

## AIRPORT LAND USE COMMISSION

FOR

ORANGE

COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

### **AGENDA ITEM 1**

October 15, 2020

- TO: Commissioners/Alternates
- FROM: Lea U. Choum, Executive Officer
- SUBJECT: City of Santa Ana Request for Consistency Determination of Santa Ana General Plan Update: Golden City Beyond (2045)

### Background

The City of Santa Ana is proposing a comprehensive update to its General Plan to guide the City's development and conservation for the next twenty-five years. The plan area encompasses approximately 17,530 acres (27.4 square miles), including newly annexed areas (see Attachment 1). The General Plan Update is intended to provide long-term policy direction for the City's physical development, fiscal and environmental sustainability, and overall quality of life. The proposed General Plan Update (Public Hearing Draft – September 28, 2020) includes the following twelve elements; seven of which are mandatory and five are optional:

Mandatory	Optional
Land Use	Health and Wellness
Open Space	Community Services
Circulation	Historic Preservation
Housing	Urban Design
Conservation	Economic Prosperity
Noise	
Safety	

<sup>1</sup> The proposed update will incorporate the current 2014-2021 Housing Element which will be addressed separately in 2021.

The existing Santa Ana General Plan has sixteen previously-adopted elements, including Airport Environs, Energy, Education, Scenic Corridors, and Growth Management. The Airport Environs Element was adopted in 2009, and served "as a long-range policy guide to safeguard the general welfare of the residents of Santa Ana in the vicinity of John Wayne Airport (JWA)." It also provided "guidance for the purpose of ensuring navigable airspace would not be impacted by future development in the city." The City's Airport Environs Element is slated for elimination

with the adoption of the proposed General Plan Update, but many of the policies are incorporated into the Noise and Safety Elements. (See Attachment 2 for Excerpts from the Noise and Safety Elements).

The Elements of the General Plan Update that have land uses and/or policies related to the Airport Environs Land Use Plan for John Wayne Airport (*AELUP for JWA*) and the Airport Environs Land Use Plan for Heliports (*AELUP for Heliports*) include the Land Use Element, the Noise Element, and the Safety Element. The City has indicated that no changes are proposed to the Housing Element at this time, so the Housing Element is not a part of this consistency review. The remaining eight draft elements do not contain policies or uses related to aviation.

#### Land Use Element

The proposed Land Use Element consists of policies, land use designations, and land use maps within the City (see Attachment 3 - Land Use Map). Most land use designations in the City will not change with the General Plan Update, however, the Land Use Element includes five newly-defined "Focus Areas" which are shown on Attachment 4. Three of the Focus Areas, South Main Street, 55 Freeway & Dyer Road, and South Bristol Street, are located within the Planning Area for John Wayne Airport (Attachment 5). Also included in Attachment 5 is the Existing and Proposed General Plan designations for these three Focus Areas.

The South Main Street Focus Area #1 is approximately 2.25 miles north of John Wayne Airport. The existing General Plan designation along Main Street is mostly General Commercial and would be changed to Urban Neighborhood which would allow for a mix of single and multifamily residential units. This focus area would allow for approximately 588 new residential units two to three stories in height. This Focus Area is not located in within the 60 or 65 dB CNEL noise contours, safety zones, or approach corridor.

The 55 Freeway/Dyer Road Focus Area #4 includes the portion of Santa Ana along the 55 Freeway, bound by Alton Parkway, Warner Avenue, and Red Hill Avenue. This includes the area where the Heritage Mixed-Use Project and the Bowery Mixed-Use Project were proposed, found inconsistent by your Commission, and subsequently overruled by the City as per California Public Utilities Code Section 21676. With these two projects, the City changed the land use designation from Professional and Administrative Office (PAO) to District Center (DC) to allow for mixed-use, and approved 2,370 new residential units in that area. Your Commission found these two projects and their accompanying General Plan and Zoning Code Amendments inconsistent with the *AELUP for JWA* due to their location within the approach corridor for JWA, and concerns with noise and safety resulting from the number and altitude of flights above the properties (as per AELUP for JWA Sections 1.2 and 2.1.4 and PUC Section 21674).

Despite ALUC's inconsistency findings for these projects, the City of Santa Ana is proposing to expand the District Center land use designation to the entire area along Red Hill between Alton Parkway and Warner Avenue. This would allow for "high-density urban villages," including 7,582 additional housing units in buildings up to six stories in height. The General Plan Update would allow for a total (including Heritage and Bowery) of 9,952 residential units in the approach corridor. (See Attachment 6 Buildout Table). This Focus Area is located partially

within the 60 dB CNEL noise contour for John Wayne Airport, outside of the safety zones, and almost entirely within the approach corridor.

The South Bristol Street Focus Area #5 spans an area approximately 1.5 to 2.5 miles northwest of John Wayne Airport. It is located along Bristol Street between Sunflower and Warner Avenues. The existing General Commercial land use designation would change to Urban Neighborhood north of MacArthur, and District Center south of MacArthur. The Urban neighborhood designation would allow for buildings up to three stories in height. The District Center designation between MacArthur and Alton would allow for buildings up to ten stories in height. The South Bristol Street Focus Area between MacArthur and Sunflower is proposed to allow for buildings up to 25 stories in height (which could reach 250 feet or greater). In total, the South Bristol Street Focus Area would allow for up to 5,272 additional housing units. This Focus Area is not located within the 60 or 65 dB CNEL noise contours, not located in the safety zones or approach corridor, but it is located within the horizontal and conical Federal Aviation Regulation (FAR) Part 77 Obstruction Imaginary Surfaces for JWA.

The policies contained in the proposed Land Use Element are general in scope and do not refer to John Wayne Airport or the *AELUP for JWA*. There is a note in Table LU-9 which states that future development is subject to height restrictions and notification requirements in the *AELUP for JWA*.

#### Noise Element

The purpose of the Noise Element "is to appraise noise levels in the community, prepare noise contours to guide land use decisions and establish measures that address current and future noise impacts." Goal N-2 of the Noise Element is to "reduce the impact of known sources of noise and vibration." Policy N-2.1 states, "reduce noise generated from traffic, railroads, transit and airports to the extent feasible."

Goal N-3 of the Noise Element (Public Hearing Draft) is to, "protect sensitive land uses from airport related noise impacts." The following policies are included:

Policy N-3.1 Residential development within the John Wayne Airport (JWA) 65 dB(A) CNEL Noise Contour or greater is not supported.

Policy N-3.2 Advocate that future flight path selection be directed away from existing noise sensitive land uses.

Policy N-3.3 Require all residential land uses in 60 dB(A) CNEL or 65 dB(A) CNEL Noise Contours to be sufficiently mitigated so as not to exceed an interior standard of 45 dB(A) CNEL.

The Noise Element also states that the City "advocates for flight paths to avoid residences and other sensitive land uses."

The Noise Element encourages mitigation measures to deal with existing noise problems, prevention of new noise problems, and establishing insulation standards for various land uses. Specifically, Table N-1 of the Noise Element indicates that residential and institutional uses meet interior noise standards of 45 dB CNEL and exterior standards of 65 dB CNEL.

#### Safety Element

The stated purpose of the Safety Element is to "eliminate and minimize risks associated with natural and human-generated hazards..." Goal S-4 is to "protect the safety of the general public from aircraft hazards," and includes policies related to height, FAR Part 77, light and glare, heliports, referrals of land use changes to ALUC, and deed disclosures. Policy S-4.4 states that the City will "approve the development of a heliport or helistop only if it complies with the AELUP for Heliports," and that applicants for heliports/helistops comply with all conditions of approval imposed by FAA, ALUC and Caltrans/Division of Aeronautics, however the policy does not state that any proposal for a heliport/helistop must be referred to ALUC for a consistency determination.

#### Schedule

The City of Santa Ana has held/scheduled the following public meetings/hearings on the proposed General Plan Update:

August 14, 2020	City Council Study Session
August 24, 2020	Planning Commission Study Session
October 26, 2020	Planning Commission Public Hearing
November 17, 2020	City Council Public Hearing

Section 4.0 of the *AELUP for JWA* states that within the AELUP planning areas, any amendment to a General Plan or Specific Plan must be submitted to the Commission for a determination prior to its adoption by the local agency. Section 4.2 states that General Plan submittals should address AELUP standards for noise impact, safety compatibility, and height restrictions.

#### AELUP for JWA

The proposed General Plan Update has been evaluated for conflicts with respect to aircraft noise, structure heights, flight tracks, safety zones and the development of heliports.

#### Regarding Aircraft Noise Impacts

A small portion of the City of Santa Ana is located within the 60 and 65 dBA CNEL noise contours for JWA (see Attachment 7), including part of the 55 Freeway/Dyer Road Focus Area. Existing land use designations in this focus area include industrial, institutional, general commercial, general office, mixed use, and hotels. The focus area will include District Center (DC), Industrial/Flex (FLEX), and General Commercial (GC) land use designations. Although the Noise Element of the General Plan Update includes noise standards and recommends noise insulation for residential uses within the 60 dB CNEL contour, the Land Use Element of the

General Plan Update would allow additional high-density residential uses in this focus area. This area is located within the approach surface for JWA and would subject residents to aircraft noise and concentrate people in an area susceptible to aircraft accidents. In the past, your Commission has been concerned with introducing residential uses to this area, and the General Plan Update would allow for a total of 9,952 housing units at buildout. Furthermore, this proposed change in land use designation seems to be in direct conflict with the City's own Noise Element Policy N-3.2 which states, "Advocate that future flight path selection be directed away from existing noise sensitive land uses."

The City has previously submitted two mixed-use projects in this area, the Heritage (October 2015) and the Bowery (May 2020) to your Commission for consistency review. ALUC found both of these projects, and the related General Plan and Zoning Code changes, to be inconsistent with the *AELUP for JWA* as per Section 1.2 and 2.1.4, and Public Utilities Code Section 21674.

#### Regarding Flight Tracks and Safety

A small southeastern part of the City, adjacent to Costa Mesa and Irvine, is located within Safety Zone 6 – Traffic Pattern Zone (Attachment 8). As stated in the Caltrans Airport Land Use Planning Handbook, in Safety Zone 6 residential uses are normally allowed, however, noise and overflight should be considered where ambient noise levels are low. Children's schools, large day care centers, hospitals and nursing homes should be limited, and outdoor stadiums and similar uses with high intensities should be avoided.

Attachment 9 shows flight tracks over the City of Santa Ana on a typical weekday, on a reverseflow weekday, and on a typical Saturday in January. The flight tracks are color-coded based on aircraft elevation. As shown on the exhibits, the 55 Freeway/Dyer Road Focus Area is within the JWA approach centerline, subject to regular overflight of both commercial and general aviation aircraft. (The JWA approach surface is shown on Attachment 10.) Historically, this area has been designated for professional office and light industrial uses which are appropriate for an approach path for a commercial airport. The proposed land use change included in the General Plan Update would subject thousands of new residents to aircraft noise.

#### **Regarding Height Restrictions**

A large portion of the City of Santa Ana is within the Federal Aviation Administration (FAA) Notification Area and the FAR Part 77 Obstruction Imaginary Surfaces for JWA. In Section 2.1.3 of the *AELUP for JWA*, the Commission has incorporated the standards for height limits for determining obstructions and has incorporated the definitions of "imaginary surfaces" for airports as defined in FAR Part 77. (See Attachment 10).

The new land use designation for the South Bristol Street Focus Area would allow for buildings (with residential uses) to be up to 25 stories in height, which would likely exceed 250 feet above ground level. Although the Safety Element includes policies relating to height; requirements for filing FAA Form 7460-1 and complying with FAR Part 77; and that projects that include structures higher than 200 feet would be submitted to ALUC, a portion of the South Bristol Street Focus Area (between MacArthur Boulevard and Sunflower Avenue) would penetrate the

Obstruction Imaginary Surfaces at 206 feet above mean sea level (AMSL). With a ground elevation of 25 to 30 feet, a land use designation which would allow buildings up to 25 stories is inconsistent with the *AELUP for JWA* and with FAA requirements.

#### AELUP for Heliports

As stated above, the City's Zoning Code allows for the development of heliports/helipads in areas outside of residential zoning districts, with the approval of a conditional use permit (Section 41-621 of the Santa Ana Municipal Code). While the Safety Element states that proposals for new heliports/helistops must comply with conditions imposed by ALUC, the General Plan Update should specifically state that proposals to develop new heliports/helipads must be submitted through the City to the ALUC for review and action, pursuant to Public Utilities Code Section 21661.5.

The AELUP for Heliports Section 2.1.2 Safety Zones, states that ALUC for Orange County relies on safety zone criteria in state and federal law (Final Approach and Take Off (FATO) area and the Helipad Protection Zone (Clear Zone). According to the Caltrans Division of Aeronautics there are four operating heliports located within Santa Ana. The Helipad Protection Zones extend 280 feet from the edge of the final approach and takeoff areas and "should be clear of incompatible objects and any land uses involving a congregation of people." The General Plan Update should refer to this safety zone criteria.

#### **Environmental Compliance**

A Draft Program Environmental Impact Report (PEIR), State Clearinghouse No. 2020029087, has been prepared for the City of Santa Ana and is tentatively scheduled for Planning Commission review on October 26, 2020, and City Council certification on November 17, 2020. ALUC staff sent a comment letter to the City regarding the Notice of Preparation (NOP) of a PEIR on March 26, 2020 (Attachment 11).

#### **Conclusion**

Attachment 12 to this report contains the submittal packet received from the City of Santa Ana on September 17, 2020, as well as the August 31, 2020, submittal letter and September 9, 2020, ALUC Executive Officer response. All proposed Elements of the General Plan Update, and additional information is available on the City's website at <u>https://www.santa-ana.org/general-plan</u>. Any additional Elements and/or an update to the Housing Element will require a separate submittal to ALUC for a consistency determination prior to City Council approval.

ALUC staff has reviewed the General Plan Update (Public Hearing Draft – September 28, 2020) with respect to compliance with the *AELUP for JWA*, including the review of appropriate height restrictions, imaginary surfaces, noise, flight tracks and safety, and with respect to compliance with the *AELUP for Heliports*. Based upon ALUC staff review, the proposed Santa Ana General Plan Update: Golden City Beyond (2045) is inconsistent with the *AELUP for JWA* per Section 1.2 of the *AELUP for JWA*, which states that the purpose of the *AELUP for JWA* per Section the general welfare of the inhabitants within the vicinity of the airport and to ensure the continued

operation of the airport. Specifically, the plan seeks to protect the public from the adverse effects of aircraft noise to ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, and to ensure that no structures or activities adversely affect navigable airspace.

Additionally, Section 2.1.4 of the *AELUP for JWA* and PUC Section 21674 charge the Commission to coordinate planning at the state, regional, and local levels so as to provide for the orderly development of air transportation while at the same time protecting the public health, safety and welfare.

Section 3.0 of the *AELUP for JWA* includes general and specific land use policies. Section 3.2.1 states that "within the boundaries of the AELUP, any land use may be found to be inconsistent with the AELUP which: 1) Places people so that they are affected adversely by aircraft noise; 2) Concentrates people in areas susceptible to aircraft accidents; 3) Permits structures of excessive height in areas which would affect adversely the continued operation of the airport; or 4) Permits activities or facilities that would affect adversely aeronautical operations."

The Safety Element of the General Plan Update includes policy regarding the development of Heliports/Helipads, but does not state that future proposals or applications for heliports/helipads be submitted to ALUC for a consistency determination.

#### **Recommendation:**

- That the Commission find the proposed Santa Ana General Plan Update: Golden City Beyond (2045) Inconsistent with the *AELUP for JWA* as per Sections 1.2, 2.1.4, and 3.2.1, and PUC Section 21674 due to:
  - a. The proposed changes in Land Use in the 55/Dyer Focus Area would result in 9,952 total residential units within the flight corridor for John Wayne Airport subjecting future residents to noise and safety issues, and
  - b. The proposed land use designation for a portion of the South Bristol Street Focus Area (between MacArthur Boulevard and Sunflower Avenue) would allow buildings up to 25 stories which would penetrate the FAR Part 77 Obstruction Imaginary Surfaces for JWA.
- 2. That the Commission find the proposed Santa Ana General Plan Update: Golden City Beyond (2045) Consistent with the *AELUP for Heliports*, with the condition that the City include a statement in the General Plan Update (Safety Element Policy S-4.4) that any proposals for heliports/helipads within the City be submitted through the City to ALUC for a consistency determination.

Respectfully submitted,

Lea U. Chon

Lea U. Choum Executive Officer

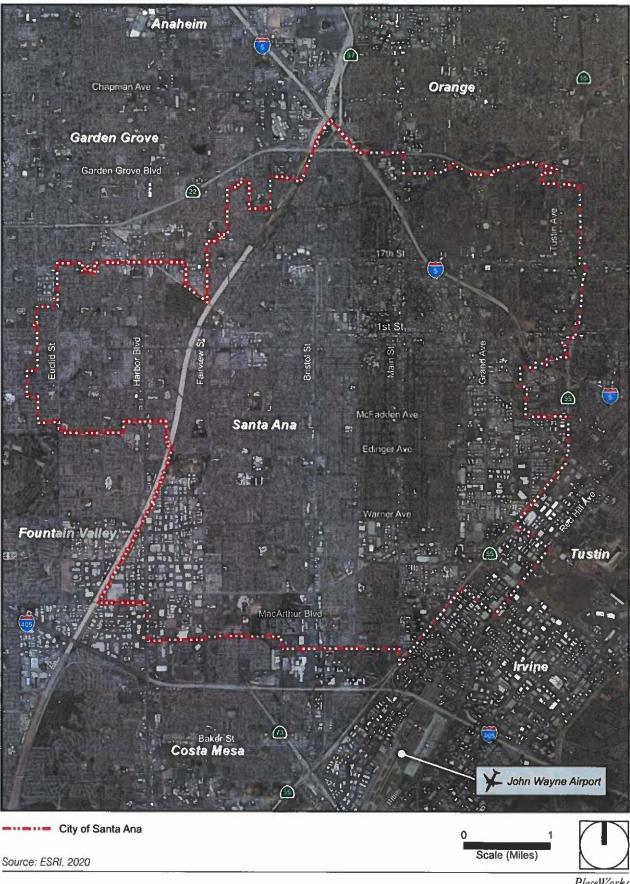
Attachments:

- 1. Citywide Aerial
- 2. Excerpts from the Draft General Plan Update
- 3. Proposed Land Use Map
- 4. Focus Areas
- 5. JWA Planning Area/Notification Area
- 6. Buildout Table
- 7. JWA Noise Contours
- 8. JWA Safety Zone Map
- 9. Flight Tracks
- 10. JWA Obstruction Imaginary Surfaces
- 11. ALUC NOP Comment Letter
- 12. City of Santa Ana Submittal Packet

Agenda Item #1

GENERAL PLAN UPDATE DRAFT PEIR CITY OF SANTA ANA

### Figure 3-2 - Citywide Aerial



PlaceWorks

## GOAL N-3: Airport and Land Use Environs Protect sensitive land uses from airport related noise impacts.

### POLICY N-3.1

### RESIDENTIAL DEVELOPMENT

Residential development within the John Wayne Airport (JWA) 65 dB(A) CNEL Noise Contour or greater is not supported.



### POLICY N-3.2

FLIGHT PATHS

Advocate that future flight path selection be directed away from existing noise sensitive land uses.



#### POLICY N-3.3 RESIDENTIAL MITIGATION

Require all residential land uses in 60 dB(A) CNEL or 65 dB(A) CNEL Noise Contours to be sufficiently mitigated so as not to exceed an interior standard of 45 dB(A) CNEL.





#### Approaching John Wayne Airport

The City advocates for flight paths to avoid residences and other sensitive land uses. Shown above is a plane flying over the Metro East Mixed-Use Overlay Zone, which permits a variety of residential, office, institutional, and commercial land uses.

Photo by Ken Lund, CC BY-SA 2.0



CITY OF SANTA ANAGEN RAL PLAN EARING DRAFT

## **NOISE STANDARDS**

The City's primary focus is to minimize noise problems in areas sensitive to noise because the majority of land in Santa Ana is fully established. The City emphasizes mitigation measures to deal with existing noise problems, prevention of new noise problems through proper arrangement of noise sensitive land uses in relationship to mobility systems, and establishment of appropriate noise emission or insulation standards for the various land uses.

The City adopts the standards and guidelines for noise levels for land uses as displayed in Table N-1. All residential uses should be protected with sound insulation over and above that provided by normal building construction when constructed in areas exposed to greater than 60 dB CNEL (community noise equivalent level).

#### **TABLE N-1. INTERIOR AND EXTERIOR NOISE STANDARDS**

Categories	Land Use Categories	Interior <sup>1</sup>	Exterior <sup>2</sup>
Residential	Single-family, duplex, multi- family	45 dB CNEL <sup>3</sup>	65 d <b>b</b> C <b>n</b> el
Institutional	Hospital, school classroom/ playground	45 dB CNEL	65 dB CNEL
	Religious facility, library	45 dB CNEL	
Open Space	Parks		65 dB CNEL

Notes:

1. Interior areas (to include but are not limited to: bedrooms, bathrooms, kitchens, living rooms, dining rooms, private offices, and conference rooms.

2. Exterior areas shall mean: private yards of single family homes, park picnic areas, school playgrounds, common areas. Private open space, such as atriums on balconies, shall be excluded from exterior noise requirements provided sufficient common area is included within the project.

 Interior noise level requirements contemplate a closed window condition. Mechanical ventilation system or other means of natural ventilation shall be provided per Chapter 12 of the Uniform Building Code, as necessary.



CITY OF SANTA ANAGEN PLAN EARING DRAFT

## GOAL S-4: Aircraft Hazards Protect the safety of the general public from aircraft hazards.

#### POLICY S-4.1 STRUCTURES ABOVE 200 FEET

For development projects that include structures higher than 200 feet above existing grade, the City shall inform the Airport Land Use Commission (ALUC) and submit materials to the ALUC for review. Proposed projects that would exceed a height of 200 feet above existing grade shall be required to file Form 7460-1 with the Federal Aviation Administration.



### POLICY S-4.2 FEDERAL AVIATION REGULATION PART 77

Do not approve buildings and structures that would penetrate Federal Aviation Regulation (FAR) Part 77 Imaginary Obstruction Surfaces unless found consistent by the ALUC. Additionally, in accordance with FAR Part 77, required applicants proposing buildings or structures that penetrate the 100:1 Notification Surface to file a Form 7460-1 Notice of Proposed Construction or Alteration with FAA and provide a copy of the FAA determination to the City and the ALUC for Orange County.

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#### POLICY S-4.3

#### LIGHT, GLARE, AND OTHER INTERFERENCE

Minimize hazards to aeronautical operations by ensuring land uses do not emit excessive glare, light, steam, smoke, dust, or electronic interference in compliance with FAA regulations and the John Wayne Airport Environs Land Use Plan.



#### POLICY S-4.4 HELIPORT/HELISTOPAPPROVALAND REQUIREMENTS

Approve the development of a heliport or helistop only if it complies with the Airport Environs Land Use Plan for heliports. Ensure that each applicant seeking a conditional use permit or similar approval for the construction or operation of a heliport or helistop complies fully with the state permit procedure provided by law and with all conditions of approval imposed or recommended by the FAA, by Orange County Airport Land Use Commission, and by Caltrans/Division of Aeronautics. This requirement shall be in addition to all other City development requirements.

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#### POLICY S-4.5 REFERRAL TO ALUC

Prior to the amendment of the City's general plan or a specific plan, or the adoption or approval of a zoning ordinance or building regulation within the planning boundary established by the Airport Land Use Commission (ALUC), and pursuant to Public Utilities Code Section 21676, the City shall first refer the proposed action to the ALUC.

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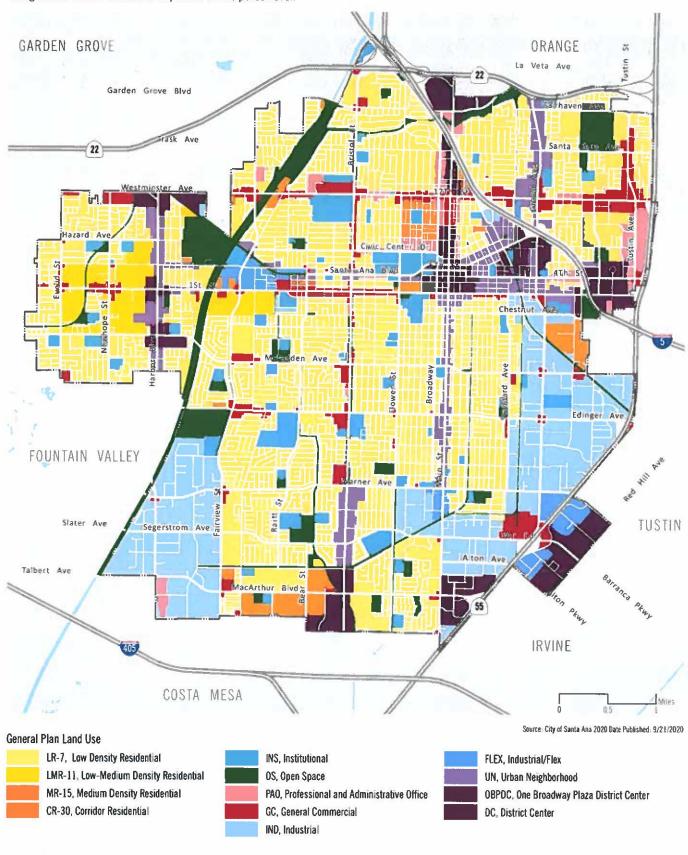
#### POLICY S-4.6 DEED DISCLOSURE NOTICE

Provide notice of airport in the vicinity where residential development is being proposed within the 60 dBA CNEL noise contours for the John Wayne Airport.





PUBLIC HEARING SON PARENTERAL PLAN



About the Map. Figure LU-1 communicates the fundamental pattern of land use by displaying the pattern and distribution of land use designations across the entire City down to the parcel level.

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CITY OF SPITABEN BEING PLAN EARING DRAFT

FIGURE LU-1 LAND USE MAP

ORANGE W CHAPMAN AVE N GRAND AVE CAMBRIDGE ST S TUSTIN ST **GARDEN GROVE** W LA VETA AVE GARDEN GROVE BLVD FAIRHAVEN TRASK AVE N BRISTOL ST N MAIN ST SANTA CLARA AVE WESTMINSTER AVE W 17TH ST 17TH ST F A BROADWAY N TUSTIN AVE HAZARD AVE 3 CIVIC CENTER DR SANTA ANA BLVD BOLSA AVE **FIRST ST** S RAITT ST FLOWER ST TUSTIN W MCFADDEN AVE E MCFADDEN AVE 1 S EUCLID ST S NEWHOPE ST S BRISTOL ST W EDINGER AVE S STANDARD AVE E EDINGER AVE S GRAND AVE REOHILANE FOUNTAIN S FAIRVIEW ST W WARNER AVE VALLEY SLATER AVE E DYER RD 4 W SEGERSTROM AVE TUSTIN BARRANCA PANA W ALTON AVE TALBERT AVE W MACARTHUR BLVD 5 HARBOR BLVD ALTON SKILL SUNFLOWER AVE **BEAR ST** ANTON BLVD IRVINE COSTA MESA

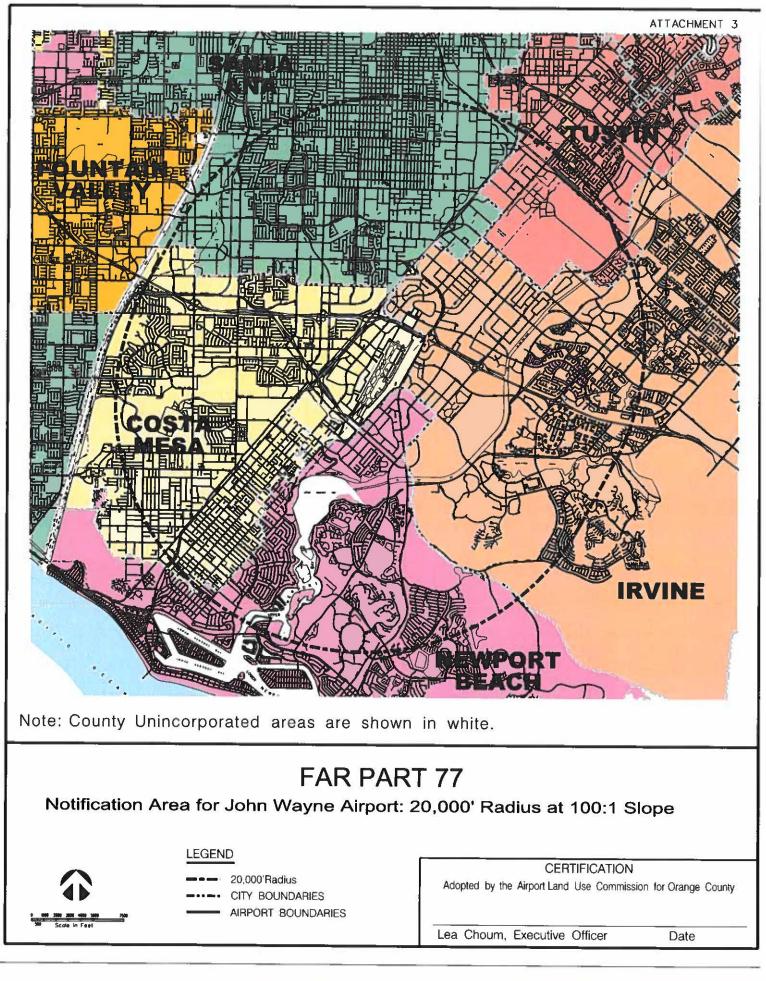
About the Map. Figure LU-5 shows the locations of the five Focus Areas where more detailed land use planning was required to guide future growth and development.

- 1. South Main Street Focus Area
- 2. Grand Avenue & 17th Street Focus Area
- 3. West Santa Ana Boulevard Focus Area
- 4. 55 Freeway & Dyer Road Focus Area
- 5. South Bristol Street Focus Area

### FIGURE LU-S FOCUS AREAS PUBLIC HEARINGOFSOFRAGENERAL PLAN



## **AELUP Notification Area for JWA**



#### Figure 1 - ALUC Addendum

Focus Areas and AELUP Notification Boundary

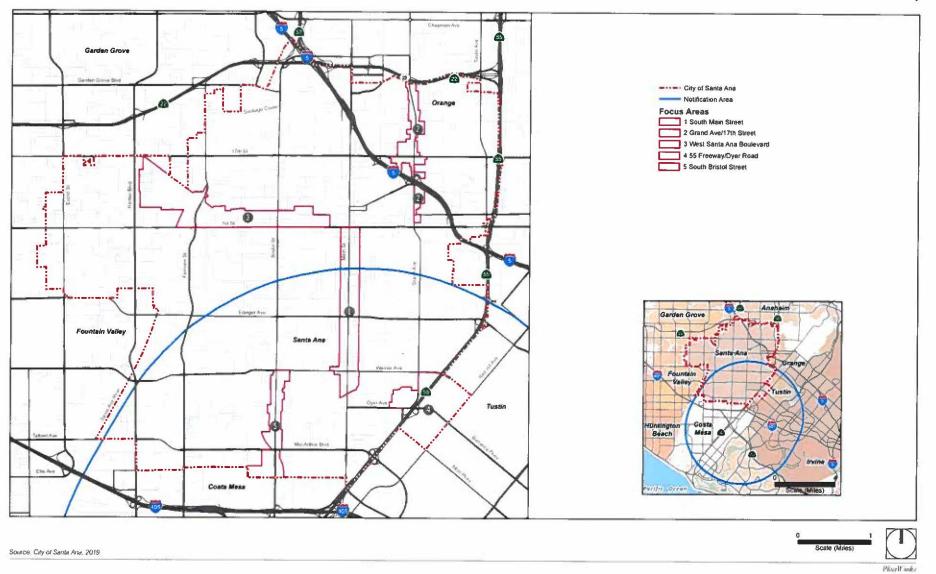
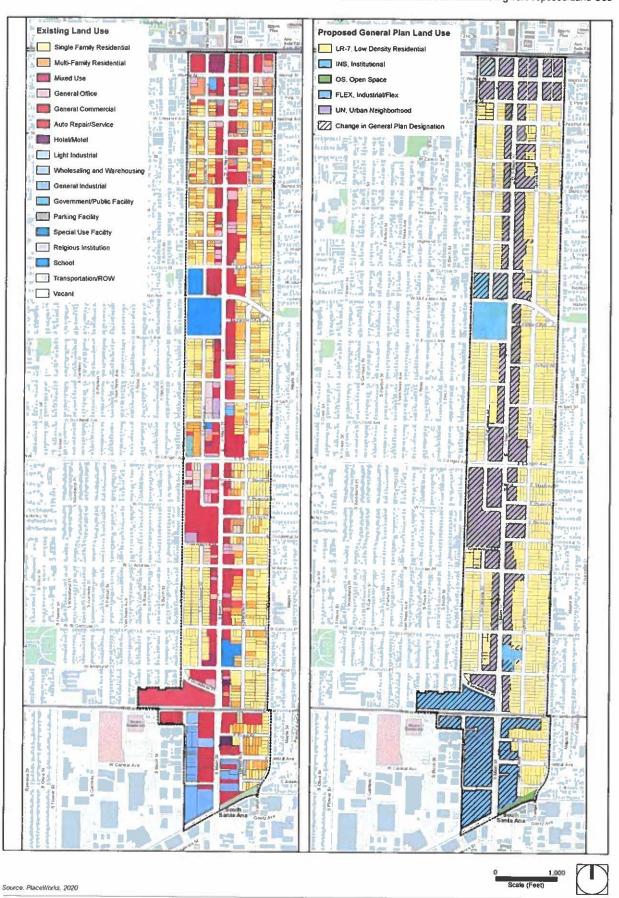


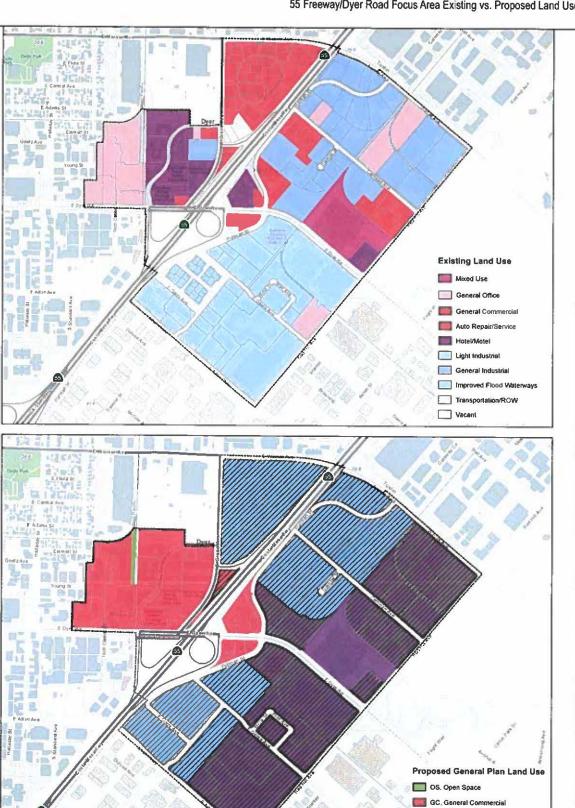
Figure 4 - ALUC Addendum

South Main Street Focus Area Existing vs. Proposed Land Use



Place Works

Figure 2 - ALUC Addendum



55 Freeway/Dyer Road Focus Area Existing vs. Proposed Land Use

FLEX, Industrial/Flex DC. District Center Change in General Plan Designation

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Scale (Feel)

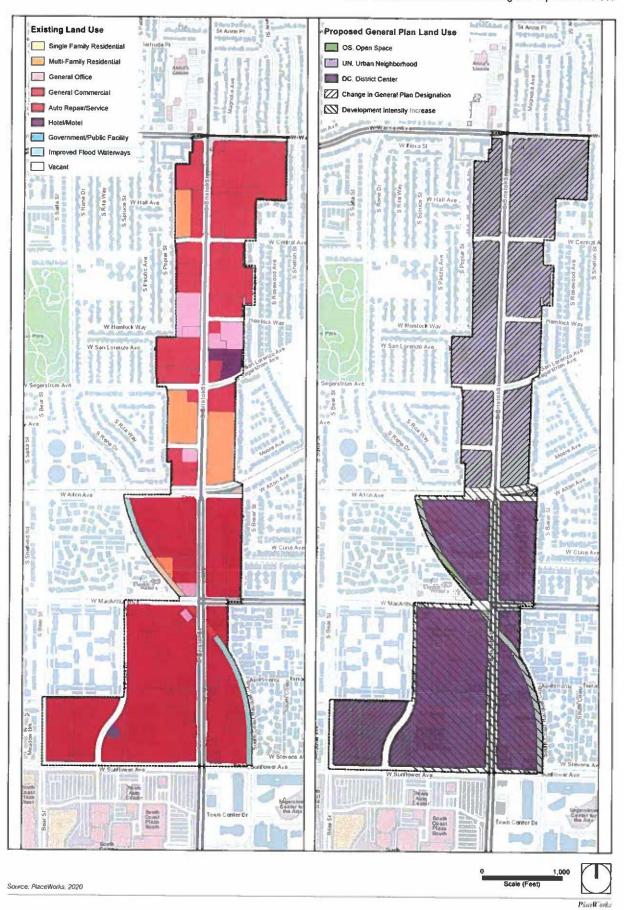
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Source. PlaceWorks, 2020

Figure 3 - ALUC Addendum

South Bristol Street Focus Area Existing vs. Proposed Land Use



#### BUILDOUT

Table LU-2 reflects the reasonable long-term buildout potential for housing units, nonresidential building square footage, and jobs that could be generated by implementing the overarching growth strategy and the Land Use Plan (Figure LU-1).

While these estimates provide a tool to monitor growth in the City, the figures shown in Table LU-2 represent an informed but estimated projection of

TABLE LU-2. BUILDOUT TABLE

a future condition. The actual development in each planning area will likely vary in terms of location and mix of uses.

The Land Use Buildout Methodology, June 2020 (provided under seperate cover) details the assumptions and methodology used to generate the estimates in Table LU-2.

#### Highlight added by ALUC Staff

Planning Area	Existing <sup>1</sup>			Growth <sup>2</sup>			Buildout		
	Housing Units	Building Sq. Ft.	Jobs	Housing Units	Building Sq. Ft.	Jobs	Housing Units	Building Sq. Ft.	Jobs
Specific Plan / Special Zoning	4,685	13,924,891	38,548	15,839	3,033,554	1,154	20,524	16,958,445	39,702
Adaptive Reuse Overlay Zone <sup>4</sup>	260	976,935	3,043	1,000	0	-476	1,260	976,935	2,567
Bristol Street Corridor Specific Plan	136	140,348	294	-1	2,791	-12	135	143,139	282
Harbor Corridor Specific Plan	1,324	1,767,937	3,286	3,298	200,045	-1,708	4,622	1,967,982	1,578
Main Place Specific Plan	0	1,108,080	2,216	1,900	1,318,843	3,164	1,900	2,426,923	5,380
Metro East Overlay Zone	844	2,516,056	7,524	4,707	2,169,891	4,734	5,551	4,685,947	12,258
Midtown Specific Plan	607	1,885,065	4,824	0	-66,812	-209	607	1,818,253	4,615
Transit Zoning Code	1,514	5,530,470	17,361	4,935	-591,204	-4,339	6,449	4,939,266	13,022
Focus Areas	6,380	13,421,155	28,428	17,575	2,263,130	6,616	23,955	15,684,285	35,044
South Main Street	1,720	1,685,978	3,455	588	-739,316	-1,304	2,308	946,662	2,151
Grand Avenue/17th Street	561	1,400,741	3,568	1,722	-696,847	-1,946	2,283	703,894	1,622
West Santa Ana Boulevard	2,658	3,090,472	9,170	1,262	-281,667	-2,393	3,920	2,808,805	6,777
55 Freeway/Dyer Road	1,221	5,666,453	8,898	8,731	475,830	4,404	9,952	6,142,283	13,302
South Bristol Street	220	1,577,511	3,337	5,272	3,505,130	7,855	5,492	5,082,641	11,192
All Other Areas of the City	67,727	39,772,550	92,004	2,847	552,536	3,666	70,574	40,325,086	95,670
Citywide Total	78,792	67,118,596	158,980	36,261	5,849,220	11,436	115,053	72,967,816	170,416

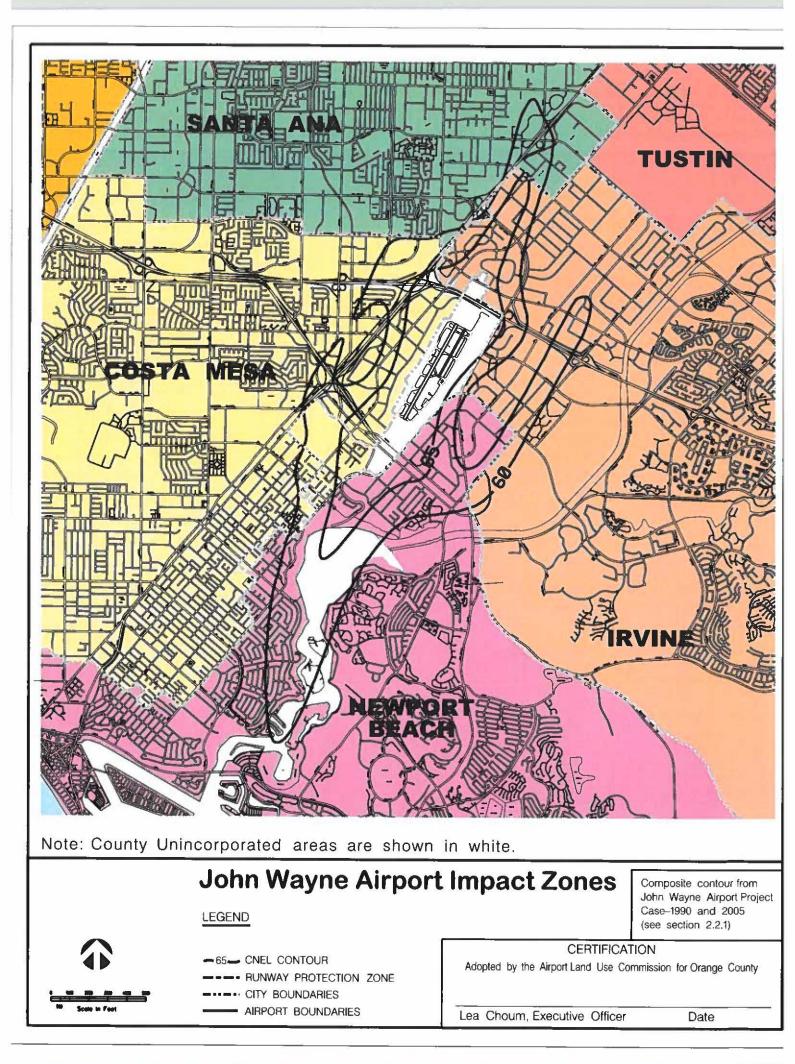
#### Notes:

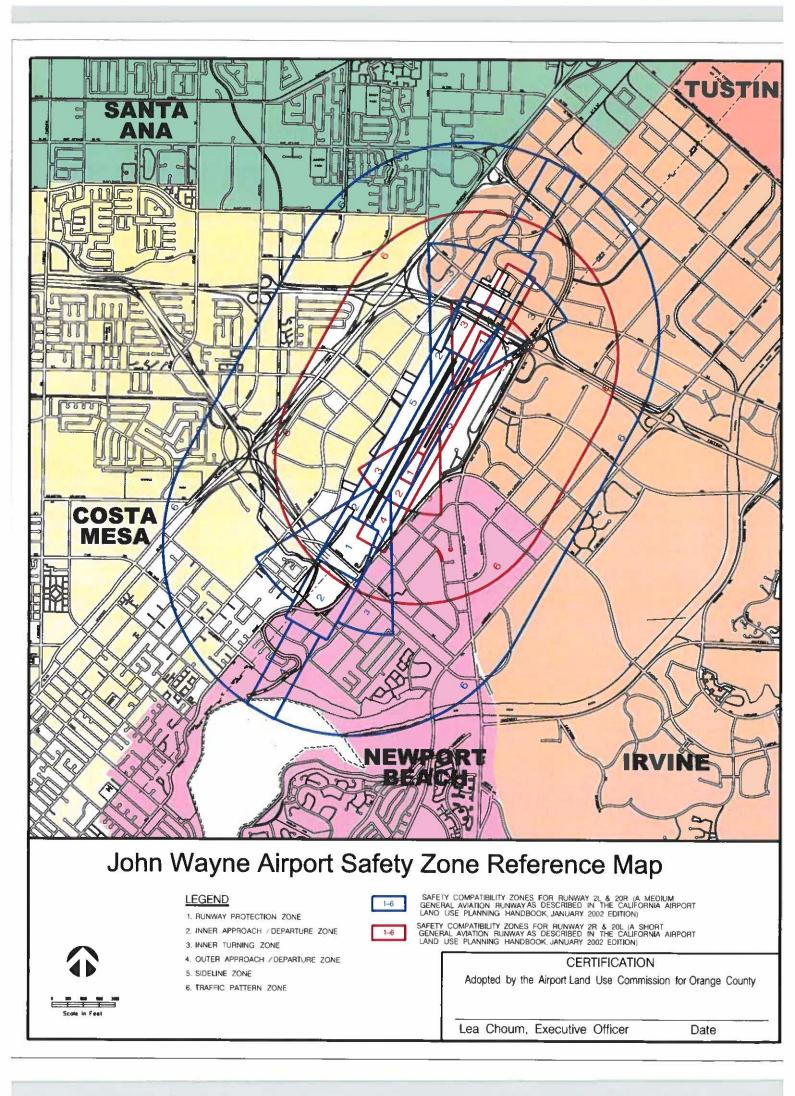
- 1. Existing represents conditions as of December 2019 as derived from the City of Santa Ana Planning Information Network and projects already under construction per the January 2020 monthly development project report.
- 2. The potential growth for new development in specific plan / special zoning area is based on the forecasted buildout at the time of the respective zoning document's adoption, minus the amount of new development built between its adoption date and 2019.
- 3. Only includes nonresidential building square footage.
- 4. The figures shown on the row for the Adaptive Reuse Overlay represents parcels that are exclusively in the Adaptive Reuse Overlay boundary. Figures for parcels that are within the boundaries of both the Adaptive Reuse Overlay Zone and a specific plan, other special zoning, or focus area boundary are accounted for in the respective specific plan, other special zoning, or focus area.
- 5. The City has included an assumption for growth on a small portion (five percent) of residential parcels through the construction of second units, which is distributed throughout the City and is not concentrated in a subset of neighborhoods. Additional growth includes known projects in the pipeline and an increase of 10 percent in building square footage and employment for the professional office surrounding the Orange County Global Medical Center and along Broadway north of the Midtown Specific Plan, as well as the commercial and retail along 1st Street south of the West Santa Ana Boulevard focus area.

Source: City of Santa Ana with assistance from PlaceWorks, 2020.



LU 11

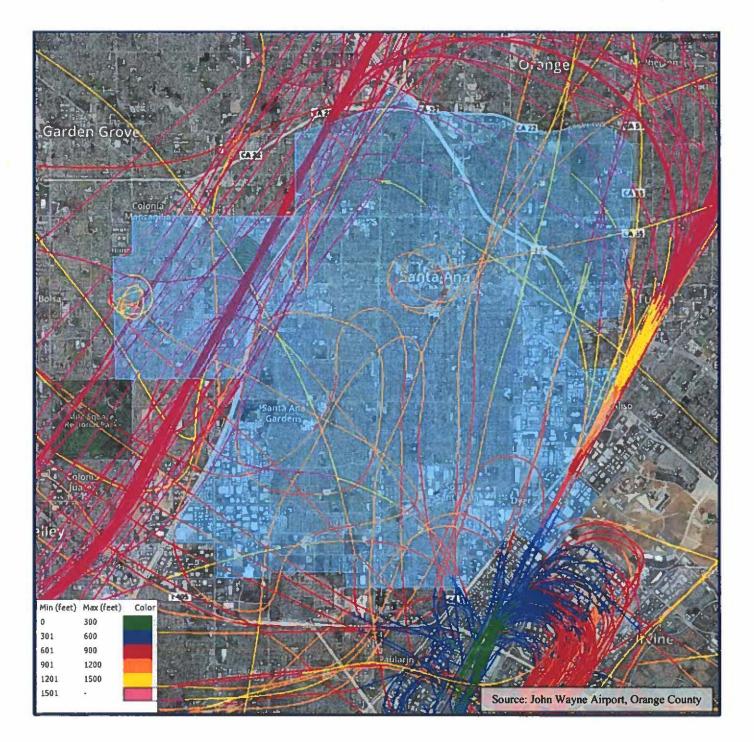




### John Wayne Airport Access & Noise Office



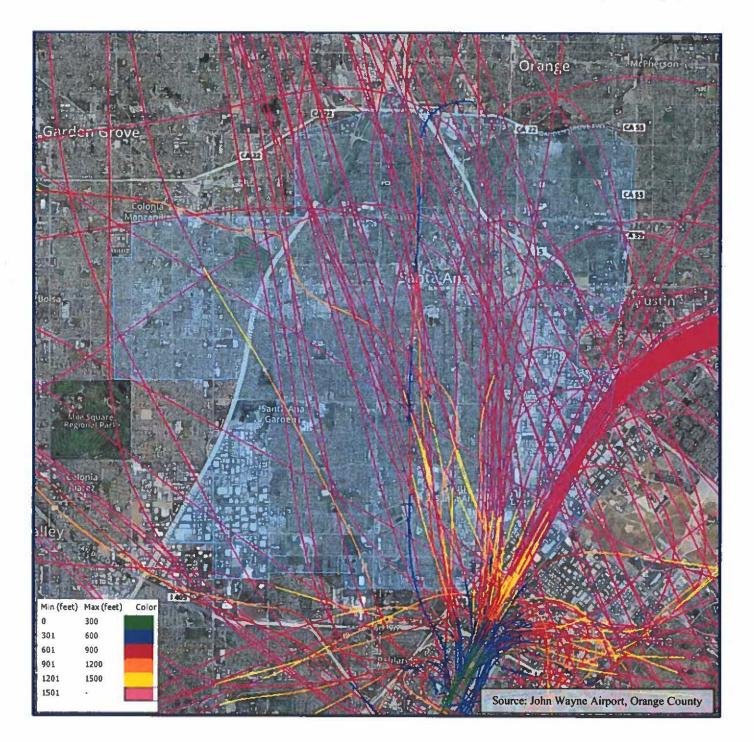
John Wayne Airport Arrivals = 263 Wednesday, January 8, 2020





John Wayne Airport Access & Noise Office

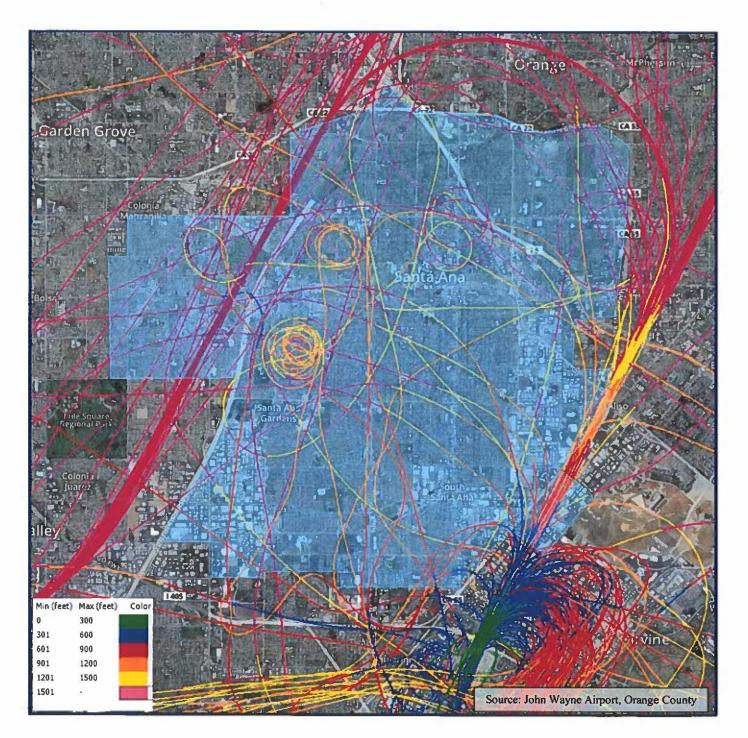
John Wayne Airport Reverse Flow Departures = 222 Monday, January 6, 2020

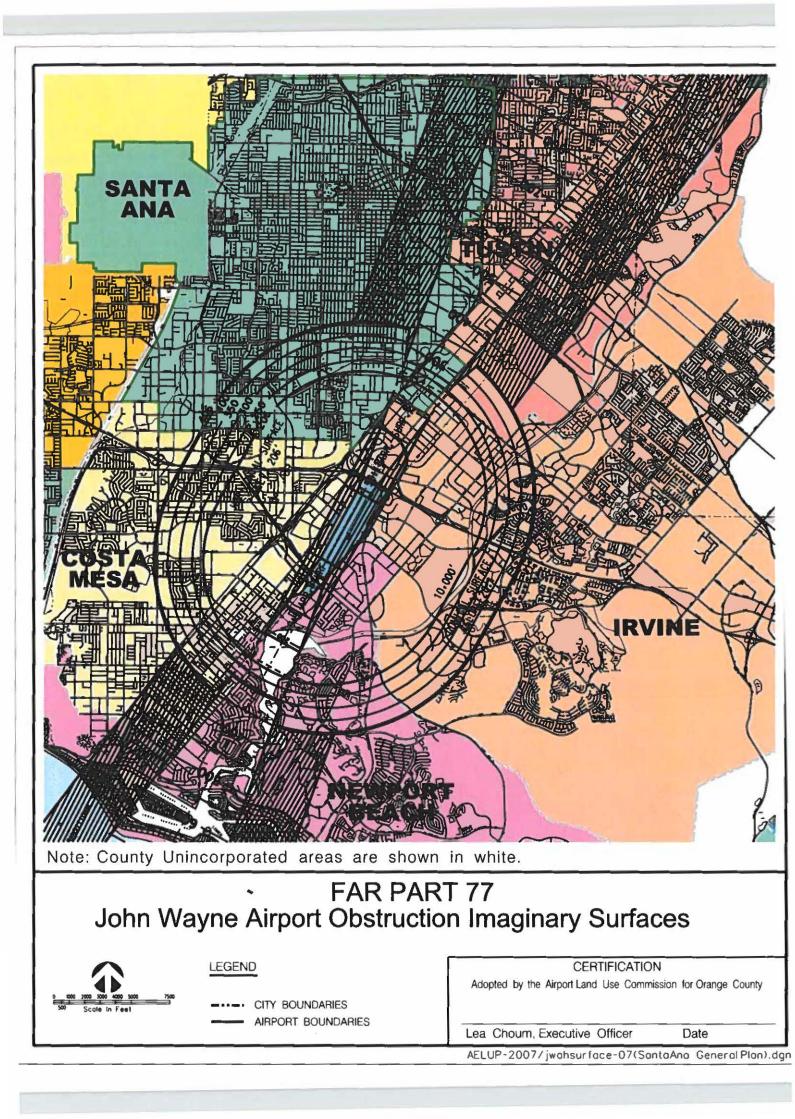


John Wayne Airport Access & Noise Office

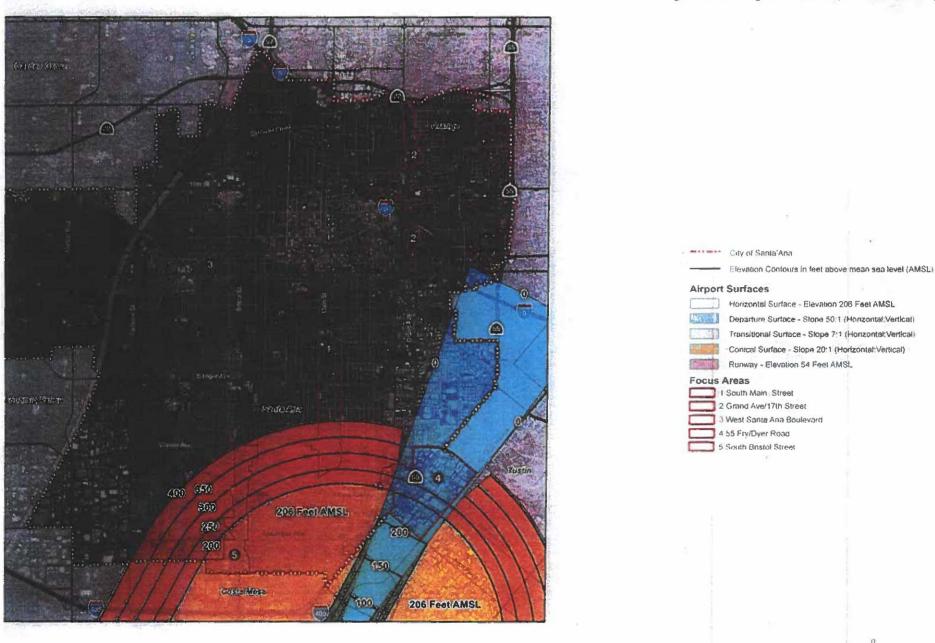


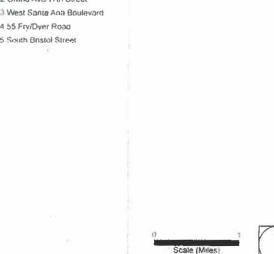
John Wayne Airport Arrivals = 237 Saturday, January 11, 2020





#### Figure 5.8-2 - Height Restrictions per Federal Air Regulations Part 77





Airport Land Use Commission Airport Environs Danit Use Plan for John Wayrer Airport. 2008

Place Torks

# ATTACHMENT 11



### AIRPORT LAND USE COMMISSION

FOR

ORANGE COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

March 26, 2020

Verny Carvajal, Principal Planner City of Santa Ana Planning and Building Agency P.O. Box 1988, M-20 Santa Ana, CA 92702

#### Subject: Comments on the Notice of Breparation of Program Environmental Impact Report (EIR) for Santa Ana General Plan

Dear Mr. Carvajal:

Thank you for the opportunity to review the Notice of Preparation (NOP) for the City of Santa Ana General Plan in the context of the Airport Environs Land Use Plan (AELUP) for John Wayne Airport (JWA). We wish to offer the following comments and respectfully request consideration of these comments as you proceed with your DEIR and General Plan Update.

The City of Santa Ana is located within the AELUP Notification Area for JWA. The DEIR and General Plan should address height restrictions and imaginary surfaces by discussing Federal Aviation Administration (FAA) Federal Aviation Regulation (FAR) Part 77 as the criteria for determining height restrictions for projects located within the airport planning area. To ensure the safe operation of aircraft activity at JWA, structures anywhere in the JWA airport planning area should not exceed the applicable elevations defined in FAR Part 77 (Objects Affecting Navigable Air Space). The General Plan should include height policy language and a mitigation measure in the EIR that states that no buildings will be allowed to penetrate the FAR Part 77 imaginary surfaces for JWA to ensure the protection of its airspace.

Development proposals within the City, which include the construction or alteration of structures more than 200 feet above ground level, require filing with the FAA and Airport Land Use Commission (ALUC) notification. Projects meeting this threshold must comply with procedures provided by Federal and State law, and with all conditions of approval imposed or recommended by FAA and ALUC including filing a Notice of Proposed Construction or Alteration (FAA Form 7460-1). Depending on the maximum building heights that will be allowed within the General Plan, the City may wish to consider a mitigation and condition of approval specifying this 200 feet above ground level height

threshold. In addition, any project that penetrates the Notification Surface for JWA is required to file FAA Form 7460-1.

Portions of the City of Santa Ana fall within the 60 and 65 dB CNEL noise contours for JWA including a portion of the 55 Freeway/Dyer Road planning area. The DEIR and General Plan Update should include policies and mitigations for development within these contours, especially if mixed-use/residential development would be permitted. Per the *AELUP for JWA*, all residential units within the 65 dB CNEL contour are typically inconsistent in this area unless it can be shown conclusively that such units are sufficiently sound attenuated for present and projected noise exposure so as not to exceed an interior standard of 45 dB CNEL. However, the ALUC recommends that residential uses not be permitted within the 65 dB CNEL contour. As for residential development within the 60 dB CNEL contour, the ALUC may not find residential units incompatible in this area unless sufficiently sound attenuated not to exceed an interior level of 45 dB.

We also recommend that the DEIR and the General Plan Update identify if the development of heliports will be allowed within your jurisdiction. Should the development of heliports occur within your jurisdiction, proposals to develop new heliports may be submitted through the City to the ALUC for review and action pursuant to Public Utilities Code Section 21661.5. Proposed heliport projects must comply fully with the state permit procedure provided by law and with all conditions of approval imposed or recommended by FAA, by the ALUC for Orange County and by Caltrans/Division of Aeronautics.

To address consistency with the AELUP for Heliports we suggest adding the following language to your General Plan Update and inclusion as a mitigation measure in the EIR:

"The City will ensure that development proposals including the construction or operation of a heliport or helistop comply fully with permit procedures under State law, including referral of the project to the ALUC by the applicant, and with all conditions of approval imposed or recommended by the Federal Aviation Administration (FAA), ALUC, and Caltrans, including the filing of a Form 7480-1 (Notice of Landing Area Proposal) with the FAA. This requirement shall be in addition to all other City development requirements."

Section 21676 of the PUC requires that prior to the adoption or amendment of a general plan or specific plan, or the adoption or approval of a zoning ordinance or building regulation within the planning boundary established by the Airport Land Use Commission pursuant to Section 21675, the local agency shall first refer the proposed action to the ALUC. We recommend that the City include policy in its General Plan and a mitigation measure in the EIR that states that the City shall refer projects to the Airport Land Use Commission (ALUC) for Orange County as required by Section 21676 of the California Public Utilities Code to determine consistency of projects with the AELUP for JWA.

The Commission requests that referrals for determinations be submitted to the ALUC after the city's Planning Commission hearing and before the City Council action. Since the ALUC meets on the third Thursday afternoon of each month, submittals must be received in the ALUC office by the first of the month to ensure sufficient time for review, analysis, and agendizing. For additional information, please contact Julie Fitch at (949) 252-2584 or at jfitch@ocair.com.

Sincerely,

der U. Chon

Lea U. Choum Executive Officer

cc: Airport Land Use Commissioners

# ATTACHMENT 12

MAYOR Miguel A. Pulido MAYOR PRO TEM Juan Villegas COUNCILMEMBERS Phil Bacerra Nelida Mendoza David Penaloza Vicente Sarmiento Jose Solorio



CITY MANAGER Kristine Ridge CITY ATTORNEY Sonia R. Carvalho CLERK OF THE COUNCIL Daisy Gomez

**CITY OF SANTA ANA** 

Planning and Building Agency 20 Civic Center Plaza • P.O. Box 1988 Santa Ana, California 92702 www.santa-ana.org/oba

September 17, 2020

Lea Choum, Executive Officer Airport Land Use Commission for Orange County John Wayne Airport 3160 Airway Avenue Costa Mesa, CA 92626

#### RE: City of Santa Ana General Plan Update, Golden City Beyond (2045)

Dear Ms. Choum:

Pursuant to Section 4.7 of the Airport Environs Land Use Plan (AELUP) for John Wayne Airport (JWA), the City of Santa Ana (City) requests that the Airport Land Use Commission (ALUC) review the proposed project for consistency with the Airport Environs Land Use Plan (AELUP) at its October 15, 2020 meeting. The following Attachment includes the project information and submittal requirements for our ALUC request, in response to the ALUC staff feedback provided in letter dated September 9, 2020.

The City of Santa Ana's proposed project requires the approval of a **General Plan Amendment** (GPA) for various proposed land use changes and citywide policies. The City's Planning Commission is scheduled to hear this item at an October 26, 2020 public hearing. Staff's recommendation is for the Planning Commission to recommend the City Council certify the Environmental Impact Report (EIR) and approve the proposed comprehensive update of the City's General Plan.

Should you have any questions concerning the preceding information, I can be reached via e-mail at <u>vfreqoso@santa-ana.org</u> or Senior Planner Melanie McCann at <u>mmccann@santa-ana.org</u>

Sincerely,

Vince Fregoso, AICP Planning Manager

S:\Planning\General Plan 2016\ALUC\Sept17.2020 submittel\ALUC.Letter.9.17.20.REV.docx Attachment

#### SANTA ANA CITY COUNCIL

Miguel A. Pulido Mayor mpulido@panta-ana.org Juan Villegas Mayor Pro Tem, Ward 5 Ivitegassittsanta-ana org Vicente Samiento Ward 1 vsemiento@senta-ans.org Dawd Penaloza Ward 2 doenalozaditsanta-ana.org

Jose Solorio Ward 3 Isoloho@santa-ana.org

Phil Bacerta Ward 4 pbacerta@senta-ana.org Nelida Mendoza Ward 6 Imendoza@santa-ana.org

RECEIVED

SEP 17 2020

AFPORT LAND USE COMMISSION

The following information is provided to support City of Santa Ana's request to the Airport Land Use Commission (ALUC) to the Airport Land Use Commission for Orange County on September 17, 2020.

The Airport Environs Land Use Plan (AELUP) Section 4.2, *General Plans and Specific Plans (Zoning)* summarizes the requirement for local agencies to submit general or specific plans to the ALUC for a consistency determination. This section notes that submittals should highlight those areas that address the Airport Environs Land Use Plan (AELUP) noise impact, safety compatibility, and height restriction zones. Submittals shall demonstrate how local agencies will incorporate the performance standards outlined in the AELUP in their planning, zoning and development processes.

AELUP Section 4.7 details specific attachments to be included in the request for a consistency determination. The information which follows references the attachments by the number included in the Section 4.7 submittal list. Key supporting figures are provided at the end of the numbered text items.

Note that the discussion also references additional tables and figures from the Draft Program Environmental Impact Report (PEIR). The Draft PEIR can be accessed on the City's website, here:

https://www.santa-ana.org/general-plan/general-plan-environmental-documents

#### 1. Submittal Address

As noted, the consistency review request was submitted and received by ALUC on September 17, 2020. This Attachment will be forwarded both via email and to the address included under No. 1 (Section 4.7)

#### 2. Description of Project

The General Plan Update (GPU) is a comprehensive update of the City of Santa Ana's General Plan. The GPU includes the City's future development goals and policy statements to achieve those goals. Implementation actions related to each goal or policy will be included as a separate Implementation Plan. The draft GPU includes twelve elements; address seven mandatory elements and five optional topics as listed below. The elements identified in red, include goals and policies that address design and noise impacts associate with airport flight noise.

Optional Elements
Health and Wellness
Historic Preservation
Urban Design
Economic Prosperity
Community Services

#### **General Plan Elements or Topics**

The Santa Ana General Plan Update includes five (5) geographic Focus Areas within the City identified for land use changes and development growth. The boundaries of these focus areas are shown and their relationship to the AELUP planning area boundary are shown in Figure 1, *Focus Areas and AELUP Notification Boundary*. The proposed Redhill/Dyer and South Bristol Focus Areas are located entirely within the John Wayne Airport (JWA) AELUP planning area. The South Main Street focus area is located partially within the AELUP planning area.

#### 3. Location of Project: Area Map

As shown in Figure 1, the GPU encompasses the entire City of Santa Ana. The City is bordered by Orange and unincorporated areas of Orange County to the north, Tustin to the east, Irvine and Costa Mesa to the south, and Fountain Valley and Garden Grove to the west.

#### 4. Existing and Proposed General Plan Designations

Draft PEIR Figure 3.7, *Proposed General Plan Land Use Plan* depicts Citywide land use designations. The GPU, however, only proposes land use changes within designated focus areas. Buildout projections for the GPU are also based on growth anticipated within other areas, including seven planning areas that represent previously approved specific plans and other special zoning areas (See Draft PEIR Figure 3.11, *Focus Areas and Special Planning Areas*).

The existing and proposed land use changes are depicted in attached Figures 2, 3, and 5, respectively for the 55 Freeway/Dyer Road, South Bristol Street, and South Main Street focus areas. These are the three focus areas, as discussed above, which fall within the AELUP notification area.

The following tables from the Draft PEIR describe the land use designation descriptions for the proposed GPU. The GPU includes the existing 11 land use designations of the current General Plan and adds two new designations: Corridor Residential and Industrial Flex.

Land Use Designation	General Character	Allowable Land Use
Low Density Residential	Designation applies to areas which are developed with lower density residential land uses. The allowable maximum development intensity is 7 units per acre.	Single family homes
Low-Medium Density Residential	Designation applies to areas developed with residential uses at permitted densities of up to 11 units per acre.	Mobile home parks, a mixture of duplexes and single-family residences, or smal lot subdivisions.
Medium Density Residential	Designation applies to areas developed with residential uses at densities of up to 15 units per acre.	Multi-family development projects.
Professional and Administrative Office (PAO)	Designation applies to areas where professional and/or administrative offices are predominant, or where such development is being encouraged. in this land use designation. The floor area ratio (FAR) intensity standard applicable to this land use designation ranges from 0.5 to 1.0.	<ul> <li>The types of uses typically located in the PAO district include the following:</li> <li>Professional and administrative offices/office parks;</li> <li>Service activities such as copy centers, courier services, travel agencies, and restaurants when such uses are an integral component of a planned office development;</li> <li>Professional uses such as accountants, attorneys, doctors, engineers, and insurance brokers.</li> </ul>
General Commercial	Applies to commercial corridors in Santa Ana including those located along Main Street, Seventeenth Street, Harbor Boulevard, and other major arterial roadways in the City. The intensity standard applicable to this designation is a floor area ratio of 0.5 1.0.	<ul> <li>Uses typically located in this district are:</li> <li>Business and professional offices;</li> <li>Retail and service establishments;</li> <li>Recreational, cultural, and entertainment uses;</li> <li>Vocational schools.</li> </ul>
District Center	Includes the major activity areas in the City. The intensity standard for the District Center is 1.0	<ul> <li>District Centers in Santa Ana include the following:</li> <li>The Main Place /City Place District Center which allows for regional shopping, office complexes, and high intensity housing and mixed-use development</li> <li>The Museum District which allows for office/cultural uses.</li> <li>The Downtown District which serves as one of the Country's major employment and governmental operations centers complemented with a mix of residential, commercial, and services uses.</li> <li>The South Coast Metro District which serves as a regional retail shopping area which includes a range of commercial services and office projects.</li> </ul>

Draft PEIR Table 3-2	Land	Use Designation	Descriptions
----------------------	------	-----------------	--------------

Land Use Designation	General Character	Allowable Land Use
		<ul> <li>The MacArthur Place District Center which contains an office/hotel complex and mixed-use project</li> <li>The Metro East District which includes a balance of office, residential, and service uses.</li> <li>The Transit Village District which allows for employment centers, residential and service uses.</li> <li>The Harbor Corridor Mixed Use Transit Corridor includes higher intensity housing and mixed-use development.</li> </ul>
One Broadway Plaza District Center	Has an FAR of 2.9, which exceeds the typical District Center intensity limit. Additionally, it does not include a residential component.	Allows for professional office complexes.
Urban Neighborhood	This land use designation applies to primarily residential areas with pedestrian oriented commercial uses, schools and small parks. An FAR of 0.5 to 1.5 is allowed.	Allows for a mix of residential uses and housing types, such as mid to low rise multiple family, townhouses and single-family dwellings; with some opportunities for live work, neighborhood serving retail and service, public spaces and use, and other amenities.
Institutional	Only public properties of approximately five acres or more are designated as Institutional. The maximum applicable floor area ratio standard for this designation is 0.5.	The Institutional designation includes the Civic Center, other governmental facilities, City facilities and public institutions such as schools, etc.
Industrial	The Industrial designation applies to those areas developed with manufacturing and industrial uses. in the City is designated as Industrial. The maximum floor area ratio for this designation is 0.45.	<ul> <li>Typical uses found in this district include the following:</li> <li>Light and heavy product manufacturing and assembly</li> <li>Commercial uses which are ancillary to industrial uses in the district.</li> </ul>
Open Space	Typical FAR is 0.2.	The Open Space designation is applied to parks, water channels, cemeteries and other open space uses.

#### Draft PEIR Table 3-2 Tond Hos

Source: City of Santa Ana, 1998, Land Use Element. Note: FAR is defined as the relationship between the total amount of usable floor area that a building has, or has been permitted to have, and the total area of the lot on which the building stands.

#### Draft PEIR Table 3-4 Land Use Designation Descriptions

Land Use Designation	General Character	Allowable Land Use
Corridor Residential	Typical density is 30 du/ac.	Medium urban density housing such as attached townhomes and apartments along corridors or adjacent to areas designated as General Commercial, Urban Neighborhood, or District Center
Industrial/Flex	The Industrial/Flex land use designation will promote large-scale office industrial flex spaces, multi-level corporate offices, and research and development uses. Typical FAR is 1.5.	Office/industrial flex spaces, small scale R&D, clean manufacturing

#### 5. Existing and Proposed Land Uses (Site and Adjacent Properties)

#### **Existing Land Uses - City**

The plan area encompasses approximately 17,530 acres (27.4 square miles) including newly annexed areas. As shown in Draft PEIR Figure 3-4, Existing Land Uses, the plan area comprises a number of existing land uses, with low density residential, commercial, and industrial making up the majority. Commercial and industrial uses are primarily found along SR-55, which is a major corridor, and in the southwest corner of the city. Draft PEIR Table 3-1, *Existing Land Use Designations and Statistics*, provides a statistical summary of the existing land uses within the plan area.

#### Existing Uses - Surroundings

The plan area is surrounded by developed urban areas, as shown in Draft PEIR Figure 3-2, *Citywide Aerial*. It is bordered by residential, institutional (schools), and commercial uses to the north; residential, institutional (schools), industrial, and commercial uses to the east; residential and commercial uses to the south; and residential, commercial, and open space uses to the west. John Wayne Airport is to the southeast.

#### Proposed Uses

Allowed uses within each designated land use are summarized in response to Item 4, above. The following table, Draft PEIR Table 3-8, *Existing Conditions, Potential Growth, and Buildout Conditions: Housing Units, Nonresidential Square Footage, and Jobs,* quantifies projected buildout of the proposed GPU in comparison to existing conditions. The table includes statistics for the subject focus areas located entirely (55 Freeway/Dyer Road and South Bristol Street) or partially (South Main Street) within the AELUP notification areas.

#### 6. Approval Schedule: Planning Commission, City Council

The Draft PEIR was made available for a 45-day public review from Monday, August 3, through Wednesday, September 16, 2020, and subsequently extended to October 6, 2020. Pending comments received during this review period, the City anticipates proceeding to the Planning Commission on October 26, 2020 and City Council on November 17, 2020 for adoption.

#### 7. Noise - Project Relationship to Airport 60 and 65 CNEL

As shown on Figure 5, *John Wayne Airport Noise Contours* shows the relationship between the airport noise contours, the Santa Ana corporate boundary, and the GPU Focus Area boundaries. As shown, the Bristol Street and South Main Street focus areas fall completely outside the noise contours of the John Wayne Airport. Portions of the 55 Freeway/Dyer Road Focus Area, however, are within 65 and 60 CNEL contours.

The following Draft PEIR excerpt addresses the potential impact of airport noise relative to the proposed project (GPU). This impact was determined to be less than significant upon implementation of GPU Noise Element policies 3.1, 3.2, and 3.3.

## Impact 5.12-4: The proximity of the plan area to an airport or airstrip would not result in exposure of future residents and/or workers to excessive airport-related noise. [Threshold N-3]

As discussed previously, there is one airport in Santa Ana, John Wayne Airport, whose noise contours are shown in Figure 5.12-6, John Wayne Airport Noise Contours. Future development of noise-sensitive land uses could be located in areas that exceed the 60 dBA CNEL. Noise element policies 3.1, 3.2, and 3.3 would require new development located within the airport's noise contours to be sufficiently mitigated to acceptable interior noise levels.

The referenced noise policies are as follows:

GOAL 3: Protect sensitive land uses from airport related noise impacts.

- Policy 3.1. Residential Development: Residential development within the John Wayne Airport (JWA) 65 dB(A) CNEL Noise Contour or greater is not supported.
- Policy 3.2. Flight Paths: Advocate that future flight path selection be directed away from existing noise sensitive land uses.
- Policy 3.3. Residential Mitigation: Require all residential land uses in 60 dB(A) CNEL or 65 dB(A) CNEL Noise Contours to be sufficiently mitigated so as not to exceed an interior standard of 45 dB(A) CNEL.

#### 8. Runway Protection Zone (RPZ) Location Relative to Project (8.)

As shown in attached Figure 6, *John Wayne Airport Compatibility Zones* (reproduced from Draft PEIR Figure 5.8-1), no area within the City of Santa Ana falls within Zone 1, Runway Protection Zone.

#### 9. Height Restriction Zone (FAR Part 77 Notification Area)

Attached Figure 7, *Height Restrictions per Federal Air Regulations Part* 77 (reproduced from Draft PEIR Figure 5.8-3), depicts FAR Part 77 zones relative to the City's boundary and GPU focus areas. The following text is excerpted from the Draft PEIR relative to airport-related height restrictions:

### Impact 5.8-3: Santa Ana is in the vicinity of an airport or within the jurisdiction of an airport land use plan. [Threshold H-5]

#### **Airspace Protection**

Parts of the city are in areas where heights of structures are limited pursuant to FAA Part 77 Regulations that protect navigable airspace surrounding certain airports. The Airspace Protection Surface extends 10,000 feet horizontally from the runway at an elevation of 150 feet above the airport, or 206 feet above mean sea level (amsl), then angles upward an additional 4,000 feet horizontally at a slope of 1 vertical foot to 20 horizontal feet to an elevation of 400 feet amsl. Elevations in the part of Santa Ana under the Airspace Protection Surface range from 35 feet amsl at the southeast edge of the city to 60 feet amsl along the northeast edge of the Airspace Protection Surface. Maximum allowable heights of structures under the Airspace Protection Surface would vary by location. Existing heights of structures in Santa Ana are far below the maximum allowable heights under the Airspace Protection Surface. As set forth in Public Utilities Code Sections 21676 and 21676.5 and as discussed in the California Airport Land Use Planning Handbook, a key responsibility of an ALUC is to review particular types of local actions for compliance with the criteria and policies in a commission's adopted compatibility plan. Section 3.0 of the AELUP sets the policies and criteria by which a local action can be reviewed, and a determination of consistency can be made with the AELUP by the ALUC. Projects approved under the proposed General Plan Update would be required to comply with FAA airspace protection regulations using the AELUP consistency determination process. Thus, impacts are considered less than significant.

Heliports are only allowed outside of residential zoning districts with a conditional use permit pursuant to Section 41-621 of the Santa Ana Municipal Code. In addition, any proposed heliports shall undergo review by the ALUC, obtain an Airspace Analysis from the FAA as specified in Section 2.1.5 of the AELUP, and confirm consistency with the AELUP prior to construction, as specified in Section 4.7 of the AELUP.

The Draft PEIR, Section 5.8, *Hazards and Hazardous Materials* lists the following as an applicable regulation:

RR HAZ-7 Development will be designed and constructed in accordance with the airport environs land use plan for John Wayne Airport. Building height restrictions, as specified in the airport environs land use plan, would apply in the city.

Per this regulation, future projects proposed in accordance with the GPU will comply with AELUP height requirements as described in the *Environmental Setting* of the Hazards/Hazardous Materials Draft PEIR section (page 5.8-8, 9):

The compatibility plan for John Wayne Airport affects the City of Santa Ana, and building height restrictions specified in the AELUP apply in the city. The AELUP requirements for building heights are:

- a) Buildings and structures shall not penetrate Federal Aviation Regulation (FAR) Part 77, Obstruction—Imaginary Surfaces, for John Wayne Airport unless approved by the Airport Land Use Commission (ALUC).
- b) In compliance with FAR Part 77, applicants proposing buildings or structures that penetrate the 100:1 Notification Surface shall file a Form 7460-1, Notice of Proposed Construction or Alteration with the FAA. A copy of the FAA application shall be submitted to the ALUC and the applicant shall provide the City with FAA and ALUC responses.
- c) Development projects that include structures higher than two hundred (200) feet above existing grade shall be submitted to the ALUC for review. In addition, projects that exceed a height of two hundred (200) feet above existing grade shall file Form 7460-1 with the Federal Aviation Administration (FAA).

#### 10. Applicable Sections of CEQA Documentation (Draft PEIR)

The following Draft PEIR sections address issues and potential GPU impacts related to the JWA and AELUP. The Draft PEIR can be accessed on the City of Santa Ana's website at the following link: https://www.santa-ana.org/sites/default/files/pb/general-plan/documents/Draft%20EIR/Complete%20Draft%20PEIR.pdf

- Chapter 2.0, Introduction. Table 2-1 of this chapter is summary table of comments received in response to the Draft PEIR Notice of Preparation (NOP), including the Airport Land Use Commissions (ALUC) letter dated 3/26/20.
- Chapter 4.0, Environmental Setting. Section 4.2.2.4 Airport Environs Land Use Plan (AELUP) for John Wayne Airport summarizes the purpose and authority of AELUP and concludes that the GPU's consistency with the AELUP is discussed in Sections 5.8, Hazards and Hazardous Materials, 5.10, Land Use and Planning, and 5.12, Noise.

The following topical sections each include sections on the Environmental Setting (including regulations), Existing Conditions, Existing Regulations, applicable General Plan Policies, and Environmental Impact Analysis. If the analysis determined that there would be residual environmental impacts after compliance with regulations and applicable GPU policies, CEQA mitigation measures are also provided.

- Section 5.8, Hazards and Hazardous Materials. With respect to AELUP and JWA, this section addresses FAR Regulations Part 77 building and structure height regulations, JWA safety compatibility zones and allowable land uses by zone, and heliport review and requirements. Upon compliance with regulatory requirements and GPU policies, the airport-related impacts (5.8-3, land use compatibility and airspace protection) are determined to be less than significant. Not mitigation is required.
- Section 5.10, Land Use and Planning. This section reviews the GPU's consistency with the AELUP, including land use compatibility zones and noise restrictions. It references the applicable tables, figures and analysis within the Hazards and Hazardous Materials and Noise sections of the Draft PEIR as applicable to demonstrated GPU consistency with the AELUP. The analysis for Impact 5.10-2 (GPU consistency with the AELUP) reviews existing and land uses relative to proposed land uses under the GPU and also summarizes the ALUC consistency determination requirement and process. Impacts are determined to be less than significant upon compliance with regulatory requirements and GPU policies.
- Section 5.12, Noise. This section reviews City and AELUP noise standards, and existing and future noise contours. Impact 5.12-4 (airport-related noise) concludes that GPU implementation would result in less than significant airport-related impacts upon implementation of policies 3.1, 3.2, and 3.3 to protect sensitive land uses from airportrelated noise impacts.

#### 11. Project Site Latitude/Longitude

This item is more applicable to a specific project site. For reference, however, the latitude and longitude of the center point of the respective focus areas located within or partially within the AELUP Notification Area are provided in attached Figure 8, *Focus Area Elevation and Latitude Longitude*.

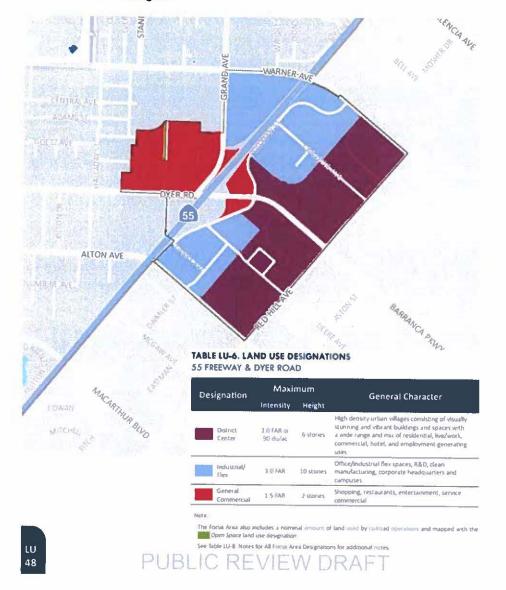
#### 12. Height of Structures Above Ground Level

As shown in the following figures (with table inserts), the GPU would allow the following number of stories and building height for the focus areas that fall within the AELUP planning area:

Please reference the entire proposed Land Use Element here:

https://www.santa-ana.org/sites/default/files/pb/generalplan/documents/Draft%20General%20Plan/09 LandUse draft 20200803.pdf

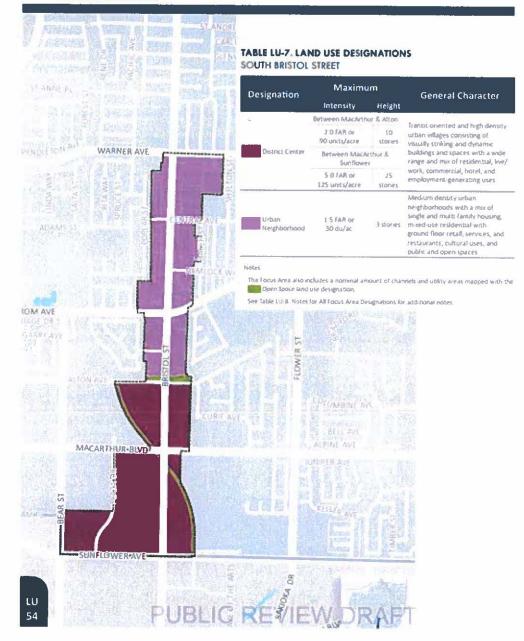
55 Freeway/Dyer Road. As detailed in the Draft General Plan Land Use Element (Page LU 48) the new land use designations proposed in this focus area would allow up to 6 to 10 stories. Assuming an average of 10 feet per story, buildings could be 60 feet to 100 feet in height.



September 2020

South Bristol Street. As detailed in the Draft General Plan Land Use Element (Page LU 54) the new land use designations proposed in this focus area identifies a maximum of 10 to 25 stories. Assuming an average of 10 feet per story, buildings could be 100 to 250 feet in height .

FIGURE LU-18. LAND USE MAP SOUTH BRISTOL STREET



September 2020

Page 11

South Main Street. As detailed in the Draft General Plan Land Use Element (Page LU 22) building heights within this focus area would be limited to 2-3 stories resulting in a maximum building height of 30 feet assuming 10 feet per story.



September 2020

#### 13. Elevation of the Project Site using North American Vertical Datum 1988 or National Geodetic Vertical Datum

This item is more applicable to a specific project site. For reference, however, the elevation of the center point of the respective focus areas located within or partially within the AELUP Notification Area are provided in attached Figure 8, *Focus Area Elevation and Latitude Longitude.* The USGS 30m NED image service in ArcMap using the GCS\_North\_American\_1983, WKID: 4269 coordinate system was used to determine elevations.

## 14. Local Agency Building Height Restrictions for Project Area (Zoning Requirements)

The GPU land use designation are intended to provide the basis for more detailed zoning designations and development intensities, requirements and standards established in the City's development code. Upon adoption of the GPU, the development code will be updated to reflect the new land use designations.

#### 15. Buildings Heights within 1,000 Feet Radius

Existing building heights within the GPU focus areas and surrounding areas are far below the maximum allowable heights under the FAA Part 77 Regulations that define the Airport Space Protection Surface. Following is a description of existing building heights by area:

#### = 55 Freeway/Dyer Road.

The majority of the buildings are commercial (hotels, warehouses and retail), ranging in height from 1-3 stories. The buildings which exceed 50 feet in height within this focus area are:

- La Quinta Inn and Suites 54 feet
- Embassy Suites 113 feet
- Hampton Inn 54 feet

The height of surrounding structures outside Santa Ana's City boundaries vary but include the former MCAS Tustin base hangars at 192 feet high.

#### South Bristol Street.

The majority of the buildings within this focus area are between 1-4 stories. Surrounding buildings in Costa Mesa (within 1,000 feet of the City of Santa Ana) located east of South Coast Plaza, along Sunflower Avenue and Bristol Street include

nine building ranging from approximately 100 feet to 300 feet high, including the buildings:

- Office Building on corner of Sunflower Ave. and Bristol St. 99 feet
- Center Tower Building on Sunflower and Park Center Dr. 290 feet
- Deloitte Building 239 feet

#### South Main Street.

The majority of the buildings are between 1-4 stories. The buildings which exceed 50 feet are:

- St. Anne Catholic Church 68 feet
- Apartment building on W. Anahurst and S. Main Streets- 50 feet

#### 16. Focused Airport and Heliport/Policies\*

\*This item is not part of Section 4.7, but has been added per request of ALUC staff,

ALUC's response to the NOP recommended that the PEIR and GPU identify if the development of heliports will be allowed and noted that proposals for new heliports must be submitted to ALUC. ALUC's letter also suggested that a mitigation measure be included in the EIR to ensure that heliport development proposals comply FAA, ALUC and Caltrans requirements in addition to City requirements. (Note that the Draft PEIR is structured, as noted above, to detail regulatory requirements and GPU policies and then to provide mitigation measures for impacts determined to be significant after implementation of regulatory requirements and policies). Regulatory requirements and GPU policies, therefore, are not included as CEQA mitigation measures. ALUC's letter is included in Draft PEIR appendix.

As described in Draft PEIR Section 5.8, *Hazards and Hazardous Materials*, "Heliports are only allowed outside of residential zoning districts with a conditional use permit pursuant to Section 41-621 of the Santa Ana Municipal Code. In addition, any proposed heliports shall undergo review by the ALUC, obtain an Airspace Analysis from the FAA as specified in Section 2.1.5 of the AELUP, and confirm consistency with the AELUP prior to construction, as specified in Section 4.7 of the AELUP. " This information is also included in Section 5.10, *Land Use and Planning* (Impact 5.10-2).

The following proposed GPU policies are included in the Draft GPU and relate to heliports and airports, or potentially related noise/compatibility concerns.

#### **Noise Element**

- Policy N-1.3 Regional Noise Impacts. Collaborate with local and regional transit agencies and other jurisdictions to minimize regional traffic noise and other sources of noise in the City.
- Policy N-2.1 Transportation Related Noise. Reduce noise generated from traffic, railroads, transit, and airports to the extent feasible.
- Policy N-3.1 Residential Development. Residential development within the John Wayne Airport (JWA) 65 dB(A) CNEL Noise Contour or greater is not supported.
- Policy N-3.2 Flight Paths. Advocate that future flight path selection be directed away from existing noise sensitive land uses.
- Policy N-3.3 Residential Mitigation. Require all residential land uses in 60 dB(A) CNEL or 65 dB(A) CNEL Noise Contours to be sufficiently mitigated so as not to exceed an interior standard of 45 dB(A) CNEL.

#### Land Use Element

- Policy Lu-1.1 Compatible Uses. Foster compatibility between land uses to enhance livability and promote healthy lifestyles.
- Policy Lu-3.4 Compatible Development. Ensure that the scale and massing of new development is compatible and harmonious with the surrounding built environment.

#### **Conservation Element**

 Policy Cn-3.3 Development Patterns. Promote energy efficient-development patterns by clustering mixed use developments and compatible uses adjacent to public transportation.

#### **Community Element**

 Policy Ce-1.7 Proactive Mitigation. Proactively mitigate potential air quality, noise, congestion, safety, and other impacts from the transportation network on residents and business.

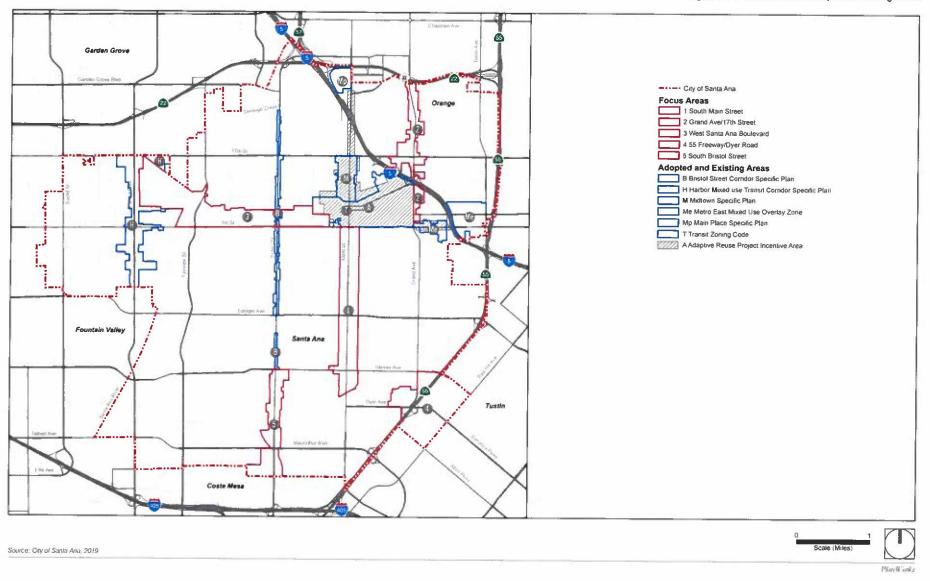
#### Safety Element

The following new GPU policies are proposed to specifically address ALUC concerns regarding airport and heliport safety:

- Policy S-4.1 Structures above 200 feet. For development projects that include structures higher than 200 feet above existing grade, the City shall inform the Airport Land Use Commission (ALUC) and submit materials to the ALUC for review. Proposed projects that would exceed a height of 200 feet above existing grade shall be required to file Form 7460-1 with the Federal Aviation Administration (FAA).
- Policy S-4.2 Federal Aviation Regulation Part 77. Do not approve buildings and structures that would penetrate Federal Aviation Regulation (FAR) Part 77 Imaginary Obstruction Surfaces unless found consistent by the ALUC. Additionally, in accordance with FAR Part 77, required applicants proposing buildings or structures that penetrate the 100:1 Notification Surface to file a Form 7460-1 Notice of Proposed Construction or Alteration with FAA and provide a copy of the FAA determination to the City and the ALUC for Orange County.
- Policy S-4.3 Light, Glare, and other Interference. Minimize hazards to aeronautical operations by ensuring land uses do not emit excessive glare, light, steam, smoke, dust, or electronic interference in compliance with FAA regulations and the JWA AELUP.
- Policy S-4.4 Heliport/helistop approval and requirements. Approve the development of a heliport or helistop only if it complies with the ALUP for heliports. Ensure that each applicant seeking a conditional use permit or similar approval for the construction or operation of a heliport or helistop complies fully with the state permit procedure provided by law and with all conditions of approval imposed or recommended by the FAA, by Orange County ALUC, and by Caltrans/Division of Aeronautics. This requirement shall be in addition to all other City development requirements.
- Policy S-4.5 Referral to ALUC. Prior to the amendment of the City's general plan or a specific plan, or the adoption or approval of a zoning ordinance or building regulation within the planning boundary established by the ALUC, and pursuant to PUC Section 21676, the City shall first refer the proposed action to the ALUC.
- Policy S-4.6 Deed disclosure notice. Provide notice of airport in the vicinity where
  residential development is being proposed within the 60 dBA CNEL noise contours for
  the JWA.

### **FIGURES**

#### Figure 3-11 - Focus Areas and Special Planning Areas



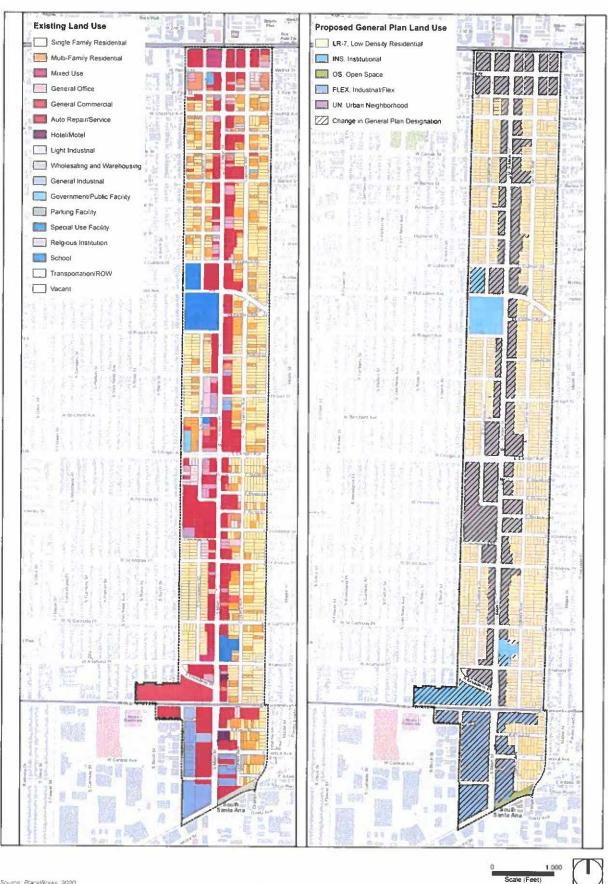


Figure 3-12 - South Main Street Focus Area Existing vs. Proposed Land Use

Source: PlaceWorks, 2020

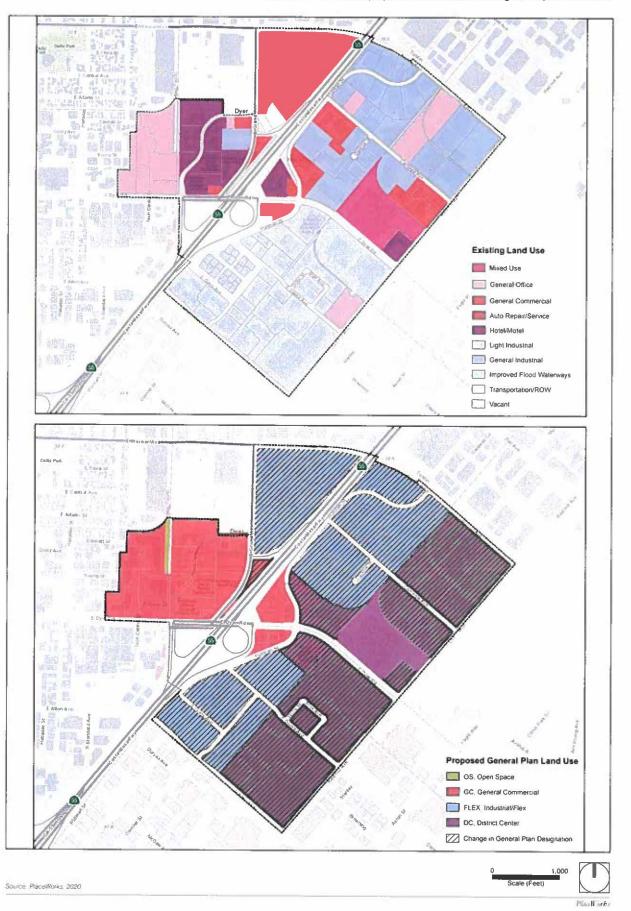


Figure 3-16 - South Bristol Street Focus Area Existing vs. Proposed Land Use

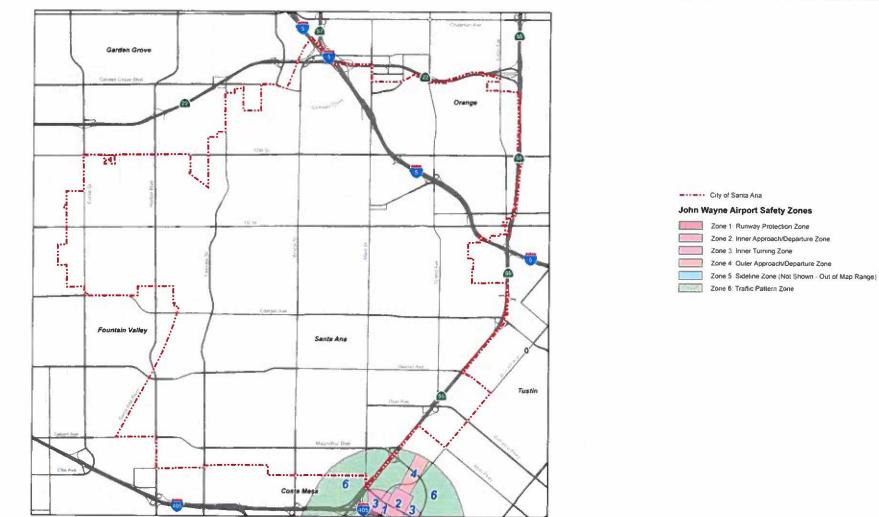
Source PlaceWorks, 2020

PlaceWorks

Figure 3-15 - 55 Freeway/Dyer Road Focus Area Existing vs. Proposed Land Use





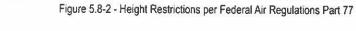


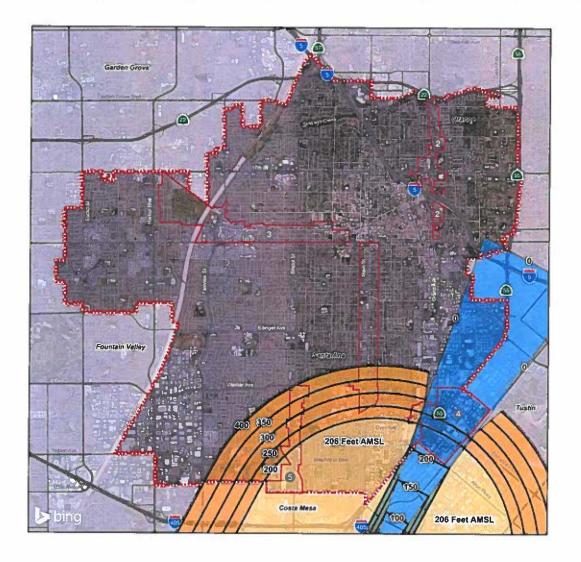
#### Figure 5.8-1 - John Wayne Airport Safety Compatability Zones

D 1 Scale (Miles)

Source: Orange County Airport Land Use Commission Airport Environs Land Use Plan for John Wayne Airport, 2008

Plan-Warks









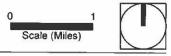
Source, Orange County Airport Land Use Commission Airport Environs Land Use Plan for John Wayne Airport. 2008

Placet Tooks

(73) C 65 CNEL 60 CNEL

Figure 5.12-6 - John Wayne Airport Noise Contours

City of Santa Ana



Source: John Wayne Airport, 2019

Place Works

MAYOR Miguel A. Pulido MAYOR PRO TEM Juan Villegas COUNCILMEMBERS Phil Bacerra Nelida Mendoza David Penaloza Vicente Sarmiento Jose Solorio



**CITY OF SANTA ANA** 

Planning and Building Agency 20 Civic Center Plaza • P.O. Box 1988 Santa Ana, California 92702

www.santa-ana.org/pba

CITY MANAGER Kristine Ridge CITY ATTORNEY Sonia R. Carvalho CLERK OF THE COUNCIL Daisy Gomez

RECEIVED

AUG 31 2020

AIRPORT LAND USE COMMISSION

August 31, 2020

Lea Choum, Executive Officer Airport Land Use Commission for Orange County John Wayne Airport 3160 Airway Avenue Costa Mesa, CA 92626

#### RE: Santa Ana General Plan Update: Golden City Beyond (2045)

Dear Ms. Choum:

Pursuant to Section 4.7 of the Airport Environs Land Use Plan (AELUP) for John Wayne Airport (JWA), the City of Santa Ana (City) has prepared a Draft General Plan Update and Draft Program Environmental Impact Report (PEIR). The City has issued a Notice of Availability of the PEIR to the Airport Land Use Commission (ALUC), which includes copies of the Draft PEIR.

The City requests that the ALUC review the Draft General Plan Update and make a consistency determination with the AELUP at its September 17, 2020 meeting in accordance with Public Utilities Code section 21676. Pursuant to the submittal requirements listed in Section 4.7 of the 2008 AELUP, this letter provides the following:

**Project Description:** The City of Santa Ana is in the process of preparing a comprehensive update to its existing General Plan. Santa Ana's "Golden City Beyond: A Shared Vision" General Plan is expected to be completed in 2020 and will guide the City's development and conservation for the next 25 years through 2045. The update will provide long-term policy direction and communicate the vision, values, and goals for the City's physical development, fiscal and environmental sustainability, and overall quality of life. The new Santa Ana General Plan will serve to identify areas of opportunity and provide options to enhance development potential in key areas of the city while bringing the City into compliance with recent state laws and reflect updates to current conditions and input from the general public, city staff, and other stakeholders.

SANTA ANA CITY COUNCIL

Miguel A Putido Mayor moulido/@santa-ana.org Juan Villegas Mayor Pro Tem, Ward 5 Milegas/Disanta-and org Vicente Sarmiento Ward 1 vsarmiento@santa-ana.org

David Penaloza Ward 2 doenaloza@santa-ana.org

Jose Solono Ward 3 golona<u>eana.org</u>

Phil Bacerra Ward 4 pbacerra@santa-ana.org Nelida Mendoza Ward 6 nmendoza@santaana.oro City of Santa Ana General Plan Request Page 2 of 3 August 31, 2020

In coordination with the General Plan Advisory Group, the City identified five areas suited for new growth and development: South Main Street, Grand Avenue/17th Street, West Santa Ana Boulevard, 55 Freeway/Dyer Road, and South Bristol Street. These five areas are located along major travel corridors, the future OC Streetcar line, and/or linked to the Downtown. In general, many areas currently designated for General Commercial and Professional Office are expanding opportunities for residential development through a proposed change to the Urban Neighborhood or District Center General Plan land use designations. Industrial Flex would be introduced where Industrial land use designations currently exist within each of the five focus areas in order to allow for cleaner industrial and commercial uses with livework opportunities.

**Project Location:** The City of Santa Ana encompasses roughly 27 square miles of land in central Orange County. The cities of Orange and Costa Mesa border Santa Ana to the north and south, respectively. Santa Ana's western border connects with the cities of Garden Grove, Westminster, and Fountain Valley, while Santa Ana's eastern border touches the cities of Irvine and Tustin. Regional connectivity to the City of Santa Ana is provided by interstates 5 and 405 and by State Routes 22 and 55. The City of Santa Ana is the second largest city in Orange County in terms of both population (approximately 340,000 residents as of 2019) and workers (approximately 160,000 jobs as of 2019).

**Existing and Proposed General Plan:** The City's current and proposed General Plan land use plans can be found in the PEIR:

Figure 3-6 Current Santa Ana Land Use Plan Figure 3-7 Proposed Land Use Plan

**Existing and Proposed Uses:** A description and map of existing and proposed uses in the General Plan can be found in Chapter 3 and 4 of the PEIR and in the Draft Land Use Element.

**Approval Schedule:** The PEIR will be available for a 45-day public review from Monday, August 3, through Wednesday, September 16, 2020. Pending comments received during this review period, the City anticipates proceeding to the Planning Commission on September 28th and City Council in October for adoption.

Within 60 or 65 CNEL Contours: A discussion and maps of those areas within and affected by the 60 or 65 CNEL contours is provided in Chapter 5.12-1, Noise, in the PEIR and the Draft Noise Element.

Within Runway Protection Zone (RPZ)/Accident Potential Zones (APZ) I and II: A discussion and maps of those areas within and affected by the RPZ and APZ is provided in Chapter 5.8, Hazards and Hazardous Materials, in the Draft PEIR.

SANTA ANA CITY COUNCIL

Miguel A Putido Mayor mputido@santa-ana.org Juan Villegas Mayor Pro Tem, Ward 5 <u>willegas/Dsanta-and org</u>

Vicente Sarmiento Ward 1 vsarmiento@santa-ana.org David Penaloza Ward 2 deenatoza @santa-ana.org ja

Jose Solorio Ward 3 jsolorio@santa-ana.org Phil Bacerra Ward 4 obscerra@santa-ana.org

Neida Mendoza Ward 6 nmendoza@santaana.org City of Santa Ana General Plan Request Page 3 of 3 August 31, 2020

Within Height Restriction Zone: A discussion of height restriction zone and the General Plan Update is provided in Chapter 5.8, Hazards and Hazardous Materials, in the PEIR and referenced in the Draft Land Use Element.

**Applicable sections of CEQA documentation:** The PEIR contains the applicable sections needed to determine consistency with the AELUP. Please reference potential consistency issues with the AELUP in Section 5.8 of the PEIR and associated policies that address ALUC consistency such as Policy N-2.1, Goal N-3 and associated policies. Further, the proposed Land Use plan intends on addressing building heights in the departure zone as found in Table LU-8 of the Draft Land Use Element.

The proposed General Plan and environmental impact report documents can also be accessed online at: <u>https://www.santa-ana.org/general-plan.</u>

Should you have any questions concerning the preceding information, I can be reached via e-mail at <u>VCarvajal@santa-ana.org</u>.

Sincerely,

Tring.

Verny Carvajal, AICP Principal Planner

SANTA ANA CITY COUNCIL

Miguel A Pulido Juan Villegas Mayor Mayor Pro Tem, Ward 5 mouldo@santa-ana.org

Vicente Sarmiento Ward 1 vsarmiento@santa-ana.org David Penaloza Ward 2 doenaloza (<u>Bsanla-ana oro</u> Jose Solbrio Ward 3 jsolono/2sama-ana.org

Phil Bacerra Ward 4 phacerra/Tsanta-ana org

Nelida Mendoza Ward 6 mendoza@sanlagna.org



### AIRPORT LAND USE COMMISSION

ORANGE

COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

September 9, 2020

Verny Carvajal, AICP, Principal Planner Planning and Building Agency City of Santa Ana 20 Civic Center Plaza P.O. Box 1988 Santa Ana, CA 92702

FOR

Subject: Referral Submittal for General Plan Update: Golden City Beyond (2045)

Dear Mr. Carvajal:

This is to confirm that the Airport Land Use Commission (ALUC) staff has received the City of Santa Ana submittal letter for the General Plan Update: Golden City Beyond (2045), on August 31, 2020. Upon examining your submittal letter and subsequent draft addendum items, we found that the submittal is not complete. Prior to accepting the submittal as complete, ALUC staff will need the following information:

- 1. Building heights of structures surrounding the proposed project areas (i.e. focus areas).
- How the City will incorporate the standards in the AELUP for JWA and AELUP for Heliports. Specifically, whether the proposed General Plan Update includes policies related to height restrictions and policies related to the development of heliports/helipads as included in the existing Airport Environs Element.
- 3. A Final submittal addendum including exhibits.

Upon receipt of the information described above by 5:00 p.m. on October 1, 2020, and your referral being complete and sufficient, I would expect your project to be agendized for the meeting of October 15, 2020, for a consistency determination by the Commission.

A copy of the staff report regarding your item will be provided to you prior to the Commission meeting. It would be helpful if you or a member of your staff could be at the Commission's meeting. Should any questions arise please contact Julie Fitch at (949) 252-5284 or at jfitch@ocair.com.

Sincerely,

U. Chon

Lea U. Choum Executive Officer



### AIRPORT LAND USE COMMISSION

FOR

ORANGE

COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

September 9, 2020

Verny Carvajal, AICP, Principal Planner Planning and Building Agency City of Santa Ana 20 Civic Center Plaza P.O. Box 1988 Santa Ana, CA 92702

Subject: Referral Submittal for General Plan Update: Golden City Beyond (2045)

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