



AIRPORT LAND USE COMMISSION

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

AGENDA ITEM 4

September 15, 2022

TO: Commissioners/Alternates
FROM: Lea U. Choum, Executive Officer
SUBJECT: Administrative Status Report

The following attachments are for your review and information:

- JWA Statistics for February 2022 through July 2022
- ALUC Comments on City of Anaheim General Plan Update PEIR
- ALUC Determination for Costa Mesa Housing Element Update
- City of Irvine Letter & Resolution No. 22-17 Notice of Intent to Overrule
- ALUC Response to City of Irvine Notice of Intent to Overrule
- City of Costa Mesa Resolution No. 2022-19 Notice of Intent to Overrule
- ALUC Response to City of Costa Mesa Notice of Intent to Overrule
- ALUC Response to City of Seal Beach Notice of Intent to Overrule
- Caltrans Response to City of Seal Beach Notice of Intent to Overrule
- City of Seal Beach Resolution 7324 ALUC Overrule
- ALUC Comments on County of Orange Land Use Element & Zoning Code Amendment
- Referral Confirmation Letter to the County of Orange LUE & ZC Amendments

Respectfully submitted,

Lea U. Choum
Executive Officer

John Wayne Airport Posts February 2022 Statistics

March 25, 2022

SANTA ANA, Calif. - Airline passenger traffic at John Wayne Airport increased in February 2022 as compared to February 2021. In February 2022, the Airport served 717,400 passengers, an increase of 215.5% when compared with the February 2021 passenger traffic count of 227,402. There was a decrease of 6.2% when compared to 764,506 passengers in February 2020 and a decrease of 9.1% when compared to February 2019 of 789,523 passengers.

Commercial aircraft operations increased 87.5% and commuter aircraft operations increased 63.5% when compared with February 2021 levels. Levels compared to 2020 show commercial aircraft operations of 6,269 increased 9.5% and commuter aircraft operations of 577 decreased 23.2%. February 2022 in comparison to 2019 levels, commercial aircraft operations of 6,737 increased 1.9% and commuter aircraft operations of 416 increased 6.5%.

Total aircraft operations increased in February 2022 as compared with the same month in 2021. In February 2022, there were 23,522 total aircraft operations (take-offs and landings), a 7.5% increase compared to 21,873 total aircraft operations in February 2021. Total aircraft operations increased 21.2% compared to 19,412 in February 2020 and increased 10.1% compared to the February 2019 21,360 total.

General aviation activity, which accounted for 68.6% of the total aircraft operations during February 2022, decreased 9.9% when compared with February 2021, and increased 29.0% when compared to general aviation activity of 12,513 in February 2020, which accounted for 64.5% of total aircraft operations. When compared to February 2019 general aviation activity of 14,125, which accounted for 66.1% of total aircraft operations, it increased 14.3%.

The top three airlines in February 2022 based on passenger count were Southwest Airlines (275,771), United Airlines (105,039) and American Airlines (104,049).

John Wayne Airport
Monthly Airport Statistics - February 2022

	February 2022	February 2021	% Change	Year-To- Date 2022	
Total passengers	717,480	227,402	215.5%	1,347,802	4.
Enplaned passengers	357,029	112,444	217.5%	671,329	26
Deplaned passengers	360,371	114,958	213.5%	676,473	20
Total Aircraft Operations	23,522	21,873	7.5%	47,872	4
General Aviation	16,145	17,914	-9.9%	32,705	1
Commercial	6,866	3,662	87.5%	14,122	
Commuter ¹	443	271	63.5%	932	
Military	68	26	161.5%	113	
Air Cargo Tons ²	1,257	1,430	-12.1%	3,258	
International Statistics ³				(included in	
	February 2022	February 2021	% Change	Year-To- Date 2022	Tc
Total Passengers	12,572	0	0.0%	23,711	
Enplaned passengers	6,296	0	0.0%	11,511	
Deplaned passengers	6,276	0	0.0%	12,200	
Total Aircraft Operations	181	0	0.0%	387	

1. Aircraft used for regularly scheduled air service, configured with not a seventy (70) seats, and operating at weights not more than ninety thousand pounds.

2. All-Cargo Carriers: 1

Passenger Carriers (incidental belly cargo): 1

Current cargo tonnage figures in this report are for: 3

3. Includes all Canada and Mexico Commercial passengers and operations.

Translations

[約翰韋恩機場發布2022年2月的統計數據](#)

[존웨이인 공항, 2022년 2월 통계 게시](#)

[Mensajes sobre el Aeropuerto John Wayne, estadísticas de febrero de 2022](#)

John Wayne Airport Posts March 2022 Statistics

April 29, 2022

SANTA ANA, Calif. - Airline passenger traffic at John Wayne Airport increased in March 2022 as compared to March 2021. In March 2022, the Airport served 916,767 passengers, an increase of 137.9% when compared with the March 2021 passenger traffic count of 385,396.

- Compared to 337,981 passengers in March 2020, there was an increase of 171.2%.
- Compared to 923,403 passengers in March 2019, there was a decrease of 0.7%.

Commercial aircraft operations in March 2022 of 7,710 increased 45.1% and commuter aircraft operations of 484 increased 50.8% when comparing with March 2021 levels.

- Compared to 2020 levels of commercial aircraft operations, there was an increase of 38.1% and commuter aircraft operations decreased 3.2%.
- Compared to 2019 levels of commercial aircraft operations there was a decrease of 0.1% and commuter aircraft operations increased 21.0%.

Total aircraft operations increased in March 2022 as compared with the same month in 2021. In March 2022, there were 25,299 total aircraft operations (take-offs and landings), a 1.1% increase compared to 25,021 total aircraft operations in March 2021.

- Compared to March 2020 of 17,020, total aircraft operations increased 48.6%.
- Compared to March 2019 of 26,107, total aircraft operations decreased 3.1%.

General aviation activity of 17,056 accounted for 67.4% of the total aircraft operations during March 2022, and decreased 11.9% compared with March 2021.

- Compared to March 2020 general aviation activity of 10,906, which accounted for 64.1% of total aircraft operations, operations increased 56.4%.
- Compared to March 2019, general aviation activity of 17,903, which accounted for 68.6% of total aircraft operations, operations decreased 4.7%.

The top three airlines in March 2022 based on passenger count were Southwest Airlines (336,102), American Airlines (154,412) and United Airlines (141,003).

John Wayne Airport
Monthly Airport Statistics - March 2022

	March 2022	March 2021	% Change	Year-To- Date 2022	Year- To- Date 2021
Total passengers	916,767	385,396	137.9%	2,264,569	808,000
Enplaned passengers	458,677	191,474	139.6%	1,130,006	400,000
Deplaned passengers	458,090	193,922	136.2%	1,134,563	407,000
Total Aircraft Operations	25,299	25,021	1.1%	73,171	65,000
General Aviation	17,056	19,353	-11.9%	49,761	50,000
Commercial	7,710	5,312	45.1%	21,832	13,000
Commuter ¹	484	321	50.8%	1,416	0
Military	49	35	40.0%	162	0
Air Cargo Tons ²	1,276	1,211	5.4%	4,534	4,000
International Statistics ³				(included in	Year- To- Date 2021
	March 2022	March 2021	% Change	Year-To- Date 2022	Year- To- Date 2021
Total Passengers	21,005	4,125	409.2%	44,716	4,000
Enplaned passengers	10,299	2,224	363.1%	21,810	2,000
Deplaned passengers	10,706	1,901	463.2%	22,906	1,000
Total Aircraft Operations	224	79	183.5%	611	0

1. Aircraft used for regularly scheduled air service, configured with not a seventy (70) seats, and operating at weights not more than ninety thousand pounds.

2. All-Cargo Carriers: 1,100
 Passenger Carriers (incidental belly cargo): 143
 Current cargo tonnage figures in this report are for: Feb

3. Includes all Canada and Mexico Commercial passengers and operations.

Translations

[约翰韋恩機場公佈2022年3月統計資料](#)

[존웨이인 공항 2022년 3월 통계 게시](#)

[AEROPUERTO JOHN WAYNE PUBLICA LAS ESTADISTICAS DE MARZO 2022](#)

John Wayne Airport Posts April 2022 Statistics

June 2, 2022

SANTA ANA, Calif. - Airline passenger traffic at John Wayne Airport increased in April 2022 as compared to April 2021. In April 2022, the Airport served 958,826 passengers, an increase of 93.5% when compared with the April 2021 passenger traffic count of 495,592.

- Compared to 25,313 passengers in April 2020, there was an increase of 3,687.9%.
- Compared to 899,186 passengers in April 2019, there was an increase of 6.6%.

Commercial aircraft operations in April 2022 of 7,825 increased 44.7% and commuter aircraft operations of 468 increased 13.3% when comparing with April 2021 levels.

- Compared to 2020 levels of commercial aircraft operations, there was an increase of 375.4% and commuter aircraft operations increased 310.5%.
- Compared to 2019 levels of commercial aircraft operations there was an increase of 2.9% and commuter aircraft operations increased 18.2%.

Total aircraft operations decreased in April 2022 as compared with the same month in 2021. In April 2022, there were 25,729 total aircraft operations (take-offs and landings), a 4.0% decrease compared to 26,798 total aircraft operations in April 2021.

- Compared to April 2020 of 13,085, total aircraft operations increased 96.6%.
- Compared to April 2019 of 26,922, total aircraft operations decreased 4.4%.

General aviation activity of 17,378 accounted for 67.5% of the total aircraft operations during April 2022, and decreased 17.0% compared with April 2021.

- Compared to April 2020 general aviation activity of 11,306, which accounted for 86.4% of total aircraft operations, operations increased 53.7%.
- Compared to April 2019, general aviation activity of 18,850, which accounted for 70.0% of total aircraft operations, operations decreased 7.8%.

The top three airlines in April 2022 based on passenger count were Southwest Airlines (354,430), United Airlines (159,861) and American Airlines (156,876).

John Wayne Airport
Monthly Airport Statistics - April 2022

	April 2022	April 2021	% Change	Year-To- Date 2022	Year To Date 2021
Total passengers	958,826	495,592	93.5%	3,223,395	1,366,812
Enplaned passengers	478,347	247,596	93.2%	1,608,353	642,114
Deplaned passengers	480,479	247,996	93.7%	1,615,042	654,698
Total Aircraft Operations	25,729	26,798	-4.0%	98,900	103,511
General Aviation	17,378	20,946	-17.0%	67,139	79,711
Commercial	7,825	5,409	44.7%	29,657	23,800
Commuter ¹	468	413	13.3%	1,884	1,687
Military	58	30	93.3%	220	113
Air Cargo Tons ²	1,660	1,596	4.0%	6,194	5,987
International Statistics ³				(included in Total Passengers)	
	April 2022	April 2021	% Change	Year-To- Date 2022	Year To Date 2021
Total Passengers	24,800	9,099	172.6%	69,516	25,317
Enplaned passengers	12,367	4,431	179.1%	34,177	12,114
Deplaned passengers	12,433	4,668	166.3%	35,339	13,203
Total Aircraft Operations	230	120	91.7%	841	441

1. Aircraft used for regularly scheduled air service, configured with not a seventy (70) seats, and operating at weights not more than ninety thousand pounds.

2. All-Cargo Carriers:

Passenger Carriers (incidental belly cargo):

Current cargo tonnage figures in this report are for:

3. Includes all Canada and Mexico Commercial passengers and operations.

Translations

[約翰韋恩機場發佈 2022 年 4 月統計資料](#)

[존웨이인 공항, 2022년 4월 통계 게시](#)

[Posts sobre el Aeropuerto John Wayne, estadísticas de abril de 2022](#)

[Sân bay John Wayne Đăng tải Số liệu thống kê cho tháng 4/2022](#)

John Wayne Airport Posts May 2022 Statistics

June 23, 2022

SANTA ANA, Calif. – Airline passenger traffic at John Wayne Airport increased in May 2022 as compared to May 2021. In May 2022, the Airport served 1,003,510 passengers, an increase of 71.3% when compared with the May 2021 passenger traffic count of 585,735.

- Compared to 82,342 passengers in May 2020, there was an increase of 1,118.7%
- Compared to 942,680 passengers in May 2019, there was an increase of 6.5%

Commercial aircraft operations in May 2022 of 8,284 increased 47.2% and commuter aircraft operations of 514 increased 5.8% when comparing with May 2021 levels.

- Compared to 2020 levels of commercial aircraft operations, there was an increase of 375.5% and commuter aircraft operations increased 283.6%
- Compared to 2019 levels of commercial aircraft operations there was an increase of 4.5% and commuter aircraft operations increased 2.8%

Total aircraft operations decreased in May 2022 as compared with the same month in 2021. In May 2022, there were 25,126 total aircraft operations (takeoffs and landings) an 8.9% decrease compared to 27,591 total aircraft operations in May 2021.

- Compared to May 2020 of 17,352, total aircraft operations increased 44.8%.
- Compared to May 2019 of 26,509, total aircraft operations decreased 5.2%.

General aviation activity of 16,307 accounted for 64.9% of the total aircraft operations during May 2022, and decreased 23.9% compared with May 2021.

- Compared to May 2020 general aviation activity of 15,392, which accounted for 88.7% of total aircraft operations, operations increased 5.9%.
- Compared to May 2019, general aviation activity of 18,000, which accounted for 67.9% of total aircraft operations, operations decreased 9.4%.

The top three airlines in May 2022 based on passenger count were Southwest Airlines (357,190), United Airlines (166,766) and American Airlines (155,900).

John Wayne Airport
Monthly Airport Statistics - May 2022 (*REVISED July 14, 2022*)

	May 2022	May 2021	% Change	Year-To-Date 2022	Year-To-Date 2021	% Change
Total passengers	1,003,582	585,735	71.3%	4,226,977	1,889,415	123.
Enplaned passengers	497,682	289,080	72.2%	2,106,035	937,393	124.
Deplaned passengers	505,900	296,655	70.5%	2,120,942	952,022	122.
Total Aircraft Operations	25,126	27,591	-8.9%	124,026	119,550	3.7%
General Aviation	16,307	21,428	-23.9%	83,446	93,360	-10.
Commercial	8,284	5,626	47.2%	37,941	24,204	56.8
Commuter ¹	514	486	5.8%	2,398	1,788	34.1
Military	21	51	-58.8%	241	198	21.7
Air Cargo Tons ²	1,457	1,475	-1.2%	7,651	7,644	0.1%

International Statistics ³ (included in totals above)

	May 2022	May 2021	% Change	Year-To-Date 2022	Year-To-Date 2021	% Change
Total Passengers	27,593	10,653	159.0%	97,109	23,877	306.
Enplaned passengers	14,085	5,265	167.5%	48,262	11,920	304.
Deplaned passengers	13,508	5,388	150.7%	48,847	11,957	308.
Total Aircraft Operations	248	124	100%	1,089	323	237.

1. Aircraft used for regularly scheduled air service, configured with not more than seventy (70) seats, and operating at weights not more than ninety thousand (90,000) pounds.

2. All-Cargo Carriers: 1,288 ton
 Passenger Carriers (incidental belly cargo): 169 tons
 Current cargo tonnage figures in this report are for: April 202

3. Includes all Canada and Mexico Commercial passengers and operations.

[https://www.flycafe.com/press-releases/2022/05/05/2022-05-05-01/](#)

	May 2022	May 2021	% Change	Year-To-Date 2022	Year-To-Date 2021	% Change
Total passengers	1,003,510	585,735	71.3%	4,226,905	1,889,415	123.
Enplaned passengers	497,682	289,080	72.2%	2,106,035	937,393	124.
Deplaned passengers	505,828	296,655	70.5%	2,120,870	952,022	122.
Total Aircraft Operations	25,126	27,591	-8.9%	124,026	119,550	3.7%
General Aviation	16,307	21,428	-23.9%	83,446	93,360	-10.
Commercial	8,284	5,626	47.2%	37,941	24,204	56.8
Commuter ¹	514	486	5.8%	2,398	1,788	34.1
Military	21	51	-58.8%	241	198	21.7
Air Cargo Tons ²	1,457	1,475	-1.2%	7,651	7,644	0.1%

International Statistics ³ (included in totals above)

	May 2022	May 2021	% Change	Year-To-Date 2022	Year-To-Date 2021	% Change
Total Passengers	27,411	10,653	157.3%	96,927	23,877	305.
Enplaned passengers	14,085	5,265	167.5%	48,262	11,920	304.
Deplaned passengers	13,326	5,388	147.3%	48,665	11,957	307.
Total Aircraft Operations	247	124	99.2%	1,088	323	236.

1. Aircraft used for regularly scheduled air service, configured with not more than seventy (70) seats, and operating at weights not more than ninety thousand (90,000) pounds.

2. All-Cargo Carriers: 1,288 ton
 Passenger Carriers (incidental belly cargo): 169 tons
 Current cargo tonnage figures in this report are for: April 202

3. Includes all Canada and Mexico Commercial passengers and operations.

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John Wayne Airport Posts June 2022 Statistics

August 1, 2022

SANTA ANA, Calif. - Airline passenger traffic at John Wayne Airport increased in June 2022 as compared to June 2021. In June 2022, the Airport served 1,001,249 passengers, an increase of 37.1% when compared with the June 2021 passenger traffic count of 730,144.

- Compared to 181,486 passengers in June 2020, there was an increase of 451.7%.
- Compared to 918,810 passengers in June 2019, there was an increase of 9.0%.

Commercial aircraft operations in June 2022 of 8,091 increased 25.9% and commuter aircraft operations of 457 decreased 8.6% when comparing with June 2021 levels.

- Compared to 2020 levels of commercial aircraft operations, there was an increase of 219.3% and commuter aircraft operations increased 60.4%.
- Compared to 2019 levels of commercial aircraft operations there was an increase of 7.7% and commuter aircraft operations increased 0.7%.

Total aircraft operations decreased in June 2022 as compared with the same month in 2021. In June 2022, there were 25,893 total aircraft operations (takeoffs and landings), an 11.2% decrease compared to 29,153 total aircraft operations in June 2021.

- Compared to June 2020 of 19,231, total aircraft operations increased 34.6%.
- Compared to June 2019 of 25,531, total aircraft operations increased 1.4%.

General aviation activity of 17,321 accounted for 66.9% of the total aircraft operations during June 2022, and decreased 22.0% compared with June 2021.

- Compared to June 2020 general aviation activity of 16,357, which accounted for 85.1% of total aircraft operations, operations increased 5.9%.
- Compared to June 2019, general aviation activity of 17,496, which accounted for 68.5% of total aircraft operations, operations decreased 1.0%.

The top three airlines in June 2022 based on passenger count were Southwest Airlines (350,617), United Airlines (161,957) and American Airlines (161,466).

John Wayne Airport
Monthly Airport Statistics - June 2022

	June 2022	June 2021	% Change	Year-To- Date 2022	Y
Total passengers	1,001,249	730,144	37.1%	5,228,226	2,
Enplaned passengers	502,831	366,078	37.4%	2,608,866	1,
Deplaned passengers	498,418	364,066	36.9%	2,619,360	1,
Total Aircraft Operations	25,893	29,153	-11.2%	149,919	
General Aviation	17,321	22,207	-22.0%	100,767	
Commercial	8,091	6,424	25.9%	46,032	
Commuter ¹	457	500	-8.6%	2,855	
Military	24	22	9.1%	265	
Air Cargo Tons ²	1,288	1,384	-6.9%	8,939	
International Statistics ³				(included	
	June 2022	June 2021	% Change	Year-To- Date 2022	Y Dz
Total Passengers	28,339	12,078	134.6%	125,448	
Enplaned passengers	14,616	5,677	157.5%	62,878	
Deplaned passengers	13,723	6,401	114.4%	62,570	
Total Aircraft Operations	258	124	108.1%	1,347	

1. Aircraft used for regularly scheduled air service, configured with not a (70) seats, and operating at weights not more than ninety thousand (90,000) pounds.

2. All-Cargo Carriers:

 Passenger Carriers (incidental belly cargo):

 Current cargo tonnage figures in this report are for:

3. Includes all Canada and Mexico Commercial passengers and operations.

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John Wayne Airport (SNA) is owned by the County of Orange and is operated as a self-supporting enterprise that receives no general fund tax revenue. The Airport serves more than 10 million passengers annually and reaches more than 30 nonstop destinations in the United States, Canada and Mexico. More information can be found at www.oair.com. Like us on [facebook.com/johnwayneairport](https://www.facebook.com/johnwayneairport), or follow us on [Twitter @johnwayneair](https://twitter.com/johnwayneair) and [Instagram @johnwayneair](https://www.instagram.com/johnwayneair).

To receive John Wayne Airport news releases automatically, go to www.oair.com and click [Subscribe](#).

John Wayne Airport Posts July 2022 Statistics

August 31, 2022

SANTA ANA, Calif. – Airline passenger traffic at John Wayne Airport increased in July 2022 as compared to July 2021. In July 2022, the Airport served 1,049,187 passengers, an increase of 17.9% when compared with the July 2021 passenger traffic count of 890,185.

- Compared to 239,120 passengers in July 2020, there was an increase of 338.8%.
- Compared to 945,962 passengers in July 2019, there was an increase of 10.9%.

Commercial aircraft operations in July 2022 of 8,272 increased 13.4% and commuter aircraft operations of 481 decreased 8.7% when comparing with July 2021 levels.

- Compared to 2020 levels of commercial aircraft operations, there was an increase of 110.8% and commuter aircraft operations increased 4.6%.
- Compared to 2019 levels of commercial aircraft operations there was an increase of 7.2% and commuter aircraft operations decreased 8.0%.

Total aircraft operations decreased in July 2022 as compared with the same month in 2021. In July 2022, there were 27,061 total aircraft operations (takeoffs and landings) a 15.4% decrease compared to 31,998 total aircraft operations in July 2021.

- Compared to July 2020 of 23,694, total aircraft operations increased 14.2%.
- Compared to July 2019 of 27,520, total aircraft operations decreased 1.7%.

General aviation activity of 18,279 accounted for 67.5% of the total aircraft operations during July 2022, and decreased 24.3% compared with July 2021.

- Compared to July 2020 general aviation activity of 19,249, which accounted for 81.2% of total aircraft operations, operations decreased 5.0%.
- Compared to July 2019, general aviation activity of 19,194, which accounted for 69.7% of total aircraft operations, operations decreased 4.8%.

The top three airlines in July 2022 based on passenger count were Southwest Airlines (385,517), United Airlines (160,571) and American Airlines (157,326).

John Wayne Airport
Monthly Airport Statistics - July 2022

	July 2022	July 2021	% Change	Year-To- Date 2022	Year-To- Date 2021	% Chan
Total passengers	1,049,187	890,185	17.9%	6,277,413	3,509,744	78.9
Enplaned passengers	516,843	439,645	17.6%	3,125,709	1,743,116	79.3
Deplaned passengers	532,344	450,540	18.2%	3,151,704	1,766,628	78.4
Total Aircraft Operations	27,061	31,998	-15.4%	176,980	180,701	-2.1
General Aviation	18,279	24,146	-24.3%	119,046	139,713	-14.
Commercial	8,272	7,294	13.4%	54,304	37,922	43.2
Commuter ¹	481	527	-8.7%	3,336	2,815	18.5
Military	29	31	-6.5%	294	251	17.1
Air Cargo Tons ²	1,479	1,516	-2.4%	10,418	10,544	-1.2

**International
Statistics ³** (included in totals above)

	July 2022	July 2021	% Change	Year-To- Date 2022	Year-To- Date 2021	% Chan
Total Passengers	33,009	11,077	198.0%	158,457	47,032	236.
Enplaned passengers	16,362	5,260	211.1%	79,240	22,857	246.
Deplaned passengers	16,647	5,817	186.2%	79,217	24,175	227.
Total Aircraft Operations	256	124	106.5%	1,603	571	180.

1. Aircraft used for regularly scheduled air service, configured with not more than seventy (70) seats, and operating at weights not more than ninety thousand (90,000) pounds.

2. All-Cargo Carriers: 1,341 ton
Passenger Carriers (incidental belly cargo): 138 tons
Current cargo tonnage figures in this report are for: June 2022

3. Includes all Canada and Mexico Commercial passengers and operations.



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

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

March 17, 2022

City of Anaheim
Joanne Hwang, Senior Planner
200 S. Anaheim Boulevard, Suite 162
Anaheim, CA, 92805

Subject: City of Anaheim Notice of Preparation of General Plan Update Programmatic Environmental Impact Report (PEIR)

Dear Ms. Hwang:

Thank you for the opportunity to review the Notice of Preparation (NOP) for the proposed programmatic environmental impact report (PEIR) for the City of Anaheim General Plan Update in the context of the Airport Land Use Commission's (ALUC) *Airport Environs Land Use Plan (AELUP) for Fullerton Municipal Airport (FMA)*, *AELUP for Joint Forces Training Base (JFTB) Los Alamitos*, and *AELUP for Heliports*. The proposed project consists of the following general plan element updates and related policy changes: Circulation Element, Safety Element, a new Environmental Justice Element and a new Climate Action Plan. These elements, along with the 2021-2029 Housing Element Update, will require updates to the City's Zoning Code, Zoning Map, and Land Use Element to ensure consistency and allow for future implementation.

As defined in the *AELUP for FMA*, the northwest portion of the City is within the FMA Notification Area and within the conical obstruction imaginary surfaces, but outside of the airport noise contours. The westernmost part of the City is within the Notification Area and the conical and approach corridors for JFTB Los Alamitos, but outside of the noise contours. Public Resources Code Section 21096, requires that when preparing an environmental impact report for any project situated within an airport influence area as defined in an Airport Land Use Commission (ALUC) compatibility plan, lead agencies shall utilize the California Airport Land Use Planning Handbook as a technical resource with respect to airport noise and safety compatibility issues. We suggest consulting the Handbook for assistance in formulating airport land use compatibility policies.

The ALUC requests that within the Airport Influence Areas, the City address the environmental impacts of any new development policies related to Airport operations. General Plan policies

and/or PEIR mitigation measures should be considered for projects within this area. The PEIR and General Plan Update should address height restrictions and imaginary surfaces by discussing the Federal Aviation Administration (FAA) Federal Aviation Regulation (FAR) Part 77 as the criteria for determining height restrictions for projects located within the airport planning area. Per the *AELUPs for FMA* and *JFTB Los Alamitos*, all building height restrictions will have as their ultimate limits the imaginary surfaces as applicable and as defined in Part FAR Part 77. Including policy language in the General Plan and a mitigation measure in the PEIR, that states that no buildings will be allowed to penetrate the FAR Part 77 imaginary surfaces for FMA, would ensure the protection of its airspace.

In addition, with respect to building heights, development proposals that include the construction or alteration of structures more than 200 feet above ground level, require filing with the FAA and notification of the ALUC. Projects meeting this threshold must comply with procedures provided by Federal and State law, and with all conditions of approval imposed or recommended by FAA and ALUC including filing a Notice of Proposed Construction or Alteration (FAA Form 7460-1). Depending on the maximum building heights that will be allowed within the General Plan, the City may wish to consider a mitigation and policy specifying this 200 feet above ground level height threshold. Additionally, any project that penetrates the Notification Surface for FMA or JFTB Los Alamitos is required to file FAA Form 7460-1.

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

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

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

Section 21676(b) of the PUC requires that “[p]rior 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.” To ensure land use compatibility with FMA and JFTB Los Alamitos, we recommend that the City of Anaheim include a policy in its General Plan and a mitigation measure in the PEIR, that states that the City shall refer projects to the Airport Land Use Commission for Orange County, as required by Section 21676 of the California Public Utilities Code, to determine consistency of projects with the *AELUPs for FMA and JFTB Los Alamitos*.

A referral by the City to the ALUC is required for this project due to the location of the proposal within AELUP Planning Areas and due to the nature of the required City approvals (i.e. General Plan 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.

Thank you again for the opportunity to comment on the City’s proposed General Plan Update and NOP for the PEIR. Please contact Julie Fitch at (949) 252-5170 or at jfitch@ocair.com should you require additional information.

Sincerely,



Lea U. Choum
Executive Officer



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

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

March 22, 2022

Scott Drapkin, Assistant Director
City of Costa Mesa/Development Services
P.O. Box 1200
Costa Mesa, CA 92628-1200

Subject: ALUC Determination for Costa Mesa Housing Element Update 2021-2029

Dear Mr, Drapkin:

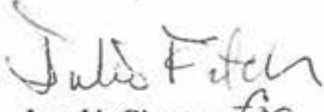
During the public meeting held on March 17, 2022, the Airport Land Use Commission (ALUC) for Orange County considered the subject item. The matter was duly discussed and with a 4-0 vote, the Commission found the proposed Housing Element Update 2021-2029 6th Cycle to be Inconsistent with the *Airport Environs Land Use Plan for John Wayne Airport (AELUP for JWA)* per:

- 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.”
- 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, in accordance with PUC Section 21676.5.(a), the Commission has required 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.

Please contact me if you would like to set up a meeting to discuss the future actions that would require submittal to ALUC. I can be reached at lchoum@ocair.com or (949) 252-5170. Thank you.

Sincerely,


Lea U. Choum *for*
Executive Officer

cc: ALUC



March 23, 2022

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

RECEIVED
MAR 24 2022
AIRPORT LAND USE COMMISSION

SENT VIA CERTIFIED MAIL AND ELECTRONIC MAIL TO LCHOUM@OCAIR.COM

Subject: 6th Cycle Housing Element Update Project – Notice of Intent to Overrule the Orange County Airport Land Use Commission

Dear Ms. Choum:

On March 8, 2022, the City Council of the City of Irvine adopted Resolution No. 22-17 (attached) to notify the Orange County Airport Land Use Commission (ALUC) and Caltrans Division of Aeronautics to the City's intent to overrule the Orange County Airport Land Use Commission's determination that the City's 6th Cycle Housing Element Update Project is inconsistent with the Airport Environs Land Use plan for the John Wayne Airport. Resolution No. 22-17 includes specific findings, which will be considered during the public hearing to consider overruling ALUC's determination, that the project is consistent with the purposes of the State Aeronautics Act. An unsigned copy of Resolution 22-17 was previously forwarded via email on March 15, 2022.

Pursuant to Section 21676(b) of Public Utilities Code, the Orange County Airport Land Use Commission may provide comments to the City. Comments should be sent to:

Marika A. Poynter, AICP, Principal Planner
City of Irvine
Community Development Department
1 Civic Center Plaza
Irvine, CA 92626
mpoynter@cityofirvine.org

If you have any questions regarding this matter or require any additional information, please feel free to contact me at mpoynter@cityofirvine.org or 949-724-6456.

Sincerely,

Marika A. Poynter, AICP
Principal Planner

Attachment: Resolution No. 22-17

CITY COUNCIL RESOLUTION NO. 22-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, NOTIFYING THE ORANGE COUNTY AIRPORT LAND USE COMMISSION AND THE STATE DIVISION OF AERONAUTICS OF THE CITY'S INTENTION TO FIND THAT THE GENERAL PLAN 2021-2029 HOUSING ELEMENT UPDATE IS CONSISTENT WITH THE PURPOSES OF THE STATE AERONAUTICS ACT AND OVERRULE THE ORANGE COUNTY AIRPORT LAND USE COMMISSION'S DETERMINATION THAT THE HOUSING ELEMENT UPDATE IS INCONSISTENT WITH THE 2008 JOHN WAYNE AIRPORT ENVIRONS LAND USE PLAN

WHEREAS, Section 200 of the City of Irvine ("City") Charter states the City shall have all powers possible for a City to have under the Constitution and laws of the State of California as fully and completely as though they were specifically enumerated in this Charter specifically, but not by way of limitation, the City shall have the power to make and enforce all laws and regulations with respect to municipal affairs, subject only to such restrictions and limitations as may be provided in this Charter and in the Constitution of the State of California. It shall also have the power to exercise any and all rights, powers and privileges heretofore or hereafter established, granted, or prescribed by any law of the State, by this Charter, or the State of California. The enumeration in this Charter of any particular power, duty, or procedure shall not be held to be exclusive of, or any limitation or restriction upon, this general grant of power; and

WHEREAS, Government Code Section 65580 *et seq.* (Housing Element Law) requires that every city prepare and periodically update the housing element of the general plan; every city is mandated to include statutory requirements in the housing element, and every city is required to submit a draft of its housing element to the California Department of Housing and Community Development (HCD) for review and comment as to whether the City's draft 2021-2029 Housing Element ("Project") substantially complies with Housing Element Law; and

WHEREAS, the City referred the Project to the Orange County Airport Land Use Commission (ALUC) to review for consistency with the 2008 John Wayne Airport Environs Land Use Plan (AELUP); and

WHEREAS, on January 20, 2022, the ALUC voted unanimously (5-0) finding the Project inconsistent with the AELUP; and

WHEREAS, pursuant to California Public Utilities Code Sections 21670 and 21676, the City Council may, after a public hearing, propose to overrule the ALUC by a two-thirds vote, if it makes specific findings that the Project is consistent with California Public Utilities Code Section 21670 purpose of protecting the public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses; and

WHEREAS, the City Council held a public hearing on March 8, 2022, in the City Council Chambers located at 1 Civic Center Drive, Irvine. A notice of time, place, and purpose of the hearing was given in accordance with California Public Utilities Code Section 21676(b) and Government Code Section 54950 *et seq.* Evidence both written and oral, was presented to, and considered by, the City Council at this hearing.

NOW, THEREFORE, the City Council of the City of Irvine DOES HEREBY RESOLVE as follows:

SECTION 1. The City Council finds that the Project is consistent with the purposes of California Public Utilities Code Section 21670 and the AELUP of protecting the public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses.

Facts in Support

1. The Project is consistent with the noise standards of the AELUP.

The AELUP guides the orderly development of John Wayne Airport (JWA) and the surrounding area through implementation of the standards in AELUP Section 2 (Planning Guidelines) and Section 3 (Land Use Policies). Implementation of these standards is intended to protect the public from the adverse effects of aircraft noise, ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, and ensure no structures or activities adversely affect navigable airspace.

AELUP Section 2.1.1 sets forth the Community Noise Equivalent Level (CNEL) standards. The Project includes the identification of 22 opportunity sites within the 60 dB CNEL contour for JWA. Of these 22 sites, six of the opportunity sites are either partially within, immediately adjacent to, or fully within the 65 dB CNEL. One additional site is within the 65 dB CNEL contour and partially within the 70 dB CNEL contour.

Sections 3.2.3 and 3.2.4, respectively, of the AELUP define the noise exposure in the 60-65 dB CNEL noise contour (Noise Impact Zone 2) as "Moderate Noise Impact" and in the 65-70 dB CNEL noise contour (Noise Impact Zone 1) as "High Impact". Section 3, Table 1 (Limitations on Land Use Due to Noise) of the AELUP identifies residential as "conditionally consistent" with the 60-65 dB CNEL noise contour and "normally inconsistent" with the 65-70 dB CNEL noise contour. However, residential uses are not outright prohibited. Instead AELUP Section 3.2.3 requires residential uses to be developed with advanced insulation systems to bring the sound after attenuation to no more than 45 dB inside. In addition, residential uses within the 65-70 dB CNEL noise contour are required to be "indoor-oriented" to preclude noise impingement on outdoor living areas.

The City's General Plan Noise Element Objective F-1, Policy (g) currently require that residential development in the Airport Area to be located outside the 65 dB CNEL noise contour. However, as part of the City's subsequent comprehensive update to the General Plan, these policies will be updated to reflect and allow the additional housing opportunity sites in the higher impact noise zones, as necessary.

2. The proposed Project is consistent with the safety standards of the AELUP.

AELUP Section 2.1.2 (Safety Compatibility Zones) sets forth zones depicting which land uses are acceptable in various portions of the JWA environs. Most of the housing opportunity sites, with exception of one opportunity site, are all within Safety Zone 6. Allowed uses in Safety Zone 6 include residential and most nonresidential uses, excepting outdoor stadiums and similar uses with very high intensities. Uses that should be avoided include children's schools, large day-care centers, hospitals, and nursing homes. Risk factors associated with Safety Zone 6 generally include a low likelihood of accident occurrence.

One opportunity site (Cowan) is partially located within Safety Zone 4. Safety Zone 4 limits residential uses to very low density (if not deemed unacceptable because of noise) and advises against nonresidential uses having moderate or higher usage intensities. The proposed housing opportunity site at Cowan has not been approved for residential under the 2021-2029 Housing Element update and is identified in the site inventory as a potential site. If residential is eventually approved at the Cowan opportunity site, through the subsequent comprehensive General Plan Update and development application, it will comply with the density limitations.

The City's General Plan Safety Element Objective J-1, Policy (d) demonstrates the importance of the JWA Safety Zones to the City:

Safety Element Objective J-1: Hazard Occurrence:

Policy (d): Use the most current available Airport Land Use Plan (AELUP) as a planning resources for evaluating aircraft operations, land use compatibility, and land use intensity.

The Project does not include any housing opportunity sites in the JWA Clear Zone/Runway Protection Zone. Compliance with these policies and regulations will ensure that future development within the JWA Planning Area will be consistent with the safety standards of the AELUP.

3. *The proposed Project is consistent with the purpose and intent of the AELUP and will not result in incompatible land uses adjacent to JWA.*

The standards and policies set forth in Sections 2 (Planning Guidelines) and 3 (Land Use Policies) of the AELUP were adopted to prevent the creation of new noise and safety problems. As set forth above, any development on the proposed housing opportunity sites will comply with the noise criteria and safety standards established in Sections 2 and 3. Further, compliance with the AELUP standards will be evaluated and demonstrated at the time development projects are proposed in the future following the subsequent comprehensive update of the General Plan.

SECTION 2. Based upon the foregoing findings, the City Council provides this notice of intention to overrule the ALUC's determination that the Project is inconsistent with the AELUP.

SECTION 3. The City Council hereby directs City staff to provide the ALUC and Caltrans Department of Transportation, Division of Aeronautics, with notice of the City's intent to overrule the ALUC's determination of inconsistency for the Project. The City Council hereby further directs City staff to take all other actions necessary to effectuate the purpose and intent of this resolution.

SECTION 4. The recitals provided in this resolution are true and correct and are incorporated into the operative part of this resolution.

SECTION 5. If any section, subsection, sentence, clause or phrase of this resolution is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this resolution. The City Council hereby declares that it would have passed this resolution, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 6. The City Council finds the adoption of this resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Specifically, the resolution does not have the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment because it is limited to the City's proposal to overrule the ALUC's determination and does not commit the City to approve the Project. The Project will be independently reviewed and evaluated pursuant to CEQA.

SECTION 7. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED AND ADOPTED by the City Council of the City of Irvine at a regular hearing held on the 8th day of March 2022.


MAYOR OF THE CITY OF IRVINE

ATTEST:


CITY CLERK OF THE CITY OF IRVINE

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF IRVINE)

I, CARL PETERSEN, City Clerk of the City of Irvine, HEREBY DO CERTIFY that the foregoing resolution was duly adopted at a regular meeting of the City Council of the City of Irvine on the 8th day of March, 2022.

AYES: 5 COUNCILMEMBERS: Agran, Carroll, Kim, Kuo and Khan
NOES: 0 COUNCILMEMBERS: None
ABSENT: 0 COUNCILMEMBERS: None
ABSTAIN: 0 COUNCILMEMBERS: None



CITY CLERK OF THE CITY OF IRVINE



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

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

April 12, 2022

Marika Poynter, Principal Planner
City of Irvine
Community Development Department
1 Civic Center Plaza
Irvine, CA 92626

Subject: Response to Notice of Intent to Overrule the Airport Land Use Commission Determination for Irvine General Plan 2021-2029 Housing Element Update

Dear Ms. Poynter:

We are in receipt of your March 15, 2022 email notice, followed by a certified letter on March 24, 2022, notifying the Airport Land Use Commission (ALUC) for Orange County of the City's intent to overrule the ALUC's inconsistency determination on the proposed 2021-2029 Housing Element Update. City Council Resolution No. 22-17 was attached. In accordance with Section 21676 of the Public Utilities Code, the ALUC submits the following comments addressing the proposed overrule findings for the above-referenced project. This letter is advisory to the City and must be included in the public record of any final decision to overrule the ALUC, which may only be adopted by a two-thirds vote of the City's governing body.

Please be advised that California Public Utilities Code (PUC) Section 21678 states: "With respect to a publicly owned airport that a public agency does not operate, if the public agency pursuant to Section 21676, 21676.5, or 21677 overrules a commission's action or recommendation, the operator of the airport shall be immune from liability for damages to property or personal injury caused by or resulting directly or indirectly from the public agency's decision to overrule the commission's action or recommendation."

Background

On January 20, 2022, the ALUC for Orange County found the Irvine Housing Element Update to be inconsistent with the *Airport Environs Land Use Plan (AELUP) for John Wayne Airport (JWA)* on a 5-0 vote. The inconsistent finding was based on AELUP Sections 2.1.1, 2.1.2, and 2.1.4. and PUC Sections 21674(a) and 21674(b). ALUC has the following comments regarding the findings of facts included in Resolution No. 2022-17:

Response to Fact in Support 1 - Regarding Noise Standards

Pursuant to AELUP Section 2.1.1, “. . . aircraft noise emanating from airports may be incompatible with the general welfare of the inhabitants within the vicinity of an airport. . .” As noted in the City’s discussion, the CNEL standards are set forth in the AELUP. As part of the review of the proposed Housing Element Update, it was noted that 22 of the opportunity sites are identified within the JWA CNEL noise contours of greater than 60 dBA. Six of those sites are within or immediately adjacent to the 65 dBA CNEL, and one site is partially within the 70 dBA CNEL.

The ALUC believes that the proposed new locations for residential units would be highly affected by airport noise due to the close proximity to the airport (some within less than one mile from the runway end and others directly across the street from the airport), and that the past and current land use designation of Commercial is the appropriate designation for this site. The proposed Housing Element Update would allow for the introduction of residential uses which are not suitable and would subject the future residents to excessive noise. The ALUC has historically found residential uses in such close proximity to, and within the 65 and 70 dBA CNEL noise contours of JWA to be inconsistent with the *AELUP for JWA*.

The City notes in its finding that it intends to prepare a comprehensive general plan update and include future policies to allow additional housing opportunity sites in higher noise impact zones. The ALUC is opposed to the City’s intent to revise existing policies in its Noise Element that currently prohibit residential uses within the 65 dBA CNEL contour. Additionally, an ALUC finding of consistency cannot be made based upon a yet-to-be-considered and unapproved general plan update. The ALUC must review projects and consider policies in existence at the time of project review. Therefore, ALUC has identified that the City’s proposal of residential uses within the 65 and 70 dBA CNEL contours is not only inconsistent with the *AELUP for JWA*, but also inconsistent with the City’s own existing general plan policy which prohibits residential uses within the 65 dBA contour. Therefore, the ALUC finding of inconsistency is valid and applicable.

Response to Fact in Support 2 - Regarding Safety Standards of the AELUP

Pursuant to AELUP Section 2.1.2, “[s]afety and compatibility zones depict which land uses are acceptable and which are unacceptable in various portions of airport environs. 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.”

One site (Cowan) is located in Safety Zone 4 – Outer Approach/Departure Zone, and Safety Zone 6 – Traffic Pattern Zone. As stated in the ALUC staff report, the California Airport Land Use Planning Handbook (Handbook) policies for Safety Zone 4 are to limit residential uses to low density (one dwelling unit per 2 to 5 acres for suburban areas). Separately, the Handbook states that noise and overflight may be considered in Safety Zone 6; however, those residential

densities should be limited to that of the surrounding areas. There are few residential uses surrounding the proposed housing opportunity sites within Safety Zones 4 and 6.

The City also notes that the proposed housing opportunity site at Cowan has not been approved for residential use under the 2021-2029 Housing Element update and is identified in the site inventory as a potential site. While it is understood that future approval processes will be required, it is also noted that a Housing Element Update is, in fact, an amendment to the Housing Element of the City's General Plan and subject to ALUC review. Based upon the City's approval of a potential housing opportunity site on Cowan, a subsequent comprehensive General Plan Update would likely continue to include this housing site since it has been identified and approved once already during this Housing Element Update process, and without consideration of ALUC input prior to approval. In fact, the City approved this Housing Element Update prior to ALUC consideration. This premature approval by the City is not compliant with PUC Section 21676 (b) and gave the ALUC no opportunity to provide the City with input on location of housing opportunity sites near JWA.

The City mentions its General Plan Safety Element Objective J-1, Policy (d) to "use the most current available Airport Land Use Plan (AELUP) as a planning resources for evaluating aircraft operations, land use compatibility, and land use intensity." Also, that no housing opportunity sites are included in the JWA Clear Zone/Runway Protection Zone (RPZ) and that compliance with these policies and regulations will ensure that future development within the JWA Planning Area will be consistent with the safety standards of the AELUP. It is important to consider that, although the project is not within a clear zone or RPZ, the Cowan housing opportunity site is located directly under the low altitude (less than 500') primary approach corridor to JWA. Flight tracks for the property were included in the ALUC staff report and are attached to this letter.

Considering the proposed densities, proximity to JWA and the number of flights over the property, the inclusion of these proposed residential sites in the Housing Element Update is inappropriate.

Response to Fact in Support 3 - Regarding Intent of the AELUP

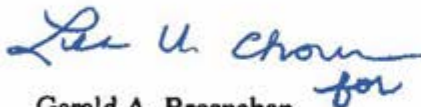
The City states that the "proposed Project is consistent with the purpose and intent of the AELUP and will not result in incompatible land uses adjacent to JWA." This statement is based upon the premise that "compliance with the AELUP standards will be evaluated and demonstrated at the time development projects are proposed in the future following the subsequent comprehensive update of the General Plan." However, the action of adopting a Housing Element Update is a General Plan Amendment and is subject to ALUC review at this time even though subsequent comprehensive General Plan updates may be undertaken (which will also require ALUC review). The ALUC has correctly evaluated specific housing opportunity sites within the 65 and 70 dBA CNEL noise contours and the Cowan site within Safety Zone 4 as being incompatible land uses adjacent to JWA.

ALUC Comments
Irvine Notice of Intent to Overrule
April 12, 2022
Page 4

By virtue of being clearly stated in *AELUP for JWA* Sections 1.2 "Purpose and Scope" and 2.0 "Planning Guidelines," the ALUC understands the complex legal charge to protect public airports from encroachment by incompatible land use development, while simultaneously protecting the health, safety and welfare of citizens who work and live in the airport's environs. To this end, and as also statutorily required, ALUC proceedings are benefited by several members having expertise in aviation. Based upon careful consideration of all information provided, and input from ALUC members with expertise in aviation, the ALUC unanimously found the Housing Element Update to be Inconsistent with the *AELUP for JWA*.

We urge the City Council to take ALUC's concerns into consideration in its deliberations prior to deciding whether to overrule ALUC. Thank you for the opportunity to provide these comments.

Sincerely,

A handwritten signature in blue ink that reads "Gerald A. Bresnahan" with a stylized flourish at the end.

Gerald A. Bresnahan
Chairman

Attachment: John Wayne Airport Flight Tracks for Housing Element Update

cc: Members of Airport Land Use Commission for Orange County
Kevin Ryan, Caltrans/Division of Aeronautics

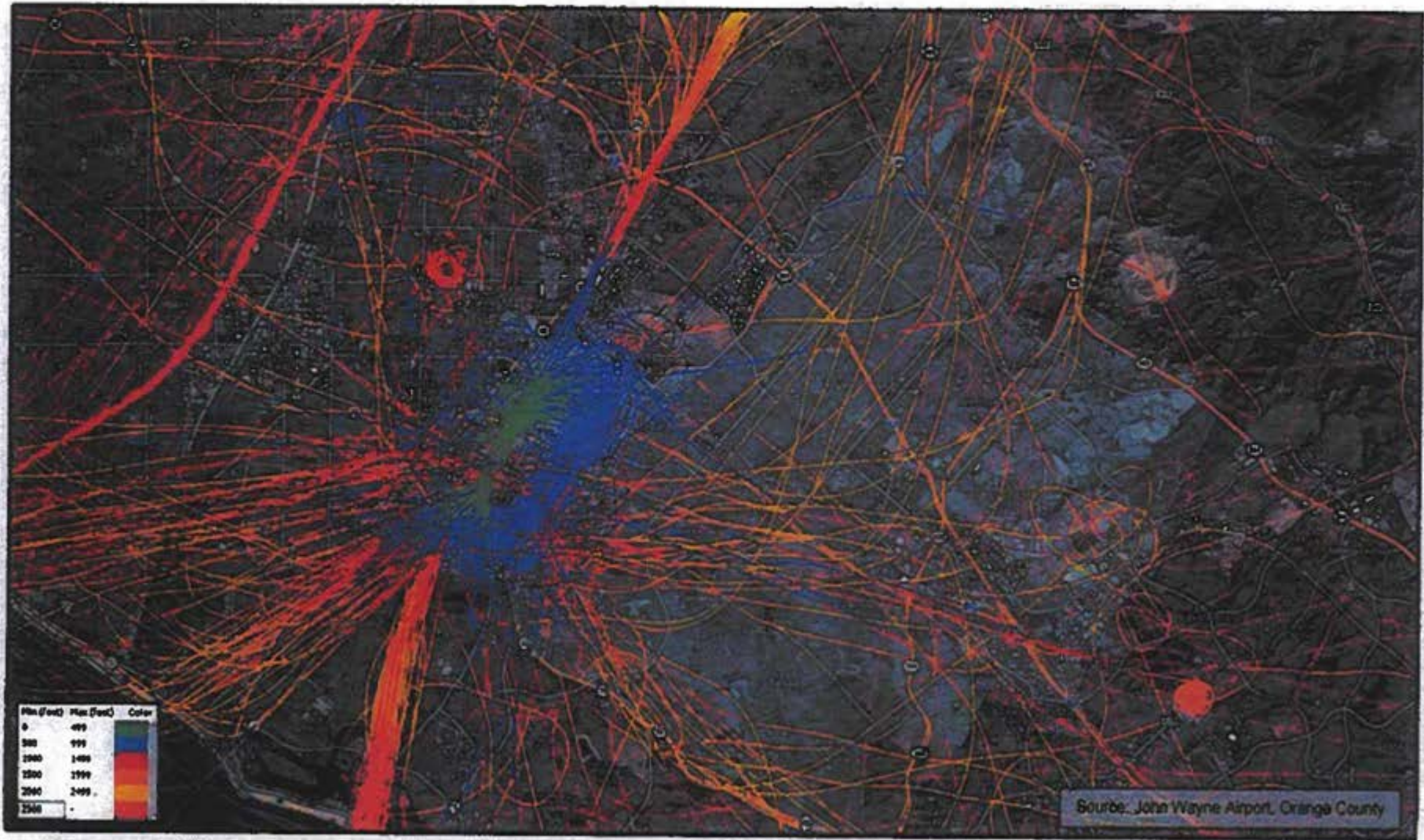


Irvine Altitude Analysis
Thursday, January 24, 2019
689 Operations





Irvine Altitude Analysis
Saturday, June 22, 2019
550 Operations



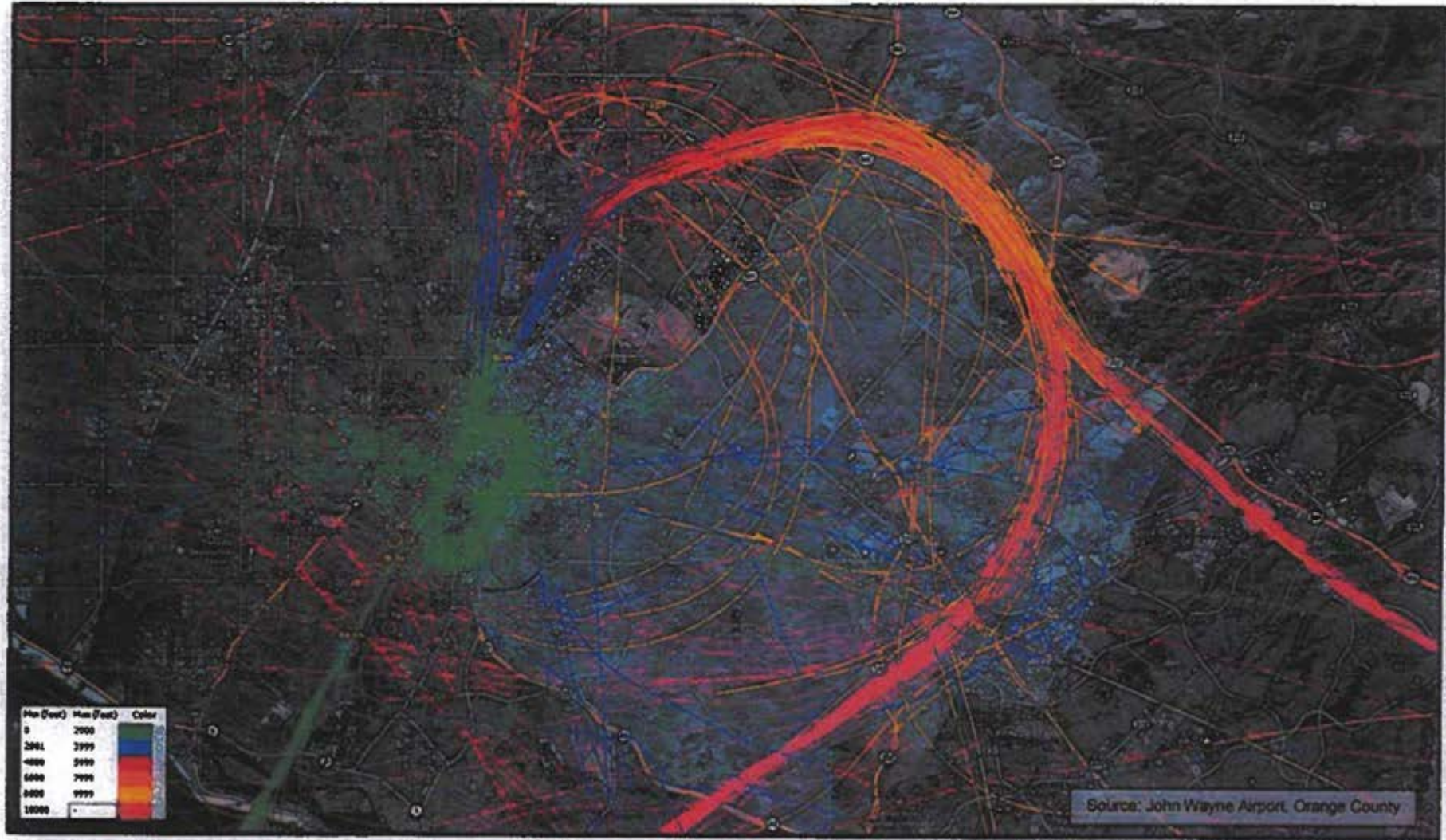


Irvine Altitude Analysis
Thursday, October 17, 2019
788 Operations





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



RESOLUTION NO. 2022-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA RELATED TO THE INTENT TO OVERRULE THE ORANGE COUNTY AIRPORT LAND USE COMMISSION'S DETERMINATION THAT THE CITY OF COSTA MESA'S 2021-2029 SIXTH CYCLE HOUSING ELEMENT IS INCONSISTENT WITH THE JOHN WAYNE AIRPORT ENVIRONS LAND USE PLAN

THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY FINDS AND DECLARES AS FOLLOWS:

WHEREAS, California Government Code Section 65358(a) authorizes the City Council to amend the General Plan if it is deemed to be in the public interest;

WHEREAS, the General Plan is a long-range, comprehensive document that serves as a guide for the orderly development of the City of Costa Mesa;

WHEREAS, by its very nature, the General Plan is subject to update and revision to account for current and future community needs;

WHEREAS, the Housing Element is one of the seven State-mandated General Plan chapters or "elements" and is a component of the City of Costa Mesa 2015-2035 General Plan;

WHEREAS, California State Housing Element Law establishes the requirements for Housing Elements, and California Government Code Section 65588 requires that local governments review and revise the Housing Element of their comprehensive General Plans not less than once every eight years. Additionally, the California Legislature identifies overall housing goals for the State with the goal of ensuring every resident has access to housing and a suitable living environment;

WHEREAS, after the City of Costa Mesa completed extensive public outreach that included conducting two City-wide Townhall meetings on November 18, 2020 and September 2, 2021, hosting outreach meetings for each of the City's six voting districts on February 17, 2021 and February 18, 2021, a special study session with the Planning Commission was held on March 1, 2021 and with the City Council on March 23, 2021, and on April 27, 2021 and September 13, 2021, the City Council and Planning Commission held joint public study sessions;

WHEREAS, the Planning Commission reviewed and considered the 2021-2029 Sixth Cycle Housing Element at its regular meetings on November 8, 2021, November 22, 2021 and December 13, 2021 and, following consideration of public comments, recommended City Council approval by a 7-0 vote;

WHEREAS, the City Council of the City of Costa Mesa reviewed and considered the 2021-2029 Sixth Cycle Housing Element on January 18, 2022 and February 1, 2022, and following consideration of public comments, adopted the Housing Element on a 6-1 vote on February 1, 2022;

WHEREAS, California Public Utilities Code Section 21676(b) requires the City of Costa Mesa to refer an amendment of the City's 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 (ALUC) pursuant to Section 21675 to the ALUC for their consideration.

WHEREAS, at a duly-noticed public hearing on March 17, 2022, the ALUC reviewed City of Costa Mesa's 2021-2029 Sixth Cycle Housing Element and found the proposed General Plan Housing Element Amendment to be inconsistent with the AELUP on a 4-0 vote;

WHEREAS, the City of Costa Mesa does not waive any objection to and/or right to challenge any failure by the ALUC to proceed in the manner required by law, including but not limited to, Public Utilities Code Sections 21670 through 21679.5, related to its above referenced March 17, 2022, finding of Inconsistency.

WHEREAS, pursuant to Public Utilities Code Sections 21670 and 21676, the City of Costa Mesa may, after a public hearing, propose to overrule the ALUC by a two-thirds vote of the City Council, if the City of Costa Mesa makes specific findings that the proposed project is consistent with the purposes of Section 21670;

WHEREAS, at a duly-noticed public hearing on April 5, 2022, the Costa Mesa City Council took action to notify the ALUC of the City's intent to overrule ALUC's Determination of Inconsistency for the 2021-2029 Sixth Cycle Housing Element;

NOW, THEREFORE, the Costa Mesa City Council **DOES HEREBY RESOLVE** to notify the Orange County Airport Land Use Commission of the City's intent to overrule the ALUC Determination that the 2021-2029 Sixth Cycle Housing Element is inconsistent with the John Wayne Airport Environs Land Use Plan.

BE IT FURTHER RESOLVED that the City Council **DOES HEREBY APPROVE** to be forwarded to ALUC the proposed findings in support of the City's intent to overrule the ALUC Determination, as shown in Exhibit "A", FINDINGS.

BE IT FURTHER RESOLVED that the City Council directs staff to forward a letter to ALUC indicating the City of Costa Mesa's intent to override ALUC's Determination that the City's 2021-2029 Sixth Cycle Housing Element is inconsistent with the Airport Environs Land Use Plan. The letter shall include the proposed findings in support of the City's intended action.

PASSED, APPROVED AND ADOPTED this 5th day of April, 2022.



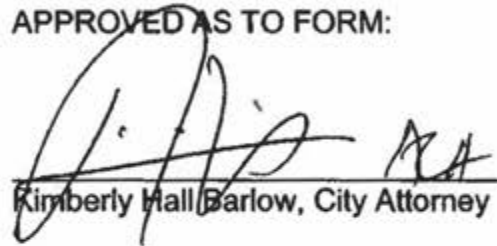
John Stephens, Mayor

ATTEST:



Brenda Green, City Clerk

APPROVED AS TO FORM:



Kimberly Hall Barlow, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, **BRENDA GREEN**, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing Resolution No. 2022-19 was duly adopted at a regular meeting of the City Council of the City of Costa Mesa held on the 5th day of April, 2022, by the following roll call vote, to wit:

AYES: COUNCILMEMBERS: CHAVEZ, GAMEROS, HARLAN, MARR, HARPER,
AND STEPHENS

NOES: COUNCILMEMBERS: NONE.

ABSENT: COUNCILMEMBERS: REYNOLDS

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 6th day of April 2022.



Brenda Green, City Clerk

EXHIBIT "A"

FINDINGS

The Costa Mesa City Council makes the following findings pursuant to Section 21670 of the Public Utilities Code as follows:

- A. **Finding No. 1: It is in the public interest to provide for the orderly development of each public use airport in this state and the area surrounding these airports so as to promote the overall goals and objectives of the California airport noise standards adopted pursuant to Section 21669 and to prevent the creation of new noise and safety problems.**

Justification for finding: The March 17, 2022 ALUC inconsistency determination did not identify concerns with noise in regard to the City's Housing Element update. To the contrary, the ALUC determination indicated that the City's candidate housing sites are appropriately located outside of airport noise contours of concern and further the City's General Plan Noise Element addresses potential applicable residential noise impacts in General Plan Noise Element Policies N-1.1, N-1.5, N-1.6, N-2.4 and N-2.6. Specifically, the ALUC recognized that the City's Noise Element Policy N-2.6 requires an "interior noise standard of 45 dBA CNEL be enforced for any new residential project," which is consistent with the ALUC residential noise standards. Therefore, the City is justified to make the finding to overrule the ALUC inconsistency determination in regard to PUC Finding No. 1.

- B. **Finding No. 2: (2) It is the purpose of this article to protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses.**

Justification for finding: As indicated in the above section entitled "Justification for finding," the City's Noise Element Policies adequately address the public exposure to excessive noise.

In addition, at the March 17, 2022 ALUC hearing, the ALUC determined that that the City's existing maximum building height provisions were inconsistent with the Airport Environs Land Use Plan (AELUP) for nine candidate housing sites located in two geographic areas of the City. According to the ALUC staff report, the City's existing North Costa Mesa Specific Plan provisions permit a maximum building height that could potentially result in building construction that exceeds the 206-foot John Wayne Airport Imaginary Horizontal Surface. However, the City's Housing

Element update does not grant any entitlements, change any land use standards or authorize any development beyond what is allowed under the City's current General Plan and Zoning Code (including the maximum building height identified inconsistent by the ALUC). Therefore, the ALUC's determination of inconsistency is not based on proposed polices of the Housing Element update but rather existing height standards in the North Costa Mesa Specific Plan.

In addition, both ALUC staff and at least one of the Commissioners during the public hearing recognized that the data used for calculating maximum building height elevation was likely not accurate (Google is the data source used to establish existing ground topography). Using imprecise and unreliable data is problematic in this situation as the ALUC determination for three candidate housing sites is based on discrepancies of only three to five feet. As such, this identified inconsistency is likely not inconsistent and can be addressed pending actual topographical data either at the time of the North Costa Mesa Specific Plan update or when an actual project is proposed, which will require additional ALUC review.

Lastly, the remaining six candidate housing sites that the ALUC determined were inconsistent were previously reviewed in 2006 and 2007 by the ALUC. In 2007, the City submitted a project for ALUC consideration that included a mixed-use development with both hotel and residential uses (referred to as the Wyndham Hotel and High Rise Residential Project) in the South Coast Plaza Town Center area. This area already contains Plaza Tower and Center Tower which exceed 20 stories. The project included a General Plan Amendment, a Specific Plan Amendment, an Environmental Impact Report (EIR), a Final Master Plan and a proposed subdivision. The ALUC determined that the project and the General Plan/Specific Plan amendments were inconsistent in regard to the inclusion of height standards that penetrate the AELUP horizontal imaginary surface, and the City subsequently overruled the ALUC determination. The City's overrule finding was based on the Federal Aviation Administration (FAA) findings that the then proposed building height of 304 feet Area Mean Sea Level (AMSL) "would not adversely affect air safety" and the FAA subsequently issued a "no hazard determination." Additionally, the FAA conditioned that any future buildings proposed in this area with height proposed above 173 feet above grade level would require a specific determination of "no hazard" by the FAA in order to move forward. This requirement is included in the height standards of the North Costa Mesa Specific Plan applicable to the candidate housing sites in question. Therefore, potential safety risks associated with future construction on these six candidate housing sites are addressed by the FAA requirement and the Specific Plan requirements and the City's Housing Element Update. Therefore, the City is justified to make the finding to overrule the ALUC inconsistency determination in regard to PUC Finding No. 2.



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

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

May 10, 2022

Scott Drapkin, Assistant Director
City of Costa Mesa, Development Services
77 Fair Drive
Costa Mesa, CA 92626

Subject: Response to Notice of Intent to Overrule the Airport Land Use Commission
Determination for Costa Mesa 2021-2029 Housing Element Update.

Dear Mr. Drapkin:

We are in receipt of your April 11, 2022 email notifying the Airport Land Use Commission (ALUC) for Orange County of the City's intent to overrule the ALUC's inconsistency determination on the 2021-2029 Housing Element Update. City Council Resolution No. 2022-xx was attached (finalized as Resolution No. 2022-19). In accordance with Section 21676 of the Public Utilities Code, the ALUC submits the following comments addressing the proposed overrule findings for the above-referenced project. This letter is advisory to the City and must be included in the public record of any final decision to overrule the ALUC, which may only be adopted by a two-thirds vote of the City's governing body.

Please be advised that California Public Utilities Code (PUC) Section 21678 states: "With respect to a publicly owned airport that a public agency does not operate, if the public agency pursuant to Section 21676, 21676.5, or 21677 overrules a commission's action or recommendation, the operator of the airport shall be immune from liability for damages to property or personal injury caused by or resulting directly or indirectly from the public agency's decision to overrule the commission's action or recommendation."

Background

On March 17, 2022, the ALUC for Orange County found the Costa Mesa Housing Element Update to be inconsistent with the *Airport Environs Land Use Plan (AELUP) for John Wayne Airport (JWA)* on a 4-0 vote. The inconsistent finding was based on AELUP Sections 2.1.3 and 2.1.4, and PUC Sections 21674(a) and 21674(b). ALUC has the following comments regarding Resolution No. 2022-19 and the findings of facts included therein.

The City has stated in its resolution, "WHEREAS, California Public Utilities Code Section 21676(b) requires the City of Costa Mesa to refer an amendment of the City's 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 (ALUC) pursuant to Section 21675 to the ALUC for their consideration.” This paraphrasing of the wording in PUC Section 21676(b) has neglected to include the requirement that a city must refer such actions to ALUC *prior* to approval by the city. The specific PUC wording is, “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.” The City failed to refer its Housing Element Update to ALUC prior to its approval action. The City approved the Update on February 1, 2022 and scheduled the item for ALUC review on March 17, 2022.

Response to Finding No. 1 - Regarding Public Utilities Code (PUC) Section 21699

PUC Section 21699 referred to in Finding No. 1, relates to noise standards. ALUC’s inconsistency finding was not based on noise standards, therefore, the City’s Finding No. 1 does not address the inconsistency finding and is not an adequate finding on which to base the City’s overrule. The ALUC appreciates that the City’s Noise Element addresses potential noise impacts and that the City requires an “interior noise standard of 45 dBA CNEL be enforced for any new residential project.”

Response to Finding No. 2 - Regarding PUC Section 21670

Section 2.1.4 of the *Airport Environs Land Use Plan for John Wayne Airport (AELUP for JWA)* and PUC Section 21670 states that the purpose of ALUCs is “to protect the public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public’s exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses.” ALUC’s inconsistency finding was based on the safety hazards created by changing the land use from commercial/mixed-use to residential in high-rise buildings in close proximity to John Wayne Airport.

The six housing sites identified in the 2021-2029 Housing Element Update located in the North Costa Mesa area of Focus Area 2 (Sites 139, 140, 141, 201, 202 and 205) are part of the Cultural Arts Center area and have existing height limitations of 315 feet AGL. With ground elevations ranging from 32 to 36 feet, the proposed residential buildings on these sites would penetrate the JWA horizontal surface by 141 to 145 feet. Sites in this area were previously reviewed by ALUC in 2006 and 2007 for proposed residential uses and found to be inconsistent with the *AELUP for JWA* because of penetration of the JWA horizontal obstruction surface. At that time, the FAA determined that the project was an obstruction by exceeding the standards of FAR Part 77, Subpart C, by (1) surpassing the 200 feet AGL threshold and (2) exceeding the horizontal surface for JWA, but determined the project was not a hazard to air navigation. The City then took steps to overrule the ALUC in accordance with PUC Sections 21676 and 21676.5. Although the City overruled at that time, it does not change the fact that the ALUC previously made a finding of inconsistency. Therefore, it would be contrary to the prior ALUC decision if the ALUC were to find these candidate housing sites, now included in the City-adopted 2021-2029 Housing

Element Update, as consistent. The ALUC continues to believe that high-rise residential uses that penetrate the obstruction imaginary surfaces would pose a safety risk to the future residents. The City's finding also addresses the site elevation data for three other candidate housing sites in Focus Area 2 (Sites 144, 206 and 207) as being imprecise and unreliable. Google Earth was used for site elevation analysis because it was the tool that ALUC had available. If the City had provided site elevation data, the ALUC would have used that for its analysis.

The finding notes that actual topographic data can be included in future North Costa Mesa Specific Plan updates or when an actual project is proposed. While these future actions would require ALUC review, and may indeed include detailed topographic data, the ALUC used the data available at the time of the current Housing Element Update. It was important for ALUC to review potential penetrations of obstruction surfaces during this Update analysis since allowable building heights plus site elevations could exceed the horizontal surface threshold. If a potential surface penetration were not identified during ALUC's review of this general plan Housing Element Update, there would likely be future assertions by the City during subsequent project reviews, that ALUC had not identified any issues previously. Subsequent projects such as Zoning Code and specific plan amendments will be evaluated and analyzed by ALUC in accordance with Public Utilities Code (PUC) Section 21675 when they are submitted by the City.

Additionally, in accordance with Public Utilities Code (PUC) Section 21675, which states that local agencies must first refer proposed General Plan Amendments to ALUC prior to City action, the ALUC's role is to identify possible conflicts with an AELUP at the earliest possible opportunity. In the case of the City's 2021-2029 Housing Element Update, the City took approval action prior to ALUC review and did not act in accordance with the PUC.

We urge the City Council to take ALUC's concerns into consideration in its deliberations prior to deciding whether to overrule ALUC. Thank you for the opportunity to provide these comments.

Sincerely,



Gerald A. Bresnahan *for*
Chairman

cc: Members of Airport Land Use Commission for Orange County
Gabrielle Sefranek, Caltrans/Division of Aeronautics



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

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

May 10, 2022

Alexa Smittle
Community Development Director
City of Seal Beach
211 Eighth Street
Seal Beach, CA 90740

Subject: Response to Notice of Intent to Overrule the Airport Land Use Commission
Determination for Seal Beach General Plan 2021-2029 Housing Element Update

Dear Ms. Smittle:

We are in receipt of your April 13, 2022, email notice, followed by a certified letter, notifying the Airport Land Use Commission (ALUC) for Orange County of the City's intent to overrule the ALUC's inconsistency determination on the 2021-2029 Housing Element Update. City Council Resolution No. 7273 was attached. In accordance with Section 21676 of the Public Utilities Code, the ALUC submits the following comments addressing the proposed overrule findings for the above-referenced project. This letter is advisory to the City and must be included in the public record of any final decision to overrule the ALUC, which may only be adopted by a two-thirds vote of the City's governing body.

Please be advised that California Public Utilities Code (PUC) Section 21678 states: "With respect to a publicly owned airport that a public agency does not operate, if the public agency pursuant to Section 21676, 21676.5, or 21677 overrules a commission's action or recommendation, the operator of the airport shall be immune from liability for damages to property or personal injury caused by or resulting directly or indirectly from the public agency's decision to overrule the commission's action or recommendation."

Background

On February 17, 2022, the ALUC for Orange County found the Seal Beach Housing Element Update to be inconsistent with the *Airport Environs Land Use Plan (AELUP) for Joint Forces Training Base Los Alamitos (JFTB Los Alamitos)* on a 5-0 vote. The inconsistent finding was based on AELUP Sections 2.1.1 and 3.2.1 and PUC Sections 21674(a) and 21674(b).

At its meeting of February 17, 2022, the ALUC noted that PUC Section 21676(b) states that a city must refer proposed General Plan Amendments to ALUC *prior* to approval by the city. The

specific PUC wording is, “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.” In the case of the City’s 2021-2029 Housing Element Update, the City took action to approve its Update on February 1, 2022, prior to ALUC review, and did not act in accordance with the PUC.

ALUC has the following comments regarding the findings of facts included in Resolution 7273:

Response to Finding “a” Regarding Protection of the Public from Adverse Effects:

As noted in the City’s finding, the AELUP for JFTB Los Alamitos is to provide a mechanism to protect the public from the adverse effects of aircraft noise, ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, and ensure no structures or activities adversely affect navigable airspace. However, proposed housing Sites 3 and 4 are located under the approach surface for JFTB Los Alamitos. Although building heights in these areas may not penetrate imaginary surfaces, the Commission has historically recommended against residential uses under an approach corridor this close to an airport. Site 3 is approximately 3,040 feet from the end of JFTB’s main runway 4R and would accommodate up to 120 housing units. Site 4 is approximately 6,670 feet from the end of the main runway and would accommodate up to 150 additional units. Additionally, as stated in Section 2.2 of the *AELUP for JFTB Los Alamitos*, “[t]he Commission may consider the utilization of criteria for protecting aircraft traffic patterns at this airport which may differ from those contained in FAR Part 77, should evidence of health, welfare, or safety surface sufficient to justify such an action.”

Response to Findings “b” and “c” Regarding Noise Standards:

The City refers to Section 3, Table 1 of the *AELUP for JFTB Los Alamitos*, which indicates that residential uses are “conditionally consistent” in the 60-65 CNEL noise contour, but not prohibited. However, the ALUC inconsistency determination was based in part on AELUP Section 2.1.1 which states “aircraft noise emanating from airports may be incompatible with the general welfare of the inhabitants within the vicinity of an airport,” and partly on General Land Use Policies in Section 3.2.1 which states that “within the boundaries of the AELUP, any land use may be found to be Inconsistent with the AELUP which (1) Places people so that they are affected adversely by aircraft noise and (2) Concentrates people in areas susceptible to aircraft accidents.” The ALUC believes that the proposed new locations for residential units would be highly affected by airport noise due to the close proximity to the airport (some within less than one mile from the runway end) and that the past and current land use designation of Open Space/Golf is the appropriate designation for this site to not concentrate people in this area which is susceptible to aircraft accidents. The proposed Housing Element Update would allow for the introduction of residential uses which are not suitable and would subject the future residents to excessive noise and safety risks.

Response to Finding “d” Regarding Safety:

While none of the proposed opportunity sites are located within the Accident Potential Zones or Clear Zones, the ALUC considers the broader definition of “safety” as stated above and in

Section 3.2.1 of the *AELUP for JFTB Los Alamitos*. Allowing residential uses in this approach corridor would concentrate people in an area susceptible to aircraft accidents and is not recommended.

Response to Finding "e" Regarding Purpose and Intent of the AELUP

The City states that the "proposed Project is consistent with the purpose and intent of the AELUP and will not result in incompatible land uses adjacent to JFTB Los Alamitos." By virtue of being clearly stated in *AELUP for JFTB Los Alamitos* Sections 1.2 "Purpose and Scope" and 2.0 "Planning Guidelines," the ALUC understands the complex legal charge to protect public airports from encroachment by incompatible land use development, while simultaneously protecting the health, safety and welfare of citizens who work and live in the airport's environs. To this end, and as also statutorily required, ALUC proceedings are benefited by several members having expertise in aviation. Based upon careful consideration of all information provided, and input from ALUC members with expertise in aviation, the ALUC unanimously found the Housing Element Update to be Inconsistent with the *AELUP for JFTB Los Alamitos*.

We urge the City Council to take ALUC's concerns into consideration in its deliberations prior to deciding whether to overrule ALUC. Thank you for the opportunity to provide these comments.

Sincerely,



Gerald A. Bresnahan
Chairman

cc: Members of Airport Land Use Commission for Orange County
Gabrielle Sefranek, Caltrans/Division of Aeronautics

California Department of Transportation

DIVISION OF AERONAUTICS
P.O. BOX 942874, MS-40 | SACRAMENTO, CA 94274
(916) 654-4959 | FAX (916) 653-9531 TTY 711
www.dot.ca.gov



May 12, 2022

Ms. Alexa Smittle, Community Development Director
City of Seal Beach
211 Eighth Street
Seal Beach, CA 90740

Electronically Sent
ASmittle@sealbeachca.gov

Dear Ms. Smittle,

One of the goals of the California Department of Transportation (Caltrans), Division of Aeronautics (Division) is to assist cities, counties, and Airport Land Use Commissions (ALUC) in the development and implementation of policies that protect the safety and general welfare of their communities in which aeronautical activities take place. Caltrans encourages collaboration with our partners in the planning process and thanks you for including the Division in the review of the proposed overrule of the Orange County Airport Land Use Commission (OCALUC) for the Joint Forces Training Base Los Alamitos (JFTB).

On April 13, 2022, the Division received a notification email and Resolution 7273. This was regarding a proposed overrule of OCALUC's determination of inconsistency regarding the city of Seal Beach's (City) General Plan 2021-2029 Housing Element (Project). The Project proposes nine housing opportunity sites within the airport notification area of JFTB. February 17, 2022, the OCALUC found that the proposed Project was inconsistent with the current JFTB Airport Environs Land Use Plan (AELUP) amended August 17, 2017. The OCALUC found the proposed Project inconsistent citing noise, safety, and overflight concerns.

It should be noted that according to the 2015 Installation Compatible Use Zone Study, Appendix K of the AELUP, JFTB houses the largest army airfield that is operated by the Army National Guard. The document states further that the JFTB "airfield is one of the busiest Department of Defense (DoD) aviation operations in the continental United States and is located in one of the most congested and heavily flown airspace systems in the U.S."

The Division has reviewed the proposed findings provided by the City and has determined the findings are insufficient to warrant this proposed overrule.

Specifically, the findings are not consistent with the purposes of the statutes set forth in the California Public Utilities Code (PUC) section 21670. These findings do not provide substantial evidence that the proposed Project will meet the requirements of PUC statutes set forth in PUC section 21670. These findings do not provide substantial evidence that the proposed Project will meet the requirements of PUC, section 21670(a) (1) and (2).

Based on the information provided by both the City and the OCALUC, the Division does not agree with the City's findings.

"Provide a safe and reliable transportation network that serves all people and respects the environment"

1. Draft Finding #1, referring to Section 2.a., 2.b., 2.c. 2.e., of Resolution 7273 from the City

The Division disagrees with Finding #1. Two of the nine housing opportunity sites, included in the Project, are within the 60-65dB CNEL noise contour. This includes the Old Ranch Town Center area with the potential to accommodate up to 200 housing units as well as the Old Ranch Country Club area with the potential to accommodate up to 120 housing units. The AELUP states that residential uses within this contour are conditionally consistent with the requirement of sound attenuation to ensure interior CNEL do not exceed 45dB. Although, residential uses are conditionally compatible with the sound attenuation requirement, the Division is concerned as JFTB aviation operations make it one of the busiest DoD airfields in the continental United States (U.S.) within one of the most congested and heavily flown airspace systems in the U.S. According to the 2015 Installation Compatible Use Zone Study, Appendix K of the AELUP, while noise contours address annual noise levels, instances of individual overflights operating beyond the airfield "generate noise levels that some individuals might find disruptive and/or annoying." These instances of singular overflight are often the source of noise complaints for air installations.

Furthermore, attached is a letter dated December 16, 2016, from the Division to the OCALUC regarding the Division's serious concerns for future development areas surrounding JFTB. The letter showcases the Divisions concerns related to the age of the adopted noise contours, as the noise contours in the AELUP for JFTB are the same as those provided in the 1994 Air Installation Compatibility Use Zone Study (AICUZ). Since there have been no new noise analysis since the 1994 AICUZ, for aircraft arriving and departing JFTB, there is serious concern that new noise issues would be created.

In addition, the Division supports the OCALUC's determination of inconsistency as PUC Section 21674(a) states that ALUCs are "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 land uses" and PUC Section 21670(a)(1) "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 public health, safety, and welfare."

2. Draft Finding #2, referring to Section 2.d and 2.e of Resolution 7273 from the City

The Division disagrees with Finding #2. The Clear Zones identified in the AELUP for JFTB are defined by the 1994 AICUZ through the DoD's AICUZ program. AICUZ standards establish three accident potential zones (APZs), the innermost is the clear zone, further followed by APZ I and APZ II. The 1994 AICUZ for JFTB states that the "Accident Potential Zones do not extend beyond installation boundaries. Use of the airfield by Class B type aircraft, while routine, is not sufficient to justify off-base Clear Zones and Accident Potential Zones", meaning that the 1994 AICUZ for JFTB does not identify APZ I or APZ II as applicable safety compatibility zones. In the attached letter from the Division to OCALUC, the Division references the 2015 Installation Compatible Use Zone Study, Appendix K of the AELUP.

estimating 46,016 annual aircraft operations at JFTB. Based on this estimate of operations, the Division recommended updating the JFTB safety zones to include APZ I and APZ II, to be in line with the guidance provided by the DoD and the California Airport Land Use Planning Handbook (Handbook).

In addition, guidance in the Handbook states "AICUZ compatibility criteria tend to be minimal in terms of the degree of protection from incompatible land uses which they afford. ALUCs and local jurisdictions can and should consider setting higher standards in their own respective compatibility planning." In reference to this guidance as well as the age of the AICUZ document (28 years old), the Division reviewed the housing opportunity sites in relation to the three standard APZs for Class B military runways as defined in DoD Instruction 4165.57 Air Installation Compatible Use Zones and the Handbook. It should also be noted that since 1994, when the JFTB AICUZ was prepared, the Handbook has been revised twice to incorporate updated accident data and characteristics into the guidance for defining safety zones.

The housing opportunity sites are located in the following APZs:

- Site 1 – Shops at Rossmoor (up to 40 dwelling units/acre): APZ II
- Site 2 – Old Ranch Town Center (up to 40 du/acre): Clear Zone, APZ I
- Site 3 – Old Ranch Country Club (up to 24du/acre): APZ II
- Site 4 – Leisure World (up to 30du/acre): APZ I, APZ II

Regarding these zones, the DoD Instruction 4165.57 Air Installation Compatible Use Zones states:

- Clear Zone: Residential land uses are not compatible
- APZ I: Residential land uses are not compatible
- APZ II: Residential land uses are compatible with a maximum density of two dwelling units per acre

Regarding these zones, the Handbook states:

- Clear zone (Safety Zone 1): Residential land uses are prohibited
- APZ I (Safety Zone 2): Avoid all residential uses except infill in developed areas
 - Maximum residential densities for suburban areas: 1 dwelling unit (du)/10-20 acres
 - Maximum residential densities for urban areas: 0 du/acre
- APZ II (Safety Zone 4): Limit residential uses to low density
 - Maximum residential densities for suburban areas: 1 du/2-5 acre
 - Maximum residential densities for urban areas: Allow infill at up average density/intensity of comparable surrounding users

It should be noted that the proposed housing opportunity site for Old Ranch Town Center is located in the Clear Zone (Safety Zone 1), as defined by the Handbook. 40du/acre are being proposed in the Clear Zone, while according to the Handbook, residential land uses are prohibited in this zone due to a very high accident risk level.

According to the Handbook, the proposed densities by the City would create new significant safety and noise issues and thus is not in accordance with the guidance of the Handbook or

Ms. Smittle, Community Development Director
May 12, 2022
Page 4

California Public Utilities Code, section 21674.7 (b). The Division strongly recommends not approving this overrule due to significant safety risks and potential noise incompatibility. Please note the PUC reference below, which mandates that local agencies shall be guided by the height, use, noise, safety, and density criteria as established in the Handbook:

California Public Utilities Code, section 21674.7 (b),

It is the intent of the Legislature to discourage incompatible land uses near existing airports. Therefore, prior to granting permits for the renovation or remodeling of an existing building, structure, or facility, and before the construction of a new building, it is the intent of the Legislature that local agencies shall be guided by the height, use, noise, safety, and density criteria that are compatible with airport operations, as established by this article, and referred to as the Airport Land Use Planning Handbook, published by the Division.

As previously stated, attached is a letter dated December 16, 2016, from the Division to the OCALUC regarding the Division's serious concerns in reference to future development areas surrounding JFTB.

Please note: The Division comments are to be included in the public record of any decision to overrule the OCALUC.

If you have questions or we may be of further assistance, please contact me via email at gabrielle.sefranek@dot.ca.gov.

Sincerely,

Gabrielle Sefranek
Associate Transportation Planner
Division of Aeronautics

Attachment

Tony Soredello-Review JFTB Los Alamitos ALUCP Ltr 121616

c: Lea Choum, Executive Officer, Orange County Airport Land Use Commission
Matt Friedman, Chief, Office of Aviation Planning, Division of Aeronautics

RESOLUTION 7324

A RESOLUTION OF THE SEAL BEACH CITY COUNCIL FINDING THE GENERAL PLAN 2021-2029 HOUSING ELEMENT (6TH CYCLE) UPDATE CONSISTENT WITH THE PURPOSES OF THE STATE AERONAUTICS ACT AND OVERRULING THE ORANGE COUNTY AIRPORT LAND USE COMMISSION'S DETERMINATION THAT THE 2021-2029 HOUSING ELEMENT UPDATE IS INCONSISTENT WITH THE 2017 JOINT FORCES TRAINING BASE LOS ALAMITOS AIRPORT ENVIRONS LAND USE PLAN

WHEREAS, Section 200 of the City of Seal Beach ("City") Charter vests the City Council with authority to make and enforce all laws, rules and regulations with respect to municipal affairs, subject only to the restrictions and limitations contained in this Charter and in the Constitution of the State of California. It shall also have the power to exercise any and all rights, powers and privileges heretofore or hereafter established, granted, or prescribed by any law of the State, by this Charter, or the State of California. The enumeration in this Charter of any particular power, duty, or procedure shall not be held to be exclusive of, or any limitation or restriction upon, this general grant of power; and,

WHEREAS, Government Code Section 65580 *et seq.* (Housing Element Law) requires that every city prepare and periodically update the housing element of the general plan; every city is mandated to include statutory requirements in the housing element, and every city is required to submit a draft of its housing element to the California Department of Housing and Community Development (HCD) for review and comment as to whether the City's draft 2021-2029 Housing Element (Project) substantially complies with Housing Element Law; and,

WHEREAS, the City worked with its consultants, the community, Planning Commission and City Council to prepare the Project as required by the Housing Element Law); and,

WHEREAS, the 6th Cycle Regional Housing Needs Assessment ("RHNA") allocation imposed on the City by the Southern California Association of Governments ("SCAG"), of 1,243 units, is a substantial increase in the number of affordable housing opportunities required in comparison to the 5th Cycle RHNA allocation of only two units, and as a result required the City to identify all available sites Citywide as potential housing opportunities, including some in proximity to the Joint Forces Training Base Los Alamitos (JFTB), which is subject to the 2017 Joint Training Base Los Alamitos Airport Environs Land Use Plan ("AELUP") of the Orange County Airport Land Use Commission ("ALUC"); and,

WHEREAS, in accordance with Public Utilities Code Section 21678(b), the City referred the Project to the ALUC for advisory review for its consistency with the AELUP; and,

WHEREAS, on February 17, 2022, the ALUC by unanimous (5-0) vote, determined that the Project is inconsistent with the AELUP due to noise, safety, and general land use

compatibility of potential housing opportunity sites identified in the Housing Element; and,

WHEREAS, as the final review authority pursuant to Public Utilities Code Sections 21670 and 21676, the City Council may, after a public hearing, overrule the ALUC by a two-thirds vote, if it makes specific findings that the Project is consistent with the purposes of Public Utilities Code Section 21670 regarding the protection of the public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses; and,

WHEREAS, prior to taking action on a proposal to overrule the ALUC inconsistency finding, the City must provide the ALUC and the Division of Aeronautics of the California Department of Transportation (the "State Division of Aeronautics") with notice of the City's intent to consider overruling the ALUC determination along with specific findings at least 45 days prior to the City's action to overrule the ALUC; and,

WHEREAS, the Public Utilities Code provides that the ALUC and the State Division of Aeronautics shall respond to the notification of the findings of proposed override within 30 days of receiving the proposed resolution and findings; and,

WHEREAS, in the event the ALUC or State Division of Aeronautics' comments are not available within this timeframe, the City may act without them; and,

WHEREAS, any comments by the ALUC and State Division of Aeronautics are advisory to the City under state law; and the City Council shall include any comments from the ALUC and the State Division of Aeronautics in the final record of any final decision by the City Council to overrule the ALUC, which may only be adopted by a two-thirds vote of the City Council; and,

WHEREAS, the City Council held a duly-noticed public hearing on April 11, 2022, in the City Council Chambers located at 211 8th Street, Seal Beach, California, at which time evidence, both written and oral, was presented to, and considered by, the City Council at this hearing; and the City Council adopted Resolution 7273 by a vote of 4 ayes and 1 nay, to notify the ALUC and the State Division of Aeronautics of the City's intent to overrule ALUC's inconsistency finding; and,

WHEREAS, on April 13, 2022, the City sent a copy of Resolution 7273 via email and United States Postal Service to the ALUC and the State Division of Aeronautics; and,

WHEREAS, the City received comments in response to Resolution 7273 from the State Division of Aeronautics and the ALUC; and those comments are hereby incorporated by reference and the facts in support of the findings provided in Section 1 of this resolution adequately address both comment letters; and,

WHEREAS, the documents and other materials constituting the record for these proceedings are located at the Community Development Department of the City of Seal Beach, 211 Eighth Street, Seal Beach, CA 90740; and,

WHEREAS, on August 29, 2022, a public hearing was held by the City Council electronically via Zoom. A notice of time, place, and purpose of the hearing was given in accordance with GPUC Section 21676(b) and the Ralph M. Brown Act, at which time evidence, both written and oral, was presented to, and considered by, the City Council at this hearing.

NOW, THEREFORE, the City Council of the City of Seal Beach DOES HEREBY RESOLVE as follows:

SECTION 1. The foregoing recitals are true and correct and are incorporated herein by this reference.

SECTION 2. The City Council finds that the General Plan 2021-2029 Housing Element (6th Cycle) Update ("Project") is consistent with the purposes of California Public Utilities Code Section 21670 and the AELUP of protecting the public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses.

Facts in Support

1. The Project is consistent with the noise standards of the AELUP.

The AELUP guides the orderly development of Joint Forces Training Base (JFTB) and the surrounding area through implementation of the standards in AELUP Section 2 (Planning Guidelines) and Section 3 (Land Use Policies). Implementation of these standards is intended to protect the public from the adverse effects of aircraft noise, ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, and ensure no structures or activities adversely affect navigable airspace. AELUP Section 2.1.1 sets forth the Community Noise Equivalent Level (CNEL) standards. The Project includes the identification of 2 opportunity sites within the 60 dB CNEL contour for JFTB. No sites are within the 65 dB CNEL.

Sections 3.2.2 and 3.2.4, respectively, of the AELUP define the noise exposure in the 60-65 dB CNEL noise contour (Noise Impact Zone 2) as "Moderate Noise Impact" and in the 65-70 dB CNEL noise contour (Noise Impact Zone 1) as "High Impact". Section 3, Table 1 (Limitations on Land Use Due to Noise) of the AELUP identifies residential as "conditionally consistent" with the 60-65 dB CNEL noise contour. Residential uses are not outright prohibited in either Noise Impact Zone 1 or 2. AELUP Section 3.2.4 requires residential uses to be developed with advanced insulation systems to bring the sound after attenuation to no more than 45 dB inside. The City's General Plan Noise Element currently requires also requires interior sound attenuation of 45dB.

2. The proposed Project is consistent with the safety standards of the AELUP.

AELUP Section 2.1.2 (Safety) sets forth zones depicting which land uses are acceptable in the JFTB environs, and states that only an Accident Potential Zone (APZ) "A" located

within the boundaries of JFTB was justified. Further, there are not APZs identified beyond the Clear Zones for JFTB, therefore APZ "A" is designated as a Clear Zone. No opportunity sites are located within the Clear Zone.

- 3. The proposed Project is consistent with the purpose and intent of the AELUP and will not result in incompatible land uses adjacent to JFTB.*

The standards and policies set forth in Sections 2 (Planning Guidelines) and 3 (Land Use Policies) of the AELUP were adopted to prevent the creation of new noise and safety problems. As set forth above, any development on the proposed housing opportunity sites will comply with the noise criteria and safety standards established in Sections 2 and 3. Much of the area surrounding the housing opportunity sites within the AELUP planning area is already developed with residential development, and the housing opportunity sites would constitute infill development in and around those existing uses. The previously-developed residential areas include thousands of housing units located in the neighborhoods of College Park East, Leisure World, Rossmoor, and neighborhoods north of the Old Ranch Town Center in both Seal Beach and Los Alamitos. Consistent with the AELUP, any infill projects must comply with all applicable specific policies, and the housing opportunity sites do not violate the AELUP height restrictions, are consistent with the noise and safety policies, and are not within any identified APZs or CZs. Further, the Project does not constitute approval or commitment to development, but identifies potential future sites for housing, and compliance with the AELUP standards will be evaluated and demonstrated if and when development projects are proposed in the future following the subsequent comprehensive update of the General Plan.

SECTION 3. Based on the foregoing findings, the City Council finds that the Project is consistent with the noise standards, safety standards, and purposes and intent of the AELUP; and hereby overrules the ALUC's determination that the Project is inconsistent with the AELUP.

SECTION 4. The City Council finds the adoption of this resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Specifically, the resolution does not have the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment because it is limited to the City's proposal to overrule the ALUC's determination and does not commit the City to approve the Project. The Project will be independently reviewed and evaluated pursuant to CEQA.

SECTION 5. If any section, subsection, sentence, clause or phrase of this resolution is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this resolution. The City Council hereby declares that it would have passed this resolution, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 6. This resolution shall take effect immediately upon its adoption.

SECTION 7. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED by the Seal Beach City Council at a regular meeting held on the 29th day of August, 2022 by the following vote:

AYES: Council Members: Kalmick, Massa-Lavitt, Moore, Varipapa

NOES: Council Members: Sustarsic

ABSENT: Council Members: None

ABSTAIN: Council Members: None


Joe Kalmick, Mayor

ATTEST:

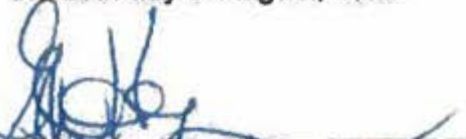


Gloria D. Harper, City Clerk



STATE OF CALIFORNIA }
COUNTY OF ORANGE } SS
CITY OF SEAL BEACH }

I, Gloria D. Harper, City Clerk of the City of Seal Beach, do hereby certify that the foregoing resolution is the original copy of Resolution 7324 on file in the office of the City Clerk, passed, approved, and adopted by the City Council at a regular meeting held on the 29th day of August, 2022.


Gloria D. Harper, City Clerk



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

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

August 22, 2022

Cindy Salazar
OC Public Works/Land Development Division
601 N. Ross Street
Santa Ana, CA 92701

Subject: Land Use Element Amendment LU 22-01 and Zoning Code Amendment CA 22-01

Dear Ms. Salazar,

Thank you for the opportunity to comment on Draft Land Use Element (LUE) Amendment LU 22-01 and Draft Zoning Code Amendment CA 22-01. The Airport Land Use Commission for Orange County (ALUC) has reviewed these documents and offers the following comments:

Land Use Element Amendment LU 22-01

The ALUC is appreciative of, and continues to support existing language contained in Land Use Element, Chapter 3, Section 7. New Development Compatibility, and Section 15. Airport Land Use Plans. We have no comments on 1) inclusion of additional discussion regarding applicability of Housing Opportunities Overlay District regulations to the commercial and industrial land use categories, 2) the addition of affordable multifamily housing to the table of allowable uses in commercial and industrial land use categories, or 3) the updates to demographic data regarding population density.

Zoning Code Amendment CA 22-01

The following Draft Zoning Code Amendment CA 22-01 revisions are requested to ensure airport compatibility and safety in sensitive areas surrounding airports in Orange County:

- 1) In Sec. 7-9-44.7. Site development standards for residential uses, add the following language:
"Residential uses shall not be allowed on parcels or building sites which are within the 65 CNEL contour of an airport within Orange County, and shall be in compliance with airport safety zone restrictions."

- 2) In Sec. 7-9-44.8. Emergency shelter and multi-service center for persons experiencing homelessness (multi-service center) site development standards and operational requirements, add the following language:
"An emergency shelter or multi-service center shall not be allowed on parcels or building sites which are within the 65 CNEL contour of an airport within Orange County, and shall be in compliance with airport safety zone restrictions."

- 3) In Sec. 7-9-44.9. Low-Barrier Navigation Center site development standards and operational requirements, add the following language:
"A Low-Barrier Navigation Center shall not be allowed on parcels or building sites which are within the 65 CNEL contour of an airport within Orange County, and shall be in compliance with airport safety zone restrictions."

Thank you for the opportunity to comment on Land Use Element Amendment LU 22-01 and Zoning Code Amendment CA 22-01. A referral by the County to the ALUC is required for these updates due to the location of the amendments within an AELUP Planning Area and due to the nature of the required County approvals (i.e. Land Use and Zoning Code Amendments) 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 Planning Commission and Board of Supervisors 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 agendaizing. Please contact me at lchoum@ocair.com or at 949-252-5123, should any questions arise regarding these comments.

Sincerely,



Lea Choum
Executive Officer



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

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

September 8, 2022

Cindy Salazar, Land Use Manager
Advance and Environmental Planning
OC Public Works Development Services
601 N. Ross Street
Santa Ana, CA 92701

Subject: ALUC Referral Package Confirmation – County of Orange Proposed Land Use Element Amendment 22-01 and Zoning Code Amendment CA 22-01

Dear Ms. Salazar:

This is to confirm that the Airport Land Use Commission (ALUC) staff has received the County of Orange referral request of your project entitled: Proposed Land Use Element Amendment LU 22-01 and Proposed Zoning Code Amendment CA 22-01.

Your referral, being complete and sufficient, for a review and consistency determination by the Commission, is hereby accepted as of September 8, 2022 and will be agendaized for the next Commission meeting of September 15, 2022 unless otherwise noticed. Your attendance at the meeting will be appreciated in case there are questions regarding this item. The meeting location is included below for your information:

4:00 p.m.
JWA/Eddie Martin Building/Airport Commission Meeting Room
3160 Airway Avenue
Costa Mesa, CA 92626

A copy of the meeting agenda and staff report regarding your item will be provided to you prior to the Commission meeting. Please contact Lea Choum at (949) 252-5123 or via email at lchoum@ocair.com if you need additional information regarding the Commission's review of this project.

Sincerely,

Lea U. Choum
Executive Officer