



MENDOCINO COUNTY AIRPORT LAND USE COMMISSION

MINUTES FOR THE MEETING HELD ON: **June 19, 2014**

LOCATION: Mendocino County Board of Supervisors Chambers
501 Low Gap Road, Room 1070
Ukiah, California

COMMISSIONERS PRESENT: Simon, Crane, Holtkamp, Shelton, Clark, Krueger

COMMISSIONERS ABSENT: Hall

PLANNING & BLDG SVC STAFF PRESENT: Steve Dunncliff, Director
Andy Gustavson, Chief Planner
Fred Tarr, Planner II
Adrienne Thompson, Commission Services Supervisor

OTHER DEPARTMENTS: Matthew Kiedrowski, Deputy County Counsel

1. Roll Call.

The meeting was called to order at 2:07 p.m. Roll call was established by the Clerk.

2. Regular Calendar.

Staff distributed a memo to the Commission and asked that the order of items be reversed.

2b. CASE#: ALUC 2-2014

DATE FILED: 5/20/2014

OWNER: ZAINA VINEYARDS, LLC

APPLICANT: MENDOCINO COUNTY PLANNING AND BUILDING SERVICES

REQUEST: Airport Comprehensive Land Use Plan Consistency Review of a proposed rezoning of 9 (more or less) acres from Suburban Residential to Mixed Use – General (MU-2) for property located within the C Compatibility Zone of Ukiah Municipal Airport.

LOCATION: 3150 South State Street, Ukiah; APN 184-140-14.

ALUC COORDINATOR: FRED TARR

Mr. Fred Tarr, staff for the Airport Land Use Commission (ALUC), discussed the memo that had been distributed. He stated that the Division of Aeronautics had responded to the referral with concerns and staff was asking to withdraw the project. He noted the item may come back on a later date.

Chair Simon noted it seemed strange for the Division of Aeronautics to respond with concerns, since they did not normally comment on projects.

Mr. Tarr agreed that the circumstances were peculiar.

Commissioner Crane commented that if the project came back, he would like to see an avigation easement added for overflight.

2a. CASE#: ALUC 1-2014

DATE FILED: 5/14/2014

OWNER: EDGELINE INVESTMENTS LLC., CARITINO BUSTOS/GREGORIO CRUZ AND JOAN SILVA

APPLICANT: MENDOCINO COUNTY PLANNING AND BUILDING SERVICES

REQUEST: Airport Comprehensive Land Use Plan Consistency Review of a rezoning of three parcels from Limited Commercial (C-1) to Multi-family Residential (R-3) for parcels located within the B-2/D Compatibility Zone of Ukiah Municipal Airport.

LOCATION: 2240, 2260, and 2280 South State Street, Ukiah; APN's 180-190-09, 180-190-10 and 180-130-04.

ALUC COORDINATOR: FRED TARR

Mr. Fred Tarr, staff for the Airport Land Use Commission (ALUC), discussed the staff report and noted the item had been approved for rezoning by the Board of Supervisors in March. He noted the purpose of the hearing today was to make consistency findings for the existing use on the parcel, which straddles the B2 and D zones. Mr. Tarr also noted that there was a section in the ACLUP that allowed for a parcel that was less than 2 acres to use the "less restrictive zone" when it intersected multiple airport zones. He noted that staff found the project was compatible with the Airport Comprehensive Land Use Plan and stated that the project was consistent with the infill findings, as noted on Page 2 of the staff report.

The public hearing was declared open, seeing no one come forward, the public hearing was declared closed.

Chair Simon commented that he agreed staff's findings were appropriate.

Commissioner Crane commented that he could understand the northern parcel being acceptable, but he was having difficulty accepting that the other parcel could have the less restrictive designation.

Chair Simon discussed the State ALUC meeting in Rohnert Park that he had attended and noted how out of date the County's Comprehensive Land Use Plan (CLUP) was. He thought it was practical to allow the less restrictive designation and thought it might be different if the CLUP was revised. He noted that he would support staff's recommendation.

Commissioner Holtkamp made staff's recommended motion on Page ALUC-3 and Page ALUC-4, seconded by Commissioner Shelton.

Under discussion, Commissioner Crane discussed staff's infill policy and noted he did not see how the proposal could be found consistent.

Commissioner Holtkamp commented that she agreed with staff's determination and felt infill made sense.

Chair Simon commented that he agreed with staff and Commissioner Holtkamp and stated, that as a pilot, he did not think developing in the area would be a risk to others. He was comfortable allowing the less restrictive density.

Upon motion by Commissioner Holtkamp, seconded by Commissioner Shelton and carried by the following voice vote of (5-1), IT IS ORDERED That the Airport Land Use Commission finds that the ordinance to rezone AP#s 180-190-09, 180-190-10 and 180-130-04 is consistent with the Mendocino County Airport Comprehensive Land Use Plan, with the following findings and conditions:

FINDINGS:

- AP#s 180-190-09 and 10 are found to be within Airport Compatibility Zone D per Section 2.1.3 of the Mendocino County Airport Comprehensive Land Use Plan and Zone D provides for multi-family residential uses as normally acceptable uses.
- The rezoning of AP# 180-130-04 to R-3 (Multi-family Residential) is consistent with "Infill" as described in Section 2.1.6 of the Mendocino County Airport Comprehensive Land Use Plan.
- The subject properties are within the 55-60 CNEL (Community Noise Equivalent Levels) established for Ukiah Municipal Airport.

- Future height of structures on the AP#s 180-190-09 and 10 and AP# 180-130-04 will be in accordance with Part 77, Subpart C, of the Federal Aviation Regulations.

CONDITIONS:

1. Future residential construction on AP#'s 180-190-09, 10 and 180-130-04 providing sufficient noise attenuation shall be used to reduce interior noise levels to less than 55 CNEL.
2. Constructive notice in the form of a Deed Notice should be provided future buyers of AP#'s 180-190-09, 10 and 180-130-04 to advise them of possible aircraft overflight.

AYES: Clark, Holtkamp, Shelton, Krueger, Simon
NOES: Crane
ABSENT: None

3. Matters from Staff.

Mr. Tarr reminded Commissioners that proxy's were needed for all Commissioners and was a State requirement. He noted that he would send an email out noting who needed a proxy.

Commissioner Crane asked if a single person could be assigned as a proxy to more than one individual.

Mr. Tarr was not sure if there was a prohibition on proxy's but and agreed that the ACLUP was severely out of date and needed updating.

4. Matters from Commission.

Commissioner Krueger asked if removing the Zaina property from the agenda would affect the rezoning with the Board of Supervisors.

Mr. Gustavson was not sure and noted that the Board hearing had been scheduled for July 22nd.

Commissioner Crane asked what the comments were related to.

Mr. Gustavson stated that the Division of Aeronautics felt there was a conflict with the State Guidelines of Airport Land Use and noted that staff would respond.

Commissioner Krueger asked if there would be another ALUC meeting before the Board date.

Mr. Gustavson stated it was possible there would be a meeting on July 17th.

Chair Simon commented that he thought the Airport Land Use Commission needed a basic budget.

Commissioner Holtkamp agreed and noted things like continuing education and the ability to attend out of County meetings should be considered.

Commissioner Crane also commented that the document was out of date.

Chair Simon noted that he had been surprised by the new ideas presented during the meeting. He also noted the ability to meet people from other Counties, including airport managers. He felt there would be a benefit to reviewing the State Land Use Plan online to see the differences. He felt it would be a good start to updating the County's ACLUP.

Commissioner Holtkamp also noted that there may be grants available for updating the plan.

Commissioner Crane asked staff for a copy of the comments received from the Division of Aeronautics.

Mr. Dunicliff commented that the Department would be submitting a package to the Board of project priorities, and felt that training funds for the Commission would be appropriate.

5. Approval of Minutes.

Upon motion by Commissioner Crane, seconded by Commissioner Holtkamp, and carried by a voice vote of (4-0), with Commissioner Krueger and Clark abstaining from the vote, the January 16, 2014 Airport Land Use Commission Minutes are approved.

6. Matters from Public.

No one was present from the public who indicated a desire to address the Commission.

7. Adjournment

The meeting adjourned at 2:56 p.m.