



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY
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MINUTES OF REGULAR MEETING

FEBRUARY 21, 2019

- PLACE:** John Wayne Airport Administration Building
Airport Commission Hearing Room
3160 Airway Avenue
Costa Mesa, California 92626
- TIME:** Regular Meeting called to order at 4:00 p.m. by Chairman
Bresnahan
- COMMISSIONERS PRESENT:** Gerald Bresnahan, Stephen Beverburg, Schelly Sustarsic,
Alan Murphy, Jeff Herdman, Mark Monin,

Alternate Commissioners Present: Vern King, Patti
Campbell
- COMMISSIONERS ABSENT:**
- STAFF PRESENT:** Kari Rigoni, Executive Officer
Lea Choum, Staff Planner
Jeff Stock, County Counsel
Martha McCool, Secretary
- PLEDGE:** Chairman Gerald Bresnahan led all present in the Pledge of
Allegiance.

APPROVAL OF MINUTES:

A motion to approve the minutes was made by Commissioner Mark Monin and seconded by Commissioner Stephen Beverburg. Commissioners voted unanimously for the approval of the minutes from January 17, 2019.

Introductions:

None

NEW BUSINESS:

1. Proposed Amendment to the Airport Environs Land Use Plan (AELUP) for Fullerton Municipal Airport (FMA):

Lea Choum, Staff Planner provided an update on the key amendments to the *AELUP for FMA*

- Inclusion of the City of Fullerton's Pilot's Guide and Noise Abatement Procedures in the *AELUP*. The updated Pilot's Guide is proposed to be included in the *AELUP* as Appendix J.
- Addition of a new section to the *AELUP for FMA* within Section 2.1.3 that addresses wildlife hazards. The FAA Advisory Circular No. 150/5200-33B: Hazardous Wildlife Attractants On or Near Airports is proposed to be added as Appendix I to the *AELUP*.
- An update of Appendix E to the *AELUP* which contains a Placeholder for Accident History Maps. The current exhibit shows Fullerton Airport Accident History from 1964 to 1981. The exhibit now shows accident history through 2018.
- Appendix D includes Exhibit D2 Airport Impact Zones and Noise Contours. The contours depict the 2004 Master Plan noise contours which is the most current document for FMA. Appendix D also includes Exhibit DI Notification Area for FMA and Exhibit D3 FAR Part 77 Obstruction Imaginary Surfaces for FMA. Both exhibits have been updated for better viewing.

On November 15, 2018 a letter was sent to the cities within the airport planning area for FMA informing them that an update to the *AELUP for FMA* was being proposed. Cities were given a deadline of January 9, 2019 to submit any comments.

A comment letter was received from the City of Fullerton. The Community Development Department asked for the references to unincorporated areas be removed from the *AELUP* as all areas have been incorporated since 2004 and asked for clarification on the notification surface being 50:1 or 100:1, the correct one being 100:1. *The AELUP for FMA* has been updated with these recommendations.

Ms. Choum explained Attachment 3 is a red line strikeout version of the *AELUP for FMA*. Many of the changes were made to align the *AELUP* with the 2011 update to the Caltrans Airport Land Use Planning Handbook and Attachment 4 is the Draft Resolution for the Commission's consideration.

Ms. Choum recommended that the commission receive the staff presentation, consider public comments and approve resolution # 2019-1 for the purpose of approving the *AELUP* amendment for the FMA.

Chairman Bresnahan opened the floor to questions. Commissioner Monin commented he did not see any problems but had a question regarding the hazardous wildlife section and asked if Fullerton Airport had any unique issues.

Ms. Choum commented that in speaking with the Fullerton Airport Manager, he thought it would be important to include it in the *AELUP*. The issues are mainly with birds. He suggested the Wildlife Hazard Section and the related FAA Advisory Circular related to Wildlife Hazards be incorporated in the *AELUP for FMA* just as we included it in the update to the *AELUP for Joint Forces Training Base, Los Alamitos*. A discussion followed regarding future and current projects, areas surrounding the airport, as well as the bird types.

Commissioner Beverburg asked what cities were notified. Ms. Choum mentioned the County of Orange, Fullerton, Buena Park and Caltrans Aeronautics. He also asked if we spoke with anyone in Los Angeles County. Ms. Choum suggested the Los Angeles (LA) County ALUC could be contacted and Chairman Bresnahan asked what our obligation is to notify these cities.

Jeff Stock, County Counsel referenced Public Utilities Code 21676 which discusses jurisdictional limits. The statute defines the vicinity of land that could be included within an airport land use compatibility plan and if no influence area exists, than the vicinity is two miles from the airport. If the cities in question fall within that range or within the compatibility plan, the ALUC could notify these cities and we would have jurisdiction.. Outside of that, we should reach out but they are not obligated to respond.

Chairman Bresnahan mentioned that nothing keeps the commission from notifying both the ALUC of LA County and the cities who would be affected as they are within the notification area.

Discussion between the commissioners was made and concluded it would be good practice for the commission to reach out to the LA County ALUC and the cities in LA County that are part of the planning area for FMA. Reference to the KFI towers was made and how communication is important within this area. The Commission recommended to notify affected cities are within the notification area, including those located within Los Angeles County.

Commissioner Herdman, moved the item and Commissioner Monin seconded the motion. The commissioners unanimously approved the update of the *AE LUP for FMA*.

2. Administrative Status Report

Kari Rigoni, Executive Officer, spoke on the various pieces of correspondence provided to the Commission. She referred to the JWA monthly statistics and the three pieces of correspondence.

The correspondence included: 1) A letter to the City of Newport Beach regarding the commission's action regarding the assisted living facility, 2) A letter from the ALUC to Caltrans Aeronautics regarding a proposed charter school in Irvine and 3) A letter to the City of Newport Beach regarding the comments on a draft EIR for a mixed-use development.

Chairman Bresnahan discussed the letter to Caltrans Aeronautics regarding the charter school in Irvine and stated information on the project did not come to the ALUC directly. Caltrans Aeronautics asked for input. Chairman Bresnahan commented on the project area for the school site and spoke about its proximity to the airport. Chairman Bresnahan expressed concern that the school is under the traffic pattern for the short runway at JWA and is subject to overflight of aircraft at very low altitude.

The Commissioners felt that the letter staff sent to Caltrans Aeronautics did not reflect the Commission's strong opposition to locating the school in the proposed location. The Commissioners asked why we received the letter from Caltrans Aeronautics. Staff clarified that Caltrans Aeronautics sent a letter to JWA staff once they were contacted by the State Education Board letting them know that a school site was being proposed in the Irvine area. As part of Caltrans's procedures, they informed the airport operator that this was happening and requested review from the airport. Airport Operations received this request and forwarded the letter to the ALUC to provide comments. Once Caltrans receives ALUC comments, they complete their report and provide a recommendation to the Board of Education on whether they should acquire or purchase the site to build the school. The public charter school is a joint venture with the cities of Irvine and Newport Beach.

Staff explained that this project would not typically be heard by the ALUC since it is a school district item which is heard before their own board/authority. The project may not be required go through the city. Staff included in the response to Caltrans that if the school required a general plan or zone change, the project would require referral to the ALUC.

The commission requested that a follow up letter sent to Caltrans Aeronautics with flight tracks included.

Chairman Bresnahan suggested the commission agendaize the topic of locating schools within the air traffic pattern for a future meeting. He stated that the *AE LUPs* are very clear as to what uses are inconsistent within the 65 db CNEL and recommended the *AE LUPs* be

updated to include what uses would be inconsistent within air traffic areas. Chairman Bresnahan stated we should look at everything located within our air traffic areas and look at schools as an inconsistent use. Chairman Monin also asked about looking into mixed-use plans in addition to school sites.

3. Proceedings with Consistent Agencies:

No issues

4. Proceedings with Inconsistent Agencies:

Kari Rigoni, Executive Officer, notified the commission that after the approval of the *AELUP for Joint Forces Training Base, Los Alamitos* some cities became inconsistent. After approval of the *AELUP for FMA*, the same thing will happen. Cities will have 180 days/6 months to show the ALUC they are consistent.

5. Items of Interest to the Commissioners:

Kari Rigoni, Executive Officer, informed the commission of her plan to retire as of March 28, 2019 after a 36-year career with the County of Orange with 14 of those years at John Wayne Airport.

Chairman Bresnahan presented a certificate of appreciation for her service to Kari Rigoni, Executive Officer.

Ms. Rigoni thanked the commission for their support and hard work.

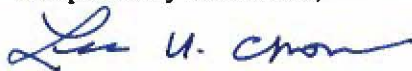
6. Items of Interest to the Public:

None.

ADJOURNMENT:

There being no further business before the Commission, the meeting was adjourned at approximately 4:45 p.m.

Respectfully submitted,



Lea U. Choum
Executive Officer