



# COUNTY OF HUMBOLDT

## Legislation Details (With Text)

**File #:** 20-591      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Passed  
**File created:** 5/8/2020      **In control:** Public Works  
**On agenda:** 5/19/2020      **Final action:** 5/19/2020  
**Title:** Airport Land Use Commission Consistency Determination for Revisions to County Code 333-1 et seq.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Staff Report, 2. Attachment 1 - Proposed County Code 333.pdf, 3. Attachment 2 - FAR-CC Comparisons.pdf, 4. Attachment 3 - Airspace surface penetrations.pdf, 5. ALUC Agenda 5-19-2020

Date	Ver.	Action By	Action	Result
5/19/2020	1	Board of Supervisors	approved	Pass

**To:** Board of Supervisors

**From:** Public Works

**Agenda Section:** Departmental

### SUBJECT:

Airport Land Use Commission Consistency Determination for Revisions to County Code 333-1 et seq.

### RECOMMENDATION(S):

That the Board of Supervisors:

1. Adjourn as the Humboldt County Board of Supervisors;
2. Convene as the Governing Board of the Humboldt County Airport Land Use Commission and consider the following agenda:
  - a. Public comment on items not on the Airport Land Use Commission agenda.
  - b. Consider the consistency of the proposed revisions to County Code 333-1 et seq.
  - c. Public comment;
3. Adjourn as the Governing Board of the Humboldt County Airport Land Use Commission; and
4. Reconvene as the Humboldt County Board of Supervisors.

### SOURCE OF FUNDING:

General Fund (1100)

### DISCUSSION:

This item involves a consistency determination by the Airport Land Use Commission regarding the repeal and replacement of the Airport Approach Zone Building Height Regulations (Humboldt County

Code Section 333-1 et seq.). The proposed ordinance (Attachment 1) will address three specific issues:

**Issue 1:** The current County Code sections were adopted on Aug. 29, 1955 and does not align with the current Federal Aviation Administration's airspace protection standards set forth in Code of Federal Regulation Title 14 Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace. The proposed ordinance will make County Code consistent with the airspace surfaces defined in federal code. The differences in the horizontal layout between current County Code and 14 CFR 77 are shown in Attachment 2.

**Issue 2:** Current County Code Section 333-8 has a requirement that any penetration of the airspace surfaces requires a variance to be approved by the Board of Supervisors. In many areas of the county, the existing ground surrounding the airports penetrates both current County Code and 14 CFR 77 surfaces. This is particularly noticeable at Shelter Cove Airport, Dinsmore Airport, and somewhat noticeable at the California Redwood Coast - Humboldt County Airport. See Attachment 3 for diagrams showing the areas of terrain that currently penetrate 14 CFR 77 surfaces.

The proposed ordinance will allow structures to be erected in the airport protected airspace, subject to Federal Aviation Administration (FAA) determination that the structure does not pose a hazard to flight. This will require an applicant to file FAA Form 7460-1 with the FAA. This exception will greatly reduce the quantity of variances that the Board of Supervisors will need to consider. Any project that proposes penetrating the airport protected airspace where the FAA objects will require a variance to be approved by the Board of Supervisors.

**Issue 3:** The proposed ordinance moves responsibility from the Department of Public Works to the Department of Aviation.

Staff recommends that the Airport Land Use Commission find that the proposed changes to County Code 333-1 et seq. are consistent with the Airport Land Use Compatibility Plan.

#### FINANCIAL IMPACT:

Properties in the vicinity of the airports will benefit by reducing the number of properties that would require a variance from the Board of Supervisors to construct structures on their properties. Those property owners receive reduced bureaucracy, quicker permitting, as well as a cost savings of not needing to pay fees for a variance. There is no impact to the General Fund.

#### STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by supporting business, workforce development and creation of private-sector jobs, creating opportunities for improved safety and health, and enforcing laws and regulations to protect residents

#### OTHER AGENCY INVOLVEMENT:

Humboldt County Aviation Department  
Humboldt County Planning & Building Department

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Find that the proposed changes to County Code Section 333-1 et seq. is inconsistent with the Airport Land Use Compatibility Plan.

ATTACHMENTS:

Attachment 1 - Proposed County Code Section 331-1 et seq.

Attachment 2 - Differences in the horizontal layout between current County Code and 14 CFR 77 at each county airport.

Attachment 3 - Diagrams showing penetration areas of 14 CFR 77 at each county airport.

PREVIOUS ACTION/REFERRAL:

Board Order No.:

Meeting of: August 29, 1955

File No.: N/A