



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

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MINUTES OF REGULAR MEETING

June 20, 2024

PLACE: John Wayne Airport Administration Building
Airport Commission Hearing Room
3160 Airway Avenue
Costa Mesa, California 92626

TIME: Regular Meeting called to order at 4:00 p.m. by Chairman Bresnahan

COMMISSIONERS PRESENT: Gerald Bresnahan, Mark Monin, Alan Murphy, Stephen Beverburg, Schelly Sustarsic, Joe Klema
Alternate Commissioners Present: Jay Steffenhagen, Vern King

COMMISSIONERS ABSENT: Mike Carroll

STAFF PRESENT: Julie Fitch, Executive Officer
Kristal Carr, Recording Secretary
William Ninh, Deputy County Counsel

PLEDGE OF ALLEGIANCE: Chairman Bresnahan led all present in the Pledge of Allegiance

INTRODUCTIONS:

Chairman Bresnahan congratulated Julie Fitch on her new role as the Executive Officer. Julie Fitch introduced the new ALUC Recording Secretary, Kristal Carr, and introduced Deputy County Counsel Will Ninh, who was covering the meeting for Jeff Stock. Supervising Deputy County Counsel Lauren Kramer was also present.

APPROVAL OF MINUTES:

Commissioner Monin moved to approve the May 16, 2024, minutes, and Commissioner Beverburg seconded. Commissioner Sustarsic noted a typo on page three. It states that Seal Beach has 12,000 housing sites for the RHNA, but the correct number is closer to 1,200. The Commissioners voted

6-0 (Murphy, Monin, Bresnahan, Beverburg, Sustarsic, Klema) to approve the May 16, 2024, meeting minutes with the correction pointed out by Commissioner Sustarsic.

NEW BUSINESS:

1. City of Irvine

Executive Officer Julie Fitch reported that Commissioner Carroll will not be attending today's meeting due to a conflict of interest, as he serves on the City of Irvine Council. Ms. Fitch presented the staff report and background for the City of Irvine 2045 General Plan Update and Associated Zone Change and recommended that the Commission find the proposed project inconsistent with the AELUP for JWA. She stated that staff from the City of Irvine is present to answer questions.

Chairman Bresnahan requested that the ALUC noise contours be displayed on the screen. He mentioned that the noise contour submitted by the City of Irvine is incorrect does not understand why. Ms. Fitch mentioned that our GIS specialist shares these files with the city, and she was unaware of this error until just prior to the meeting. Chairman Bresnahan believes that properties are still within the 60 and 65 CNELs and it doesn't change the overall issues with the project. Ms. Fitch believes that the inner portion of the contours is correct, and that the city might have widened it, and that she will follow up to ensure its accuracy. Chairman Bresnahan asked if the City of Irvine would like to speak on the item. The City of Irvine indicated they did not, but that they were available if there were any questions.

On a motion by Commissioner Murphy and a second by Commissioner Beverburg, the Commission voted 6-0 in favor of the staff recommendation to find the City of Irvine General Plan Update and Associated Zone Change inconsistent with the AELUP for JWA.

2. The City of Newport Beach

Ms. Fitch presented the staff report for the General Plan Amendment for the Residences at 1600 Dove Street. Chairman Bresnahan inquired about the increased flight activity on the third page of the exhibit. Ms. Fitch explained that the report was generated on a Saturday, a day typically characterized by higher general aviation traffic.

Commissioner Murphy noted that the AELUP indicates that residential use in the 60 CNEL is considered normally consistent, but that as buildings get higher, especially when aircraft are transitioning from 500 to 1,000 feet AMSL and turning, that the actual noise level might exceed 60 dBA. Commissioner Murphy noted that the project is in an area with significant overflight, particularly on a Saturday. He stated that many pilots are in training and there could be safety issues. He stated that his understanding is that the staff recommendation takes into consideration the height of the building and the overflight.

Ms. Fitch explained that the exhibit shows that the area is very close to the 65 CNEL. She noted that the noise impact can be based on the location within the contour, as noise does not

abruptly stop at the contour lines. Chairman Bresnahan asked if anyone from the city would like to be heard on this item. David Lee, the Senior Planner for the City of Newport Beach, is representing Principal Planner Elizabeth Westmoreland who could not attend the meeting. Mr. Lee mentioned that this project will help fulfill the Regional Housing Needs Allocation (RHNA) requirements. There were no questions from the Commissioners or the public.

Chairman Bresnahan referred to the flight tracks exhibit and commented that as the color changes from green to blue, there is a change in aircraft elevation at 500 feet, and the airplane is still ascending. The airplanes will be at full power and turning. If the building is 154 AMSL, and the airplane will be at 500 feet, the structure will be very close to the generator of that noise and that is a concern. Chairman Bresnahan referenced the City of Newport Beach staff report Page 15, Item Number 3, regarding building height limits. He read the entire statement, noting that the city is granting a waiver for the number of units. He remarked that the location is unsuitable for residential development, even if the interior noise is mitigated. He referred to the last page of the report, which shows outdoor pictures featuring pools and lounge areas, and emphasized that the development prioritizes outdoor space with pools and balconies. He concluded by stating that he hopes that anyone moving in has a love for aviation.

On a motion by Commissioner Klema and a second by Commissioner Murphy, the Commission voted 6-0 in favor to support the staff recommendation and find the proposed Residences at 1600 Dove Street to be inconsistent with the *AELUP for JWA*.

3. Administrative Status Report:

Ms. Fitch referred to the items of correspondence since the last meeting and pointed out that the ALUC office received an inquiry about abandoning a heliport. The Caltrans correspondence regarding the notice of abandonment of the heliport was included in the agenda packet, as well as the updated list of heliports in Orange County. She also referred to an October 24, 2023, letter from HCD to the City of Los Alamitos regarding the inconsistency of the Housing Element Update.

Commissioner Murphy expressed his appreciation for including the letter from HCD, because it highlights that the state, through Caltrans, advises against building residential in these areas, and ALUC trying to do good planning, but the state HCD is effectively saying to ignore this advice and override or do whatever needs to be done to increase housing. Commissioner Murphy predicted that at some point residents will become unhappy with the changes that the state caused. He believes that residents will come back to the airports requesting that something be done about operations, because they impact them. This letter helps because it documents these concerns.

Chairman Bresnahan inquired about the override for the City of Los Alamitos and whether they overruled. Ms. Fitch responded that City overruled in December 2023, and that it was included in a previous agenda packet.

Chairman Bresnahan inquired about the list of heliports, and that he assumed that everyone on the list had been approved, and any discrepancy would be due to whether they are operational. Ms. Fitch confirmed that that is her understanding. Chairman Bresnahan stated that in the next update to the *AELUP for Heliports*, that we reference this document. He mentioned that this list was a valuable discovery. Commissioner Beverburg mentioned that the last notice came from Boeing when they were closing one heliport and relocating another.

4. Status of Determinations of Inconsistency:

Ms. Fitch reported that the City of Newport Beach sent a notice of intent to overrule ALUC on the May 16, 2024, inconsistent determination for the Housing Element Implementation Amendments, and ALUC has until June 28, 2024 to provide comments.

5. Items of Interest to the Commissioners:

There were items of interest from the Commissioners.

6. Items of Interest to the Public:

There were no items of interest from the public.

ADJOURNMENT:

There being no further business before the Commission, the meeting was adjourned at 4:46 p.m. The next meeting is scheduled for July 18, 2024.