



November 17, 2021

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AIRPORT LAND USE COMMISSION

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

Subject: Comment Letter in response to John Wayne Airport's Staff Report on the County of Orange's Request for Consistency Determination for the Proposed General Plan Amendment H 20-01 (Housing Element Update)

Dear Ms. Choum:

OC Public Works has reviewed the John Wayne Airport staff report on General Plan Amendment H 20-01 (Housing Element Update) for the November 18, 2021 Airport Land Use Commission (ALUC) meeting and provides the following responsive comments.

Housing Element Update

State law requires jurisdictions to adopt and periodically update a General Plan. Under California law (Government Code Section 65580 et seq.), jurisdictions must update the Housing Element not less than once every eight years. The County of Orange 2021-2029 Sixth Cycle Housing Element serves as a policy guide to address the comprehensive housing needs of current and future populations living in the unincorporated areas of Orange County.

The most significant update included in this Sixth Cycle Draft Housing Element is the identification of sites to accommodate the Regional Housing Needs Assessment (RHNA), which for the County of Orange is 10,406 units, a significant increase from the 5,272 units for the County's Fifth Cycle Housing Element. Under Housing Element Law, the County has identified and analyzed specific sites that are available and suitable for residential development to accommodate the RHNA. The County is not responsible for building the units, as many of the properties identified are on privately owned land.

Though the land inventory includes potential sites for residential development, market conditions will dictate whether the development comes to fruition. The County's draft site inventory includes, but is not limited to, potential sites within the County's Housing Opportunities Overlay, Rancho Mission Viejo, Coyote Canyon, Santa Ana Country Club, and Brea Canyon.

The staff report for the November 18, 2021 ALUC meeting referenced three potential areas of concern related to candidate housing sites within the John Wayne Airport Planning Area. The candidate housing site addresses, proposed number of residential units, and applicable Community Noise Equivalent Level (CNEL) noise contour are as follows:

- o 20382 Newport Boulevard, Santa Ana (Santa Ana Country Club, Assessor Parcel Number (APN):119-200-11). The County's Sixth Cycle Draft Housing Element assumes 37 potential units and is **located outside of John Wayne Airport's CNEL Noise Contours**. See Attachment 1.
- o 20491 Santa Ana Avenue, Santa Ana (Santa Ana Country Club, APN 119-201-21). The County's Sixth Cycle Draft Housing Element assumes 398 potential units. Whereas most of the site is within the 60 dB CNEL contour for John Wayne Airport,



0.8 acre at the eastern corner of the site is within the 65 dB CNEL contour for the John Wayne Airport. The total site is 110.43 gross acres. **The County proposes to redefine the site boundaries to eliminate the 0.8 acre site within the 65 dB CNEL contour.** After careful analysis, the total expected number of potential units to be generated shall remain the same since the change in total area is minimal. See Attachment 1.

- *2651 Irvine Ave, Costa Mesa (Back Bay Commercial Center, APN 439-101-40).* The County's Sixth Cycle Draft Housing Element assumes 245 potential units and is **located within John Wayne Airport's CNEL Noise Contour of 60.** See Attachment 1.

If/when a private developer submits an application to construct housing on one of the potential sites in the draft Housing Element site inventory, the proposed project would be subject to the County's development review process, which may include the preparation of technical studies to address noise and safety, and would be required to comply with all applicable federal, state, and regional/local regulatory requirements, such as consistency with the John Wayne Airport AELUP.

**Safety and Noise:** Pursuant to the County's Safety Element, projects within the John Wayne Airport Planning Area would be brought to the ALUC to determine consistency with the Airport Environs Land Use Plan (AELUP) (See Attachment 2). Section 3, Table 1 of the AELUP (Limitations on Land Use Due to Noise) identifies all types of residential uses as "normally consistent" with the 60 A-weighted decibels (dBA) CNEL Noise Contour and notes that conventional construction methods are used, and no special noise reduction requirements are required (See Attachment 3). Also, in accordance with the County of Orange's Housing Element, State law and County policy prohibit residential development and similar noise sensitive uses in high-noise (+65 CNEL) areas near John Wayne Airport (See Attachment 4).

**Upon redefining the proposed boundary for the site located at 20491 Santa Ana Avenue, Santa Ana, the three candidate sites identified by John Wayne Airport as potential areas of concern are within John Wayne Airport's CNEL Noise Contour of 60 or less. Therefore, the three candidate housing sites noted above are considered normally consistent with AELUP noise standards for residential development.** Out of an abundance of caution, sound insulation measures to reduce the sound level inside a building through the installation of specific building construction materials, and component assemblies that provide increased noise reduction characteristics can be explored during the review process.

**Height Restrictions:** The identified potential sites within the A1 "General Agricultural" District and H "Housing Opportunities" Overlay District will continue to have a maximum height limit of 35 feet. Though sites within the Housing Opportunities Overlay may request various concessions, including a height increase, each discretionary project as part of the development review process would still be reviewed for consistency with the John Wayne Airport AELUP.

OC Public Works thanks the Airport Land Use Commission for its consideration upon reviewing the proposed project with the John Wayne Airport AELUP. Please contact me at (714) 667-9649 or via email at [Laree.Alonso@ocpw.ocgov.com](mailto:Laree.Alonso@ocpw.ocgov.com), and/or Joanna Chang at (714) 667-8815 or via email at [Joanna.Chang@ocpw.ocgov.com](mailto:Joanna.Chang@ocpw.ocgov.com) if there are any questions.

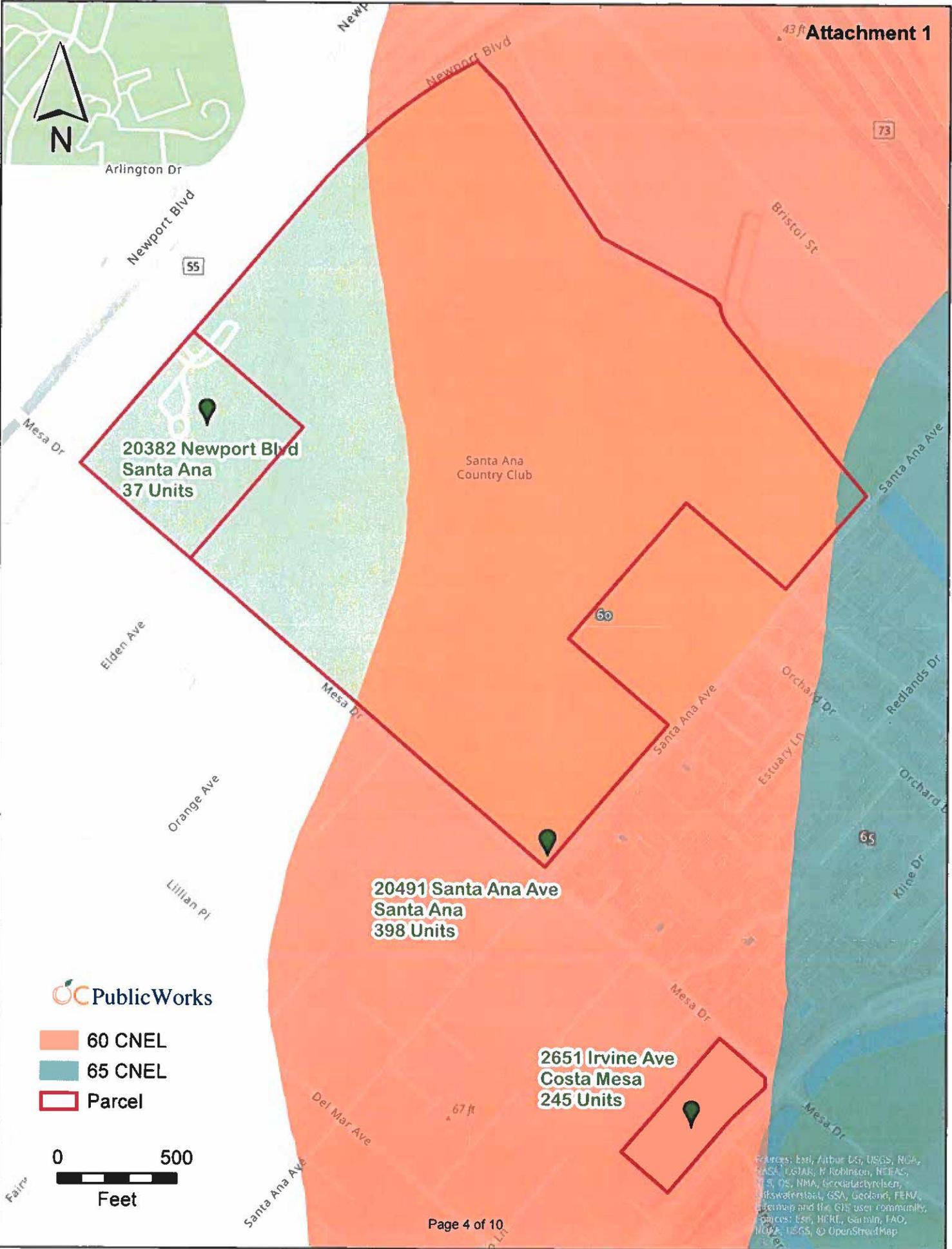
Sincerely,

*Laree Alonso*  
Laree Alonso  
Interim Planning Division Manager  
OC Development Services

CC: Julie Fitch, Land Use Manager, John Wayne Airport  
Amanda Carr, Deputy Director, OC Development Services  
Nicole Walsh, Senior Assistant County Counsel, Office of County Counsel  
Joanna Chang, Land Use Manager, OC Development Services  
Nick Chen, AICP, Project Manager, Kimley-Horn  
Dana Privitt, AICP, Associate, Kimley-Horn

**Attachments:**

1. Maps of select candidate sites within John Wayne Airport Planning Areas/Zones
2. Safety Element Excerpt related to Aircraft Environment
3. Excerpt from John Wayne Airport Environs Land Use Plan (AELUP)
4. Draft Housing Element Excerpt on Noise

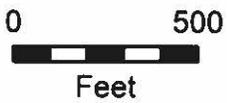


PublicWorks

60 CNEL

65 CNEL

Parcel



Sources: Esri, Airbar DG, USGS, RGA, NASA, NOAA, F. Robinson, NEI/FAC, NPS, US, NMA, Geodactyl/Resen, Mikwaterstaal, GSA, Geoland, FEMV, Edmap and the GIS user community, sources: Esri, HERE, Garmin, FAO, NOAA, ICGI, © OpenStreetMap

guide pilots through the Los Angeles-Orange County basin until airport tower controllers take over during final approach.

These facilities guide thousands of planes through various types of airspace above Orange County. Among these types of airspace are the following: Terminal Control Areas (TCAs), Airport Radar Service Areas (ARSAs), and Airport Traffic Areas (ATAs) (See Figure IX-5).

The Los Angeles TCA is 52 miles long, 24 miles wide and is separated into 12 zones. A pilot may not enter any part of the TCA unless he first receives a clearance from air traffic controllers. A pilot must also possess a two-way radio, VOR (very high frequency omnidirectional radio) receiver, a transponder and an encoding altimeter.

An Airport Radar Service Area (ARSA) consists of controlled airspace extending upward from the surface or higher elevation to specified altitudes, within which all aircraft are subject to the operating rules and pilot and equipment requirement specified by Federal Aviation Regulations (FAR Part 91).

## GOALS, OBJECTIVES AND

### **POLICIES: AIRCRAFT ENVIRONMENT**

Orange County is unique among California counties because commercial, general, and military aviation installations are located within its boundaries. Air traffic generated by these facilities, coupled with air traffic transiting through the County, presents an image of crowded skies heightening the chances of aircraft accidents. However, accidents occur infrequently compared to the number of operations.

This section of the Safety Element presents a specific aircraft safety goal and policies intended to minimize existing aircraft hazards and promote aviation safety.

#### **Goals and Objectives**

The following specific goal is in addition to the General Public Safety Component Goals and Objectives found earlier in this chapter.

#### **Goal 1**

To protect the health, safety, and general welfare by ensuring the orderly expansion of airports and the adoption of measures that minimize the public's exposure to safety hazards within areas around airports.

#### **Policies**

1. To utilize the most recent adopted Air Installations Compatible Use Zone (AICUZ) studies for military air installations (i.e., Los Alamitos Army

## CHAPTER IX. SAFETY ELEMENT

Airfield) as the basis for safety compatibility planning in the vicinity of the facility.

2. To refer projects, as required by Section 21676 of the Public Utilities Code, to the Airport Land Use Commission for Orange County prior to their adoption or approval to determine consistency of the projects with the Airport Environs Land Use Plan (AELUP). Said projects include, but are not limited to, General Plan amendments, Zone Changes, or other discretionary action for the purpose of construction or alteration of a structure more than 200' AGL (Above Ground Level) and applicants seeking approval for the construction or operation of a heliport or helistop.
3. To support the creation of regulations requiring aircraft detection equipment.
4. To encourage the creation and updating of detailed flight charts and publications for the airspace in Orange County.
5. To encourage cooperative agreements between the County and the air installations to provide relief services in times of natural disaster.

**IMPLEMENTATION PROGRAMS:***Aircraft Environment*

The following section identifies existing programs that promote aviation safety and enhance public awareness.

1. **PUBLIC INFORMATION AND COMMUNITY LIAISON**

*Action:*

Support expanded public information and community liaison services as a means to public awareness.

*Discussion:*

This program promotes community awareness of aviation operations and safety. As an example, open houses held annually by Los Alamitos AFRC enhance community liaison. Public information and public involvement in the planning and operation of air installations are also promoted through the Airport Land Use Commission, Airport Commission, and liaison services to local jurisdictions' councils.

*New or Existing Program:* Existing

*Implementation Schedule:* Ongoing, expand as necessary

*Responsible Agencies:*

- John Wayne Airport/Airport Commission
- Department of Defense
- Airport Land Use Commission

- Federal Aviation Administration

**Source of Funds:**

- Federal Government
- County General Fund
- Airport Funds

**2. AIR INSTALLATIONS  
COMPATIBLE USE ZONES  
(AICUZ) PROGRAM**

**Action:**

Continue to utilize and maintain the AICUZ to ensure compatible development in airport areas and to minimize public exposure to potential safety hazards associated with aircraft operations.

**Discussion:**

This program addresses compatibility problems arising between military air installation flight operations and urban development. The program strives to maintain the mission of an air installation and to protect surrounding communities from potential aircraft hazards.

**New or Existing Programs:** Existing

**Implementation Schedule:** Ongoing

**Responsible Agency:** Department of Defense

**Sources of Funds:**

- Department of Defense
- County General Fund

**3. BUYER NOTIFICATION  
PROGRAM**

**Action:**

Continue the administration of the Buyer Notification Program as designated by the Board of Supervisors Resolution 82-1368. Land use maps and planning information required by the guidelines shall be updated yearly by the sub-divider/developer or, more often, if the Director of Planning, Resources and Development Management Department is aware of planning changes which affect the subdivision and make the update a condition of approval of the map.

**Discussion:**

The Buyer Notification Program provides prospective home buyers and businesses with an overview of nearby planning and development. Information provided includes public facilities, demographics, and land use data including the location of air installations.

**New or Existing Program:** Existing

**Implementation Schedule:** Ongoing

**Responsible Agency:** RDMD

**Source of Funds:** County General Fund

**4. AIRPORT ENVIRONS LAND USE  
PLAN (AELUP)**

## CHAPTER IX. SAFETY ELEMENT

**Action:**

To continue to refer projects as defined by Section 21676 of the Public Utilities Code and within the planning areas of the Airport Land Use Commission to the commission to determine consistency with the Airport Environs Land Use Plan.

**Discussion:**

This program aims to safeguard the general welfare of inhabitants within the vicinities of airports and to ensure the continued compatible operation of existing and future airports including heliports and helipads and for proposed construction or alteration of a structure more than 200' Above Ground Level within Orange County. The plan seeks to ensure that urban development and air installation facilities are not concentrated in areas susceptible to potential aircraft hazards and to guard against structures or activities that adversely affect navigable airspace.

**New or Existing Program:** Existing

**Implementation Schedule:** Ongoing

**Responsible Agency:** Airport Land Use Commission

**Source of Funds:**

- John Wayne Airport
- County General Fund

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## NATURAL HAZARDS COMPONENT

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The Natural Hazards Component focuses on two types of naturally occurring hazards that have the potential to significantly affect the County. Those hazards are flood and seismic/geologic hazards. Below are the general goals and objectives for the Natural Hazards Component. Specific goals, objectives and policies for the natural hazard topics are provided later in this section.

### GENERAL GOALS AND OBJECTIVES: *Natural Hazards Component*

**Goal 1**

Provide for a safe living and working environment consistent with available resources.

- ***Objective***

- 1.1 To identify natural hazards and determine the relative threat to people and property in Orange County.

**Goal 2**

Minimize the effects of natural safety hazards through implementation of

TABLE 1

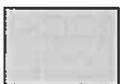
AIRPORT LAND USE COMMISSION FOR ORANGE COUNTY  
 AIRPORT ENVIRONS LAND USE PLAN  
 LIMITATIONS ON LAND USE DUE TO NOISE  
 (Applicable to Aircraft Noise Sources)

LAND USE CATEGORY	COMMUNITY NOISE EQUIVALENT LEVEL dB					
	55	60	65	70	75	80
Residential (all types): Single and Multi-Family Residences						
Community Facilities: Churches, Libraries, Schools, Preschools, Day-Care Centers, Hospitals, Nursing/Convalescent Homes, & Other noise sensitive uses						
Commercial: Retail, Office						
Industrial:						



NORMALLY CONSISTENT

Conventional construction methods used. No special noise reduction requirements.



CONDITIONALLY CONSISTENT

Must use sound attenuation as required by the California Noise Insulation Standards, Title 25, California Code of Regulations. Residential use sound attenuation required to ensure that the interior CNEL does not exceed 45 dB. Commercial and industrial structures shall be sound attenuated to meet Noise Impact Zone "1" criteria (refer to Section 3.2.3).



NORMALLY INCONSISTENT

All residential units are inconsistent unless are sound attenuated to ensure that the interior CNEL does not exceed 45 dB, and that all units are indoor oriented so as to preclude noise impingement on outdoor living areas.

**CHAPTER X – HOUSING ELEMENT**

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- **Noise:** The major sources of significant noise in Orange County are aircraft and highway vehicles. While both can usually be mitigated to acceptable levels indoors, aircraft noise cannot be mitigated outdoors because of its overhead source. State law and County policy prohibit residential development and similar noise sensitive uses in high-noise (+65 CNEL) areas near John Wayne Airport. Noise in non-residential developments must be attenuated to protect users in those areas. Near major streets and highways, noise must also be attenuated. Thus, high-noise conditions may preclude certain uses in some areas and may increase development costs.
- **Flood Hazards:** Portions of Orange County are located in floodplain areas of varying degrees of risk, subject to “100-” and “500-year” floods. In many cases, development can occur in these areas through proper site planning, although mitigation costs may be high. There are, however, some areas where development in a floodplain is difficult and expensive to protect a project from extreme flood hazard.
- **Fire Hazards:** The foothill areas of Orange County are considered high to very high fire hazard areas. Future development in these areas must minimize potential fire hazards and adequate fire protection must be maintained. These requirements may raise development costs, but will not preclude development.
- **Geologic/Seismic Hazards:** Like the entire Southern California region, Orange County is located within an area of high seismic activity. Potential slope and seismic hazards constrain development in certain parts of the County. While both conditions seldom preclude development, they may ultimately increase the cost of construction.
- **Natural and Cultural Resources:** The presence of natural or cultural resources on vacant land may influence its future use. For example, critical habitat areas or archaeological sites may require preservation or sensitive planning. Such conditions may preclude development or increase the cost of construction.

***Infrastructure Constraints***

Many rapidly growing areas – especially southern portions of the County – have found it difficult to expand infrastructure fast enough to keep up with new