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## MEMORANDUM

**DATE:** July 24, 2024  
**TO:** Planning Commission  
**FROM:** Julia Krog, Director  
**SUBJECT:** **OA\_2023-0001 Inland Zoning Code Update – Airport Land Use Plan Consistency**

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The published hearing packet for the Inland Zoning Code Update does not include a discussion of compatibility of the Zoning Code Update with both the Ukiah Municipal Airport Land Use Compatibility Plan (UKIALUCP) or the Mendocino County Airport Comprehensive Land Use Plan (ACLUP). However, staff conducted review early in the zoning code preparation process and screened out the need for review by the Mendocino County Airport Land Use Commission (ALUC). This memorandum is to document the reasons the Inland Zoning Code Update does not require review by the ALUC.

Policy 1.3.2(b) of the ACLUP requires review by the ALUC of zoning ordinances only if they both affect property within the airport planning area and involve the type of airport impact concerns listed in Paragraph 1.2 of the ACLUP. Paragraph 1.2 that's the ALUC is concerned only with the potential impacts related to aircraft noise, land use safety, airspace protection, and aircraft overflights.

Similarly, UKIALUCP Policy 1.4.1 requires review by the ALUC of zoning ordinances only if they both affect land within the Airport Influence Area and involve the types of airport impact concerns listed in Policy 1.3.1(b). Policy 1.3.1(b) includes four compatibility factors, as follows (1) noise, (2) safety, (3) airspace protection, and (4) overflight.

The proposed Inland Zoning Code Update does not affect these four factors described in both the ACLUP and UKIALUCP. The proposed update to the Inland Zoning Code primarily focuses on establishing consistency with State Law for certain residential uses, administrative updates, and enhanced user friendliness. The only new land use categories are Low Barrier Navigation Centers and Transient Habitation-Low Intensity Camping. Amendments are proposed to every zoning district (Chapters 20.044 through 20.108) to achieve consistency with State Law surrounding Day Care Facilities, Assisted Living Residential Care Facilities, Employee Housing, Low Barrier Navigation Centers, Supportive Housing and Transitional Housing. Corresponding use types were also added to Chapter 20.016 (Residential Use Types) for these uses. State law requires that these use types be treated the same as residential or agricultural uses in any zoning district or a use by right in certain districts. All zoning districts within the County allow either residential or agricultural uses by right and as a result the use types of Day Care Facilities, Assisted Living Residential Care Facilities, Employee Housing, Low Barrier Navigation Centers, Supportive and Transitional Housing contained in proposed Chapter 20.016 have the same level of intensity and potential impact as existing residential and agricultural uses in each zoning district that are allowed for by the General Plan. All of these use types with the exception of Low Barrier Navigation Centers were either existing accessory use types to residential and agricultural uses or civic use types. Pursuant to Government Code section 65662 a Low Barrier Navigation Center development is a use by right in areas zoned for mixed use and nonresidential zones permitting multifamily uses. Low Barrier Navigation Centers are listed as principally permitted in all zoning districts that allow multifamily uses or mixed use zones and listed as a use subject to an administrative permit in all other zoning districts. Transient Habitation-Low Intensity Camping is similar to existing allowable activities under the zoning code and would occur at a lower intensity than existing allowances for temporary camping that is not for profit. Each of the four compatibility factors is discussed below.

1. Noise: The proposed update does not include changes to land use regulations that would expose individuals to potentially disruptive levels of aircraft noise as there is no change to land uses or zoning that would increase potential exposure to aircraft noise beyond that which exists today.
2. Safety: The proposed update does not change uses or land use regulations such that they would create areas where risk of an aircraft accident to people or property on the ground beyond that which exists today.
3. Airspace Protection: The proposed update does not include any new or modified regulations that would affect heights of structures or other land use characteristics as it pertains to any Airport Influence Area and in turn airspace protection. No additional restrictions are necessary beyond those provided for in existing regulations and the applicable ACLUP or UKIALUCP to prevent creation of physical, visual, or electronic hazards to flight within airspace required for operation of aircraft to and from any airport.
4. Overflight: The proposed update does not change any existing regulations that would alter locations beneath where aircraft in flight are distinctly visible and audible.

For the above reasons, no review by ALUC is required.