. building. The existing building footprint would not be expanded. Ancillary parking has been proposed for 13 parking spaces within a 4,237 sq. ft. parking lot, along with curb and sidewalk improvements and accessibility upgrades. The proposed project includes building and parking lot lighting and signage. The applicant has also proposed 5,081 sq. ft. of landscaping, street trees, and a 6 ft. tubular steel security fence around the site perimeter, in the City of Ukiah, lying on the west side of Cunningham St., at its intersection with Talmage Rd., located at 1076 Cunningham St., Ukiah (APN: 003-140-52) (the "Project"); and

WHEREAS, in accordance with applicable provisions of law at a duly noticed public hearing on October 18, 2018, the Mendocino County Airport Land Use Commission reviewed Case# ALUC\_2018-0006 for consistency with the Mendocino County Airport Comprehensive Land Use Plan (the "ACLUP") at which time the Airport Land Use Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Project. All interested persons were given an opportunity to hear and be heard regarding the Project; and

WHEREAS, on October 18, 2018, the Airport Land Use Commission, approved a motion finding the Project to be inconsistent with the ACLUP; and

WHEREAS, the Airport Land Use Commission has had an opportunity to review this Resolution and finds that it accurately sets forth the intentions of the Airport Land Use Commission regarding the Project.

NOW, THEREFORE, BE IT RESOLVED, that based on the evidence in the record, the Airport Land Use Commission makes the following findings and determinations:

1. **Findings of Inconsistency with the Airport Comprehensive Land Use Plan (ACLUP):** The proposed Project is not consistent with the ACLUP. The Project site is located in Airport Compatibility Zone A\* of the Mendocino County Airport Comprehensive Land Use Plan, which is the zone most restrictive of land uses. The asterisk in "Zone A" indicates those properties are intended to be acquired by the City of Ukiah either in fee or controlled by obtaining approach protection easements. Overall, Zone A is intended to be restricted to uses which promote the most unobstructed, open land (e.g., pastures, field crops, automobile parking, as shown in Table 2A). Pursuant to Table 2A of the ACLUP, properties within Zone A are to preserve all remaining open land, and the only permissible structures are those with a location set by their aeronautical

function. Although the Project would occupy a pre-existing structure, it would introduce a land use (i.e. commercial retail/light industrial) that is not permissible in Zone A\* pursuant to Table 2A of the ACLUP. In addition, Appendix D of the ACLUP identifies the proposed commercial and industrial uses as incompatible in Zone A. Therefore, the project is inconsistent with the ACLUP.

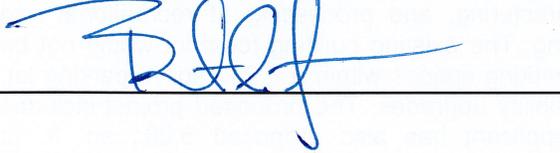
BE IT FURTHER RESOLVED that the Airport Land Use Commission designates the Commissions Services Supervisor as the custodian of the document and other material which constitutes the record of proceedings upon which the Airport Land Use Commission determination herein is based. These documents may be found at the office of the County of Mendocino Planning and Building Services, 860 North Bush Street, Ukiah, CA 95482.

*I hereby certify that according to the Provisions of Government Code Section 25103 delivery of this document has been made.*

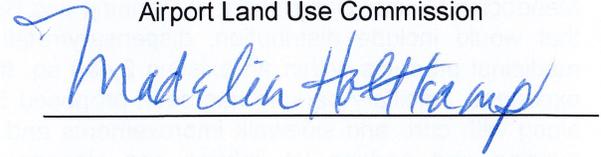
ATTEST: VICTORIA DAVIS  
Commission Services Supervisor

By: 

BY: BRENT SCHULTZ  
Interim Director



MADELIN HOLTkamp, Acting Chair  
Airport Land Use Commission



**PROPOSED RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF UKIAH OVERRULING FINDING OF  
MENDOCINO COUNTY AIRPORT LAND USE  
COMMISSION**

**WHEREAS:**

1. On October 18, 2018, the Mendocino County Airport Land Use Commission ("ALUC") adopted Resolution No. ALUC\_2018-0006- Heritage Mendocino ACLUP Consistency Determination ("Consistency Determination"); and
2. The Consistency Determination found that the Heritage Mendocino project, as proposed (the "project"), is inconsistent with the Mendocino County Airport Land Use Plan (the "ACLUP") for the Ukiah Municipal Airport, because although the Project would occupy a pre-existing structure, it would introduce a land use (i.e. commercial retail/light industrial) that is not permissible in the A\* Zone pursuant to Table 2A of the ACLUP. In addition, Appendix D of the ACLUP identifies the proposed commercial and industrial uses as incompatible in Zone A.
3. The City Council directed the Director to prepare the proposed decision to overrule the Consistency Determination based on ultimate findings that:
  - a. The project is not inconsistent with the restrictions in the A\* zone given that the proposed project would be located within an existing building that was constructed in the early 1950s, prior to the 1996 adoption of the ACLUP, and the proposed use is consistent with historical uses approved in the past for industrial, manufacturing and retail purposes.
  - b. The project site is currently surrounded by similar industrial, manufacturing and retail uses.
  - c. The FAA has determined that the existing building would pose no hazard to air navigation. In addition, the technical memorandum prepared by Mead & Hunt concluded that the existing building is well below the allowable structure height based on Federal Aviation Administration Part 77 airspace surfaces for the Ukiah Municipal Airport.

**NOW, THEREFORE, BE IT RESOLVED** as follows:

1. The City Council adopts the findings contained in Attachment 1.
2. The City Council directs the Director to proceed with the Overtake process.
3. The City Council directs the Director to provide the California Department of Transportation, Division of Aeronautics ("Division") and the ALUC with notice of this proposed decision overruling the Consistency Determination no less than 45 days before a public hearing is scheduled before the City Council on

the proposed overrule of the project; and the Division and ALUC have 30 days from date they are served with this Proposed Decision to file with the City Clerk any comments they may have about the proposed decision.

4. Based on the findings in Attachment 1 and the ultimate findings in Recital No. 5, the City Council finds that the project:

(1) is not inconsistent with the restrictions in the A\* zone given that the proposed project would be located within an existing building that was constructed in the early 1950s, prior to the 1996 adoption of the ACLUP, and the proposed use is consistent with historical uses approved in the past for industrial, manufacturing and retail purposes; and

(2) will minimize the public's exposure to excessive noise and safety hazards within the area where the project is located.

5. Based on the findings in Nos. 1 through 5 above, the City Council overrules the ALUC Consistency Determination for the Heritage Mendocino project.

PASSED AND ADOPTED this \_\_\_th day of \_\_\_\_\_ 2018, by the following roll call vote.

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Kevin Doble, Mayor

ATTEST:

\_\_\_\_\_  
Kristine Lawler, City Clerk

# ATTACHMENT A

## FINDINGS FOR PROPOSED UKIAH CITY COUNCIL OVERRULE OF MENDOCINO COUNTY AIRPORT LAND USE COMMISSION DETERMINATION OF INCONSISTENCY WITH REGARD TO PROPOSED HERITAGE MENDOCINO CANNABIS MICROBUSINESS PROEJCT

1. The *Mendocino County Airport Comprehensive Land Use Plan (ACLUP)* was adopted by the Mendocino County Airport Land Use Commission (ALUC) in 1993 and revised in 1996. This countywide document contains the individual plans for each of the airports in the county, including Ukiah Municipal Airport (UKI). A policy amendment pertaining only to UKI was made in 2010 (the amendment concerned public facility buildings).
2. The ACLUP Compatibility Map for UKI is based upon the 1996 UKI Airport Layout Plan (ALP). That ALP shows the existing north end of the runway (Runway 15) as relocated 585 feet from the physical end of the pavement. This configuration matches the way that the runway exists today. The 1996 ALP indicates that the existing Runway Protection Zone (RPZ) for Runway 15 had dimensions of 500 feet width at the inner end, 1,700 feet length, and 1,010 feet width at the outer end. These dimensions match the Federal Aviation Administration (FAA) airport design standards which were in place at that time for runways in the UKI runway category and having a nonprecision approach.
3. The UKI ALP was updated in 2015. This newer ALP depicts both the existing and a proposed future configuration for the north end of the runway. The future configuration would utilize pavement that already exists to shift the runway end 465 feet northward, thereby increasing the runway length by that amount. The landing threshold would remain where the runway now ends, thus creating a 465-foot displaced threshold. The 2015 ALP shows the existing RPZ as having dimensions of 500 feet width at the inner end, 1,000 feet length, and 700 feet width at the outer end. This reduction in the RPZ dimensions reflects a change in FAA design standards since 1996, not any difference in the type of approach to Runway 15. The future RPZ would keep the same dimensions, but would shift 465 feet northward as dictated by the proposed runway end shift. The ALUC has not updated the UKI ACLUP to reflect these changes.
4. The 1993/96 ACLUP establishes two compatibility zones encompassing the RPZ depicted on the 1996 ALP. Compatibility Zone A is the portion of the RPZ that is on airport property. Compatibility Zone A\* contains privately owned parcels that are at least partly within the 1996 RPZ. The City of Ukiah owns avigation easements on each of these parcels. The compatibility criteria for both zones prohibit all new structures and any use that would have more than 10 people per acre. Adjoining Compatibility Zone A\* and falling almost entirely outside of the 1996 RPZ or either of the 2015 RPZs is Compatibility Zone B1 (the two very small outer corners of the 1996 RPZ that extend into Compatibility Zone B1 are within public street rights-of-way). Compatibility criteria for this zone limit nonresidential uses to no more than 60 people per acre and prohibit risk-sensitive uses such as schools and hospitals, highly noise-sensitive uses, and uses where highly flammable materials are stored.
5. The Heritage Mendocino property lies fully within Compatibility Zone A\*. The RPZ identified in the 2015 ALP immediately borders the parcel to the southwest of the property, however no portion of the property nor the existing building is located within the RPZ. In addition, the subject parcel was not included in the 1996 RPZ. Heritage Mendocino proposes a cannabis microbusiness that would include distribution, dispensary/retail, manufacturing, and

processing of recreational and medicinal products within an existing 2,480 sf, 20 ft high building along the northern side of the property. The property and building have been historically used in the past for industrial, manufacturing and retail purposes similar to that proposed by the applicant. According to the applicant, the business is anticipated to have up to 5 employees, working at different times and not to exceed three employees at any one time, and two customers. Therefore, the business does not anticipate having more than 5 persons on site at any one time. The site and existing building have historically been occupied with industrial and manufacturing uses with 5-8 employees and 1-5 customers.

6. If the Compatibility Zone A\* boundary were to coincide with the combined outline of the 2015 existing and future RPZs, the proposed building would be within Compatibility Zone B1 and would meet the 1993/96 ACLUP compatibility criteria for that zone.
7. Safety compatibility guidelines contained within the 2011 Caltrans *Airport Land Use Planning Handbook* (Handbook) are also relevant to the proposed Heritage Mendocino project, especially because the UKI ACLUP has not been updated to be based upon the adopted UKI ALP as state law says it should be. Figure 3A of the Handbook depicts example safety compatibility zones. Example 2, for medium general aviation runways (ones having a length of 4,000 to 5,999 feet), is most applicable to UKI's 4,423-foot existing and 4,888-foot proposed future lengths. However, as stated in Note 1 of Figure 3A, the example Zone 1 boundaries are intended to reflect F AA dimensions for RPZs and may need to be adjusted from the example's dimensions to match the actual RPZ dimensions for a particular airport. On this basis, the site of the existing building would be within Handbook Safety Zone 2 for both the existing and future UKI runway configurations. Handbook guidelines for suburban-area development in Safety Zone 2 recommend limits of 40 to 60 people per average acre of the property with no more than 80 to 120 people within any single acre. The occupancy of the existing building that would be utilized by Heritage Mendocino would be well within these guidelines.
8. On August 21, 2018 Form 7460 was submitted to the FAA to notify the agency about the project. The FAA conducted an aeronautical study of the existing structure and made a determination that it would pose no hazard to air navigation (letter dated 10/19/2018).
9. To summarize, an overrule of the ALUC is justified because:
  - a. The Mendocino County ALUC has not updated the *Airport Comprehensive Land Use Plan* for the Ukiah Municipal Airport adopted in 1993 and amended in 1996 and 2010 to reflect Runway Protection Zone dimensions shown on the 2015 Airport Layout Plan.
  - b. The proposed project would be located within an existing building that was constructed in the early 1950s, prior to the 1996 adoption of the ACLUP and the proposed use is consistent with historical uses approved in the past for industrial, manufacturing and retail purposes.
  - c. The project site is currently surrounded by similar industrial, manufacturing and retail uses.
  - d. The proposed Heritage Mendocino project would be located in an existing building, and would not be situated within either the existing or future Runway Protection Zones depicted on the 2015 Airport Layout Plan.
  - e. If the ALUC were to modify the *Airport Comprehensive Land Use Plan* so that the boundaries of Compatibility Zone A\* were to match those of the existing and future Runway Protection Zone dimensions on the 2015 Airport Layout Plan, the site of the existing building would fall within Compatibility Zone B1 and would be consistent with the criteria for that zone.

- f. Absent a current *Airport Comprehensive Land Use Plan* for the Ukiah Municipal Airport, consideration should be given to the safety compatibility guidance provided in the 2011 Caltrans *Airport Land Use Planning Handbook*. The existing building falls within the Handbook's example Safety Zone 2 for a medium general aviation runway and the building's proposed usage would be consistent with the guideline safety criteria for that zone.
- g. The FAA has determined that the existing building would pose no hazard to air navigation.



Community Development Department  
Planning Services Division  
300 Seminary Ave.  
Ukiah, CA 95482  
planning@cityofukiah.com

**DATE:** September 7, 2018  
**TO:** Mendocino County Airport Land Use Commission  
**FROM:** Craig Schlatter, Community Development Director  
**SUBJECT:** Mendocino County Comprehensive Land Use Plan Consistency Determination for Heritage Mendocino

---

### **PROJECT SUMMARY**

An application was received from Kyle Greenhalgh of Heritage Mendocino for approval of a Major Use Permit/Site Development Permit to allow a cannabis microbusiness that would include distribution, dispensary/retail, manufacturing, and processing of recreational and medicinal products within an existing 2,480 sf building. The existing building footprint would not be expanded. Ancillary parking has been proposed for 13 parking spaces within a 4,237 sf parking lot, and curb and sidewalk improvements and accessibility upgrades have also been proposed. The proposed project includes building and parking lot lighting, which would be down-shielded, and signage. The applicant has also proposed 5,081 sf of landscaping, street trees, and a 6-foot tubular steel security fence around the site perimeter.

Please see Attachment 1 for site plans and elevation drawings.

### **PURPOSE OF AGENDA ITEM**

The purpose of this agenda item is to request the Mendocino County Airport Land Use Commission (the "Commission" or the "ALUC") review the project and determine its consistency with the Mendocino County Airport Comprehensive Land Use Plan ("CLUP"). The project was referred to Mendocino County ALUC staff planner Robert Dostalek on June 26, 2018 and the revised project referred on August 7. Comments from Mr. Dostalek were received by City staff on July 6 (original project) and August 8 (revised project), respectively, stating the project may not be consistent with the CLUP and should be formally reviewed by the ALUC.

### **BACKGROUND**

The property is located at 1076 Cunningham Street (previously 150 Perry Street) and is bounded by Rupe Street to the north, Cunningham Street to the east, Talmage Road to the south and Perry Street to the west. Doolin Creek traverses the southern portion of the parcel, and railroad tracks are approximately 260 feet east of the parcel. The existing 2,480 sf building is located on the easternmost portion of APN 003-140-07 which is now recognized as its own 0.56-acre parcel

through Certificate of Compliance 2017-08356 (new APN is 003-140-52). Lot Line Adjustment (LLA) number 18-3221 was approved by the City Engineer on January 11, 2018 but has not been recorded; and the property owner does not intend to record the LLA at this time. The existing building is located approximately 930 feet north of Airport Road and was constructed in the early 1950s. Previous uses include manufacturing, industrial and retail such as door manufacturing, metal fabrication, recycling sorting, packaging and shipping services, and material storage.

**PROJECT LOCATION AND SETTING**

**Assessor’s Parcel Number:** 003-140-52

**Parcel size:** 0.56 acres

**General Plan Designation:** I (Industrial)

**Downtown Design District:** No

**Zoning:** M (Manufacturing)

**Airport Compatibility Zone:** A\*

**Location:** 1076 Cunningham Street

**Applicant:** Kyle Greenhalgh, Heritage Mendocino

Figure 1. General Plan Land Use Category

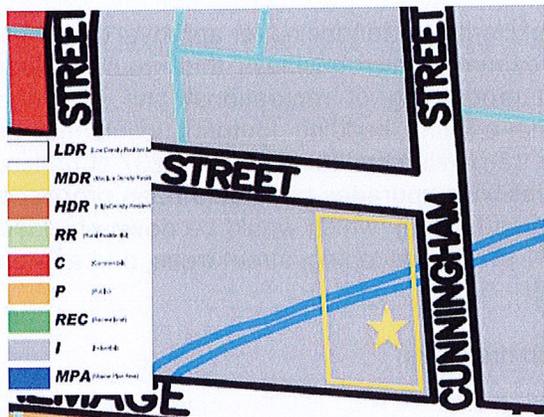


Figure 2. Zoning Designation

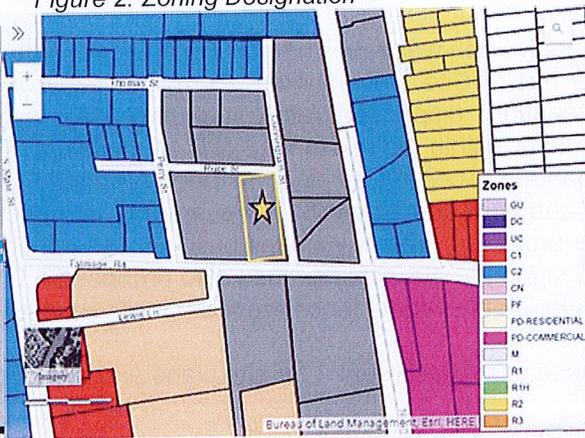
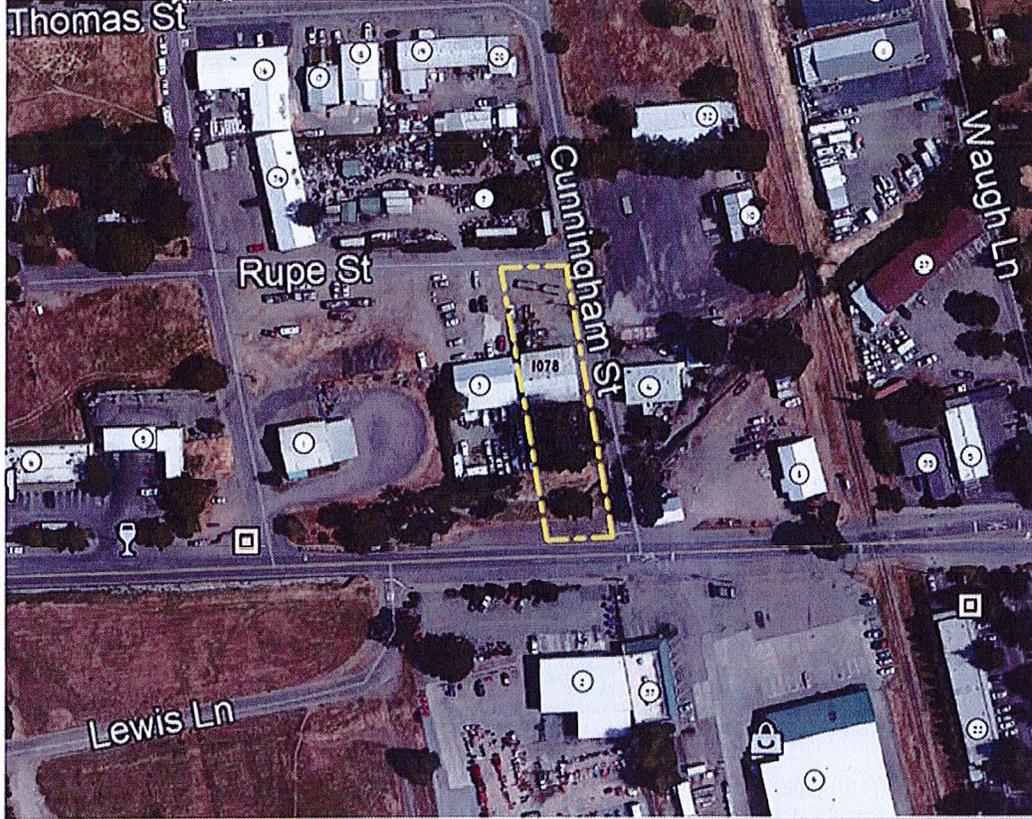


Figure 3. Aerial View



The project site is surrounded by parcels zoned Manufacturing (M) and Heavy Commercial (C2). The following uses are directly adjacent to the parcel:

- North:* Ukiah Recycle (industrial/manufacturing)
- East:* My Custom Design (retail/commercial)
- South:* Garton Tractor (retail/commercial)
- West:* Automotive shop/repair (industrial/manufacturing)

The parcel carries a General Plan Land Use designation of Industrial (I) and is zoned Manufacturing (M). Cannabis related businesses are allowed in M zoning districts with approval of a Major Use Permit per City Ordinance 1186, *Ordinance of the City Council of the City of Ukiah Adding and Amending Various Sections of the Ukiah City Code to Regulate Cannabis Related Businesses*, adopted on January 17, 2018.

## ANALYSIS

Airport Compatibility. Per the Ukiah Municipal Airport Master Plan (“Ukiah Master Plan”), the entirety of the parcel is located in Zone A\* of the July 1996 Ukiah Municipal Airport Master Plan Compatibility Zoning Map. As stated in a technical memorandum prepared by Mead & Hunt on December 7, 2017 (Attachment 2), the CLUP “does not indicate what criteria should apply within

Compatibility Zone A\* in the meantime, although presumably the criteria would be those of Zone A. Zone A comprises land within the Runway Protection Zone or Within Building Restriction line.”

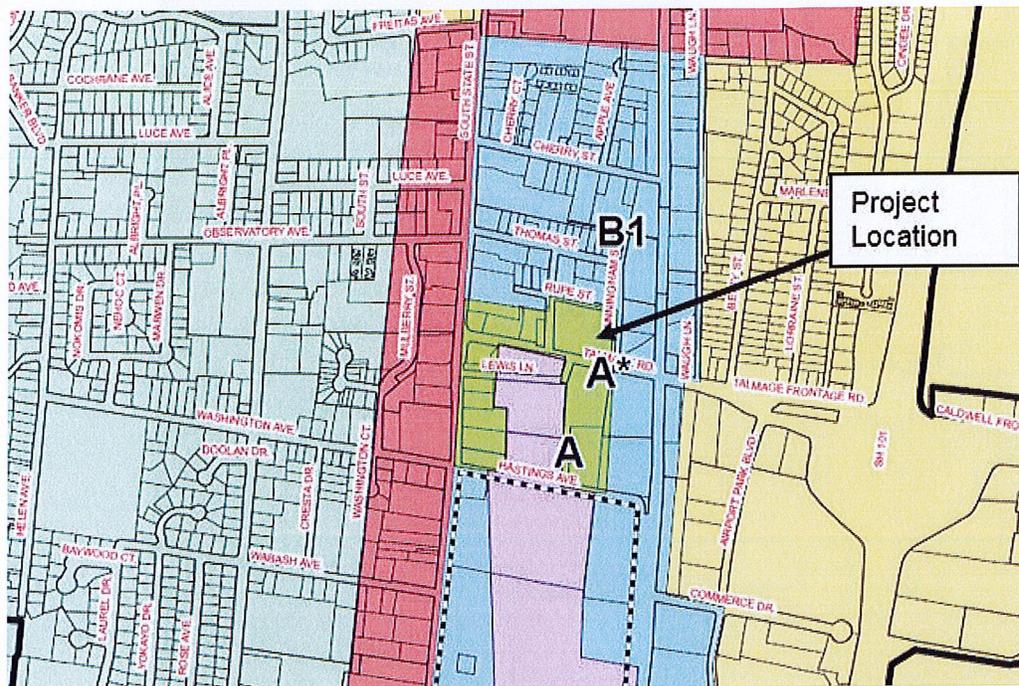


Table 2A of the CLUP (7A in the Ukiah Airport Master Plan) lists all structures except for ones with location set by aeronautical function, assemblages of people, objects exceeding FAR Part 77 height limits, and hazards to flight as uses prohibited within the A Zone. However, the proposed project does not involve construction of new structures and instead is to be located in an existing building. The building was constructed in the 1950s and has had several similar uses to the use proposed by the applicant. In addition, the project does not propose to expand the building or use and the project site is surrounded and bounded by existing development similar in use, size and scale. City staff considers the building existing non-conforming. The CLUP is silent on existing non-conforming uses in the A zone but contains the following guidance provided in Section 2.1.8:

*“Within the context of the CLUP, expansion of existing non-conforming uses up to 20% of the existing structure floor area or 1,000 sf, whichever is greater, is exempt from ALUC formal consistency review and findings. Other expansions outside of the identified “infill” areas discussed in Section 2.1.6 are subject to the discretionary review process normally imposed by the local jurisdictions with review and formal consistency finding by the ALUC...”*

Density. Density criteria in the Ukiah Airport Plan Compatibility “A” Zones, which includes both the Runway Protection Zone as Zone “A” and the “A\*” Zone, allows a maximum of 10 persons per acre. This number should include all individuals who may be on the property at one time, such as customers and employees.

Utilizing the Ukiah Municipal Airport Master Plan density criteria, the maximum allowable density is calculated as follows:

0.56 acres x 10 persons/acre = 5.6 ≈ 6 persons maximum density on site at one time.

The maximum building occupancy of the building is 30 persons, which even if applying the 50% reduction adjustment outlined in Appendix C of the CLUP, would exceed the density threshold for the A Zone. However, it is highly improbable for the building to be occupied with this number of people at any one time. According to the applicant, the business is anticipated to have up to 5 employees, working at different times and not to exceed three employees at any one time, and two customers. Therefore, the business does not anticipate having more than 5 persons on site at any one time. The site and existing building have historically been occupied with industrial and manufacturing uses with 5-8 employees and 1-5 customers. The proposed project would not exceed the density that has historically existed on-site.

Open Land. The existing building is 2,480 sf and the lot size is 24,325 sf, resulting in 21,845 sf or 89.8% of open land, and the project does not propose an expansion of the existing building footprint. In addition, open land requirements are intended to be applied with respect to the entire zone, and per the Ukiah Master Plan, "All remaining [open land is] required" in Zone A (including A\*). A large portion of Zone A is owned by the City of Ukiah and is designated as permanent open land. For these reasons Staff interpret the proposed project to have a less than significant impact on the Zone A\* open space. The aggregate amount of open land remaining in Zone A\* meets the intent of the Ukiah Master Plan.

Height. The existing building is 20 feet in height and although the project does not propose to increase the height, an analysis was conducted by Mead & Hunt to calculate the allowable building height (Attachment 3). A request for a determination of the potential of hazards to air navigation was also submitted to the Federal Aviation Administration (FAA).

According to the 2011 CalTrans Division of Aeronautics Airport Land Use Planning Handbook, "the planned height of buildings, antennas, and other objects should be checked with respect to Federal Aviation Regulations Part 77 criteria if the development is close to the airport, situated within the runway approach corridors, or on land higher more than 150 feet above the airport elevation." The height analysis is based upon the Federal Aviation Administration Part 77 airspace surfaces as applied to the airport and shown in the approved Airport Layout Plan (ALP) drawing set. Further, because the ALP shows a proposed northward extension of the runway, the Part 77 surfaces are based upon the future runway end. The allowable height of an object at any point under the Part 77 surfaces is the difference between the elevation of the specific airspace surface at that point and the ground elevation at that same location.

The project site lies beneath the approach surface, which slopes upward from a point 200 feet beyond the runway end at a ratio of 34:1 (34 feet horizontally to 1 foot vertically). Using this ratio, the most restrictive height limit on this property is at the point closest to the runway end which, in this case, is the southeast corner adjacent to the intersection of Cunningham Street and Talmage Road. As discussed in Attachment 3, the allowable object height for this location is 34 feet. However, because the approach surface is sloped upward and the ground is relatively level, the allowable height increases moving northward farther from the runway end. For example, at the northwest corner of the parcel the allowable height is 45.4 feet. The existing 20-foot building is well below these height limitations.

## **RECOMMENDATION**

City Staff recommends the Airport Land Use Commission:

1. Consider the request for a consistency determination submitted by Heritage Mendocino.
2. Consider the Findings 1-4 identified below.
3. Find the proposed project consistent with the Airport Comprehensive Land Use Plan, subject to and in consideration of Findings 1-4 and/or additional findings made by the Commission in support of a consistency determination.

## **FINDINGS FOR CONSIDERATION**

1. The proposed project would be located within an existing building that was constructed prior to the 1996 adoption of the CLUP and the proposed use is consistent with historical uses approved in the past for industrial, manufacturing and retail purposes.
2. It is unreasonable to utilize the Building Code maximum occupancy as the density standard, as it would allow significantly more occupants in the building than was experienced in the past or that is expected with the proposed project. Based on the applicant's number of projected employees and customers, the total credible expected occupancy would be consistent with the Compatibility Zone A density standard. The proposed project would not exceed the density that has historically existed.
3. The proposed project site is surrounded and bounded by existing development similar in use, size and scale.
4. The proposed project would not expose the public to excessive noise and safety hazards associated with airport operations.

## **ATTACHMENTS**

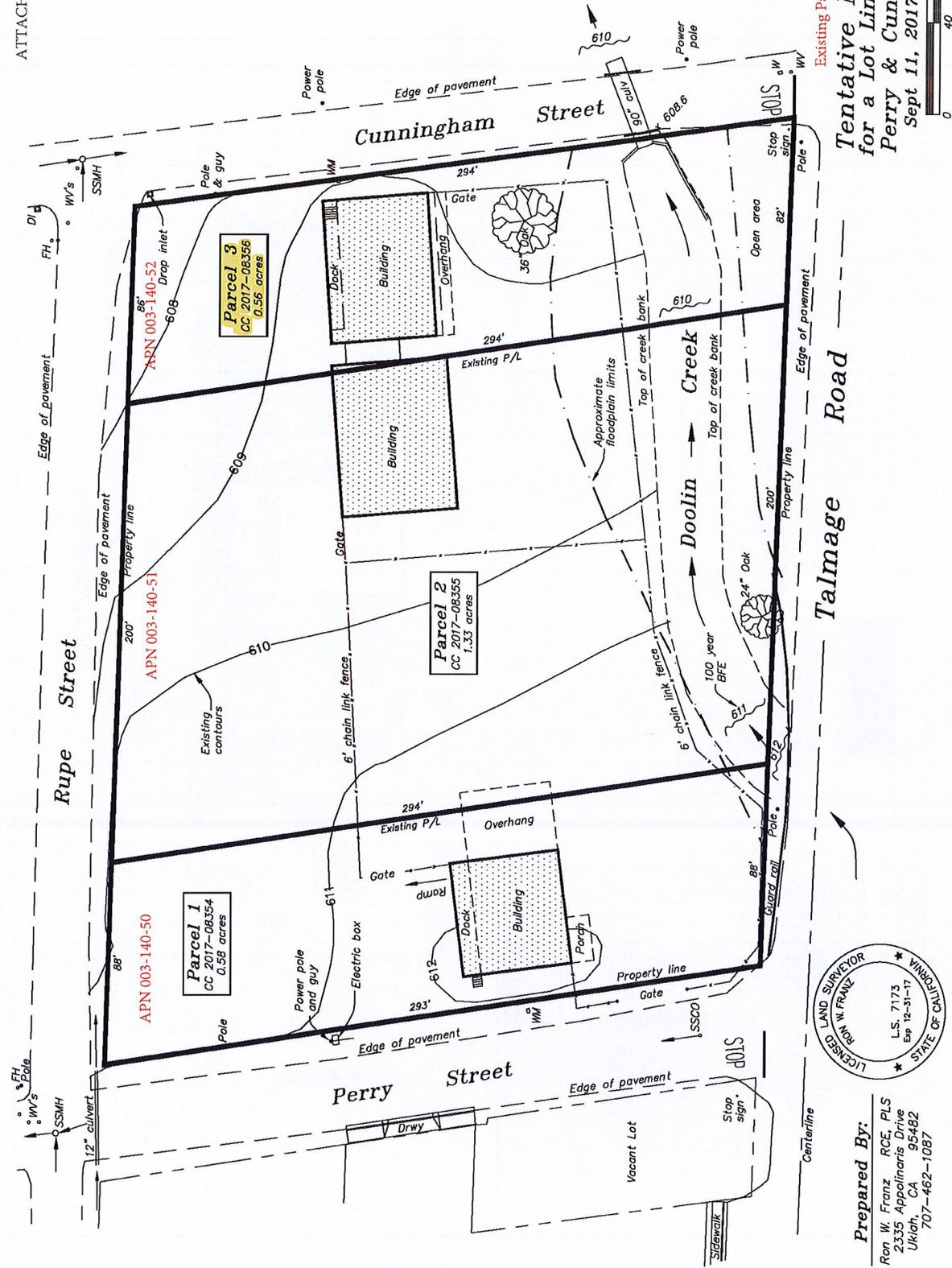
1. Site Plan and Elevations for Heritage Mendocino
2. Mead & Hunt, Inc. Technical Memorandum dated December 13, 2017
3. Mead & Hunt, Inc. Height Restriction Analysis for Heritage Mendocino

**Owner:**

uBT Investments LLC  
 Attn: Joe Thomas  
 P.O. Box 171  
 Ukiah, Ca 95482  
 367-3296

**Site**

AP 003-140-07  
 150 Perry Street  
 2.47 acres

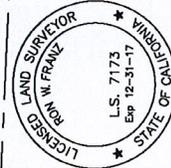


Existing Parcel Configuration

**Tentative Map (Existing)**  
 for a Lot Line Adjustment at  
 Perry & Cunningham Streets  
 Sept 11, 2017 -- Scale: 1"=40'



**Talmage Road**



**Prepared By:**  
 Ron W. Franz RCE PLS  
 2335 Appalmaris Drive  
 Ukiah, CA 95482  
 707-462-1087









## Technical Memorandum

To: Craig Schlatter, Community Development Director  
City of Ukiah

CC: Greg Owen, Airport Manager  
City of Ukiah

From: Ken Brody, Senior Project Manager  
Corbett Smith, Airport Planner

Date: December 13, 2017

Subject: Issues Concerning Garton Tractor Building Proposal and ALUCP Policies

\* \* \* \* \*

In the telephone conversations that we have had with you and Greg Owen, you asked us to address several airport land use compatibility issues concerning the proposed Garton Tractor building to be situated near the Ukiah Municipal Airport. This memo discusses the following questions:

1. What types of should projects go to the ALUC for review?
2. Should this project go to the ALUC?
3. What criteria should apply regarding development in the airport influence area given that the ALUC's compatibility plan for the airport is outdated?
4. What development, if any, is allowed inside of an RPZ?
5. Is there rationale for the City to allow the project if it is redesigned to remain outside of the RPZ but still in Compatibility Zone A\*?
6. How should the ALUC and City proceed to update the compatibility plan?

### *1. Projects Needing ALUC Review*

The requirements for ALUC review of individual development projects are primarily spelled out in California state airport land use planning statutes (Public Utilities Code Sections 21676 and 21676.5). Language in the June 1996 *Airport Comprehensive Land Use Plan* adopted by the Mendocino County ALUC echoes these requirements.

Certain types of land use actions always are to be referred to the ALUC. These are ones involving adoption or amendment of a general plan, specific plan, zoning ordinance, or building regulations affecting land within an airport influence area. Zoning ordinance and building regulations variances are also normally considered as actions requiring referral if any airport land use compatibility factor is involved.

Other actions may or may not need to be referred depending on the circumstances. State law requires each local agency having territory within an airport influence area to amend its general plan and applicable specific plans to be consistent with the ALUC's plan or to take steps to overrule the ALUC. Until these plans have been referred to the ALUC and deemed consistent with the compatibility plan, or the local agency has overruled the ALUC with respect to these actions, the ALUC can require all individual development actions within the airport influence area be referred for review (PUC Section

## Technical Memorandum

Craig Schlatter

December 13, 2017

Page 2

21676.5(a)). Few ALUCs are this rigorous. In Policy 1.3.3, the Mendocino County ALUC narrows the list of actions required to be referred to just a few:

- (a) Any proposed expansion of a city's sphere of influence.
- (b) Proposed land use project by a government entity which exceeds 10,000 square feet.
- (c) Proposed storage of more than 2,000 gallons of fuel or flammables per parcel in portions of the B Zone not lateral to the runway.
- (d) Reconstruction of existing incompatible development with Compatibility Zone A.
- (e) Any proposed land use action, as determined by the local planning agency, involving a question of compatibility with airport activities.

The Compatibility Plan's list of actions that "local agencies will continue to refer" once the local plans are made consistent is identical (Policy 1.3.4). Based on state law, however, such referral is optional unless agreed upon by the local agency.

Another exception to the Compatibility Plan's referral requirements is provided in Policy 2.1.8. For nonresidential uses, this policy states that "expansion of non-conforming uses up to 20% of the existing structure floor area or 1,000 square feet, whichever is greater, is exempt from ALUC formal consistency review and findings."

### *2. ALUC Review of Current Project*

Our understanding is that the City's action to approve the proposed Garton Tractor building does not require a general plan, specific plan, zoning ordinance, or building regulations amendment or variance. That being the case, the referral is only required for actions in the above list. The proposed project does not explicitly fit into any of these categories.

However, it is a new building, not an expansion of less than 1,000 square feet to an existing building, and thus does not qualify for the exemption under Policy 2.1.8. Further, it is an action affecting Compatibility Zone A that can be construed as expansion within Zone A in accordance with Policy 1.3.3(d), even if not technically "reconstruction." When there is any doubt, Mead & Hunt encourages the local agency to refer the project to the ALUC.

### *3. Basis for Compatibility Review*

This is a topic about which the City Attorney should be asked. We can say, though, that in working with ALUCs in other counties, their legal counsel has typically advised that the ALUC's consistency determinations be based upon the adopted compatibility plan that is in place even when the plan is known to be outdated. Sometimes in their determination, though, an ALUC will make note of these circumstances. So doing can help the local agency in making the findings necessary to overrule the ALUC.

## Technical Memorandum

Craig Schlatter

December 13, 2017

Page 3

### 4. Allowable Development in RPZs

The Runway Protection Zone (RPZ) is a ground level, trapezoidal area at the end of the runway. This area is designated to enhance the protection of people and property on the ground. The FAA recommends that incompatible land uses, objects, and activities not be located inside of an RPZ. The FAA also recommends that an airport operator maintain full control of an RPZ, ideally through fee simple property acquisition. If this is not feasible, land use control may be achieved through the use of easements.

FAA Advisory Circular 150/5300-13A *Airport Design*, states the following land uses are generally permissible:

- Farming that meets specific requirements
- Irrigation channels that meet specific requirements
- Airport service roads, as long as they are not public roads.
- Underground facilities
- Unstaffed navigational aids that are considered fixed-by-function.

The FAA's Memorandum, *Interim Guidance on Land Uses Within a Runway Protection Zone*, dated 9/27/2012, contains additional guidance on land uses that require coordination with the FAA. Table 1 of the memo lists land uses that require coordination with FAA headquarters in Washington D.C. if the proposed land use is to enter the limits of the RPZ. Buildings and structures are one of the listed land uses. If the City wishes to pursue this coordination with FAA headquarters for the placement of a building in the RPZ, there is a specific alternatives analysis that must be documented and presented to the FAA. The alternatives analysis should include:

- A description of each alternative including a narrative discussion and exhibits or figures depicting the alternative.
- Full cost estimates associated with each alternative regardless of potential funding sources.
- A practicability assessment based on the feasibility of the alternative in terms of cost, constructability and other factors.
- Identification of the preferred alternative that would meet the project purpose and need while minimizing risk associated with the location within the RPZ.
- Identification of all Federal, State and local transportation agencies involved or interested in the issue.
- Analysis of the specific portion and percentages of the RPZ affected, drawing a clear distinction between the Central Portion of the RPZ versus the Controlled Activity Area, and clearly delineating the distance from the runway end and runway landing threshold.
- Analysis of (and issues affecting) sponsor control of the land with the RPZ.

## Technical Memorandum

Craig Schlatter

December 13, 2017

Page 4

- Any other relevant factors for headquarters considerations.

It is Mead & Hunt's opinion that this effort would be costly, time consuming, and would likely not result in a favorable finding for the project in question.

These standards notwithstanding, the federal government, including the FAA, has no direct authority over local land uses and consequently there isn't an outright prohibition on what land uses can occupy an RPZ. Instead, the FAA uses the grant assurances, which the City agreed to when accepting past FAA grants, as a mechanism for compliance. If the City were to proceed with an action that the FAA determined to violate these grant assurances, there is the potential for the City to be unable to obtain future FAA grants and also the potential requirement to repay past grants.

Table 2A of the ALUCP reflects the FAA standards. The criteria for Compatibility Zone A explicitly prohibits:

- All structures except ones with location set by aeronautical function
- Assemblages of people
- Objects exceeding FAR Part 77 height limits
- Hazards to flight.

Importantly, though, the boundary of Compatibility Zone A does not directly match the limits of the either the present or future RPZ as described below. Instead, it follows the airport property line in the area. Additionally, an A\* zone is created to encompass the remainder of the RPZ at this end of the runway. This zone boundary also mostly follows property lines rather than the RPZ boundaries. ALUCP Policy 6.1 recognizes the private ownership of land in Compatibility Zone A\*, by stating that "it is the intention of the City of Ukiah to provide long-term control of the land uses within these areas by either acquiring the property in fee or obtaining approach protection easements restricting the type and density of land uses permitted." Unfortunately, the ALUCP does not indicate what criteria should apply within Compatibility Zone A\* in the meantime, although presumably the criteria would be those of Zone A.

### *5. Acceptability of this Project if Not in RPZ*

As currently proposed, a small portion (approximately 1,000 square feet) of the Garton Tractor building would fall within the outermost, northeast corner of the present Ukiah Municipal Airport RPZ. The FAA RPZ standards as well as the ALUC's policies regarding Compatibility Zone A would apply. Complicating the situation, however, is that the 2016 Airport Layout Plan (ALP) that both the City and the FAA have approved proposes a future 465-foot northern extension of the runway. The RPZ would shift a corresponding distance, with the result being that, because of the RPZ's trapezoidal shape, the proposed building would fall just outside the edge of the future RPZ.

However, the change to the future RPZ as depicted on the ALP would only occur after the runway end is physically shifted north. Before that can happen, justification must be presented to the FAA that the

## Technical Memorandum

Craig Schlatter

December 13, 2017

Page 5

runway should be extended to the north to better suit the aviation users, the environmental review process must be completed, and funding must be approved. Accomplishment of the project is thus undoubtedly many years away. The City therefore needs to continue protecting the present RPZ for the foreseeable future and also to protect the future RPZ in order to preserve the prospects for accomplishing the extension.

Unless the City wishes to go through the process of seeking FAA acceptance of the proposed building or to simply ignore the FAA standards on the basis that the City does not own the property, the primary remaining option is for the building's design to be modified so it falls entirely outside of both RPZs. The modified building would probably still be in Compatibility Zone A\* and remain in conflict with the ALUCP criteria for this zone, but it would likely be acceptable in terms of FAA standards. From an FAA perspective, the remaining concern likely would be to ensure that the building is not an airspace obstruction.

Another option, as discussed below, is to update the ALUCP. However, even if the A\* zone boundary were to be adjusted to match FAA criteria, a corner of the building would or should be in this zone. Until the proposed runway extension is implemented, the ALUCP should protect for both configurations. Also, any changes to the zone boundaries would still place the building in Compatibility Zone B1 and the criteria for that zone would apply. While our understanding of the proposed use of the new building is that it would be low-intensity, we have not done an evaluation of its consistency with the Compatibility Zone B1 intensity criteria. The project's compliance with one other criterion for this zone—"locate structures maximum distance from extended runway centerline"—could also be debated.

### *6. Updating the ALUCP*

In theory, the ALUCP should have been updated as necessary at the time the new ALP was approved by City and the FAA. As is the case with ALUCs in many counties, however, funding for this task was undoubtedly lacking. The entire ALUCP really needs updating as it is over 20 years old and does not adhere to current Caltrans *Airport Land Use Planning Handbook* guidance or the procedures and criteria adopted by other ALUCs in recent years. We recognize, however, that such an endeavor is well beyond anything being contemplated by the County.

What could be done fairly economically, however, is to simply update the Ukiah Municipal Airport Compatibility Map found on page 3-15 of the ALUCP. If the focus of the update were to be limited just to the areas affected by the runway and RPZ changes and not get into issues of the criteria applied in the zones, this task should involve minimal effort. Some CEQA documentation would nonetheless be necessary, particularly if any locations would be affected by greater restrictions. If you would like, Mead & Hunt would be happy to work with you to define a scope and budget for an update of this type.

**Michelle Irace**

---

**From:** Ken Brody <ken.brody@meadhunt.com>  
**Sent:** Tuesday, August 28, 2018 5:01 PM  
**To:** Michelle Irace  
**Subject:** Allowable Height for Objects on Property at 150 Perry Street

Michelle...

This message documents our conversation today regarding how tall structures and other objects on the above property can be without penetrating the airspace surfaces for the Ukiah Municipal Airport. The analysis is based upon the Federal Aviation Administration Part 77 airspace surfaces as applied to the airport and shown in the approved Airport Layout Plan (ALP) drawing set. Further, because the ALP shows a proposed northward extension of the runway, the Part 77 surfaces are based upon the future runway end. This is true even though the landing threshold for this end of the runway (Runway 15) will remain where the runway currently ends, thus resulting in what is known as a displaced threshold.

In simple terms, the allowable height of an object at any point under the Part 77 surfaces is the difference between the elevation of the specific airspace surface at that point and the ground elevation at that same location. The particular property in question lies beneath the approach surface which slopes upward from a point 200 feet beyond the runway end at a ratio of 34:1 (34 feet horizontally to 1 foot vertically). The calculation methodology is slightly different for points under other surfaces although the allowable height is still represented by the difference between the airspace surface and the ground elevation.

The most restrictive height limit on this property is at the point closest to the runway end which, in this case, is the southeast corner adjacent to the intersection of Cunningham Street and Talmage Road. This point is approximately 880 feet horizontally from the beginning of the 34:1 approach surface. Vertically, the approach surface starts at the same elevation as the runway end which, for Runway 15, is shown on the ALP as being 618.1 feet above mean sea level (MSL). The elevation of the approach surface at the southeast corner of the property is thus  $(880/34)+618.1$  or 644.0 feet MSL. Available topo data indicates that the ground elevation at this corner is approximately 610.0 feet MSL, resulting in an allowable object height of 34.0 feet  $(644.0-610.0)$ .

Because the approach surface is sloped upward and the ground is relatively level, the allowable height increases moving northward farther from the runway end. At the northwest corner of the Parcel 3 portion of the property, 1,200 feet from the runway end and having an elevation of 608.0 feet, the allowable height is 45.4 feet  $[(1,200/34)+618.1]-608.0$ .

I trust that this message provides the information you need regarding this property, as well as some indication of the methodology involved in the calculation. As always, please don't hesitate to get back in touch with me if you have any questions.

Ken

**Kenneth A. Brody | Senior Project Manager, Aviation Services**

Mead & Hunt | 1360 19<sup>th</sup> Hole Drive, Suite 200 | Windsor, CA 95492  
Main: 707-526-5010 | Direct: 707-284-8688 | Mobile: 707-479-7920

[ken.brody@meadhunt.com](mailto:ken.brody@meadhunt.com) | [www.meadhunt.com](http://www.meadhunt.com)

**MEMORANDUM – ACLUP COMPATIBILITY REVIEW****ALUC\_2018-0006  
OCTOBER 18, 2018**

**OWNER:** JOE THOMAS  
PO BOX 171  
UKIAH, CA 95482

**APPLICANT/AGENT:** KYLE GREENHALGH  
2580 SIERRA BLVD, #E  
SACRAMENTO, CA 95825

**REQUEST:** Mendocino County Airport Comprehensive Land Use Plan Consistency Determination for a proposed cannabis microbusiness that would include distribution, dispensary/retail, manufacturing, and processing of recreational and medicinal products within an existing 2,480 sf building. The applicant also proposes 5,081 sf of landscaping, street trees, and a 6-foot tubular steel security fence around the site perimeter.

**AIRPORT ZONE:** A\*

**LOCATION:** In the City of Ukiah, lying on the west side of Cunningham St., at its intersection with Talmage Rd., located at 1076 Cunningham St., Ukiah (APN: 003-140-52).

**PROJECT DESCRIPTION:** The applicant proposes a cannabis microbusiness that would include distribution, dispensary/retail, manufacturing, and processing of recreational and medicinal products within an existing 2,480 sq. ft. building. The existing building footprint would not be expanded. Ancillary parking has been proposed for 13 parking spaces within a 4,237 sq. ft. parking lot, and curb and sidewalk improvements and accessibility upgrades are also proposed. The proposed project includes building and parking lot lighting, which would be down shielded, and signage. The applicant has also proposed 5,081 sq. ft. of landscaping, street trees, and a 6 ft. tubular steel security fence around the site perimeter.

**ACLUP CONSISTENCY REVIEW:** The entire project site is located in Airport Zone A\*. Per Section 6.1 of the Airport Comprehensive Land Use Plan (ACLUP), the asterisk identifies lands that are currently not under airport ownership. However, it is the intention of the City of Ukiah to provide long-term control of the land uses within these areas by either acquiring the property in fee or obtaining approach protection easements restricting the type and density of land uses permitted. For the purpose of the Airport Land Use Commission (ALUC) to make a compatibility determination for the Heritage Mendocino project, the compatibility criteria for Airport Zone A would apply. Areas located in Airport Zone A are within the runway protection zone or within the building restriction line with high impact risk and high noise levels.

The Compatibility Guidelines for Specific Land Uses (Appendix D of the ACLUP) lists all commercial and industrial uses as incompatible in Airport Zone A. Also, the project does not appear compatible with the Zone A criteria outlined in Table 2A of the ACLUP. Table 2A (page 2-6 of the ACLUP) identifies assemblages of people and all structures — except ones with location set by aeronautical function — as prohibited uses. However, the project involves the *reuse* of an existing structure that was erected in the 1950's. Examples of normally acceptable uses in this zone are aircraft tie-down aprons, pastures, field crops, vineyards, and automobile parking. The purpose and intent of Zone A is to keep those parcels clear of obstructions and limit the number of people exposed to high risk airplane collision hazards.

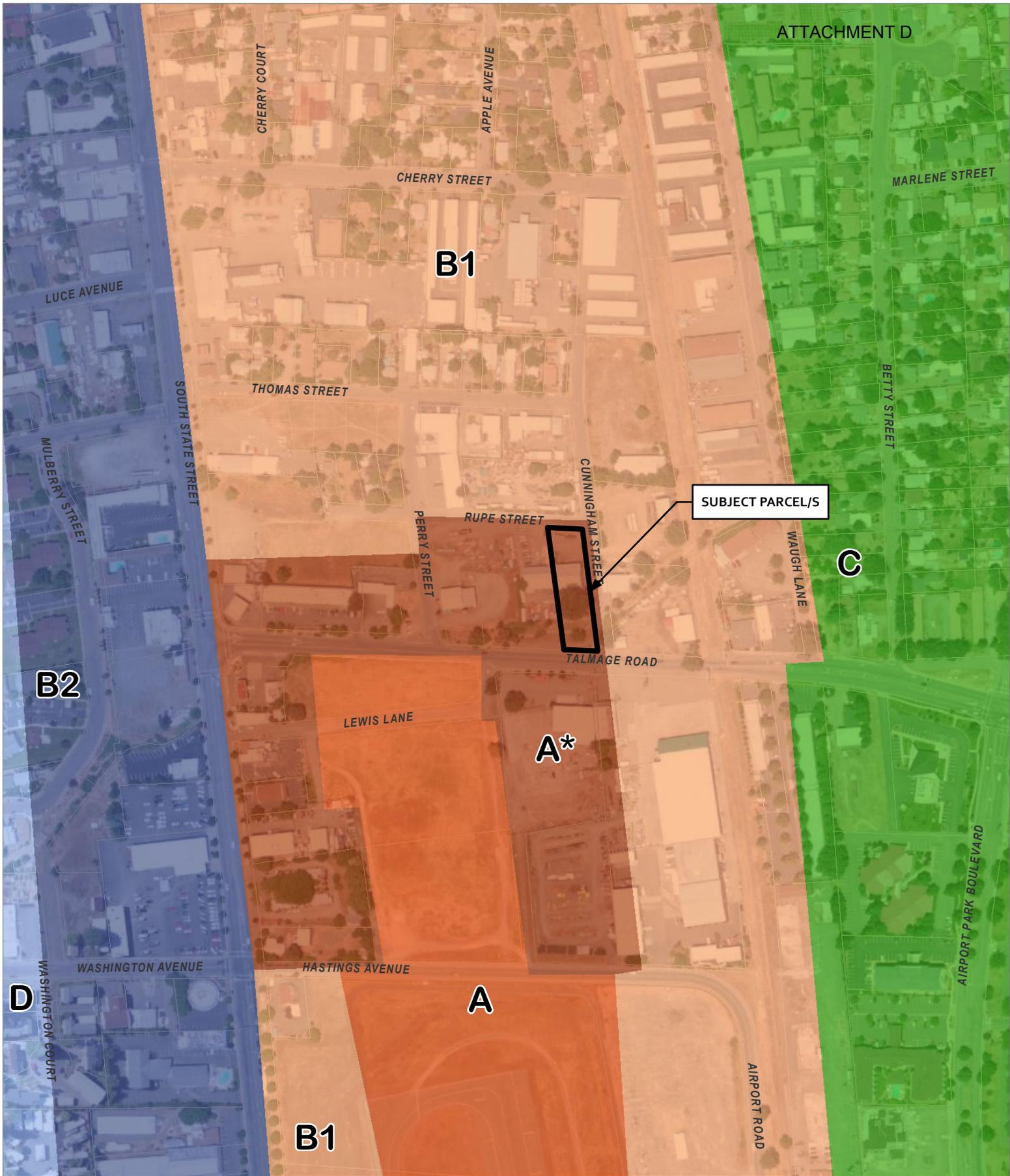
Density: The calculations provided in the City staff report, dated September 7, 2018, indicate a maximum allowable density for the project site at 6 persons per acre (0.56 acres x 10 persons/acre = 5.6 ≈ 6 persons maximum density on site at one time). For determining concentrations of people for the proposed

project, the City report partially discusses the maximum occupancy of the existing building utilizing the Uniform Building Code method (see Appendix C, Page C-1). The report notes the maximum building occupancy for the existing building is 30 persons. Incorporating the 50% reduction guideline as noted in Appendix C of the ACLUP, this would result in a project density of 15 persons per acre. However, the City report does not use this figure. Instead, the report arrives at an *anticipated* maximum site density for the project based on applicant testimony and historical uses.

**STAFF RECOMMENDATION:** Based on the discussion above, the project does not appear consistent with the ACLUP. However, the ALUC has final discretion to make compatibility determinations on a case-by-case basis.

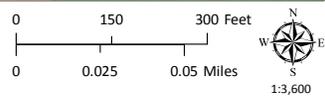
**Attachments:**

- A) Airport Compatibility Zones
- B) ACLUP Appendix D
- C) ACLUP Compatibility Criteria Table 2A
- D) Appendix C



CASE: ALUC 2018-0006  
 OWNER: JBT Investments, LLC  
 APN: 003-140-52  
 APLCT: Heritage Mendocino  
 AGENT:  
 ADDRESS: 150 Perry Street, Ukiah

Public Roads



AIRPORT ZONES

**THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.**  
 DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

MENDOCINO COUNTY PLANNING DEPARTMENT - 9/25/2018

## Appendix D

---

**Compatibility Guidelines for Specific Land Uses**


---

The compatibility evaluations listed below for specific types of land uses can be used by local jurisdictions as guidelines in implementation of the general compatibility criteria listed in Table 2A. These evaluations are not regarded as adopted policies or criteria of the Mendocino County Airport Land Use Commission. In case of any conflicts between these evaluations of specific land uses and the policies and criteria in Chapter 2 of this document, the contents of Chapter 2 shall prevail.

Land Use	Compatibility Zones			
	A	B1/B2	C	D
<i><b>Agricultural Uses</b></i>				
Truck and Specialty Crops	0	+	+	+
Field Crops	0	+	+	+
Pasture and Rangeland	0	+	+	+
Orchard and Vineyards	-	+	+	+
Dry Farm and Grain	0	+	+	+
Tree Farms, Landscape Nurseries and Greenhouses	-	0	+	+
Fish Farms	-	0	+	+
Feed Lots and Stockyards	-	0	+	+
Poultry Farms	-	0	+	+
Dairy Farms	-	0	+	+
<i><b>Natural Uses</b></i>				
Fish and Game Preserves	0	0	0	0
Land Preserves and Open Space	0	+	+	+
Flood and Geological Hazard Areas	0	+	+	+
Waterways: Rivers, Creeks, Canals, Wetlands, Bays, Lakes	0	0	0	+

- 
- Incompatible
  - 0 Potentially compatible with restrictions
  - + Compatible

**Compatibility Guidelines for Specific Land Uses / Appendix D**

Land Use	Compatibility Zones			
	A	B1/B2	C	D
<b>Residential and Institutional</b>				
Rural Residential - 10 acres or more	—	0	+	+
Low Density Residential - 2 to 10 acre lots	—	0/+	+	+
Single Family Residential - lots under 2 acres	—	—	0	+
Multi Family Residential	—	—	0	+
Mobile Home Parks	—	—	0	+
Schools, Colleges and Universities	—	—	—	+
Day Care Centers	—	—	0	+
Hospitals and Residential Care Facilities	—	—	—	+
<b>Recreational</b>				
Golf Course	0	+	+	+
Parks - low intensity; no group activities	0	+	+	+
Playgrounds and Picnic Areas	—	0	+	+
Athletic Fields	—	0	+	+
Riding Stables	—	0	+	+
Marinas and Water Recreation	—	0	+	+
Health Clubs and Spas	—	—	0	+
Tennis Courts	—	0	+	+
Swimming Pools	—	0	0	+
Fairgrounds and Race Tracks	—	—	—	+
Resorts and Group Camps	—	—	0	+
<b>Industrial</b>				
Research and Development Laboratories	—	0	+	+
Warehouses and Distribution Facilities	—	0	+	+
Manufacturing and Assembly	—	0	0	+
Cooperage and Bottling Plants	—	0	+	+
Printing, Publishing and Allied Services	—	0	+	+
Chemical, Rubber and Plastic Products	—	—	0	+
Food Processing	—	—	0	+

- 
- Incompatible
  - 0 Potentially compatible with restrictions
  - + Compatible

Land Use	Compatibility Zones			
	A	B1/B2	C	D
<b>Commercial Uses</b>				
Large Shopping Malls (500,000+sq.ft.)	—	—	0	+
Retail Stores (one story)	—	0	0	+
Retail Stores (two story)	—	—	0	+
Restaurants and Drinking Establishments	—	0	0	+
Auto and Marine Services	—	0	+	+
Building Materials, Hardware and Heavy Equipment	—	0	+	+
Office Buildings (one story)	—	0	+	+
Multiple-story Retail, Office, and Financial	—	—	0	+
Banks and Financial Institutions	—	0	+	+
Repair Services	—	0	+	+
Gas Stations	—	0	+	+
Government Services/Public Buildings	—	0	+	+
Motels (one story)	—	0	0	+
Hotels and Motels (two story)	—	—	0	+
Theaters, Auditoriums, and Assembly Halls	—	—	0	+
Outdoor Theaters	—	—	0	+
Memorial Parks/Cemeteries	—	+	+	+
Truck Terminals	—	+	+	+
<b>Transportation, Communications, and Utilities</b>				
Automobile Parking	0	+	+	+
Highway & Street Right-of-ways	0	+	+	+
Railroad and Public Transit Facilities	0	+	+	+
Taxi, Bus & Train Terminals	—	0	+	+
Reservoirs	—	0	0	+
Power Lines	—	0	0	+
Water Treatment Facilities	—	0	+	+
Sewage Treatment and Disposal Facilities	—	0	0	+
Electrical Substations	—	0	0	+
Power Plants	—	—	0	+
Sanitary Landfills	—	—	—	0

- 
- Incompatible
  - 0 Potentially compatible with restrictions
  - + Compatible

**Table 2A  
Compatibility Criteria  
Mendocino County Airport Land Use Commission**

Zone	Location	Impact Elements	Maximum Densities		Open Land <sup>3</sup>
			Residential <sup>1</sup>	Other Uses (people/ac) <sup>2</sup>	
A	Runway Protection Zone or within Building Restriction Line	<ul style="list-style-type: none"> <li>High Risk</li> <li>High noise levels</li> </ul>	0	10	All Remaining Required
B1	Approach/Departure Zone and Adjacent to Runway	<ul style="list-style-type: none"> <li>Substantial risk - aircraft commonly below 400 ft. AGL or within 1,000 ft. of runway</li> <li>Substantial noise</li> </ul>	10 acres	60	30% Required
B2	Extended Approach/Departure Zone	<ul style="list-style-type: none"> <li>Moderate risk - aircraft commonly below 800 ft. AGL</li> <li>Significant noise</li> </ul>	2 acres	60	30% Recommended
C	Common Traffic Pattern	<ul style="list-style-type: none"> <li>Limited risk - aircraft at or below 1,000 ft. AGL</li> <li>Frequent noise intrusion</li> </ul>	15 units per acre	150	15% Recommended
D	Other Airport Environs	<ul style="list-style-type: none"> <li>Negligible risk</li> <li>Potential for annoyance from overflights</li> </ul>	No Limit	No Limit	No Requirement

Zone	Additional Criteria		Examples	
	Prohibited Uses <sup>1</sup>	Other Development Conditions	Normally Acceptable Uses <sup>4</sup>	Uses Not Normally Acceptable <sup>5</sup>
A	<ul style="list-style-type: none"> <li>All structures except ones with location set by aeronautical function</li> <li>Assemblages of people</li> <li>Objects exceeding FAR Part 77 height limits</li> <li>Hazards to flight<sup>6</sup></li> </ul>	<ul style="list-style-type: none"> <li>Dedication of avigation easement</li> </ul>	<ul style="list-style-type: none"> <li>Aircraft tiedown apron</li> <li>Pastures, field crops, vineyards</li> <li>Automobile parking</li> </ul>	<ul style="list-style-type: none"> <li>Heavy poles, signs, large trees, etc.</li> </ul>
B1 and B2	<ul style="list-style-type: none"> <li>Schools, day care centers, libraries</li> <li>Hospitals, nursing homes</li> <li>Highly noise-sensitive uses (e.g. amphitheaters)</li> <li>Storage of highly flammable materials<sup>6</sup></li> <li>Hazards to flight<sup>6</sup></li> </ul>	<ul style="list-style-type: none"> <li>Locate structures maximum distance from extended runway centerline</li> <li>Dedication of avigation easement</li> </ul>	<ul style="list-style-type: none"> <li>Uses in Zone A</li> <li>Single-story offices</li> <li>Single-family homes on an existing lot</li> <li>Low-intensity retail, office, etc.</li> <li>Low-intensity manufacturing</li> <li>Food processing</li> </ul>	<ul style="list-style-type: none"> <li>Residential subdivisions</li> <li>Intensive retail uses</li> <li>Intensive manufacturing or food processing uses</li> <li>Multiple story offices</li> <li>Hotels and motels</li> <li>Multi-family residential</li> </ul>
C	<ul style="list-style-type: none"> <li>Schools</li> <li>Hospitals, nursing homes<sup>5</sup></li> <li>Hazards to flight<sup>6</sup></li> </ul>	<ul style="list-style-type: none"> <li>Dedication of overflight easement for residential uses</li> </ul>	<ul style="list-style-type: none"> <li>Uses in Zone B</li> <li>Parks, playgrounds</li> <li>Two-story motels</li> <li>Residential subdivisions</li> <li>Intensive retail uses</li> <li>Intensive manufacturing or food processing uses</li> <li>Multi-family residential</li> </ul>	<ul style="list-style-type: none"> <li>Large shopping malls</li> <li>Theaters, auditoriums</li> <li>Large sports stadiums</li> <li>Hi-rise office buildings</li> </ul>
D	<ul style="list-style-type: none"> <li>Hazards to flight<sup>6</sup></li> </ul>	<ul style="list-style-type: none"> <li>Deed notice required for residential development</li> </ul>	<ul style="list-style-type: none"> <li>All except ones hazardous to flight</li> </ul>	

**Table 2A Continued**  
**Compatibility Criteria**  
**Mendocino County Airport Land Use Commission**

---

**NOTES**

- 1 Residential parcels should not be smaller than the indicated size nor have more than the indicated number of units per acre. Maximum densities expressed in acres are gross acres; those expressed in units per acre are net acres.
- 2 The land use should not attract more than the indicated number of people per acre at any time. This figure should include all individuals who may be on the property (e.g., employees, customers/visitors, etc.). These densities are intended as general planning guidelines to aid in determining the acceptability of proposed land uses. Special short-term events related to aviation (e.g., air shows), as well as non-aviation special events, are exempt from the maximum density criteria.
- 3 Open land requirements are intended to be applied with respect to the entire zone. This is typically accomplished as part of the community's master plan or a specific plan.
- 4 These uses typically can be designed to meet the density requirements and other development conditions listed.
- 5 These uses typically do not meet the density and other development conditions listed. They should be allowed only if a major community objective is served by their location in this zone and no feasible alternative location exists.
- 6 See Policy Section 3.3.
- 7 May be modified by airport-specific policies.
- 8 In those portions of the B Zones located lateral to the runway, no restrictions on the storage of flammables apply. Within the balance of the B1 and B2 Zones, up to 2,000 gallons of fuel or flammables is allowed per parcel. More than 2,000 gallons of fuel or flammables per parcel within the balance of the B1 and B2 Zones requires the review and approval by the ALUC. See Appendix G for a diagram of typical area lateral to the runway.
- 9 Refer to Policy 3.2.3. for definitions which distinguish between hospitals and medical clinics.

## Appendix C

---

**Methods for Determining Concentrations of People**

---

One criterion used in the *Airport Land Use Compatibility Plan* is the maximum number of people per acre that can be present in a given area at any one time. If a proposed use exceeds the maximum density, it will be considered inconsistent with ALUC policies. This appendix provides some guidance on how to make the people-per-acre determination.

The most difficult part of making a people-per-acre determination is estimating the number of people likely to use a particular facility. There are several methods that can be utilized, depending upon the nature of the proposed use:

- **Parking Ordinance** — The number of people present in a given area can be calculated based upon the number of parking spaces provided. Some assumption regarding the number of people per vehicle needs to be developed to calculate the number of people on-site. The number of people per acre can then be calculated by dividing the number of people on-site by the size of the parcel in acres. This approach is appropriate where the use is expected to be dependent upon access by vehicles.
- **Maximum Occupancy** — The Uniform Building Code can be used as a standard for determining the maximum occupancy of certain uses. The chart provided as Exhibit A is taken from the 1976 edition of the UBC (Table 33-A) and indicates the required number of square feet per occupant. The number of people on the site can be calculated by dividing the total floor area of a proposed use by the minimum square feet per occupant requirement listed in the table. The maximum occupancy can then be divided by the size of the parcel in acres to determine the people per acre.

Surveys of actual occupancy levels conducted by the City of Sacramento have indicated that many retail and office uses are generally occupied at 50% of their maximum occupancy levels, even at the busiest times of day. Therefore, the number of people calculated for office and retail uses should be adjusted (50%) to reflect the actual occupancy levels before making the final people-per-acre determination.

- **Survey of Similar Uses** — Certain uses may require an estimate based upon a survey of similar uses. This approach is more difficult, but is appropriate for uses which, because of the nature of the use, cannot be reasonably estimated based upon parking or square footage.

Exhibit C1  
**Occupancy Levels**  
 Uniform Building Code

Use	Minimum Square Feet per Occupant
1. Aircraft Hangars (no repair)	500
2. Auction Room	7
3. Assembly Areas, Concentrated Use (without fixed seats)	7
Auditoriums	
Bowling Alleys (assembly areas)	
Churches and Chapels	
Dance Floors	
Lodge Rooms	
Reviewing Stands	
Stadiums	
4. Assembly Areas, Less Concentrated Use	15
Conference Rooms	
Dining Rooms	
Drinking Establishments	
Exhibit Rooms	
Gymnasiums	
Lounges	
Skating Rinks	
Stages	
5. Children's Homes	80
Homes for the Aged	
6. Classrooms	20
7. Dormitories	50
8. Dwellings	300
9. Garage, Parking	200
10. Hospitals and Sanitariums	80
Nursing Homes	
11. Hotels and Apartments	200
12. Kitchen -- Commercial	200
13. Library Reading Room	50
14. Locker Rooms	50
15. Mechanical Equipment Room	300
16. Nurseries for Children (Day -Care)	50
17. Offices	100
18. School Shops and Vocational Rooms	50
19. Stores -- Retail Sales Rooms	
Basement	20
Ground Floor	30
Upper Floors	50
20. Warehouses	300
21. All Others	100

**Examples:**

- A. The proposal is for a 60,000-square-foot two-story office building on 4 gross acres (including adjacent roads). The local parking ordinance requires one parking space for every 250 square feet of commercial space. Assuming that the use would generate one person per vehicle, the following calculations would derive the number of people per acre.

Steps:

- 1)  $60,000 \text{ sq. ft.} + 1 \text{ vehicle per } 250 \text{ sq ft.} = 240 \text{ vehicles}$
- 2)  $240 \text{ vehicles} \times 1.0 \text{ people per vehicle} = 240 \text{ people expected at any one time.}$
- 3)  $240 \text{ people} + 4 \text{ acres} = 60 \text{ people per acre.}$

Under this example, the use would be estimated to generate 60 people per acre. In zones with limits of 100 people-per-acre, the use would be considered compatible assuming all other conditions were met.

- B. The proposal is for a 12,000-square-foot store on a 63,000-square-foot parcel. Using the maximum occupancy table from the Uniform Building Code (Exhibit C1) and applying the assumption that the building is occupied at 50 percent of maximum nets results in the following calculations:

Steps:

- 1)  $63,000 \text{ sq. ft.} + 43,560 \text{ sq. ft. (in an acre)} = 1.45 \text{ acre.}$
- 2)  $12,000 \text{ sq. ft.} + 30 \text{ sq. ft./occupant} = 400 \text{ (max. building occupancy).}$
- 3)  $400 \text{ max. bldg. occup.} \times 50\% = 200 \text{ people expected at any one time.}$
- 4)  $200 \text{ people} + 1.45 \text{ acre} = 138 \text{ people per acre.}$

Under this example, 138 people per acre would represent a reasonable estimate. In zones with limitations of 100 people-per-acre or less, the use would be considered incompatible.

- C. The proposal is for a 3,000-square-foot office on a 16,500-square-foot parcel. Again using the table in Exhibit C1 but assuming the actual occupancy level is 50% of the maximum indicated by the UBC code provides the following result:

Steps:

- 1)  $16,500 \text{ sq. ft.} + 43,560 \text{ sq. ft. (acre)} = 0.38 \text{ acre.}$
- 2)  $3,000 \text{ sq. ft.} + 100 \text{ sq. ft./occupant} = 30 \text{ (max. building occupancy).}$
- 3)  $30 \text{ people maximum building occupancy} \times 50\% \text{ (actual occupancy)} = 15 \text{ people in the building at any one time.}$
- 4)  $15 \text{ people} + 0.38 \text{ acres} = 39 \text{ people per acre.}$

Under this example, the use would be estimated to generate 39 people per acre. In zones with occupancy limits of 100, the use would be considered compatible assuming all other conditions were met.