



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

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

AGENDA ITEM 3

January 20, 2022

TO: Commissioners/Alternates

FROM: Lea U. Choum, Executive Officer

SUBJECT: City of Irvine Request for Consideration of 2021-2029 Housing Element Update 6th Cycle (00832121-PGA)

Background

The City of Irvine has submitted its 2021-2029 Housing Element Update (Update) for a consistency review. The Update identifies and analyzes the City's existing and projected housing needs and contains goals, policies, objectives, and programs to address those needs. The City's Housing Element was last updated in 2013 for the 5th cycle, which covered the years 2014 to 2021. It was not submitted to ALUC for a consistency review.

The Housing Element is one of the seven mandatory elements of the General Plan. Section 65583 of the Government Code sets forth the specific requirements of a jurisdiction's housing element. Included in these requirements are obligations of local jurisdictions to provide for their "fair share" of the regional housing needs. This fair share is determined through the Regional Housing Needs Assessment (RHNA) process, which in Orange County is facilitated by the Southern California Association of Governments (SCAG). For the 2021 to 2029 planning period, the City of Irvine was allocated a total of 23,610 housing units, including 6,396 for low/very low-income, 4,235 for low-income, 4,308 for moderate-income and 8,671 for above-moderate income households. The new unit allocation is approximately 25 percent of the City's current housing stock.

The Update identifies "opportunity" sites which could accommodate the required 23,610 new residential units to meet the RHNA. Attachment 1 shows the location and addresses of the proposed sites within the Notification Area for John Wayne Airport (JWA).

The City of Irvine has held public hearings on the proposed Housing Element Update as follows:

December 16, 2021	Planning Commission
January 11, 2022	City Council (approved Update with a vote of 4-1)

AE LUP for JWA Issues

Regarding Aircraft Noise Impacts:

Twenty-one (21) of the new opportunity sites identified in the Update are in the Irvine Business Complex (IBC) area and within the 60 dB CNEL contour for JWA. Of these 21 sites, three are also partially within, and one is immediately adjacent to the 65 dB CNEL contour. Three additional sites are fully within the 65 dB CNEL contour, and one of these three is also partially within the 70 dB CNEL contour, as follows (see Attachment 2):

18700 MacArthur (partly within 65 dB contour)
2061 Business Center (partly within 65 dB contour)
2081 Business Center (partly within 65 dB contour)
18880 MacArthur (immediately adjacent to 65 dB contour)
18512 MacArthur (fully within 65 dB contour)
18482 MacArthur (fully within 65 dB contour)
17672 Cowan (within 65 dB contour and partially within 70 dB contour)

While the City's 2013 Housing Element allowed for some residential development in the Irvine Business Complex (IBC) as part of its Multi-Use designation, it did not allow for housing within the 65 dB or 70 dB CNEL contours.

In Chapter 7 of the City's draft Update, Figure 7-1 Areas B-1 and C-1 (Attachment 3), shows the potential housing sites within the 60, 65, and 70 dB CNEL contours. They are as follows:

- Area B-1 at the north end of the Airport located at 17672 Cowan near Red Hill Avenue is labeled in the legend as "No Project Type Designation." This designation means it is a generic site designation that does not fall into one of the other categories listed on the City's Project Type legend on the site inventory map. This is the area partially within the JWA 70 dB and 65 dB CNEL contours. This site should not be considered for any type of housing development.
- Area C-1 shows an area adjacent to JWA on MacArthur Blvd. that is labeled in the legend as "Affordable Housing." A portion of this area is within and immediately adjacent to the 65 dB CNEL noise contour for JWA. Other sites in this area are within the 60 dB CNEL contour.

Regarding Height Restrictions:

The Update proposes housing opportunity sites that are within the Federal Aviation Regulation (FAR) Part 77 Obstruction Imaginary Surfaces for JWA, including sites within the horizontal, conical, and transitional surfaces as shown in Attachment 4. There is one new housing site proposed within the IBC to the north of JWA located at 17672 Cowan that is under the primary approach corridor. The approach surface above this location would be penetrated at 105 feet. The remainder of the IBC area is located within the horizontal and conical obstruction surfaces.

During the development of the 2010 IBC Mixed-Use Vision Residential Overlay and associated EIR process, the ALUC found consistent, a 75-foot (above ground level) maximum building height limit in the IBC Business District, which corresponds to approximately seven stories. The remainder of the IBC is subject to Federal Aviation Administration (FAA) height limits as determined by Part 77 of

the Federal Aviation Regulations (FAR). Additionally, the City’s Housing Element Update, in Section 5.3.3.7 Height Limits, includes the following language:

“Irvine is required to limit the height of any structure in the IBC to less than 203.68 above mean sea level or “AMSL” or roughly 20 stories (i.e., County’s navigation easement elevation in the “horizontal surfaces” area). Please note that the 5.2 IBC Industrial area is subject to a 35-foot maximum height, but there are no sites in this portion of the IBC, (and no units are planned in the 5.2 zone). This is basically consistent with the directives listed under FAA Federal Aviation Regulations Part 77 regarding height restrictions as follows:

- § 77.9 — Any person/organization who intends to sponsor any of the following construction or alterations must notify the Administrator of the FAA:
 - Any construction or alteration exceeding 200 feet above ground level.
 - Any construction or alteration-
 - within 20,000 feet of a public use or military airport which exceeds a 100:1 surface from any point on the runway of each airport with at least one runway more than 3,200 ft.
 - within 10,000 feet of a public use or military airport which exceeds a 50:1 surface from any point on the runway of each airport with its longest runway no more than 3,200 ft.
 - within 5,000 feet of a public use heliport which exceeds a 25:1 surface.
 - Any highway, railroad or other traverse way whose prescribed adjusted height would exceed that above noted standards.
 - When requested by the FAA.
 - Any construction or alteration located on a public use airport or heliport regardless of height or location.

People failing to comply with the provisions of Federal Aviation Regulations Part 77 are subject to Civil Penalty under Section 902 of the Federal Aviation Act of 1958, as amended and pursuant to 49 U.S.C. Section 46301(a).”

Please note that the City’s Update should be revised to change all “navigation” easement references to “avigation” easement.

Regarding Flight Tracks and Safety Zones

Portions of the City of Irvine are located within Safety Zones 4 (Outer Approach/Departure Zone) and 6 (Traffic Pattern Zone) and within the primary approach corridor for JWA (see Attachment 5). Specifically, the 17672 Cowan site in the IBC area to the north of JWA is partially within Safety Zone 4, and under the primary approach corridor. Future residents would be exposed to significant aircraft overflight and single event noise due to this site’s location. According to the California Airport Land Use Planning Handbook (Handbook), residential uses should be limited to low density in Safety Zone 4. Locating housing in Safety Zone 4 would place residents in close proximity to the Airport under a commercial general aviation, low-altitude, primary flight corridor.

The IBC housing opportunity sites to the east of JWA are partially within Safety Zone 6. The Handbook states that noise and overflight should be considered in Safety Zone 6.

The JWA Noise Office provided flight track exhibits for the City of Irvine on various days for typical approach and reverse flow. As shown on the exhibits, the flights are directly over much of the IBC area, at an altitude of less than 500 feet in many locations, and the Cowan site within Safety Zone 4 is at risk for near-runway accidents. (See Attachment 6).

Regarding Heliports:

No heliports are proposed as part of the Update, therefore, consistency with the *AE LUP for Heliports* was not evaluated. Proposals for new heliports must be submitted through the City to the ALUC for review and action pursuant to Public Utilities Code Section 21661.5 and must comply 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.

Environmental Compliance

A Negative Declaration (ND) was prepared for the proposed Housing Element Update. The ND was circulated for public review from November 15, 2021, to December 15, 2021. ALUC staff provided comments on the ND on December 15, 2021 (see Attachment 7).

Other Considerations

The City has stated that specific housing developments are not proposed at this time and future development would be required to undergo development review on a project-by-project basis. However, there are housing opportunity sites in the Update that are in conflict with sections of the *AE LUP for JWA* as well as portions of the City's own General Plan. If the Update is approved by the City, other elements of the General Plan would require amendments to accommodate the proposed new residential uses, and these amendments must be presented to ALUC for review. Government Code Section 65583 (c)(8) requires the identification of "means by which consistency will be achieved with other general plan elements and community goals" and the California Department of Housing and Community Development's website indicates that a general plan is:

"required to be 'internally consistent' meaning any and all conflicts between general plan elements should be acknowledged and resolved. Jurisdictions must ensure programs and policies in other elements do not conflict with those of the housing element; in particular the land-use, circulation, or conservation elements. For example, the circulation element levels of service (LOS) standards may need to be updated to reflect potential build out capacities proposed in the housing element. Also, realistic development capacity could be impacted by the conservation element policies that require new residential projects to provide large, open-space corridors or buffer areas. When conflicts exist, the housing element must describe how consistency will be achieved and how the goals of the housing element will be addressed. Many communities attempt to address and resolve conflicts by amending the zoning ordinance and all relevant elements of the general plan concurrent with amendment of the housing element. For example, if densities of particular sites must be increased to identify adequate sites, the attendant amendments to the general plan and zoning ordinance could be proposed and adopted at the same public hearing as the housing

element. In addition to resolving inconsistencies among various elements and/or ordinances at the time of updating the housing element, any subsequent amendment to the housing element or other general plan elements, should trigger a review of the entire general plan, especially land-use provisions, to ensure internal consistency is maintained.”

The City’s submittal package cover letter states that “the 2021-2029 Housing Element does not entitle, or otherwise allow for, any new residential units or change the General Plan designation of the identified housing sites. This will be completed through the required subsequent General Plan Update, Zoning Ordinance Update, and Program Environmental Impact Report scheduled to occur between March 2022 and October 2024.” Since the City is not updating these documents concurrently with the Housing Element Update, ALUC staff has identified aviation-related policies contained in the City’s General Plan elements that are in conflict with the Update and would need to be addressed by the City as follows:

Irvine Business Complex Element

Attachment 8 shows the Business Complex District areas located to the north and east of JWA.

The IBC Element of the Irvine General Plan can be found through this link:

[https://alfresco.cityofirvine.org/alfresco/guestDownload/direct?path=/Company%20Home/Shared/CD/Planning%20and%20Development/General%20Plan/15.%20IBC%20Element%20-%20June%202012%20%20\(no%20changes%20in%20Supp%209%20Aug%202015\).pdf](https://alfresco.cityofirvine.org/alfresco/guestDownload/direct?path=/Company%20Home/Shared/CD/Planning%20and%20Development/General%20Plan/15.%20IBC%20Element%20-%20June%202012%20%20(no%20changes%20in%20Supp%209%20Aug%202015).pdf)

Page N-12 of the IBC Element states that “the Business Complex District is applied to portions of the IBC characterized by existing longstanding office and industrial uses that are expected to remain. This District accommodates new industrial uses and an expansion of existing uses. Residential uses are not permitted in this area.”

Objective N-5, Policy (n), page N-29 of the IBC Element states, “[d]evelop residential uses that are not in conflict with nearby John Wayne Airport Operations.” In support of this policy, page N-31 of this element states, “[t]he IBC Residential Mixed-Use Overlay District (Section 5-8-4.C.) incorporates a number of development standards to mitigate residential impacts on airport operations. These standards include maximum noise levels, maximum building heights, required notification of residents (including deed and tenant disclosures) of the airport proximity and compliance with obstruction lighting and marking criteria.”

Land Use Element

Objective A6, Policy (a) of the City’s Land Use Element states: “Ensure, through the discretionary review process, the public health, safety, and welfare of sensitive receptors/land uses when locating such uses in close proximity to the following land uses: ...Uses which create excessive noise...Uses which create other land use conflicts.” “At the same time, ensure that the proposed sensitive receptors/land uses will not have an impact on the continued operation and/or expansion of the following land uses: Airports...”

Noise Element:

Objective F-1: Mobile Noise, Policy (b) of the City’s Noise Element states: “Prohibit residential development within the 65 CNEL of aircraft noise contours.”

Safety Element

Objective J-1: Policy (a) of the Safety Element states: “Regulate the type and intensity of development in areas associated with potential land use and air operational hazards through land use controls...”

Objective J-1: Policy (d) of the Safety Element states: “Use the most current available Airport Environs Land Use Plan (AELUP) as a planning resource for evaluating aircraft operations, land use compatibility and land use intensity.”

Both the 17672 Cowan housing opportunity site and the sites adjacent to the east side of the Airport may conflict with one or more of the City’s General Plan elements addressed above.

Additionally, since the Irvine City Council took action on the proposed Update on January 11, 2022, prior to the ALUC taking action, in accordance with PUC Section 21676.5.(a), the Commission may wish to consider requiring that the City submit all subsequent City actions, regulations, and permits within JWA’s airport influence area to the Commission for review until the City’s general plan is revised or specific overrule findings are made. See Attachment 9 to view the comment letter from the ALUC to Irvine City Council discouraging Council action on the Housing Element Update prior to ALUC consistency review.

Conclusion

Attachment 10 to this report contains excerpts from the submittal package received from the City of Irvine for your reference. The Housing Element Update and supporting documents are also available on the City’s website at <https://www.cityofirvine.org/housing-element-update>. The housing opportunity sites may be viewed in the Housing Element Update, Table 7-8, Suitability of Vacant and Non-Vacant Lower-Income Sites.

ALUC staff has reviewed the City of Irvine Housing Element Update for compliance with the *AELUP for JWA* including review of noise, height restrictions, safety and overflight. The recommendation below is based on the Update’s introduction of new housing opportunity sites in close proximity to JWA, specifically within the 65 dB and 70 dB CNEL noise contours, safety zones and overflight areas, and under the primary approach corridor for JWA.

Recommendation:

That the Commission find the proposed City of Irvine Housing Element Update for the 2021–2029 6th Cycle (00832121-PGA) inconsistent with the *AELUP for JWA* per:

1. Section 2.1.1 Aircraft Noise, that the “aircraft noise emanating from airports may be incompatible with general welfare of the inhabitants within the vicinity of an airport.”

2. Section 2.1.2 Safety Compatibility Zones, in which “the purpose of these zones is to support the continued use and operation of an airport by establishing compatibility and safety standards to promote air navigational safety and to reduce potential safety hazards for persons living, working or recreating near JWA.”
3. Section 2.1.4, and PUC Section 21674, which state that the Commission is charged by PUC Section 21674(a) “to assist local agencies in ensuring compatible land uses in the vicinity of ...existing airports to the extent that the land in the vicinity of those airports is not already devoted to incompatible uses,” and PUC Section 21674(b) “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.”

Respectfully submitted,



Lea U. Choum
Executive Officer

Attachments:

1. Notification Area with Housing Opportunity Sites
2. Noise Contours with Housing Opportunity Sites
3. Irvine Housing Element Update, Figure 7-1 (includes Areas B-1 and C-1)
4. Obstruction Imaginary Surfaces with Housing Opportunity Sites
5. Safety Zones with Housing Opportunity Sites
6. JWA Noise Office Flight Tracks
7. ALUC Comment Letter Regarding Negative Declaration
8. IBC Element, Figure N-3 (IBC Residential – Mixed Use Overlay Zone – Regulating Plan)
9. ALUC letter to Irvine City Council
10. Excerpts from City of Irvine Submittal Package

AIRPORT NOTIFICATION AREA

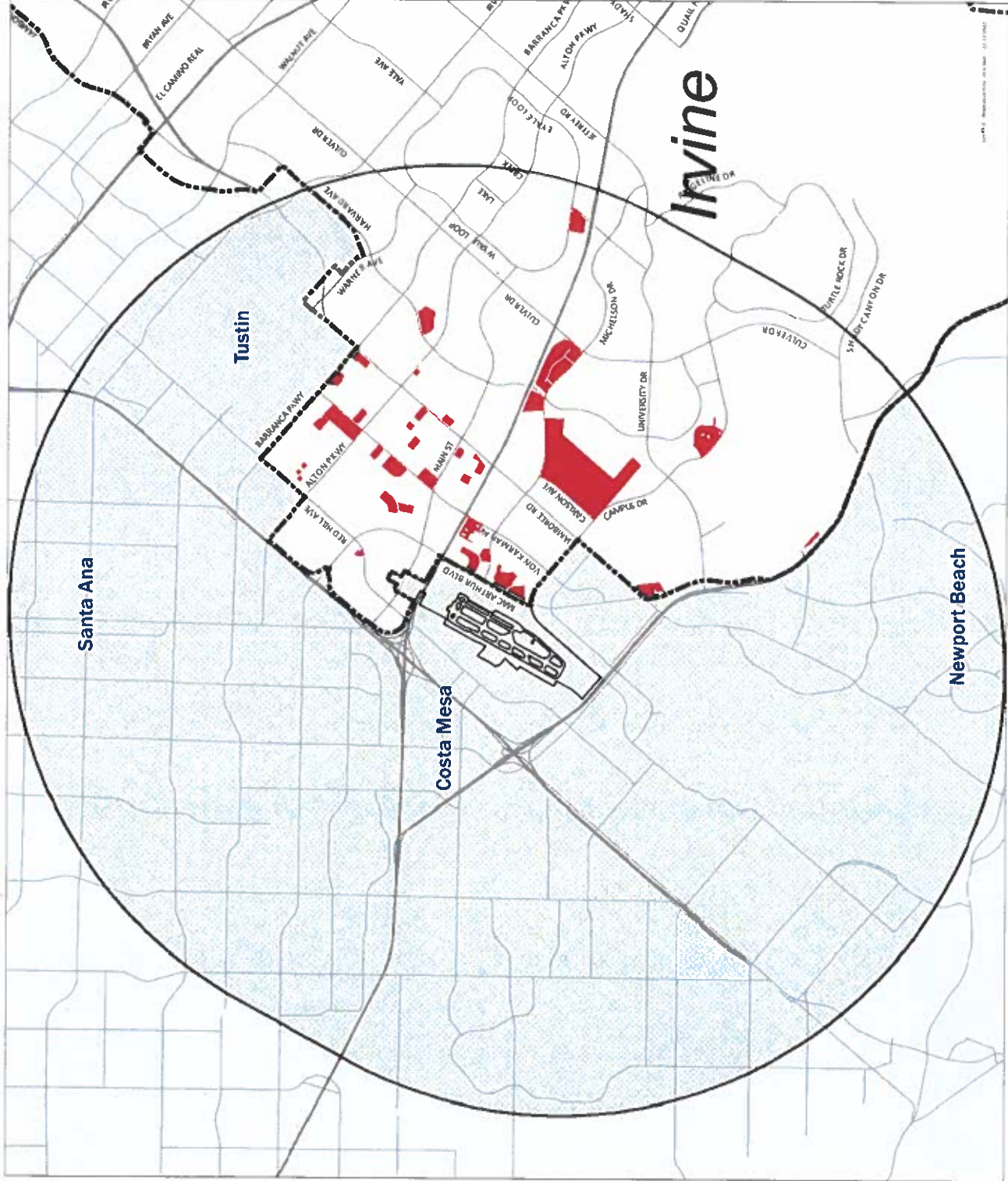
- Preliminary Housing Element Site
- 20,000' Radius
- City Boundary

All sites are preliminary and have been identified to be consistent with the Site Inventory Guidelines developed by the California Department of Housing and Community Development (HCD) for Housing Element development. The Housing Element does NOT approve any housing project on the preliminary site. That will occur during the subsequent General Plan Update and Zoning Ordinance Update and all new housing projects will be evaluated through the applicable review process.



0 1 2 Miles

ATTACHMENT 1



Airport Notification Area

PA	ADDRESS *	NAME	STTYPE	MCD Table	Line #	zoning	Assumed # Units	Notes
19	3661 MICHELSON		DR	A	14	2.4	1720	includes addresses for lines #10-21 for Park West from the HCD site inventory form
19	3883 PARKVIEW		LN	A	19	2.4	Not Specified	includes addresses for lines #10-21 for Park West from the HCD site inventory form
19	3405 MICHELSON		DR	B	6&7	4.4A	482	includes 3405 & 3409 Michelson Dr (includes 3415 Michelson Dr)
19	3415 MICHELSON		DR	B	6&7	4.4A	0	includes 3405 & 3409 Michelson Dr (includes 3415 Michelson Dr); 482 units total counted under line #58 above
19	3409 MICHELSON		DR	B	6&7	4.4A	0	includes 3405 & 3409 Michelson Dr (includes 3415 Michelson Dr); see line item #58 above
24	4115 CAMPUS		DR	A	31	3.1A	Not Specified	
24	4175 CAMPUS		DR	A	28	3.1A	323	includes 4143, 4175, 4213 Campus Dr
24	4127 CAMPUS		DR	A	30	3.1A	72	
24	4139 CAMPUS		DR	A	29	3.1A	428	Includes 4101, 4139, 4255 Campus Dr
24	4213 CAMPUS		DR	A	28	3.1A	0	includes 4143, 4175, 4213 Campus Dr; 323 units total counted under line #56 above
24	4143 CAMPUS		DR	A	28	3.1A	0	includes 4143, 4175, 4213 Campus Dr; 323 units total counted under line #56 above
24	4255 CAMPUS		DR	A	29	3.1A	0	Includes 4101, 4139, 4255 Campus Dr; 428 units total counted under line #59 above
24	4101 CAMPUS		DR	A	29	3.1A	0	Includes 4101, 4139, 4255 Campus Dr; 428 units total counted under line #59 above
36	2500 WHITE		RD	A	39	5.1	192	
36	2652 MCGAW		AVE	A	54	5.1	Not Specified	
36	16680 ARMSTRONG		AVE	A	40	5.1	306	
36	2323 MAIN		ST	A	34	5.1	613	
36	17421 VON KARMAN		AVE	A	87	5.1	442	
36	2900 MCCABE		WAY	A	38	5.1	250	
36	2640 MAIN		ST	A	58	5.1	180	
36	17421 DERIAN		AVE	A	52	5.1	255	
36	2151 MICHELSON		DR	A	82	5.1	Not Specified	
36	18007 VON KARMAN		AVE	A	73	5.1	541	Lakeshore Towers - former 24 Hour Fitness
36	17572 ARMSTRONG		AVE	A	70	5.1	351	
36	17832 GILLETTE		AVE	A	43	5.1	326	Includes 17832 & 17840 Gillette Ave
36	19752 MACARTHUR		BLVD	A	92	5.1	Not Specified	
36	2660 BARRANCA		PKWY	A	35	5.1	386	
36	18512 MACARTHUR		BLVD	A	80	5.1	921	
36	17032 MURPHY		AVE	A	57	5.1	73	
36	18872 MACARTHUR		BLVD	A	76	5.1	442	
36	16775 VON KARMAN		AVE	A	50	5.1	Not Specified	(includes 16845, 16775, 16815, 16795 Von Karman Ave)
36	18700 MACARTHUR		BLVD	A	88	5.1	406	
36	1691 BROWNING		<Null>	A	63	5.1	98	
36	2041 BUSINESS CENTER		DR	A	83	5.1	Not Specified	
36	2021 BUSINESS CENTER		DR	A	83	5.1	Not Specified	
36	17522 ARMSTRONG		AVE	A	71	5.1	Not Specified	
36	19782 MACARTHUR		BLVD	A	86	5.1	144	
36	16969 VON KARMAN		AVE	A	49	5.1	Not Specified	
36	16845 VON KARMAN		AVE	A	50	5.1	Not Specified	(includes 16845, 16775, 16815, 16795 Von Karman Ave)
36	19742 MACARTHUR		BLVD	A	93	5.1	Not Specified	

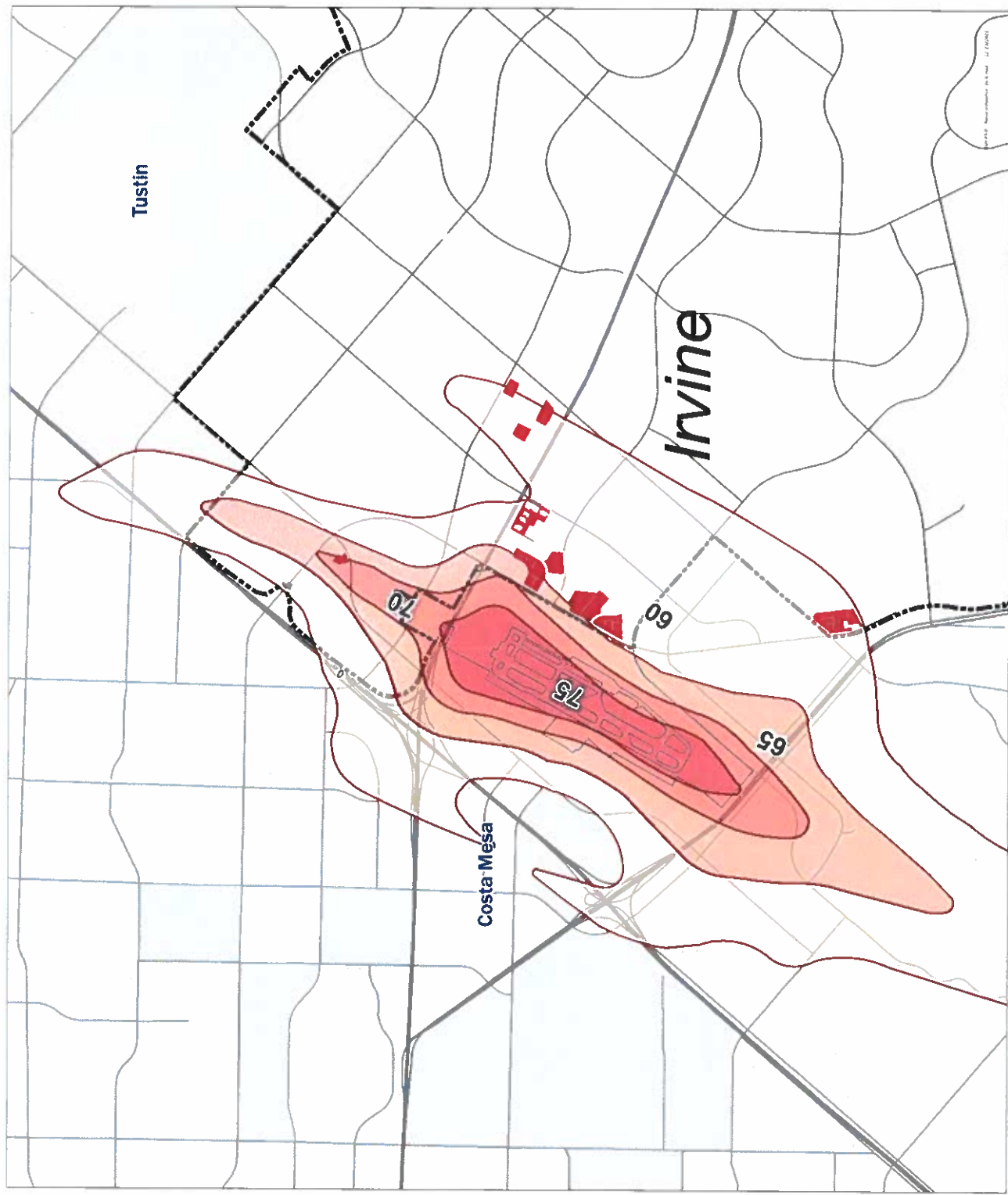
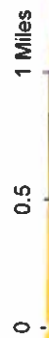
Airport Notification Area

PA	ADDRESS *	NAME	STTYPE	HCD Table	Line #	Zoning	Assumed # Units	Notes
36	1582 BROWNING		<Null>	A	62	5.1	49	
36	2121 ALTON		PKWY	A	48	5.1	1543	
36	2802 KELVIN		AVE	A	56	5.1	217	
36	17672 COWAN		<Null>	A	67	5.1	117	
36	19762 MACARTHUR		BLVD	A	89	5.1	594	
36	19732 MACARTHUR		BLVD	A	91	5.1	Not Specified	(includes 19722 & 19732 MacArthur Blvd)
36	17522 ARMSTRONG		AVE	A	71	5.1	Not Specified	
36	2400 BARRANCA		PKWY	A	47	5.1	311	
36	18800 MACARTHUR		BLVD	A	72	5.1	418	
36	17632 ARMSTRONG		AVE	A	69	5.1	Not Specified	
36	2061 BUSINESS CENTER		DR	A	83	5.1	Not Specified	Includes 2021, 2041 & 2061 Business Center Dr
36	18051 VON KARMAN		AVE	A	75	5.1	Not Specified	Lakeshore Towers - Il Fornaio Restaurant
36	1621 BROWNING		<Null>	A	64	5.1	Not Specified	
36	19712 MACARTHUR		BLVD	A	90	5.1	Not Specified	
36	2081 BUSINESS CENTER		DR	A	84	5.1	Not Specified	
36	16755 VON KARMAN		AVE	A	51	5.1	Not Specified	includes 16755, 16735, 16715 Von Karman Ave
36	17451 VON KARMAN		AVE	A	65	5.1	372	
36	16735 VON KARMAN		AVE	A	51	5.1	Not Specified	includes 16755, 16735, 16715 Von Karman Ave
36	17622 ARMSTRONG		AVE	A	68	5.1	231	
36	2152 DUPONT		DR	A	61	5.1	68	
36	2081 BUSINESS CENTER		DR	A	85	5.1	Not Specified	
36	16902 VON KARMAN		AVE	A	41	5.1	290	
36	18912 MACARTHUR		BLVD	A	77	5.1	Not Specified	
36	18482 MACARTHUR		BLVD	A	81	5.1	Not Specified	
36	16912 VON KARMAN		AVE	A	42	5.1	Not Specified	
36	19722 MACARTHUR		BLVD	A	91	5.1	Not Specified	includes 19722 & 19732 MacArthur Blvd
36	16715 VON KARMAN		AVE	A	51	5.1	Not Specified	includes 16755, 16735, 16715 Von Karman Ave
36	16795 VON KARMAN		AVE	A	50	5.1	Not Specified	includes 16845, 16775, 16815, 16795 Von Karman Ave
36	16815 VON KARMAN		AVE	A	50	5.1	Not Specified	includes 16845, 16775, 16815, 16795 Von Karman Ave
36	16661 JAMBOREE		RD	A	36	5.1	Not Specified	includes 16845, 16775, 16815, 16795 Von Karman Ave
36	18700 MACARTHUR		BLVD	A	88	5.1	406	
36	2712 MCGAW		AVE	A	55	5.1	Not Specified	
36	2552 MCGAW		AVE	A	53	5.1	370	
36	17840 GILLETTE		AVE	A	43	5.1	0	Includes 17832 & 17840 Gillette Ave; 326 units total counted in line #19 above
36	18952 MACARTHUR		BLVD	A	78	5.1	Not Specified	
36	2698 WHITE		RD	A	37	5.1	85	
36	17221 VON KARMAN		AVE	A	59	5.1	279	
36	2091 BUSINESS CENTER		DR	A	66	5.1	78	
36	18191 VON KARMAN		AVE	A	74	5.1	Not Specified	
							14,379	TOTAL

JOHN WAYNE AIRPORT NOISE IMPACT ZONES

- Preliminary Housing Element Sites
- City Boundary
- CNEL CONTOUR

All sites are preliminary and have been identified to be consistent with the Site Inventory Guidelines developed by the California Department of Housing and Community Development (HCD) for Housing Element development. The Housing Element does NOT approve any housing project on the preliminary site. That will occur during the subsequent General Plan Update and Zoning Ordinance Update and all new housing projects will be evaluated through the applicable review process.



Noise Impact Zone

Addresses Within 60 CNEL		HCD Table	Line	Zoning	Assumed # Units	Notes
PA	ADDRESS NAME	STTYPE				
36	2500 WHITE RD	RD	39	5.1	192	
36	2900 MCCABE WAY	WAY	38	5.1	250	
36	2640 MAIN ST	ST	58	5.1	180	
36	2151 MICHELSON DR	DR	82	5.1	Not Specified	
36	19752 MACARTHUR BLVD	BLVD	92	5.1	Not Specified	
36	18872 MACARTHUR BLVD	BLVD	76	5.1	442	
36	18700 MACARTHUR BLVD	BLVD	88	5.1	406	
36	19782 MACARTHUR BLVD	BLVD	86	5.1	144	
36	19742 MACARTHUR BLVD	BLVD	93	5.1	Not Specified	
36	19762 MACARTHUR BLVD	BLVD	89	5.1	594	
36	19732 MACARTHUR BLVD	BLVD	91	5.1	Not Specified (includes 19722 & 19732 MacArthur Blvd)	
36	18800 MACARTHUR BLVD	BLVD	72	5.1	418	
36	2061 BUSINESS CENTER DR	DR	83	5.1	Not Specified (includes 2021 and 2041 Business Center Dr)	
36	19712 MACARTHUR BLVD	BLVD	90	5.1	Not Specified	
36	2081 BUSINESS CENTER DR	DR	84	5.1	Not Specified	
36	2081 BUSINESS CENTER DR	DR	85	5.1	Not Specified	
36	18912 MACARTHUR BLVD	BLVD	77	5.1	Not Specified	
36	18952 MACARTHUR BLVD	BLVD	78	5.1	Not Specified	
36	2091 BUSINESS CENTER DR	DR	66	5.1	78	
36	18007 VON KARMAN AVE	AVE	73	5.1	541 Lakeshore Towers - Former 24 Hour Fitness	
36	NWC Quartz & Von Karman Ave APN 445-081-44	AVE	74	5.1	Not Specified Lakeshore Towers - Landscape & Hardscape	
36	18051 VON KARMAN AVE	AVE	75	5.1	Not Specified Lakeshore Towers - Il Fornaio Restaurant	
					3,245 TOTAL	
Addresses within 65 CNEL						
PA	ADDRESS NAME	STTYPE				
36	18512 MACARTHUR BLVD	BLVD	80	5.1	921	
36	17672 COWAN AVE	AVE	67	5.1	117	
36	18482 MACARTHUR BLVD	BLVD	81	5.1	Not Specified	
					1,038 TOTAL	

Irvine Draft Housing Element Sites in
and/or Adjacent to JWA 65 CNEI

17672 Cowan

2081 Business Center

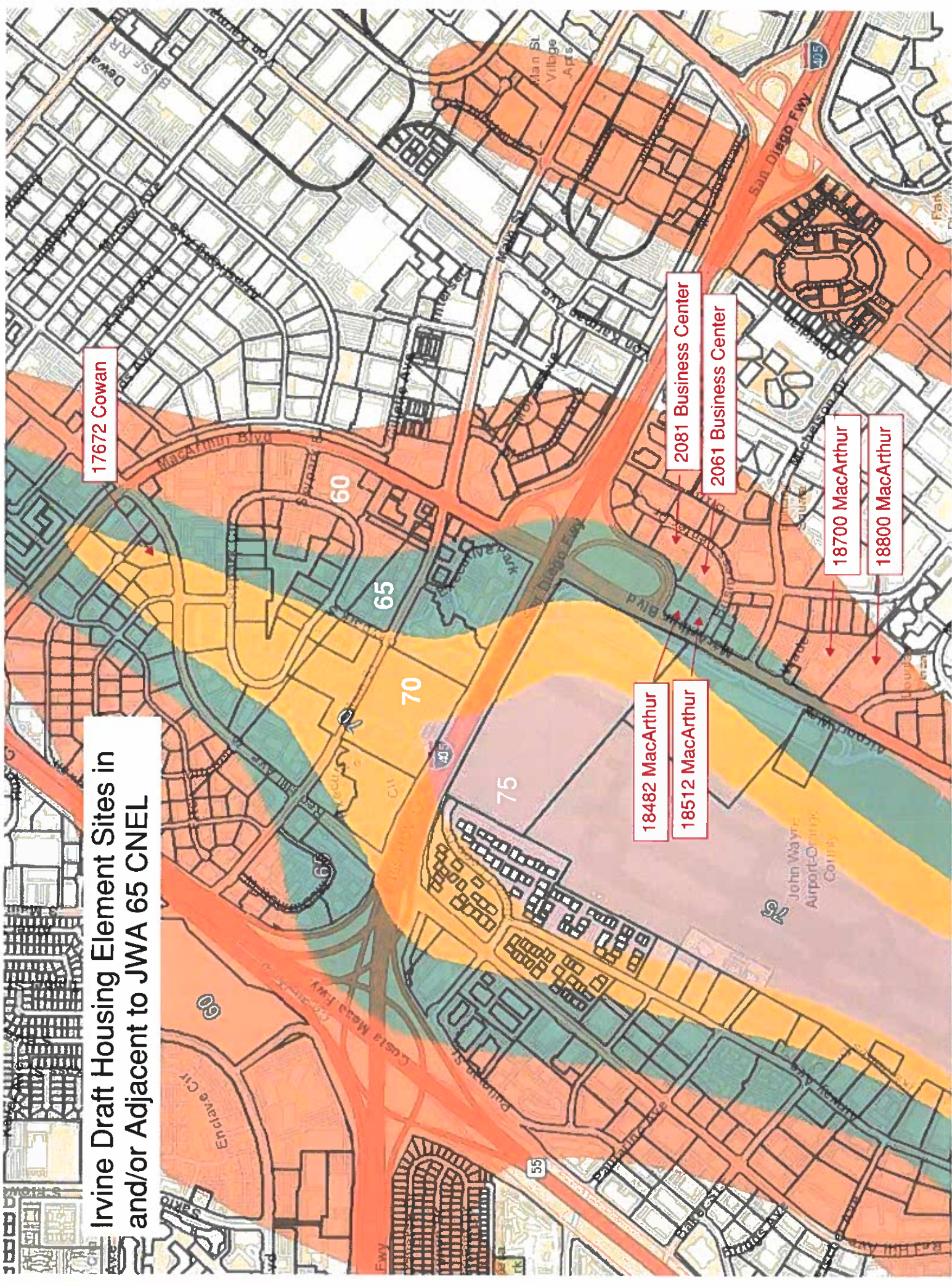
2061 Business Center

18700 MacArthur

18800 MacArthur

18482 MacArthur

18512 MacArthur



Noise Impact Zone

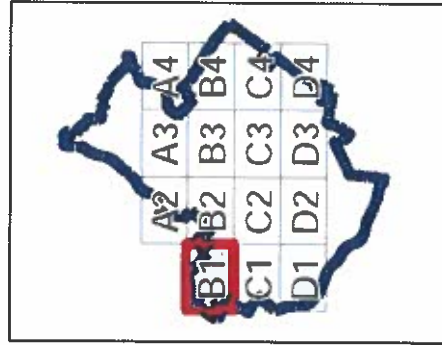
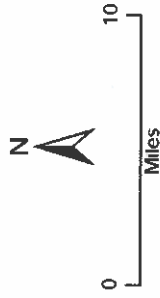
Addresses Within 60 CNEL		HCD Table		Line Zoning		Assumed # Units		Notes	
PA	ADDRESS NAME	STTYPE							
	36 2500 WHITE	RD	A	39	5.1		192		
	36 2900 MCCABE	WAY	A	38	5.1		250		
	36 2640 MAIN	ST	A	58	5.1		180		
	36 2151 MICHELSON	DR	A	82	5.1		Not Specified		
	36 19752 MACARTHUR	BLVD	A	92	5.1		Not Specified		
	36 18872 MACARTHUR	BLVD	A	76	5.1		442		
	36 18700 MACARTHUR	BLVD	A	88	5.1		406		
	36 19782 MACARTHUR	BLVD	A	86	5.1		144		
	36 19742 MACARTHUR	BLVD	A	93	5.1		Not Specified		
	36 19762 MACARTHUR	BLVD	A	89	5.1		594		
	36 19732 MACARTHUR	BLVD	A	91	5.1		Not Specified (includes 19722 & 19732 MacArthur Blvd)		
	36 18800 MACARTHUR	BLVD	A	72	5.1		418		
	36 2061 BUSINESS CENTER	DR	A	83	5.1		Not Specified (includes 2021 and 2041 Business Center Dr)		
	36 19712 MACARTHUR	BLVD	A	90	5.1		Not Specified		
	36 2081 BUSINESS CENTER	DR	A	84	5.1		Not Specified		
	36 2081 BUSINESS CENTER	DR	A	85	5.1		Not Specified		
	36 18912 MACARTHUR	BLVD	A	77	5.1		Not Specified		
	36 18952 MACARTHUR	BLVD	A	78	5.1		Not Specified		
	36 2091 BUSINESS CENTER	DR	A	66	5.1		78		
	36 18007 VON KARMAN	AVE	A	73	5.1		541 Lakeshore Towers - Former 24 Hour Fitness		
	36 NWC Quartz & Von Karman Ave APN 445-081-44		A	74	5.1		Not Specified Lakeshore Towers - Landscape & Hardscape		
	36 18051 VON KARMAN	AVE	A	75	5.1		Not Specified Lakeshore Towers - Il Fornaio Restaurant		
							3,245 TOTAL		
Addresses within 65 CNEL									
PA	ADDRESS NAME	STTYPE							
	36 18512 MACARTHUR	BLVD	A	80	5.1		921		
	36 17672 COWAN		A	67	5.1		117		
	36 18482 MACARTHUR	BLVD	A	81	5.1		Not Specified		
							1,038 TOTAL		

2021-2029 Housing Element

Chapter 7. Adequate Sites Inventory Analysis and Methodology

Housing Element Update B1

- Project Type**
- Affordable Sites
 - Publicly Owned Sites
 - North Inline Staff Housing
 - Entitled and Pending Projects
 - At-Risk Affordable Housing
 - University Housing
 - No Project Type Designation

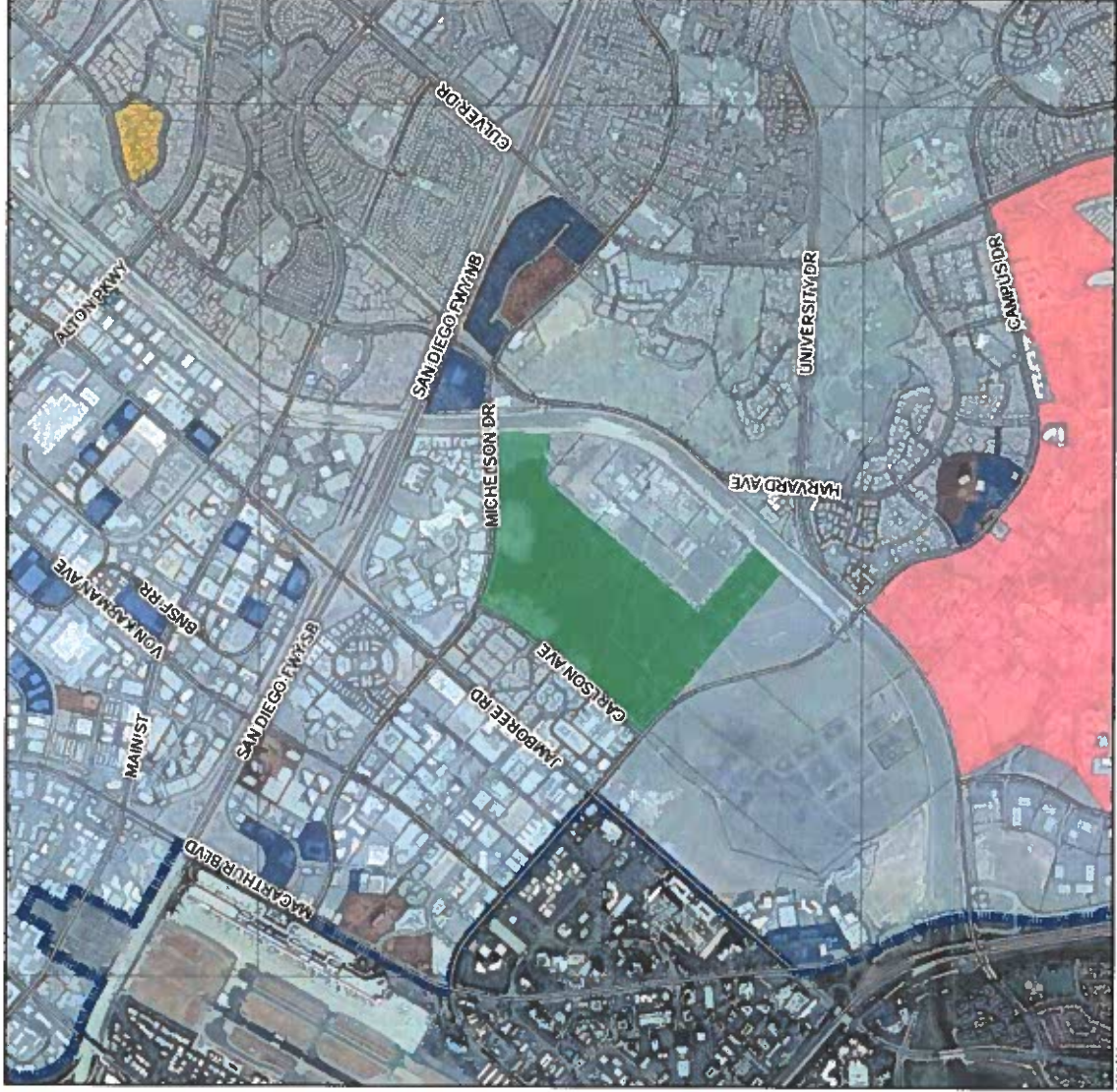
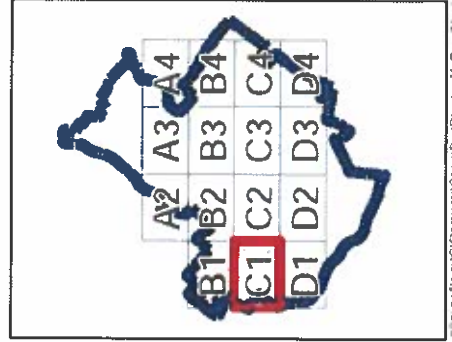
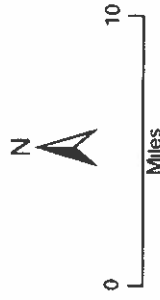


\\c:\gita-pw\GIS\Projects\CommDev\Year 1_M_Risk_Site_Inv_2021\0101.apr








Housing Element Update

C1

- Project Type**
- Affordable Sites
 - Publicly Owned Sites
 - North Irvine Staff Housing
 - Entitled and Pending Projects
 - At-Risk Affordable Housing
 - University Housing
 - No Project Type Designation



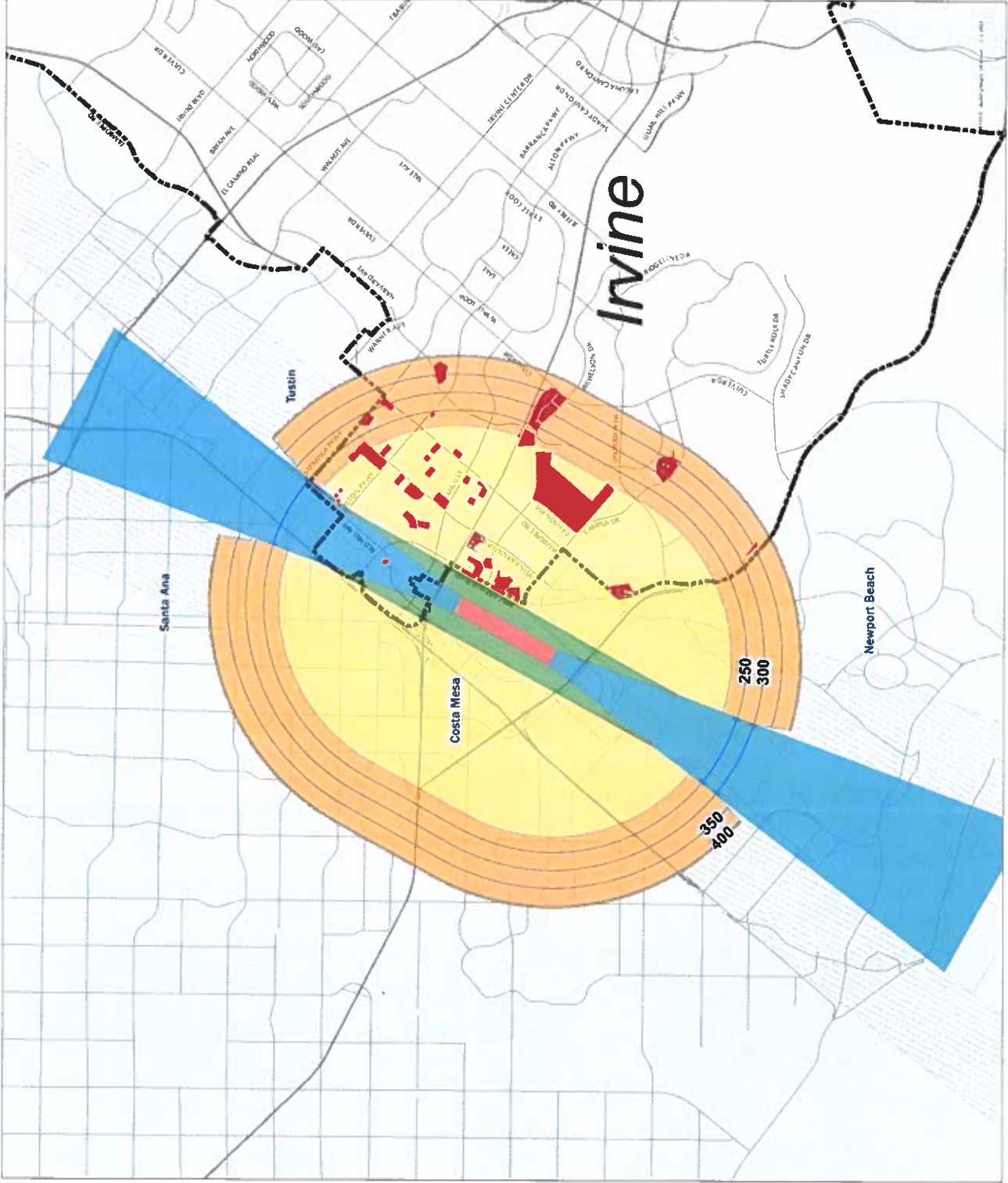
AIRPORT BUILDING OBSTRUCTION ZONE

-  City Boundary
-  Housing Element Update
- Airport Surfaces**
-  Approach/Departure Surface - Slope 50:1 (Horizontal/Vertical)
-  Conical Surface - Slope 20:1 (Horizontal/Vertical)
-  Horizontal Surface - Elevation 206 Feet AMSL
-  Runway - Elevation 54 Feet AMSL
-  Transitional Surface - Slope 7:1 (Horizontal/Vertical)

All sites are preliminary and have been identified to be consistent with the Site Inventory Guidelines developed by the California Department of Housing and Community Development (HCD) for Housing Element development. The Housing Element does NOT approve any housing project on the preliminary site. That will occur during the subsequent General Plan Update and Zoning Ordinance Update and all new housing projects will be evaluated through the applicable review process.



0 1.25 2.5 Miles



Airport Building Obstruction Zone

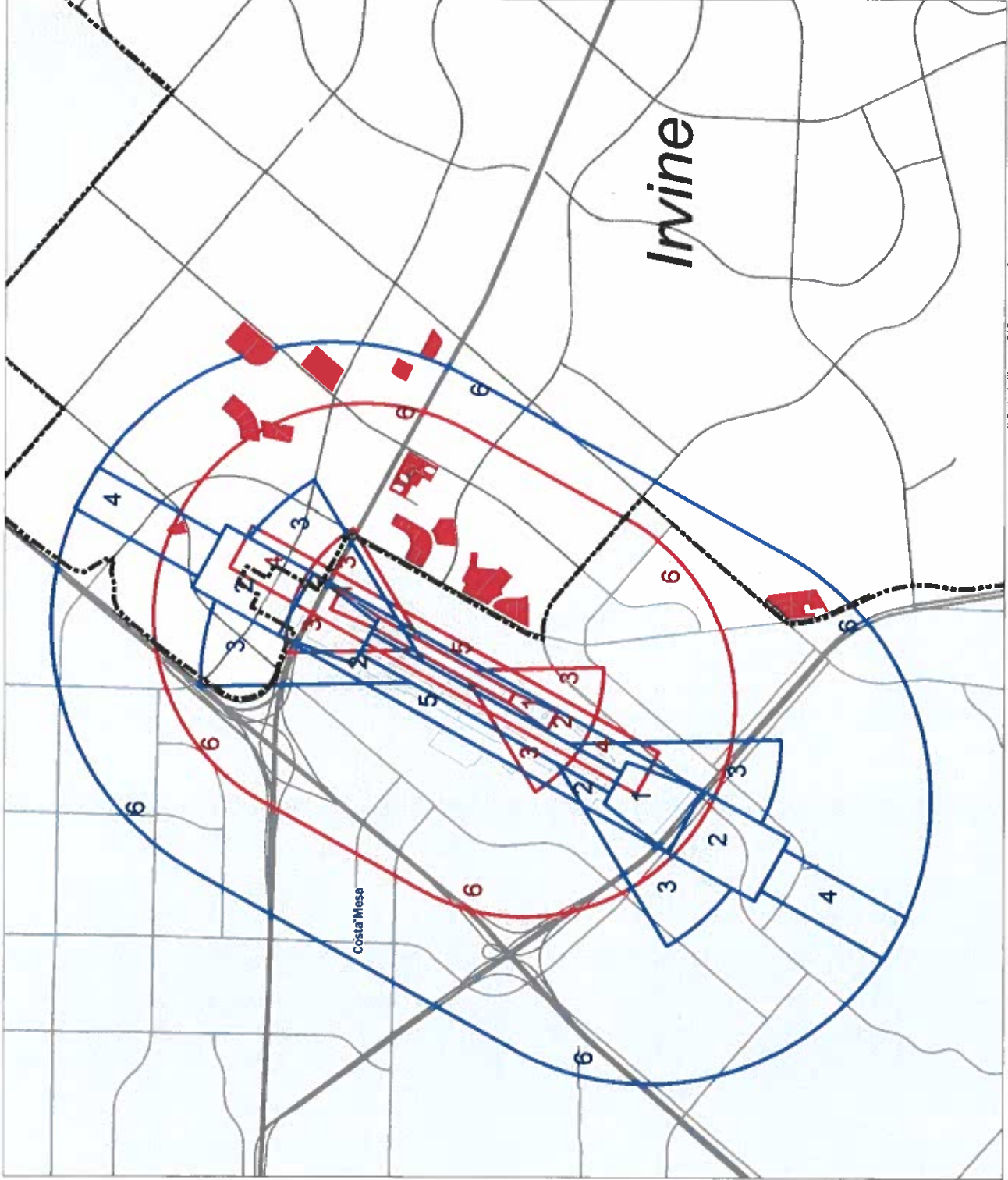
PA	ADDRESS *	NAME	SITYPE	HCD Table	Line #	Zoning	Assumed # Units	Notes
19	3661 MICHELSON		DR	A	14	2.4	1720	includes addresses for lines #10-21 for Park West from the HCD site inventory form
19	3883 PARKVIEW		LN	A	19	2.4	Not Specified	includes addresses for lines #10-21 for Park West from the HCD site inventory form
19	3405 MICHELSON		DR	B	6&7	4.4A	482	includes 3405 & 3409 Michelson Dr (includes 3415 Michelson Dr)
19	3415 MICHELSON		DR	B	6&7	4.4A	0	includes 3405 & 3409 Michelson Dr (includes 3415 Michelson Dr); 482 units total counted under line #58 above
19	3409 MICHELSON		DR	B	6&7	4.4A	0	includes 3405 & 3409 Michelson Dr (includes 3415 Michelson Dr); see line item #58 above
24	4115 CAMPUS		DR	A	31	3.1A	Not Specified	
24	4175 CAMPUS		DR	A	28	3.1A	323	includes 4143, 4175, 4213 Campus Dr
24	4127 CAMPUS		DR	A	30	3.1A	72	
24	4139 CAMPUS		DR	A	29	3.1A	428	includes 4101, 4139, 4255 Campus Dr
24	4213 CAMPUS		DR	A	28	3.1A	0	includes 4143, 4175, 4213 Campus Dr; 323 units total counted under line #56 above
24	4143 CAMPUS		DR	A	28	3.1A	0	includes 4143, 4175, 4213 Campus Dr; 323 units total counted under line #56 above
24	4255 CAMPUS		DR	A	29	3.1A	0	Includes 4101, 4139, 4255 Campus Dr; 428 units total counted under line #59 above
24	4101 CAMPUS		DR	A	29	3.1A	0	Includes 4101, 4139, 4255 Campus Dr; 428 units total counted under line #59 above
36	2500 WHITE		RD	A	39	5.1	192	
36	2652 MCGAW		AVE	A	54	5.1	Not Specified	
36	16680 ARMSTRONG		AVE	A	40	5.1	306	
36	2323 MAIN		ST	A	34	5.1	613	
36	17421 VON KARMAN		AVE	A	87	5.1	442	
36	2900 MCCABE		WAY	A	38	5.1	250	
36	2640 MAIN		ST	A	58	5.1	180	
36	17421 DERIAN		AVE	A	52	5.1	255	
36	2151 MICHELSON		DR	A	82	5.1	Not Specified	
36	18007 VON KARMAN		AVE	A	73	5.1	541	Lakeshore Towers - former 24 Hour Fitness
36	17572 ARMSTRONG		AVE	A	70	5.1	351	
36	17832 GILLETTE		AVE	A	43	5.1	326	Includes 17832 & 17840 Gillette Ave
36	19752 MACARTHUR		BLVD	A	92	5.1	Not Specified	
36	2660 BARRANCA		PKWY	A	35	5.1	386	
36	18512 MACARTHUR		BLVD	A	80	5.1	921	
36	17032 MURPHY		AVE	A	57	5.1	73	
36	18872 MACARTHUR		BLVD	A	76	5.1	442	
36	16775 VON KARMAN		AVE	A	50	5.1	Not Specified	(includes 16845, 16775, 16815, 16795 Von Karman Ave)
36	18700 MACARTHUR		BLVD	A	88	5.1	406	
36	1691 BROWNING		<Null>	A	63	5.1	98	
36	2041 BUSINESS CENTER		DR	A	83	5.1	Not Specified	
36	2021 BUSINESS CENTER		DR	A	83	5.1	Not Specified	
36	17522 ARMSTRONG		AVE	A	71	5.1	Not Specified	
36	19782 MACARTHUR		BLVD	A	86	5.1	144	
36	16969 VON KARMAN		AVE	A	49	5.1	Not Specified	
36	16845 VON KARMAN		AVE	A	50	5.1	Not Specified	(includes 16845, 16775, 16815, 16795 Von Karman Ave)

Airport Building Obstruction Zone

PA	ADDRESS *	NAME	STTYPE	HCD Table	Line #	Zoning	Assumed # Units	Notes
36	19742	MACARTHUR	BLVD	A	93	5.1	Not Specified	
36	1582	BROWNING	<Null>	A	62	5.1	49	
36	2121	ALTON	PKWY	A	48	5.1	1543	
36	2802	KELVIN	AVE	A	56	5.1	217	
36	17672	COWAN	<Null>	A	67	5.1	117	
36	19762	MACARTHUR	BLVD	A	89	5.1	594	
36	19732	MACARTHUR	BLVD	A	91	5.1	Not Specified	(includes 19722 & 19732 MacArthur Blvd)
36	17522	ARMSTRONG	AVE	A	71	5.1	Not Specified	
36	2400	BARRANCA	PKWY	A	47	5.1	311	
36	18800	MACARTHUR	BLVD	A	72	5.1	418	
36	17632	ARMSTRONG	AVE	A	69	5.1	Not Specified	
36	2061	BUSINESS CENTER	DR	A	83	5.1	Not Specified	Includes 2021, 2041 & 2061 Business Center Dr
36	18051	VON KARMAN	AVE	A	75	5.1	Not Specified	Lakeshore Towers - Il Fornaio Restaurant
36	1621	BROWNING	<Null>	A	64	5.1	Not Specified	
36	19712	MACARTHUR	BLVD	A	90	5.1	Not Specified	
36	2081	BUSINESS CENTER	DR	A	84	5.1	Not Specified	
36	16755	VON KARMAN	AVE	A	51	5.1	Not Specified	includes 16755, 16735, 16715 Von Karman Ave
36	17451	VON KARMAN	AVE	A	65	5.1	372	
36	16735	VON KARMAN	AVE	A	51	5.1	Not Specified	includes 16755, 16735, 16715 Von Karman Ave
36	17622	ARMSTRONG	AVE	A	68	5.1	231	
36	2152	DUPONT	DR	A	61	5.1	68	
36	2081	BUSINESS CENTER	DR	A	85	5.1	Not Specified	
36	16902	VON KARMAN	AVE	A	41	5.1	290	
36	18912	MACARTHUR	BLVD	A	77	5.1	Not Specified	
36	18482	MACARTHUR	BLVD	A	81	5.1	Not Specified	
36	16912	VON KARMAN	AVE	A	42	5.1	Not Specified	
36	19722	MACARTHUR	BLVD	A	91	5.1	Not Specified	Includes 19722 & 19732 MacArthur Blvd
36	16715	VON KARMAN	AVE	A	51	5.1	Not Specified	includes 16755, 16735, 16715 Von Karman Ave
36	16795	VON KARMAN	AVE	A	50	5.1	Not Specified	Includes 16845, 16775, 16815, 16795 Von Karman Ave
36	16661	JAMBOREE	RD	A	36	5.1	Not Specified	
36	18700	MACARTHUR	BLVD	A	88	5.1	406	
36	2712	MCGAW	AVE	A	55	5.1	Not Specified	
36	2552	MCGAW	AVE	A	53	5.1	370	
36	17840	GILLETTE	AVE	A	43	5.1	0	Includes 17832 & 17840 Gillette Ave; 326 units total counted in line #19 above
36	18952	MACARTHUR	BLVD	A	78	5.1	Not Specified	
36	2698	WHITE	RD	A	37	5.1	85	
36	17221	VON KARMAN	AVE	A	59	5.1	279	
36	2091	BUSINESS CENTER	DR	A	66	5.1	78	
36	18191	VON KARMAN	AVE	A	74	5.1	Not Specified	
							14,379	TOTAL

AIRPORT SAFETY ZONES

- Housing Element Update
 - Safety Medium Zone
 - Safety Short Zone
- Zones
- 1 RUNWAY PROTECTION ZONE
 - 2 INNER APPROACH / DEPARTURE ZONE
 - 3 INNER TURNING ZONE
 - 4 OUTER APPROACH / DEPARTURE ZONE
 - 5 SIDELINE ZONE
 - 6 TRAFFIC PATTERN ZONE



\\Co-gis\file-pvt\GIS\projects\CommDev\Chao_M_AirportNoise_2021\207_jq

Airport Safety Zones

PA	ADDRESS	NAME	STTYPE	HCD Table	Line #	Zoning	Assumed # Units	Notes
36	2151	MICHELSON	DR	A	82	5.1	Not Specified	
36	18512	MACARTHUR	BLVD	A	80	5.1	921	
36	18872	MACARTHUR	BLVD	A	76	5.1	442	
36	18700	MACARTHUR	BLVD	A	88	5.1	406	
36	2041	BUSINESS CENTER	DR	A	83	5.1	Not Specified	
36	2021	BUSINESS CENTER	DR	A	83	5.1	Not Specified	
36	18800	MACARTHUR	BLVD	A	72	5.1	418	
36	2061	BUSINESS CENTER	DR	A	83	5.1	Not Specified	
36	18051	VON KARMAN	AVE	A	75	5.1	Not Specified	Lakeshore Towers - Il Fornaio Restaurant
36	2081	BUSINESS CENTER	DR	A	84	5.1	Not Specified	
36	2152	DUPONT	DR	A	61	5.1	68	
36	2081	BUSINESS CENTER	DR	A	85	5.1	Not Specified	
36	18912	MACARTHUR	BLVD	A	77	5.1	Not Specified	
36	18482	MACARTHUR	BLVD	A	81	5.1	Not Specified	
36	18700	MACARTHUR	BLVD	A	88	5.1	406	
36	18952	MACARTHUR	BLVD	A	78	5.1	Not Specified	
36	2091	BUSINESS CENTER	DR	A	66	5.1	78	
36	18007	VON KARMAN	AVE	A	73	5.1	541	Lakeshore Towers - Former 24 Hour Fitness
36	NWC Quartz & Von Karman Ave			A	74	5.1	Not Specified	Lakeshore Towers - Landscape & Hardscape
36	17672	Cowan	Ave	A		5.1	117	
							3,397	TOTAL



JOHN WAYNE
AIRPORT
ORANGE COUNTY

John Wayne Airport Access & Noise Office

Irvine Altitude Analysis
Thursday, January 24, 2019
689 Operations

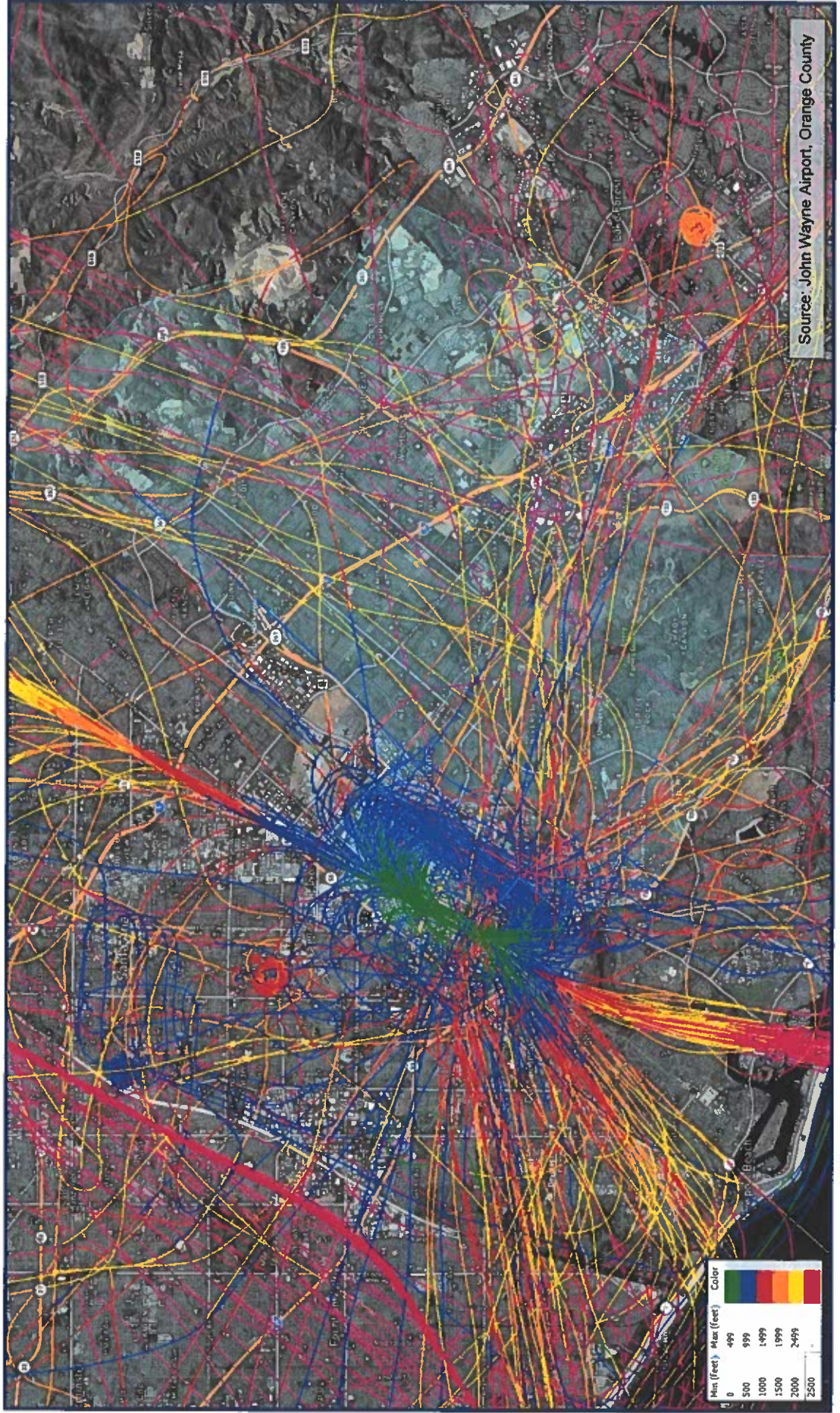




JOHN WAYNE
AIRPORT
ORANGE COUNTY

John Wayne Airport Access & Noise Office

Irvine Altitude Analysis Saturday, June 22, 2019 550 Operations





JOHN WAYNE
AIRPORT
ORANGE COUNTY

John Wayne Airport Access & Noise Office

Irvine Altitude Analysis
Thursday, October 17, 2019
788 Operations

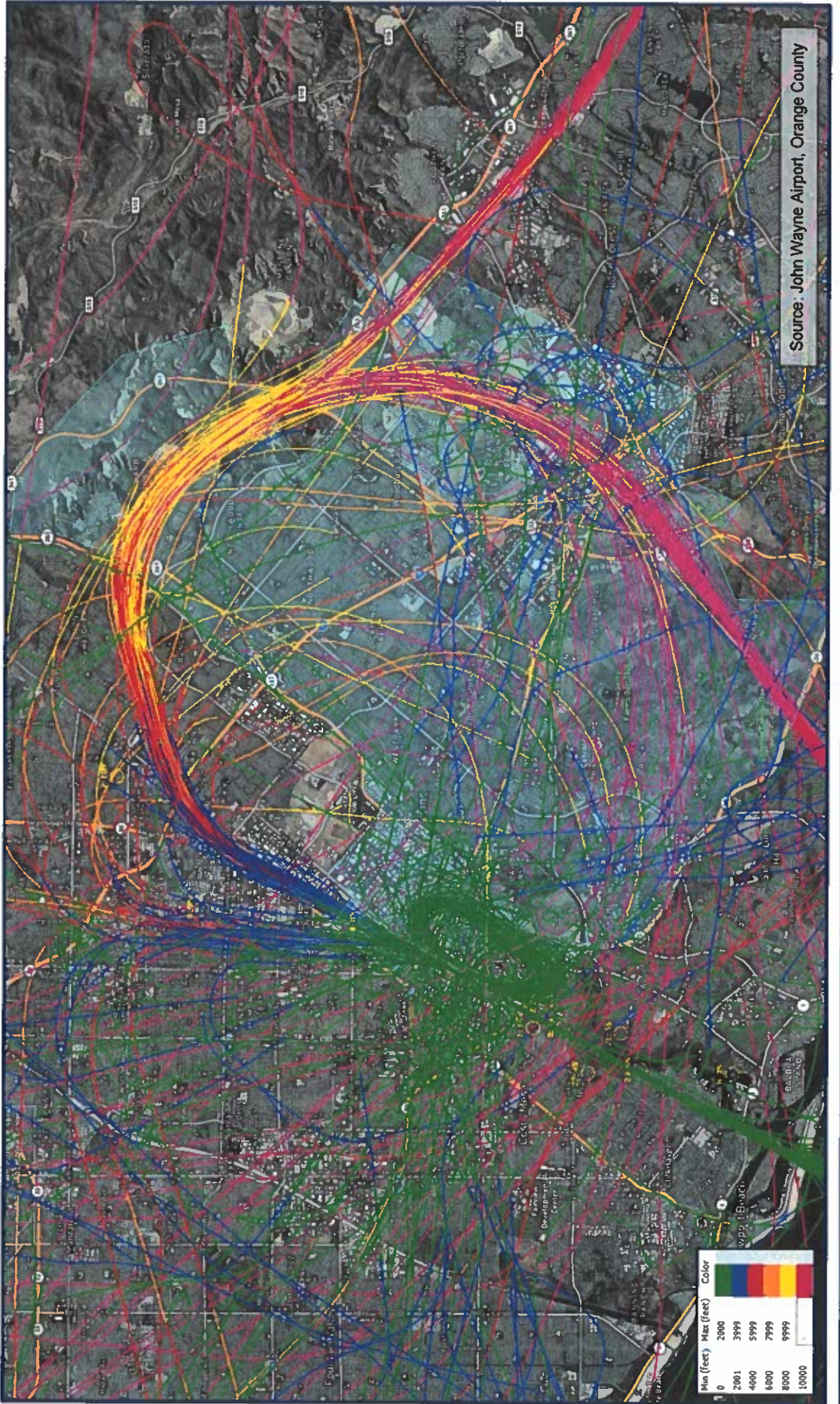




JOHN WAYNE
AIRPORT
ORANGE COUNTY

John Wayne Airport Access & Noise Office

Irvine Altitude Analysis Thursday, January 22, 2019 506 Reverse Flow Operations





AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

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

December 15, 2021

Melissa Chao, Senior Planner
City of Irvine, Community Development Department
1 Civic Center Plaza
Irvine, CA 92606

Subject: City of Irvine IS/ND for Proposed General Plan 6th Cycle Housing Element 2021-2029 Update

Dear Ms. Chao:

Thank you for the opportunity to review the Initial Study/Negative Declaration (IS/ND), prepared in accordance with the California Environmental Quality Act (CEQA), for the City of Irvine Housing Element Update 2021–2029 (Update). In the context of the Airport Environs Land Use Plan for John Wayne Airport (*AELUP for JWA*), the Airport Land Use Commission for Orange County (ALUC) offers the following comments and respectfully requests consideration of these comments prior to City action on the proposed Negative Declaration and Housing Element Update.

The Housing Element, as part of the Irvine General Plan, establishes housing-related actionable programs intended to guide decision-making related to land use planning and development activities for this planning period in accordance with the City's stated housing goals and state law.

Portions of the City of Irvine fall within the 60 and 65 dB CNEL noise contours for JWA including sections of the Irvine Business Complex (Planning Area 36) located to the north and west of the Airport. ALUC does not support residential uses within the 65 dB CNEL contour. In accordance with the *AELUP for JWA* Section 3.2.3, all residential units within the 65 dB CNEL contour are 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. As for residential development within the 60 dB CNEL contour, the ALUC may not find residential units incompatible in this area but would strongly recommend that residential units be limited or excluded from this area unless sufficiently sound attenuated not to exceed an interior level of 45 db.

ATTACHMENT 7

The City's IS/ND for the proposed Update project has found that no adverse environmental impacts to either the human-made or physical environmental setting would occur, and no mitigation measures would be required. However, as part of our ALUC review, we have noted areas that have not been addressed in the IS/ND prepared for the proposed Update, as follows:

1. Update, Section 5.3.3.7 states, "Please note that the 5.2 IBC Industrial area is subject to a 35-foot maximum height, but there are no sites in this portion of the IBC, (and no units are planned in the 5.2 zone)." However, Figure 7-1, Area B1, shows a small area at the north end of the Airport on Red Hill Avenue within an industrial area that is shaded, and the corresponding legend shows "No Project Type Designation." It is unclear if this designation allows for a future project type to be designated or not. An explanation should be included that clarifies the intent of this small area and specifically states that this area is under the JWA primary aircraft approach corridor, within the 65 dB CNEL and within Safety Zone 5, as identified in the AELUP for JWA. The IS/ND for the Update should make clear that, in the future, this site will not be considered for any type of housing development due to aircraft noise and safety impacts.

2. Figure 7-1, Area C-1 on the western edge of JWA shows a portion shaded in light brown adjacent to MacArthur Blvd. that is labeled "Affordable Housing." (This area appears to include Sites 76, 78 and 82 noted in the Update Chapter 7 *Adequate Sites Inventory Analysis and Methodology* table.) However, the City of Irvine General Plan IBC Element (Supplement No. 8, June 2012), Page N-12, states that "The Business Complex District is applied to portions of the IBC characterized by existing longstanding office and industrial uses that are expected to remain. This District accommodates new industrial uses and an expansion of existing uses. Residential uses are not permitted in this area. [Underlining added.] The land use types and standards allowed in the district are determined by the base zoning designation." This "Business Complex District" along MacArthur Boulevard is also shown on the City's General Plan IBC Element Figure N-3. Additionally, please note that this area is immediately adjacent to, but outside the 65 dB CNEL noise contour for JWA, and within the 60 dB CNEL contour. The IS/ND should address the conflict between the proposed Update and the IBC Element. (IS/ND Checklist question 2.4.11 b (*Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*))

3. Because of the IBC proximity to airport noise, any prospective resident should be notified of the presence of aircraft overflight. We recommend that the IS/ND include reference to where in the City's General Plan or Zoning Code this notification requirement can be found, since the Housing Element is the primary

General Plan document for regulating new residential development in the City, and specifically within the IBC and Planning Area 36.

4. Generally, it seems that there would be potential CEQA impacts if sites that have not previously been identified for residential housing uses will now be designated as such. This is especially true for areas that may be affected by airport noise and safety requirements and should be addressed in the IS/ND.

5. Please clarify in the IS/ND that any future land use amendments and zone changes within the Airport Influence Area of JWA would be subject to ALUC review.

A referral by the City to the ALUC is required for this project due to the location of the proposal within an AELUP Planning Area and due to the nature of the required City approvals (i.e. Housing Element Update) under PUC Section 21676(b). With respect to project submittals, please note that the Commission requests that referrals be submitted to the ALUC for a determination between the Local Agency's Planning Commission and City Council hearings. Since the ALUC meets on the third Thursday afternoon of each month, complete submittals must be received in the ALUC office by the first of the month to ensure sufficient time for review, analysis, and agendaing. A Housing Element Submittal form is available at:

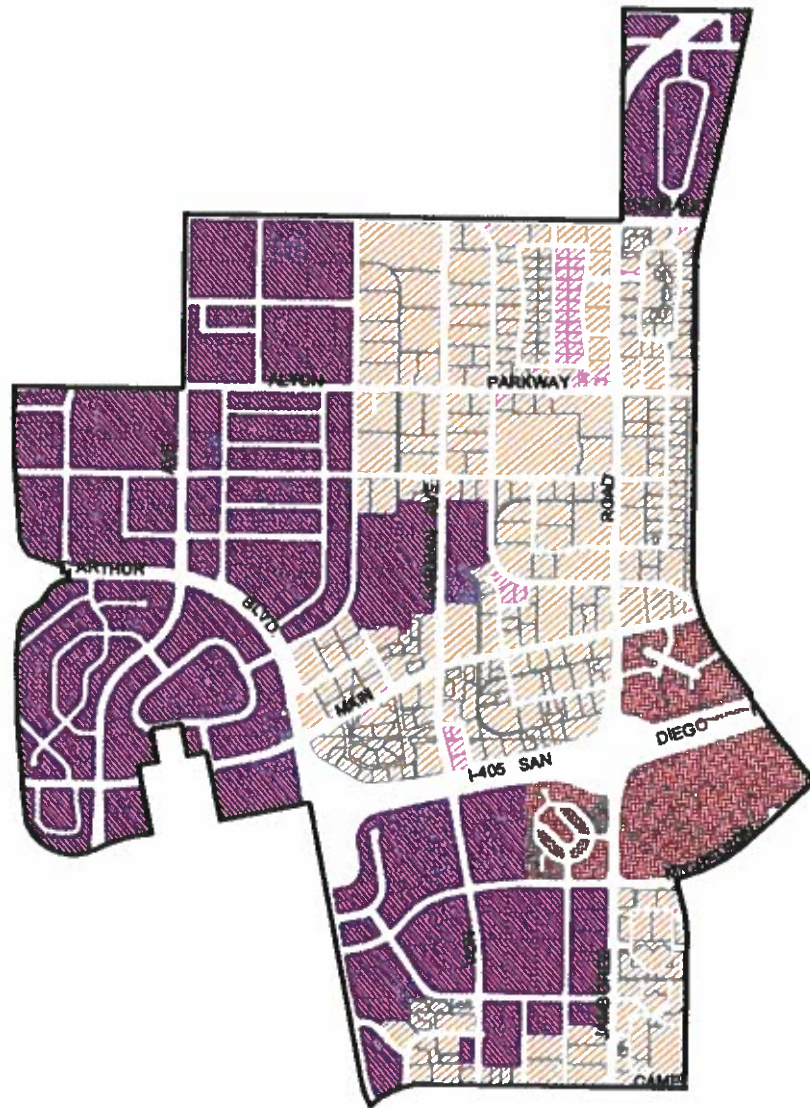
<https://www.ocair.com/about/administration/airport-governance/commissions/airport-land-use-commission/>




Thank you for the opportunity to comment on this Draft Initial Study/Negative Declaration. Please contact Julie Fitch at (949) 252-5284 or via email at jfitch@ocair.com should you require additional information.

Sincerely,



Lea U. Choum
Executive Officer



- Overlay Districts**
-  Business Complex
 -  Urban Neighborhood - Height limit 75 feet above ground level
 -  Urban Neighborhood - Height limit 20 stories or FAA height limits as determined by Part 77 of FAA regulations, whichever is less.



**City of Irvine
General Plan**

**Figure N-3
IBC Residential- Mixed Use
Overlay Zone- Regulating Plan**

ATTACHMENT 8



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

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

January 8, 2022

City Council Members
City of Irvine
P.O. Box 19575
Irvine, CA 92623

Subject: City Council Agenda Item No. 3.1 General Plan Amendment to Update the Housing Element

Dear City Council Members:

Item 3.1 on your January 11, 2022 City Council Meeting Agenda states that the Council shall take the following actions related to the General Plan Amendment to Update the Housing Element:

- 1) Conduct the public hearing.
- 2) Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING A NEGATIVE DECLARATION FOR GENERAL PLAN AMENDMENT 00832121-PGA, AND APPROVING GENERAL PLAN AMENDMENT 00832121-PGA FOR THE 2021-2029 HOUSING ELEMENT UPDATE

The proposed Housing Element Update has been referred to the Airport Land Use Commission (ALUC) for Orange County for a consistency determination at their regularly scheduled meeting of January 20, 2022.

Pursuant to California Public Utilities Code (PUC) Section 21676(b):

"Prior to the 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 commission for a consistency review. If the commission determines that the proposed action is inconsistent with the commission's plan, the referring agency shall be notified. The local agency may, after a public hearing, propose to overrule the commission by a two-thirds vote of its governing body if it makes specific findings that the proposed action is consistent with the purposes of this article stated in Section 21670."

ATTACHMENT 9

ALUC Comments on #3.1
January 8, 2022
Page 2

The City's proposed General Plan Amendment must be heard by City Council *after* ALUC findings have been made on January 20, 2022. Otherwise, the intent of the PUC will be overlooked and the City would be in violation of PUC 21676.

Also, please keep in mind that to overrule ALUC's findings, the City must provide 45 days' notice of an intent to overrule ALUC's findings and must allow ALUC thirty (30) days to provide advisory comments before a hearing to overrule is conducted. Failing to do so would be a violation of PUC Sections 21676 and 21676.5.

Thank you for your consideration on this matter. Should you need additional information, please contact me at 949-252-5123 or lchoum@ocair.com.

Sincerely,

A handwritten signature in blue ink that reads "Lea U. Choum". The signature is fluid and cursive, with the first name "Lea" being the most prominent.

Lea U. Choum
Executive Officer, ALUC for Orange County

cc: Members of the ALUC for Orange County
Marika Poynter, Principal Planner, City of Irvine



RECEIVED

December 15, 2021

DEC 15 2021

AIRPORT LAND USE COMMISSION

Sent via email to:
Ichoum@ocair.com and
ALUCinfo@ocair.com

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

Subject: Review of City of Irvine 2021-2029 Housing Element Update

Dear Ms. Choum:

The City of Irvine is seeking a determination of consistency with the Airport Environs Land Use Plan (AELUP) from the Airport Land Use Commission (ALUC) for the adoption of the 2021-2029 Housing Element. Pursuant to the Public Utilities Code Section 21676 (b), the City of Irvine hereby submits the Housing Element Update Submittal Form and Checklist for the 2021-2029 Housing Element (00832121-PGA) to ALUC for consideration at the meeting scheduled for January 20, 2022.

Over the past 12 months, City staff has worked alongside the City's Housing Element consultant team, the community, Planning Commission, and City Council to prepare a draft Housing Element update. It is notable that the 6th Cycle Regional Housing Needs Assessment (RHNA) allocation of 23,610 new units is approximately 25 percent of the City's current housing stock and almost double the allocation for the 5th Cycle RHNA period. Given this high allocation and new housing element law requirements such as Affirmatively Furthering Fair Housing (AFFH) and "no-net-loss", new residential sites are being considered citywide. The 2021-2029 Housing Element includes the identification of specific housing opportunity sites for the purposes of meeting the strict site inventory requirements of the California Department of Housing and Community Development (HCD), however, the actual location and the development of new housing units will be driven by market trends. Additionally, the 2021-2029 Housing Element does not entitle, or otherwise allow for, any new residential units or change the General Plan designation of the identified housing sites. This will be completed through the required subsequent General Plan Update, Zoning Ordinance Update, and Program Environmental Impact Report scheduled to occur between March 2022 and October 2024.

The Planning Commission will be taking action on the 2021-2029 Housing Element on December 16, 2021 and the City Council is scheduled to review and take action on the 2021-2029 Housing Element on January 11, 2022 with the allowance for a January 25, 2022 City Council meeting.

ATTACHMENT 10

Ms. Lea Choum, Executive Director
December 15, 2021
Page 2 of 2

Per the requirements of Assembly Bill 1398 (AB 1398), signed by Governor Newsom in September 2021, jurisdictions must adopt the housing element and HCD must find the housing element in substantial compliance by February 11, 2022. If a jurisdiction is unable to comply with AB 1398, the jurisdiction will be required to complete all necessary rezoning and environmental review by October 15, 2022 and the jurisdiction will be subject to penalties. Given the new requirements of AB 1398, the City Council will need to adopt the 2021-2029 Housing Element at the January 2022 meeting.

Should you have any questions concerning the preceding information, I can be reached at 949-724-6456 or via email at mpoynter@cityofirvine.org

Sincerely,



Marika Poynter
Principal Planner

Attachments:

1. Completed Submittal Form
2. Existing 5th Cycle Housing Element
3. Proposed 6th Cycle Housing Element
4. Notification Area Exhibit
5. Noise Contours Exhibit
6. Airport Safety Zones Exhibit
7. Obstruction Imaginary Surfaces Exhibit
8. Noise Policies from General Plan
9. Building Height – Zoning Ordinance Links

cc: File 00832121-PGA



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

HOUSING ELEMENT UPDATE - SUBMITTAL FORM

1. City/County: City of Irvine in County of Orange
2. Contact information - Name/Title Marika Poynter, Principal Planner
Agency: City of Irvine
Address: One Civic Center Plaza, Irvine, CA 92606
Phone/email: 949-724-6456; mpoynter@cityofirvine.org
3. Airport Planning Area(s):
 John Wayne Airport Fullerton Municipal Airport Joint Forces Air Base Los Alamitos
4. Are there additional General Plan Element(s) being submitted for review: No Yes –
Name of Elements: N/A
5. Scheduled date of Planning Commission Public Hearing: December 2 and 16, 2021
6. Tentative date of City Council Public Hearing: January 11 and/or 25, 2022
7. Requested month of ALUC Review: 1/20/2022
(Complete submittal must be received by the first day of the month for the next meeting on the third Thursday of the month).
8. Does the Housing Element Update identify new housing sites within the airport Notification/Planning Area*? No (skip items # 9-12). Yes (continue below).
9. Does the Housing Element Update identify new housing sites within the: 60 CNEL or 65 CNEL Noise Contours of the airport(s)*? Please attach an exhibit showing location(s) of proposed housing sites and number of units in relation to noise contours.
10. Are noise policies or mitigation measures identified in the Housing Element or elsewhere in the General Plan? No Yes - Please attach pages with noise policies/mitigation measures highlighted.
11. Are any new housing sites identified within the Runway Protection Zone (RPZ), Clear Zone (CZ), or Airport Safety Zones of the airport*? No Yes - Please attach exhibit showing location(s) of proposed housing site(s) and number of units in relation to the applicable zones.
12. Are any new housing sites identified within the Obstruction Imaginary Surfaces*?
 No Yes - Please attach an exhibit showing location(s) of proposed housing sites and number of units in relation to the Obstruction Imaginary Surfaces.
13. Maximum height allowed for proposed housing. Building heights are unknown at this time, but will comply w/FAA guidelines. For reference, see attached list with pertinent Zoning Ordinance hyperlinks.
(Please provide link and identify section(s) of General Plan and/or Zoning Code where housing maximum height is specified.)

Continued on reverse side.

HOUSING ELEMENT UPDATE - SUBMITTAL CHECKLIST

<input checked="" type="checkbox"/>	Cover letter on City/County letterhead.
<input checked="" type="checkbox"/>	Completed Submittal Form.
<input checked="" type="checkbox"/>	Copy of existing Housing Element (and any other applicable Elements).
<input checked="" type="checkbox"/>	Copy of proposed Housing Element Update attached (and any other proposed elements) with requested information highlighted.
<input checked="" type="checkbox"/>	Exhibit showing location(s) of proposed housing sites and number of units within the Notification Area/Planning Area for airport.
<input checked="" type="checkbox"/>	Exhibit showing location(s) of proposed housing sites, and how many units for each, in relation to noise contours for airport(s).
<input checked="" type="checkbox"/>	Noise policies/mitigation measures in Housing Element Update highlighted and/or pages from other elements attached.
<input checked="" type="checkbox"/>	Exhibit showing location(s) of proposed housing sites, and how many units for each, in relation to Airport Safety Zones.
<input checked="" type="checkbox"/>	Exhibit showing location(s) of proposed housing sites, and how many units for each, in relation to the Obstruction Imaginary Surfaces.
<input checked="" type="checkbox"/>	Pages of General Plan and/or Zoning Code which indicate height restrictions for each new housing site within Airport Notification/Planning Area.
<input checked="" type="checkbox"/>	Explanation of how the Housing Element Update (or other General Plan Elements) addresses the AELUP standards for noise impact, safety compatibility, and height restriction zones: The Draft 6 th Cycle HEU is a policy level document. Detailed planning considerations such as noise, safety, and building heights will be addressed during the subsequent General Plan Update/Zoning Ordinance Amendment and Environmental Impact Report process in March 2022 through October 2024. Note all sites are preliminary and have been identified to be consistent with the Site Inventory Guidelines developed by the California Department of Housing and Community Development (HCD) for Housing Element development. The Housing Element does NOT approve any housing project on the preliminary site. That will occur during the subsequent General Plan Update and Zoning Ordinance Amendment and all new housing projects will be further evaluated through the applicable review process.

*For airport planning/notification areas, noise contours, safety zones and obstruction imaginary surfaces see Appendix D of the applicable Airport Environs Land Use Plan (AELUP) at: <https://www.ocair.com/about/administration/airport-governance/commissions/airport-land-use-commission/>

*Mail or Email Submittal Form, Checklist and attachments to: Airport Land Use Commission for Orange County,
Attn: Executive Officer, 3160 Airway Avenue, Costa Mesa, CA 92626 / Phone: (949) 252-5170
ALUCinfo@ocair.com*