



# **AIRPORT LAND USE COMMISSION**

**FOR ORANGE COUNTY**  
3160 Airway Avenue Costa Mesa, CA 92626 (949) 252-5170 Fax (949) 252-6012

**REGULAR MEETING OF THE  
AIRPORT LAND USE COMMISSION  
FOR ORANGE COUNTY**

**March 17, 2022**

**PLEASE NOTE LOCATION**

**TIME: 4:00 p.m. PLACE: John Wayne Airport**  
**3160 Airway Avenue**  
**SUBJECT: Regular Meeting Costa Mesa, CA 92626**  
**Airport Commission Hearing Room**

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**NOTICE**

PERSONS ADDRESSING THE COMMISSION ARE REQUESTED TO GIVE THEIR NAMES AND ADDRESSES FOR THE RECORD.

EXCEPT AS OTHERWISE PROVIDED BY LAW, NO ACTION WILL BE TAKEN ON ANY ITEM NOT APPEARING IN THE FOLLOWING AGENDA. THE RECOMMENDED ACTIONS STATED IN THE AGENDA ITEM OR UNDERLYING STAFF REPORTS SIMPLY REFLECT THE RECOMMENDATION OF THE COMMISSION STAFF AND THE DISCUSSION AND ACTION TAKEN BY THE COMMISSION MAY DEVIATE THEREFROM.

AT THE CONCLUSION OF THE MEETING ON ITEMS LISTED IN THIS AGENDA, MEMBERS OF THE PUBLIC MAY ADDRESS THE COMMISSION ON ITEMS OF INTEREST TO THE PUBLIC THAT ARE WITHIN THE SUBJECT MATTER JURISDICTION OF THE COMMISSION.

ALL SUPPORTING DOCUMENTATION IS AVAILABLE FOR PUBLIC REVIEW IN THE EDDIE MARTIN ADMINISTRATION BUILDING LOCATED AT 3160 AIRWAY AVENUE, COSTA MESA, CA 92626 DURING REGULAR BUSINESS HOURS, 8:00 A.M. – 5:00 P.M. MONDAY THROUGH FRIDAY. AGENDA ITEMS ARE ALSO AVAILABLE BY CALLING (949) 252-5170 OR ONLINE AT [HTTPS://WWW.OCAIR.COM/COMMISSIONS/ALUC/](https://www.ocair.com/commissions/aluc/)

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**AGENDA**

**ORDER**

**PLEDGE**

## **APPROVAL OF MINUTES**

### **Regular Meeting of January 20, 2022:**

Commissioners Present: Gerald Bresnahan, Stephen Beverburg, Schelly Sustarsic, Alan Murphy, Mark Monin

Alternate Commissioners Present: Vern King

Commissioners Absent: Austin Lumbard

### **Regular Meeting of February 17, 2022:**

Commissioners Present: Gerald Bresnahan, Stephen Beverburg, Mark Monin, Austin Lumbard

Alternate Commissioners Present: Gary Miller

Commissioners Absent: Alan Murphy, Schelly Sustarsic

## **NEW BUSINESS:**

### **1. Update on the City of Seal Beach Status Regarding the Inconsistent Finding on the 2021-2029 Housing Element Update**

At the February 2022 meeting, the Commission found the City of Seal Beach Housing Element Update inconsistent with the *AELUP for JFTB, Los Alamitos* and requested that the City submit any development proposals for Site 3 to the Commission for review. However, the Commission may also wish to consider a further recommended action, as follows:

#### **Recommendation:**

In accordance with PUC Section 21676.5.(a), that the Commission require the City to 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 on the Housing Element Update.

### **2. City of Costa Mesa 2021-2029 Housing Element Update**

The City of Costa Mesa has submitted its Housing Element Update 2021-2029 for a consistency review.

**Recommendation:**

That the Commission find the proposed City of Costa Mesa Housing Element Update *Inconsistent* with the *AE LUP for John Wayne Airport* per:

- 1) Section 2.1.3, which states that a “Determination of No Hazard to Air Navigation [by FAA] does not automatically equate to a Consistency determination by the ALUC. The FAA may also conclude that a project is an Obstruction but not a Hazard to Air Navigation. The Commission may find a project Inconsistent based on an Obstruction determination. The Commission may utilize criteria for protecting aircraft traffic patterns at individual airports which may differ from those contained in FAR Part 77, should evidence of health, welfare, or air safety surface sufficient to justify such an action.”
- 2) 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.”

Additionally, the following recommendation related to future City actions is proposed:

- 3) In accordance with PUC Section 21676.5.(a), that the Commission require the City to 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.

3. **Administrative Status Report**

Receive and file ALUC correspondence sent/received.

4. **Proceedings with Consistent Agencies**

Aliso Viejo (April 15, 2004), Anaheim, Buena Park, Costa Mesa (October 17, 2008), Cypress (August 16, 2001), Fullerton (June 17, 2004), Garden Grove, Huntington Beach, Irvine, Laguna Hills, Lake Forest (June 15, 2006) Los Alamitos, Mission Viejo, Newport Beach (2006), Santa Ana (December 18, 2008), Stanton, Tustin, Westminster, and County of Orange.

5. **Proceedings with Inconsistent Agencies**

Laguna Woods (April 19, 2001) and Seal Beach.

6. **Items of Interest to the Commissioners**

Commissioners may comment on agenda or non-agenda matters, and ask questions of or give direction to staff, provided that no action may be taken on off-agenda items.

**7. Items of Interest to the Public**

Members of the public may address the Commission regarding any item within the subject matter jurisdiction of the Airport Land Use Commission provided that no action may be taken on off-agenda items unless authorized by law.

**ADJOURNMENT**

Next Regular Meeting: April 21, 2022