



AIRPORT LAND USE COMMISSION

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

AGENDA ITEM 3

February 20, 2025

TO: Commissioners/Alternates
FROM: Executive Officer
SUBJECT: Administrative Status Report

The following attachments are provided for your information:

- John Wayne Airport Statistics June 2024 through December 2024
- ALUC Revised Referral Letter to City of Cypress regarding Business Parks Modernization and Integration Project – February 13, 2025
- ALUC Referral Confirmation Letter to the City of Newport Beach regarding Housing Opportunity (HO) Overlay Zoning/Coastal Zoning Amendments – February 10, 2025
- ALUC Referral Confirmation Letter to the City of Cypress regarding Housing Element Implementation General Plan and Ordinance Amendments - February 6, 2025
- ALUC Referral Confirmation Letter to the City of Cypress regarding Business Parks Modernization and Integration Project – February 6, 2025
- ALUC Letter to the City of Newport Beach regarding the NOP of an EIR for Snug Harbor Surf Park at 3100 Irvine Avenue – December 6, 2024
- JWA Letter to the City of Irvine City Council regarding the ALUC Overrule and Zone Change to Irvine Business Complex (IBC) October 8, 2024
- Caltrans Addendum Comment Letter to Irvine regarding NOI to Overrule ALUC on 2024 General Plan Update Project and Zone Change - September 13, 2024
- ALUC Comment Letter to the City of Irvine for the 2045 General Plan Update – September 11, 2024
- Caltrans Letter to Irvine regarding NOI to Overrule ALUC on 2024 General Plan Update Project - September 9, 2024
- City of Irvine NOI to Overrule ALUC on 2045 General Plan Update Project- August 14, 2024

- Determination Letter to Cypress regarding the McDonnell Center Amended Specific Plan Amendment - July 25, 2024
- Determination Letter to Cypress regarding Town Center and Commons (CTCC) Specific Plan Amendment 3.0 - July 25, 2024
- ALUC meeting dates for 2025

Respectfully submitted,



Julie Fitch
Executive Officer

John Wayne Airport Posts December 2024 Statistics

January 27, 2025

(SANTA ANA, CA) - Airline passenger traffic at John Wayne Airport increased in December 2024 as compared to December 2023. In December 2024, the Airport served 941,651 passengers, an increase of 7.4% when compared with the December 2023 passenger traffic count of 876,398.

Commercial aircraft operations in December 2024 of 7,802 increased 1.2% and commuter aircraft operations of 447 increased 18.3% when comparing with December 2023 levels.

Total aircraft operations increased in December 2024 as compared with the same month in 2023. In December 2024, there were 28,939 total aircraft operations (takeoffs and landings) a 29.6% increase compared to 22,338 total aircraft operations in December 2023.

General aviation activity of 20,677 accounted for 71.5% of the total aircraft operations during December 2024, and increased 45.3% compared with December 2023.

The top three airlines in December 2024 based on passenger count were Southwest Airlines (271,639), American Airlines (156,068), and United Airlines (145,807).

John Wayne Airport
Monthly Airport Statistics - December 2024

	December 2024	December 2023	% Change	Year-To-Date 2024	Year-To-Date 2023	% Change
Total passengers	941,651	876,398	7.4%	11,089,405	11,741,325	-5.6%
Enplaned passengers	464,825	436,417	6.5%	5,508,339	5,830,386	-5.5%
Deplaned passengers	476,826	439,981	8.4%	5,581,066	5,910,939	-5.6%
Total Aircraft Operations	28,939	22,338	29.6%	334,554	273,175	22.5%
General Aviation	20,677	14,228	45.3%	236,229	172,866	36.7%
Commercial	7,802	7,713	1.2%	92,760	95,220	-2.6%
Commuter ¹	447	378	18.3%	5,302	4,858	9.1%
Military	13	19	-31.6%	263	231	13.9%
Air Cargo Tons ²	1,269	1,561	-18.7%	16,231	17,611	-7.8%
International Statistics ³				(included in totals above)		
	December 2024	December 2023	% Change	Year-To-Date 2024	Year-To-Date 2023	% Change
Total Passengers	30,041	22,289	34.8%	356,088	356,722	-0.2%
Enplaned passengers	15,887	11,717	35.6%	180,570	180,373	0.1%
Deplaned passengers	14,154	10,572	33.9%	175,518	176,349	-0.5%
Total Aircraft Operations	242	186	30.1%	2,823	2,796	1.0%

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: 1,195 tons

Passenger Carriers (incidental belly cargo): 74 tons

Current cargo tonnage figures in this report are for: November 2024

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

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Ranked #1 in Customer Satisfaction among Large Airports in the [J.D. Power 2024 North America Airport Satisfaction Study](#), 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 11.3 million passengers annually and reaches more than 40 nonstop destinations in the United States, Canada and Mexico. More information can be found at www.ocair.com. Like us on facebook.com/johnwayneairport, or follow us on [X \(formerly Twitter\) @johnwayneair](https://twitter.com/johnwayneair) and [Instagram @johnwayneair](https://instagram.com/johnwayneair).

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John Wayne Airport Posts November 2024 Statistics

December 20, 2024

(SANTA ANA, CA) - Airline passenger traffic at John Wayne Airport decreased in November 2024 as compared to November 2023. In November 2024, the Airport served 882,996 passengers, a decrease of 7.5% when compared with the November 2023 passenger traffic count of 954,228.

Commercial aircraft operations in November 2024 of 7,599 decreased 2.1% and commuter aircraft operations of 458 increased 37.1% when comparing with November 2023 levels.

Total aircraft operations increased in November 2024 as compared with the same month in 2023. In November 2024, there were 34,652 total aircraft operations (takeoffs and landings) a 51.7% increase compared to 22,839 total aircraft operations in November 2023.

General aviation activity of 26,578 accounted for 76.7% of the total aircraft operations during November 2024, and increased 80.5% compared with November 2023.

The top three airlines in November 2024 based on passenger count were Southwest Airlines (251,696), American Airlines (145,796), and Alaska Airlines (137,976).

	November 2024	November 2023	% Change	Year-To-Date 2024	Year-To-Date 2023	% Change
Total passengers	882,996	954,228	-7.5%	10,147,754	10,864,927	-6.6%
Enplaned passengers	439,354	472,016	-6.9%	5,043,514	5,393,969	-6.5%
Deplaned passengers	443,642	482,212	-8.0%	5,104,240	5,470,958	-6.7%
Total Aircraft Operations	34,652	22,839	51.7%	305,615	250,837	21.8%
General Aviation	26,578	14,726	80.5%	215,552	158,638	35.9%
Commercial	7,599	7,763	-2.1%	84,958	87,507	-2.9%
Commuter ¹	458	334	37.1%	4,855	4,480	8.4%
Military	17	16	6.3%	250	212	17.9%
Air Cargo Tons ²	1,483	1,554	-4.6%	14,962	16,050	-6.8%
International Statistics ³	(included in totals above)					
	November 2024	November 2023	% Change	Year-To-Date 2024	Year-To-Date 2023	% Change
Total Passengers	29,456	22,784	29.3%	326,047	334,433	-2.5%
Enplaned passengers	15,036	11,631	29.3%	164,683	168,656	-2.4%
Deplaned passengers	14,420	11,153	29.3%	161,364	165,777	-2.7%
Total Aircraft Operations	236	182	29.7%	2,581	2,610	-1.1%

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:1,386 tons
Passenger Carriers (incidental belly cargo):97 tons
Current cargo tonnage figures in this report are for:October 2024

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

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Ranked #1 in Customer Satisfaction among Large Airports in the [J.D. Power 2024 North America Airport Satisfaction Study](#). 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 11.3 million passengers annually and reaches more than 40 nonstop destinations in the United States, Canada and Mexico. More information can be found at www.ocair.com. Like us on facebook.com/johnwayneairport, or follow us on [X \(formerly Twitter\) @johnwayneair](#) and [Instagram @johnwayneair](#).

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John Wayne Airport Posts October 2024 Statistics

November 25, 2024

(SANTA ANA, CA) - Airline passenger traffic at John Wayne Airport decreased in October 2024 as compared to October 2023. In October 2024, the Airport served 930,049 passengers, a decrease of 8.5% when compared with the October 2023 passenger traffic count of 1,015,935.

Commercial aircraft operations in October 2024 of 7,818 decreased 4.1% and commuter aircraft operations of 468 increased 31.8% when comparing with October 2023 levels.

Total aircraft operations increased in October 2024 as compared with the same month in 2023. In August 2024, there were 35,115 total aircraft operations (takeoffs and landings) a 39.1% increase compared to 25,252 total aircraft operations in October 2023.

General aviation activity of 26,782 accounted for 76.3% of the total aircraft operations during October 2024, and increased 60.2% compared with October 2023.

The top three airlines in October 2024 based on passenger count were Southwest Airlines (261,328), American Airlines (160,557), and United Airlines (151,029).

	October 2024	October 2023	% Change	Year-To-Date 2024	Year-To-Date 2023	% Change
Total passengers	930,049	1,015,935	-8.5%	9,264,758	9,910,699	-6.5%
Enplaned passengers	459,753	503,996	-8.8%	4,604,160	4,921,953	-6.5%
Deplaned passengers	470,296	511,939	-8.1%	4,660,598	4,988,746	-6.6%
Total Aircraft Operations	35,115	25,252	39.1%	270,963	227,998	18.8%
General Aviation	26,782	16,719	60.2%	188,974	143,912	31.3%
Commercial	7,818	8,155	-4.1%	77,359	79,744	-3.0%
Commuter ¹	468	355	31.8%	4,397	4,146	6.1%
Military	47	23	104.3%	233	196	18.9%
Air Cargo Tons ²	1,216	1,465	-17.0%	13,479	14,496	-7.0%
International Statistics ³	(included in totals above)					
	October 2024	October 2023	% Change	Year-To-Date 2024	Year-To-Date 2023	% Change
Total Passengers	28,630	27,410	4.5%	296,591	311,649	-4.8%
Enplaned passengers	14,619	14,187	3.0%	149,647	157,025	-4.7%
Deplaned passengers	14,011	13,223	6.0%	146,944	154,624	-5.0%
Total Aircraft Operations	224	226	-0.9%	2,345	2,428	-3.4%
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: 1,140 tons Passenger Carriers (incidental belly cargo): 76 tons Current cargo tonnage figures in this report are for: September 2024 3. Includes all Canada and Mexico Commercial passengers and operations.						

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Ranked #1 in Customer Satisfaction among Large Airports in the [J.D. Power 2024 North America Airport Satisfaction Study](#), 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 11.3 million passengers annually and reaches more than 40 nonstop destinations in the United States, Canada and Mexico. More information can be found at www.ocair.com. Like us on facebook.com/johnwayneairport, or follow us on [X \(formerly Twitter\) @johnwayneair](#) and [Instagram @johnwayneair](#).

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John Wayne Airport Posts September 2024 Statistics

October 23, 2024

(SANTA ANA, CA) - Airline passenger traffic at John Wayne Airport decreased in September 2024 as compared to September 2023. In September 2024, the Airport served 879,703 passengers, a decrease of 9.3% when compared with the September 2023 passenger traffic count of 969,619.

Commercial aircraft operations in September 2024 of 7,477 decreased 6.1% and commuter aircraft operations of 459 increased 24.4% when comparing with September 2023 levels.

Total aircraft operations increased in September 2024 as compared with the same month in 2023. In August 2024, there were 30,124 total aircraft operations (takeoffs and landings) a 23.6% increase compared to 24,371 total aircraft operations in September 2023.

General aviation activity of 22,176 accounted for 73.6% of the total aircraft operations during September 2024, and increased 38.4% compared with September 2023.

The top three airlines in September 2024 based on passenger count were Southwest Airlines (255,408), American Airlines (151,974), and United Airlines (139,879).

	September 2024	September 2023	% Change	Year-To-Date 2024	Year-To-Date 2023	% Change
Total passengers	879,703	969,619	-9.3%	8,334,709	8,894,764	-6.3%
Enplaned passengers	436,174	478,015	-8.8%	4,144,407	4,417,957	-6.2%
Deplaned passengers	443,529	491,604	-9.8%	4,190,302	4,476,807	-6.4%
Total Aircraft Operations	30,124	24,371	23.6%	235,848	202,746	16.3%
General Aviation	22,176	16,020	38.4%	162,192	127,193	27.5%
Commercial	7,477	7,962	-6.1%	69,541	71,589	-2.9%
Commuter ¹	459	369	24.4%	3,929	3,791	3.6%
Military	12	20	-40.0%	186	173	7.5%
Air Cargo Tons ²	1,523	1,537	-0.9%	12,263	13,031	-5.9%
International Statistics ³	(included in totals above)					
	September 2024	September 2023	% Change	Year-To-Date 2024	Year-To-Date 2023	% Change
Total Passengers	27,060	28,682	-5.7%	267,961	284,239	-5.7%
Enplaned passengers	13,487	14,680	-8.1%	135,028	142,838	-5.5%
Deplaned passengers	13,573	14,002	-3.1%	132,933	141,401	-6.0%
Total Aircraft Operations	224	226	-0.9%	2,121	2,202	-3.7%

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: 1,140 tons

Passenger Carriers (incidental belly cargo): 383 tons

Current cargo tonnage figures in this report are for: August 2024

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

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Ranked #1 in Customer Satisfaction among Large Airports in the [J.D. Power 2024 North America Airport Satisfaction Study](#), 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 11.3 million passengers annually and reaches more than 40 nonstop destinations in the United States, Canada and Mexico. More information can be found at www.ocair.com. Like us on facebook.com/johnwayneairport, or follow us on [X \(formerly Twitter\)](#) @johnwayneair and [Instagram](https://instagram.com/johnwayneair) @johnwayneair.

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John Wayne Airport Posts August 2024 Statistics

September 26, 2024

(SANTA ANA, CA) – Airline passenger traffic at John Wayne Airport decreased in August 2024 as compared to August 2023. In August 2024, the Airport served 947,733 passengers, a decrease of 8.8% when compared with the August 2023 passenger traffic count of 1,038,889.

Commercial aircraft operations in August 2024 of 7,904 decreased 5.5% and commuter aircraft operations of 535 increased 52.9% when comparing with August 2023 levels.

Total aircraft operations increased in August 2024 as compared with the same month in 2023. In August 2024, there were 32,602 total aircraft operations (takeoffs and landings) a 25.5% increase compared to 25,978 total aircraft operations in August 2023.

General aviation activity of 24,153 accounted for 74.1% of the total aircraft operations during August 2024, and increased 40.0% compared with August 2023.

The top three airlines in August 2024 based on passenger count were Southwest Airlines (253,496), United Airlines (156,915), and American Airlines (153,103).

John Wayne Airport
Monthly Airport Statistics - August 2024 (*REVISED October 1, 2024*)

	August 2024	August 2023	% Change	Year-To-Date 2024	Year-To-Date 2023	% Change
Total passengers	947,733	1,038,889	-8.8%	7,455,006	7,925,145	-5.9%
Enplaned passengers	471,283	516,002	-8.7%	3,708,233	3,939,942	-5.9%
Deplaned passengers	476,450	522,887	-8.9%	3,746,773	3,985,203	-6.0%
Total Aircraft Operations	32,602	25,978	25.5%	205,724	178,375	15.3%
General Aviation	24,153	17,257	40.0%	140,016	111,173	25.9%
Commercial	7,904	8,361	-5.5%	62,068	63,627	-2.5%
Commuter ¹	535	350	52.9%	3,466	3,422	1.3%
Military	10	10	0.0%	174	153	13.7%
Air Cargo Tons ²	1,185	1,358	-12.7%	10,769	11,494	-6.3%
International Statistics ³	(included in totals above)					
	August 2024	August 2023	% Change	Year-To-Date 2024	Year-To-Date 2023	% Change
Total Passengers	30,634	31,091	-1.5%	240,901	255,557	-5.7%
Enplaned passengers	15,074	15,433	-2.3%	121,541	128,158	-5.2%
Deplaned passengers	15,560	15,658	-0.6%	119,360	127,399	-6.3%
Total Aircraft Operations	230	231	-0.4%	1,897	1,976	-4.0%

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: 1,084 tons

Passenger Carriers (incidental belly cargo): 101 tons

Current cargo tonnage figures in this report are for: July 2024

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

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Ranked #1 in Customer Satisfaction among Large Airports in the [J.D. Power 2024 North America Airport Satisfaction Study](#), 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 11.3 million passengers annually and reaches more than 40 nonstop destinations in the United States, Canada and Mexico. More information can be found at www.ocair.com. Like us on facebook.com/johnwayneairport, or follow us on [X \(formerly Twitter\) @johnwayneair](https://twitter.com/johnwayneair) and [Instagram @johnwayneair](https://instagram.com/johnwayneair).

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	August 2024	August 2023	% Change	Year-To-Date 2024	Year-To-Date 2023	% Change
Total passengers	947,733	1,038,889	-8.8%	7,455,006	7,925,145	-5.9%
Enplaned passengers	471,283	516,002	-8.7%	3,708,233	3,939,942	-5.9%
Deplaned passengers	476,450	522,887	-8.9%	3,746,773	3,985,203	-6.0%
Total Aircraft Operations	32,602	25,978	25.5%	205,724	178,375	15.3%
General Aviation	24,153	17,257	40.0%	140,016	111,173	25.9%
Commercial	7,900	8,361	-5.5%	62,064	63,627	-2.5%
Commuter ¹	539	350	54.0%	3,470	3,422	1.4%
Military	10	10	0.0%	174	153	13.7%
Air Cargo Tons ²	1,185	1,358	-12.7%	10,769	11,494	-6.3%
International Statistics ³				(included in totals above)		
	August 2024	August 2023	% Change	Year-To-Date 2024	Year-To-Date 2023	% Change
Total Passengers	30,634	31,091	-1.5%	240,901	255,557	-5.7%
Enplaned passengers	15,074	15,433	-2.3%	121,541	128,158	-5.2%
Deplaned passengers	15,560	15,658	-0.6%	119,360	127,399	-6.3%
Total Aircraft Operations	230	231	-0.4%	1,897	1,976	-4.0%

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: 1,084 tons

Passenger Carriers (incidental belly cargo): 101 tons

Current cargo tonnage figures in this report are for: July 2024

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

John Wayne Airport
Monthly Airport Statistics - August 2024

John Wayne Airport Posts July 2024 Statistics

August 21, 2024

(SANTA ANA, CA) – Airline passenger traffic at John Wayne Airport decreased in July 2024 as compared to July 2023. In July 2024, the Airport served 970,828 passengers, a decrease of 9.7% when compared with the July 2023 passenger traffic count of 1,075,535.

Commercial aircraft operations in July 2024 of 7,860 decreased 7.0% and commuter aircraft operations of 481 increased 20.0% when comparing with July 2023 levels.

Total aircraft operations increased in July 2024 as compared with the same month in 2023. In July 2024, there were 29,981 total aircraft operations (takeoffs and landings) a 22.8% increase compared to 24,421 total aircraft operations in July 2023.

General aviation activity of 21,625 accounted for 72.1% of the total aircraft operations during July 2024, and increased 38.9% compared with July 2023.

The top three airlines in July 2024 based on passenger count were Southwest Airlines (268,571), United Airlines (163,688) and American Airlines (162,561).

John Wayne Airport
Monthly Airport Statistics - July 2024

	July 2024	July 2023	% Change	Year-To-Date 2024	Year-To-Date 2023	% Change
Total passengers	970,828	1,075,535	-9.7%	6,507,273	6,886,256	-5.5%
Enplaned passengers	480,403	530,664	-9.5%	3,236,950	3,423,940	-5.5%
Deplaned passengers	490,425	544,871	-10.0%	3,270,323	3,462,316	-5.5%
Total Aircraft Operations	29,981	24,421	22.8%	173,122	152,397	13.6%
General Aviation	21,625	15,564	38.9%	115,863	93,916	23.4%
Commercial	7,860	8,449	-7.0%	54,164	55,266	-2.0%
Commuter ¹	481	401	20.0%	2,931	3,072	-4.6%
Military	15	7	114.3%	164	143	14.7%
Air Cargo Tons ²	1,250	1,466	-14.7%	9,584	10,136	-5.4%
International Statistics ³	(included in totals above)					
	July 2024	July 2023	% Change	Year-To-Date 2024	Year-To-Date 2023	% Change
Total Passengers	33,622	34,904	-3.7%	210,267	224,466	-6.3%
Enplaned passengers	16,392	17,036	-3.8%	106,467	112,725	-5.6%
Deplaned passengers	17,230	17,868	-3.6%	103,800	111,741	-7.1%
Total Aircraft Operations	244	258	-5.4%	1,667	1,745	-4.5%

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:

1,159 tons

Passenger Carriers (incidental belly cargo):

91 tons

Current cargo tonnage figures in this report are for:

June 2024

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 11.3 million passengers annually and reaches more than 40 nonstop destinations in the United States, Canada and Mexico. More information can be found at www.ocair.com. Like us on facebook.com/johnwayneairport, or follow us on [X \(formerly Twitter\) @johnwayneair](https://twitter.com/johnwayneair) and [Instagram @johnwayneair](https://instagram.com/johnwayneair).

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John Wayne Airport Posts June 2024 Statistics

July 30, 2024

(SANTA ANA, CA) – Airline passenger traffic at John Wayne Airport decreased in June 2024 as compared to June 2023. In June 2024, the Airport served 963,531 passengers, a decrease of 9.1% when compared with the June 2023 passenger traffic count of 1,059,614.

Commercial aircraft operations in June 2024 of 7,651 decreased 7.6% and commuter aircraft operations of 440 increased 6.3% when comparing with June 2023 levels.

Total aircraft operations increased in June 2024 as compared with the same month in 2023. In June 2024, there were 24,878 total aircraft operations (takeoffs and landings) an 8.6% increase compared to 22,899 total aircraft operations in June 2023.

General aviation activity of 16,764 accounted for 67.4% of the total aircraft operations during June 2024, and increased 18.1% compared with June 2023.

The top three airlines in June 2024 based on passenger count were Southwest Airlines (277,026), American Airlines (163,911) and United Airlines (152,949).

	June 2024	June 2023	% Change	Year-To- Date 2024	Year-To- Date 2023	% Change
Total passengers	963,531	<u>1,059,614</u>	-9.1%	5,536,445	5,810,721	-4.7%
Enplaned passengers	482,351	532,854	-9.5%	2,756,547	2,893,276	-4.7%
Deplaned passengers	481,180	526,760	-8.7%	2,779,898	2,917,445	-4.7%
Total Aircraft Operations	24,878	22,899	8.6%	143,141	127,976	11.8%
General Aviation	16,764	14,191	18.1%	94,238	78,352	20.3%
Commercial	7,651	8,282	-7.6%	46,304	46,817	-1.1%
Commuter ¹	440	414	6.3%	2,450	2,671	-8.3%
Military	23	12	91.7%	149	136	9.6%
Air Cargo Tons ²	1,349	1,533	-12.0%	8,334	8,670	-3.9%
International Statistics ³	(included in totals above)					
	June 2024	June 2023	% Change	Year-To- Date 2024	Year-To- Date 2023	% Change

Total Passengers	31,673	33,129	-4.4%	176,645	189,562	-6.8%
Enplaned passengers	16,355	17,171	-4.8%	90,075	95,689	-5.9%
Deplaned passengers	15,318	15,958	-4.0%	86,570	93,873	-7.8%
Total Aircraft Operations	244	256	-4.7%	1,423	1,487	-4.3%

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: 1,247 tons

Passenger Carriers (incidental belly cargo): 102 tons

Current cargo tonnage figures in this report are for: May 2024

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

-###-

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 11.3 million passengers annually and reaches more than 40 nonstop destinations in the United States, Canada and Mexico. More information can be found at www.ocair.com. Like us on facebook.com/johnwayneairport, or follow us on [X \(formerly Twitter\) @johnwayneair](https://twitter.com/johnwayneair) and [Instagram @johnwayneair](https://instagram.com/johnwayneair).

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



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

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

February 13, 2025

Chris Wong, Business Development Manager
City of Cypress
5275 Orange Ave.
Cypress CA 90630

Subject: ALUC Revised Referral Confirmation for Business Parks Modernization and Integration Project

Dear Mr. Wong:

Airport Land Use Commission (ALUC) staff has received your January 28, 2025, referral request for a consistency review of the subject item. On February 6, 2025, the submittal was deemed complete for a review and consistency determination by the Commission at the February 20, 2025, meeting.

As we have discussed via email and phone this past week, after reviewing the submittal in more detail, our staff discovered that the exhibits included in the submittal did not depict the Specific Plan boundaries the same as shown on the cover letter and in other attachments. Also, the standard ALUC language for height, based on the *AELUP for JFTB Los Alamitos* and referred to in the condition that ALUC placed on the McDonnell Center Amended Specific Plan at its meeting on July 18, 2024, was not included in the proposed new Specific Plan.

As of this morning, we have not received the requested information, therefore the January 28, 2025, submittal is considered incomplete. I appreciate your efforts to submit the information in a timely manner, but the agenda packet is nearing completion and will be mailed out tomorrow. I look forward to working with you in the coming weeks to ensure the Business Parks Modernization and Integration Project will be agendaized for the March 20th meeting. Feel free to contact us at (949) 252-5170 or at alucinfo@ocair.com if you have any questions.

Sincerely,

Julie Fitch, AICP
Executive Officer



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

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

February 10, 2025

Ben Zdeba, AICP
Planning Manager
City of Newport Beach Community Development
100 Civic Center Drive
Newport Beach, CA 92660

Re: ALUC Submittal for Housing Opportunity (HO) Overlay Zoning/Coastal Zoning Amendments

Dear Mr. Zdeba:

This is to confirm that Airport Land Use Commission (ALUC) staff has received the January 29, 2025, referral request for a consistency review of the subject item. Your submittal is hereby deemed complete for a consistency review at the next Commission meeting of February 20, 2025, unless otherwise noticed. Your attendance at the meeting would be appreciated in case there are questions regarding this item. The meeting will be held at 4:00 p.m. at:

JWA/Airport Commission Room
3160 Airway Avenue (back entrance)
Costa Mesa, CA 92626

A link to the meeting agenda and staff report regarding your item will be emailed to you prior to the Commission meeting. Feel free to contact us at (949) 252-5170 or at alucinfo@ocair.com if you have any questions.

Sincerely,

Julie Fitch, AICP
Executive Officer



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

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

February 6, 2025

Alicia Velasco, Planning Director
City of Cypress
5275 Orange Ave.
Cypress CA 90630

Subject: ALUC Referral Confirmation for Housing Element Implementation General Plan and Ordinance Amendments

Dear Ms. Velasco:

This is to confirm that the Airport Land Use Commission (ALUC) staff has received your referral request for a consistency review of the subject items.

Your January 23, 2025 submittal is hereby accepted and deemed complete for a review and consistency determination by the Commission. It will be agendaized for the February 20, 2025 meeting of the Commission unless otherwise noticed. Your attendance at the meeting would be appreciated in case there are questions regarding this item. The meeting will be held at 4:00 p.m. at:

JWA/Airport Commission Room (Back Entrance)
3160 Airway Avenue
Costa Mesa, CA 92626

A link to the meeting agenda and staff report regarding your item will be emailed to you prior to the Commission meeting. Feel free to contact us at (949) 252-5170 or at alucinfo@ocair.com if you have any questions.

Sincerely,

Julie Fitch, AICP
Executive Officer



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

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

February 6, 2025

Chris Wong, Business Development Manager
City of Cypress
5275 Orange Ave.
Cypress CA 90630

Subject: ALUC Referral Confirmation for Business Parks Modernization and Integration Project

Dear Mr. Wong:

This is to confirm that the Airport Land Use Commission (ALUC) staff has received your referral request for a consistency review of the subject item.

Your January 28, 2025 submittal is hereby accepted and deemed complete for a review and consistency determination by the Commission. It will be agendaized for the February 20, 2025 meeting of the Commission unless otherwise noticed. Your attendance at the meeting would be appreciated in case there are questions regarding this item. The meeting will be held at 4:00 p.m. at:

JWA/Airport Commission Room (Back Entrance)
3160 Airway Avenue
Costa Mesa, CA 92626

A link to the meeting agenda and staff report regarding your item will be emailed to you prior to the Commission meeting. Feel free to contact us at (949) 252-5170 or at alucinfo@ocair.com if you have any questions.

Sincerely,

Julie Fitch, AICP
Executive Officer



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

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

December 6, 2024

Joselyn Perez, Senior Planner
Community Development Department
City of Newport Beach
100 Civic Center Drive
Newport Beach, CA 92660

Delivered via email: jperez@newportbeachca.gov

Subject: City of Newport Beach NOP of an EIR for Snug Harbor Surf Park at
3100 Irvine Avenue

Dear Ms. Perez:

Thank you for the opportunity to provide comments on the Notice of Preparation (NOP) of an Environmental Impact Report (EIR) for the proposed Snug Harbor Surf Park ("Project") at 3100 Irvine Avenue. These comments are provided in the context of the Airport Land Use Commission's *Airport Environs Land Use Plan for John Wayne Airport (AELUP for JWA)*.

The proposed 15.38-acre project site is located within the central portion of the Newport Beach Golf Course bound by Irvine Avenue and Mesa Drive, approximately 3,900 feet from the end of the runway (2L). The Project would remove the existing improvements including the driving range, three holes of golf, pro shop, and restaurant/bar, and would redevelop the site with a 7-acres of surf lagoons with viewing platforms, warming pools, and spa, as well as a 50,340 square foot, three-story clubhouse building. The clubhouse would include a reception area, surf academy, fitness facilities, administrative offices, retail store, restaurant, and other incidental uses. The Project would also include a two-story 9,400 square foot "athlete accommodation building" consisting of 20 lodging units.

The Project falls within the Airport Planning Area/Notification for JWA and raises potentially significant land use compatibility concerns as defined in the AELUP for JWA.

The Project is located within the 65 dB CNEL contour for JWA. The EIR should address the noise impacts of airport operations on the occupants of the proposed lodging units (i.e., sound attenuation to meet interior noise standards). In addition, noise impacts on the exterior recreational uses should be addressed.

The Project is within the Federal Aviation Administration (FAA) Notification Area as well as the Federal Aviation Regulations (FAR) Part 77, Obstruction Imaginary Surfaces for JWA. The EIR should address the height restrictions relative to both the notification area and imaginary surfaces. ALUC staff recommends that policies be established ensuring that the maximum allowable building heights for projects located within the JWA Planning Area do not penetrate the FAA Part 77 Obstruction Surfaces for JWA. Further, the Project site is located within the primary approach surface for JWA. The EIR should emphasize that future patrons and occupants and would be exposed to significant commercial overflight with a high number of aircraft as low as 1,000 feet Above Mean Sea Level (AMSL).

The EIR should also discuss safety concerns related to the Project's location within Safety Zones 2, 4, and 6 for JWA. According to the 2011 California Airport Land Use Planning Handbook, Safety Zone 2 is the Inner Approach/Departure Zone where all residential uses, multi-story, high density/intensity uses, and most eating establishments should be avoided. Safety Zone 4 is the Outer Approach/Departure Zone in which "assemblages of people" should be restricted. Safety Zone 6 is the Traffic Pattern Zone where non-residential densities should be limited to 200-300 people per gross acre (p. 4-25 of the Handbook).

The NOP indicates that the Project is consistent with the existing General Plan Land Use designation of Parks and Recreation (PR) but would require a General Plan Amendment to increase the current development limit of 20,000 square feet to 59,772 square feet. Due to the need for a General Plan Amendment, the Project is required to be submitted to the Airport Land Use Commission (ALUC) for review after a Planning Commission Public Hearing and prior to City Council adoption. Please contact our office at (949) 252-5170 or at alucinfo@ocair.com if you would like more information.

Sincerely,



Julie Fitch
Executive Officer



JOHN WAYNE
AIRPORT
ORANGE COUNTY

October 8, 2024

Attn: Irvine City Council
1 Civic Center Plaza
Irvine, CA 92606
clerk@cityofirvine.org

RE: OCTOBER 8, 2024, CITY COUNCIL MEETING AGENDA ITEM 4.2 - OVERRULE THE ORANGE COUNTY AIRPORT LAND USE COMMISSION'S DETERMINATION OF INCONSISTENCY REGARDING THE 2045 GENERAL PLAN UPDATE, AND AGENDA ITEM 4.3 - ZONE CHANGE TO ADD FOCUS AREA 1 TO THE RESIDENTIAL AND RESIDENTIAL MIXED USE OVERLAY DISTRICT IN SUPPORT OF THE 2045 GENERAL PLAN UPDATE

Councilmembers:

This letter provides comments on behalf of the County of Orange (County), acting in its capacity as owner and operator of John Wayne Airport, Orange County (JWA or Airport), to the City of Irvine (City) regarding the subject items. We understand that the 2045 General Plan Update (Update) and Associated Zoning Code Change (Overlay) adding Focus Area 1 to the Residential and Residential Mixed-Use Overlay is intended, in part, to accommodate the City's Regional Needs Housing Assessment (RHNA) requirement. The Update and the Overlay would serve to accommodate proposed residential sites located within the Airport's 60, 65, and 70 (dBA) Community Noise Equivalent Level (CNEL).

The Airport has concerns about the proposed Update relating to land use, noise, safety, and airspace compatibility issues. Our concerns are addressed in detail below.

Background

We are aware that the City submitted the 2045 General Plan Update and Associated Zoning Code Amendment to the Orange County Airport Land Use Commission (ALUC) for a consistency determination in June 2024, and that the ALUC found the 2045 General Update and Associated Zoning Code Amendment to be inconsistent with the Airport Environs Land Use Plan (AELUP) for JWA due to noise, safety and land use incompatibility issues. We are also aware that the ALUC has submitted a letter regarding the proposed overrule, and Caltrans has submitted two letters regarding the proposed overrule. The City is now proposing to overrule ALUC's inconsistency determination and adopt the Update and the Overlay.

Land Use, Noise, Overflight, and Safety Compatibility Issues

The City's proposed 2045 General Plan Update and Associated Zoning Code Amendment creates a Residential Overlay in Focus Area 1, which encompasses the entire Irvine Business Complex (IBC). This Overlay would accommodate residential uses within the 60, 65, 70 dBA CNEL contours and in the direct approach corridor for JWA. In addition, the 2045 General Plan Update

Charlene V. Reynolds
Airport Director

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92626-4608

Irvine City Council
October 8, 2024
Page 2

would remove policies prohibiting residential uses within the 65 and above noise contours. Our understanding is that the City's proposed Update is designed, in part, to achieve the Regional Housing Needs Assessment (RHNA) for the 2021-2029 planning period, however, it goes too far by allowing residential uses in high impact noise areas and in unsafe areas as determined by ALUC and Caltrans.

Noise is one of the most basic land use compatibility concerns. Federal and state statutes and regulations establish the basis for ensuring land use compatibility in areas around airports. Specifically, both the Federal Aviation Administration (FAA) and the California Department of Transportation, Division of Aeronautics (Caltrans) have adopted noise and land use compatibility standards for residential land uses, schools, and other noise sensitive uses. (See, e.g., 49 U.S.C. § 47502, Pub. Util. Code § 21669, Cal. Code Regs. § 5000 *et seq.*) These standards generally establish a maximum exterior noise level of 65 dB CNEL for private outdoor living areas and an interior noise level of 45 dB CNEL for residential and other sensitive land uses. As indicated in Section 5006 of the California Code of Regulations (Title 21, Division 2.5, Chapter 6):

"The level of noise acceptable to a reasonable person residing in the vicinity of an airport is established as a community noise equivalent level (CNEL) value of 65 dB for purposes of these regulations. This criterion level has been chosen for reasonable persons residing in urban residential areas where houses are of typical California construction and may have windows partially open. It has been selected with reference to speech, sleep, and community reaction."

Because the City's proposed 2045 General Plan Update and Associated Zoning Code Amendment would result in new residential development being exposed to excessive noise levels outside these standards, we request that the 2045 General Plan Update and Associated Zoning Code Amendment be revised to reflect only non-residential uses within the 65 dBA and above contours to ensure compliance with these important state and federal noise standards.

In addition to the FAA and Caltrans standards for noise compatibility, general plan guidelines relating to noise compatibility are provided in the California Government Code. (See, e.g., Cal. Gov. Code §65302.) These code provisions require noise contours to be used as a guide for establishing a pattern of land uses that minimizes the exposure of community residents to excessive noise.

The proposed Overlay would include properties that fall beneath the final approach and transitional surfaces for JWA. Potential future residents would be exposed to significant aircraft overflight noise and safety issues with approaching aircraft flying directly overhead at an elevation of less than 500 feet. If the City does proceed with the Override and adoption of the Overlay, specific noise mitigation requirements should be implemented for any future residences located within these noise contours, including appropriate avigation easement and sound attenuation as required under Cal. Code Regs. Tit. 21 §5037.

It is important to note that the proposed Focus Area 1 (Irvine Business Complex (IBC)) includes sites within in Safety Zone 2 - Inner Approach/Departure Zone; Safety Zone 3 - Inner Turning Zone; Safety Zone 4 - Outer Approach/Departure Zone, and Safety Zone 6 - Traffic Pattern Zone. As provided in the Caltrans Airport Land Use Planning Handbook pages 4-21 through 4-25, allowing residential uses in these areas would potentially place future residents adjacent to the end of both runways, directly under commercial and general aviation low-altitude flights.

Irvine City Council
October 8, 2024
Page 3

Conclusion

In conclusion, the City's proposed 2045 General Plan Update and Associated Zoning Code Amendment has the potential to increase incompatible land use within the 65 and above dBA noise contours, which could result in significant land use compatibility, noise, safety, and overflight impacts and additional encroachment of incompatible land uses within the airport environs.

We appreciate our relationship with the City and will make ourselves available to discuss the issues identified in this letter at your convenience. Our hope is that we can continue to work cooperatively to ensure land use compatibility surrounding the Airport.

Sincerely,

Signed by:

A1A526A921AF49F
Charlene V. Reynolds
Airport Director

Attachments: JWA Flight Tracks

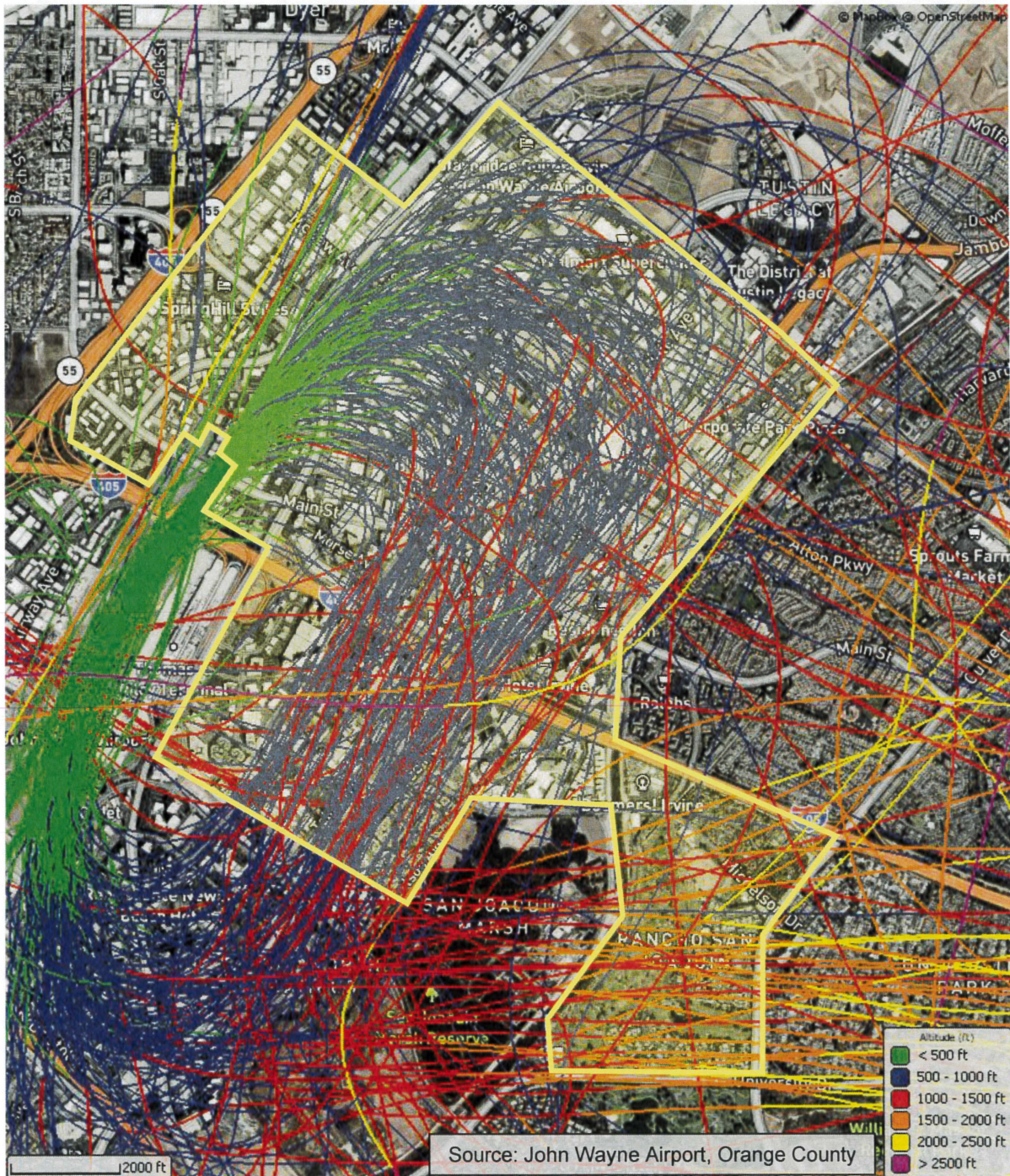
Cc: Michelle Aguirre, Interim County Executive Officer
Komal Kumar, Assistant Airport Director
Mark Sanchez, Deputy County Counsel



**JOHN WAYNE
AIRPORT
ORANGE COUNTY**

John Wayne Airport Access & Noise Office

John Wayne Airport Altitude Analysis
Saturday, May 11, 2024
493 Operations



Approximate Location of Focus Area #1/IBC

California Department of Transportation

DIVISION OF AERONAUTICS
P.O. BOX 942873, MS-40
SACRAMENTO, CA 94273-0001
(916) 654-4959
www.dot.ca.gov

**RECEIVED****SEP 13 2024****AIRPORT LAND USE COMMISSION**

September 13, 2024

Alyssa Matheus,
Principal Planner
City of Irvine
1 Civic Center Plaza
Irvine, CA, 92606

Electronically Sent: amatheus@cityofirvine.org

**RE: Caltrans Addendum Comment Letter to 9/9/2024 Letter
2045 General Plan Update Project – Notice of Intent to Overrule the Orange
County Airport Land Use Commission**

Dear Ms. Matheus:

The California Department of Transportation (Caltrans), Division of Aeronautics (Division) is providing an addendum or additional letter today to our 9/9/24 comment letter specifying concerns about the 2045 General Plan Update Project – Notice of Intent to Overrule the Orange County Airport Land Use Commission.

We strongly concur with and echo the inconsistencies noted in the September 11, 2024 letter and attachments from the Orange County Airport Land Use Commission to you about this matter. Specifically, we recommend that the Irvine City Council Members carefully review the following ALUC letter attachments:

- Attachment 1 – John Wayne Airport Noise Impact Zone Map with Preliminary Housing Element Sites (**within the airport's 70 & 65 Community Noise Equivalent Level Contours**)
- Attachment 7 – John Wayne Airport Safety Zone Map (**portions of Safety Zones 2, 3, 4, & 6 are included in the proposed Residential-Residential Mixed-Use Overlay for the Irvine General Plan**)
- Attachment 9 – John Wayne Airport Altitude Analysis Maps from May 11th, 14th, & 16th 2024 (operations analysis includes **aircraft at less than 500 feet above, and between 500 feet & 1000 feet above the proposed Residential-Residential Mixed-Use Overlay for the Irvine General Plan**)

The potential public health and safety risks may be best depicted if this data is combined in one mapping display.

Additionally, we note:

- John Wayne Airport is a major commerce and transportation facility today – serving over 7.7 million passengers annually, cargo air services, and general aviation operations. However, the airport already has some of the most restrictive noise abatement practices in the nation – with restricted hours of operations, unique aircraft departure practices, etc. Allowing the potential for thousands of additional new residences adjacent to this airport environment is not prudent.
- The Lead Agency should consider the negative health affects to potential residents attributed to increased exposure to aircraft noise.
- Noise mitigation measures are not a substitute for land use compatibility planning for new residential development or redevelopment.

Caltrans understands the great need for additional residential development in California, and the Regional Housing Needs Assessment requirements that local jurisdictions must meet. However, meeting these requirements should be done in ways that protect public health, safety, and welfare.

If you have any questions, please contact me at (916)521-4743, or by email at Matthew.Friedman@DOT.CA.GOV.

Sincerely,

Matthew Friedman

Matthew Friedman
Chief, Office of Aviation Planning

c: Julie Fitch, Executive Office, John Wayne Airport Land Use Commission,
jfitch@ocair.com
Charlene Reynolds, John Wayne Airport Manager, creynolds@ocair.com
Lan Zhou, District 12 Director, Caltrans, lan.zhou@dot.ca.gov
Marlon Flournoy, Division Chief (Acting) Division of Aeronautics, Caltrans,
marlon.flournoy@dot.ca.gov



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

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

September 11, 2024

Alyssa Matheus, Principal Planner
City of Irvine Community Development Department
1 Civic Center Plaza
Irvine, CA 92623

Subject: Response to Notice of Intent to Overrule the Airport Land Use Commission Determination - Irvine 2045 General Plan Update and Associated Zone Change ("Project")

Dear Ms. Matheus:

We are in receipt of your August 14, 2024, letter with Draft Resolution 24-XX 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 Irvine 2045 General Plan Update and Associated Zone Change ("Project"). However, we also received the signed City Council Resolution No. 24-57 on September 10, 2024, which found the Project consistent with the purposes of Section 21670 of the Public Utilities Code ("PUC"). We hope the adoption of Resolution No. 24-57 does not make the City's final decision to overrule ALUC a forgone conclusion. As you are aware, this letter is statutorily required to be made part of the public record of any final decision to overrule ALUC, as must Caltrans' advisory letter which should be forthcoming. See PUC Section 21676(a). These advisory letters must be considered before the City makes a final decision, otherwise, it would appear the City's previous actions would be a mere pretext for a predetermined result.

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. As mentioned above, 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."

ALUC Comments

Irvine Notice of Intent to Overrule 2045 General Plan Project

September 11, 2024

Page 2

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). The City adopted the Housing Element on January 11, 2022, prior to overruling ALUC on May 10, 2022, in accordance with PUC Section 21678. On June 20, 2024, the ALUC found the Irvine 2045 General Plan Update and Associated Zone Change (File Nos: 00921398-PGA and 00832948) to be inconsistent with the AELUP for JWA Sections 2.1.1, 2.1.2, and 2.1.4. and PUC Sections 21674(a) and 21674(b), and AELUP Section 3.2.1. The Project includes the introduction of a Residential and Residential Mixed-Use Development overlay district which would introduce high density residential and residential mixed-use in three focus areas. The area of concern is Focus Area 1, the Irvine Business Complex (IBC), where the overlay would allow for residential uses within Safety Zones 2, 3, 4, and 6, and within the 60, 65, and 70 CNEL contours for JWA.

Response to Fact in Support 1 - Regarding Noise Standards

The City contends that “the Project is consistent with the noise standards of the AELUP.” 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 Project, it was noted that the IBC includes numerous properties within the 65 and 70 dBA CNEL for JWA. Section 3.2.3 of the AELUP states that the ALUC does not support residential development within Noise Impact 1 (65 dBA CNEL and higher).

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 Project 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 within the 65 and 70 dBA CNEL noise contours of JWA to be inconsistent with the *AELUP for JWA*. In addition, the City is proposing changes to the Noise Element which would allow for such uses.

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

The City contends that the Project is consistent with the safety standards of the AELUP. The AELUP Section 2.1.2 states, “[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.”

ALUC Comments

Irvine Notice of Intent to Overrule 2045 General Plan Project

September 11, 2024

Page 3

The Project would allow residential uses in Safety Zone 2 – Inner Approach/Departure Zone, 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 2 are to avoid all residential uses except as infill (there are currently no residential uses in Safety Zone 2); and in Safety Zone 4 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 June 20, 2024 ALUC staff report included flight tracks for three separate days in May 2024. The flight tracks show that there are numerous flights over the IBC, many of which are at 500 feet or below. Considering the proposed densities, proximity to JWA and the number of flights over the property, the inclusion of these proposed residential sites in the Project 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 “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,” however the proposed overlay would allow for residential uses within areas that would subject future residents to high levels of noise, safety concerns and overflight.

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 Project 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,

Signed by:

84DECBF4FA8B4DE...

Gerald A. Bresnahan
Chairman

Attachment: June 20, 2024, ALUC Staff Report

ALUC Comments

Irvine Notice of Intent to Overrule 2045 General Plan Project

September 11, 2024

Page 4

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

California Department of Transportation

DIVISION OF AERONAUTICS - M.S. #40
1120 N STREET
P. O. BOX 942874
SACRAMENTO, CA 94274-0001
PHONE (916) 654-4959
FAX (916) 653-9531
TTY 711
www.dot.ca.gov



September 9, 2024

Alyssa Matheus,
Principal Planner
City of Irvine
1 Civic Center Plaza
Irvine, CA, 92606

Electronically Sent: amatheus@cityofirvine.org

RE: 2045 General Plan Update Project – Notice of Intent to Overrule the Orange County Airport Land Use Commission

Dear Ms. Matheus:

The Orange County Airport Land Use Commission found the proposed City of Irvine 2045 General Plan Update to be inconsistent with the Airport Land Use Compatibility Plan. The City of Irvine intends to overrule the Orange County Airport Land Use Commission's June 2024 inconsistency determination for the proposed City of Irvine 2045 General Plan Update and Associated Zone Change (Project) with the Airport Environs Land Use Plan (AELUP) for the John Wayne Airport (JWA).

Based on the information provided by both the City and the Orange County Airport Land Use Commission, the California Department of Transportation's Division of Aeronautics (Division) strongly supports the Orange County Airport Land Use Commission's inconsistency determination regarding the City of Irvine's proposed General Plan Update due to the fact that this project would create new incompatible land uses near John Wayne Airport, and in turn would jeopardize the health, safety, and welfare of the surrounding general public.

The Division has reviewed the proposed Facts in Support the City's draft resolution and has determined the Facts in Support are insufficient to warrant the 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. The statutes declare it is in the public interest to orderly develop public use airports and surrounding areas to comply with California airport safety issues, and protect public health, safety, and welfare by minimizing exposure to excessive safety hazards through airport land use commissions

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

Matthew Friedman

established in relevant counties. These Facts in Support does not provide substantial evidence that the proposed Project will meet the requirements of PUC, section 21670(a) (1) and (2).

The City argues the following in their Facts of Support:

Facts in Support #1: The Project is consistent with the noise standards of the AELUP.

The Division disagrees with the Facts in Support #1. The Division strongly opposes the proposed residential zoning overlay and potential development within the designated noise contours as outlined in the Project. The Division finds the Facts in Support #1 incorrect and asserts that residential units should not be located within the 60 dBA CNEL (Community Noise Equivalent Level) contour and, more critically, should be excluded from the 65 dBA CNEL and 70 dBA CNEL contours, per AELUP for JWA's Section 3.2.3. CNEL is a weighted average of noise level over time and is frequently used in regulations of airport noise impact on the surrounding community. Additionally, JWA is one of the most noise sensitive airports in the United States, and introducing this residential zoning overlay will exacerbate noise abatement procedures and noise-related complaints from members in the community.

The OC ALUC's position is clear: residential development within the 60-70 dBA CNEL contour is strongly discouraged. Residential units in these zones are deemed inconsistent with noise exposure standards unless it can be conclusively demonstrated that such units are sufficiently sound attenuated to maintain an interior noise level of 45 dB CNEL. This includes the requirement for aviation easements dedicated to the airport proprietor and ensuring that residential units are designed to minimize noise impact on outdoor living areas for 65 dB CNEL or higher.

The noise impact in these areas is substantial and poses significant health and quality of life concerns. Residential development within these noise contours would be incompatible with recommended standards, given that outdoor-oriented spaces are crucial for the well-being of residents. This increased exposure to aircraft-related noise from the outside environment makes adequate sound attenuation alone insufficient to ensure residents' health and comfort. Outdoor-oriented spaces, including recreational and common areas, are essential for maintaining a high quality of life. Given the substantial noise levels within the 65 dBA CNEL and 70 dBA CNEL contours, these developments would significantly compromise these health and outdoor lifestyle benefits.

The Division emphasizes that residential development within these noise contours poses considerable risks and challenges. To safeguard public health and preserve the quality of life for future residents, it is imperative to adhere to these established

recommendations and avoid development in areas affected by significant noise pollution.

Facts in Support #2: The proposed Project is consistent with the safety standards of the AELUP.

The Division strongly disagrees with the Facts in Support #2. The proposed General Plan Update, including Residential and Residential Mixed-Use overlay zoning within Safety Zones 2, 3, 4, and 6. Such a proposal is fundamentally inconsistent with the AELUP for JWA and demonstrates a disregard for established safety considerations.

According to the California Airport Land Use Planning Handbook (Handbook), all residential uses in Safety Zone 2 (Inner Approach/Departure Zone) should be avoided, with exceptions only for infill development. Safety Zone 3 (Inner Turning Zone) mandates very low residential densities, while Safety Zone 4 (Outer Approach/Departure Zone) allows only low-density residential uses. Safety Zone 6 (Traffic Pattern Zone) may permit residential uses, but only if noise and overflight impacts are thoroughly considered. The proposed overlay zoning blatantly disregards these guidelines by introducing residential and mixed-use development in areas where such uses are explicitly restricted or severely limited.

However, AELUP for JWA strongly recommends against the introduction of residential zoning overlays in these safety zones, as doing so endangers residents and contradicts the fundamental principles of the AELUP. Residential development in these zones would not only place future residents at risk from potential near-runway accidents but also subject them to unacceptable levels of noise and disruption. The introduction of residential uses in these safety zones is a clear violation of best practices for land use planning around airports and poses an unacceptable risk to public safety.

This departure from the AELUP for JWA sets a concerning precedent for future development near the Airport and compounds already existing incompatible land uses in this area that likely jeopardizes long-term airport operations.

Facts in Support #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 Division disagrees with the Facts in Support #3. The Division strongly contests the City's assertion that the proposed General Plan Update project adheres to the noise and safety standards set forth in the AELUP, General Plan Update, and Irvine Zoning Ordinance. The claim that future developments under the new overlay will comply with these standards does not address the fundamental incompatibilities posed by the proposed residential zoning within the safety zones.

The AELUP's guidelines explicitly restrict and limit residential uses in Safety Zones 2, 3, and 4, and require careful consideration in Safety Zone 6. The proposed overlay disregards these restrictions, introducing residential and mixed-use developments in areas where such uses are either restricted or subject to rigorous noise and safety assessments. The City's promise of future compliance with noise mitigation measures and environmental reviews cannot compensate for the inherent conflicts between the proposed zoning and established AELUP guidelines. Future mitigation measures and environmental reviews do not alter the fact that the proposed zoning contradicts the AELUP's core principles designed to prevent new noise and safety problems.

The Division maintains that the proposed General Plan Update is fundamentally inconsistent with AELUP standards and poses unacceptable risks and public health concerns. The assurances of future compliance do not rectify the immediate conflicts with the AELUP and should not overshadow the inherent safety and noise issues associated with the proposed zoning changes.

Environmental Justice Concerns

Additionally, the City's decision to introduce low to very-low income housing within the new residential zoning overlay fails to adequately address the principles of environmental justice. According to the Federal Airport Administration's (FAA) Airport Desk Reference on Socioeconomics, Environmental Justice, and Children's Environmental Health and Safety Risks, environmental justice involves ensuring that no group, particularly low-income or minority populations, bears a disproportionate share of negative environmental effects resulting from federal actions.

By placing low to very-low income housing in safety zones and 60-70 dBA CNEL adjacent to the airport, the City is not fully considering the potential disproportionate impacts on these vulnerable populations. These communities are often more susceptible to adverse environmental conditions, including those associated with proximity to airports, such as noise and safety risks. The City's approach neglects a comprehensive analysis of how these factors might disproportionately affect low-income residents, as required by United States Environmental Protection Agency (EPA) Executive Order 12898 and United States Department of Transportation (DOT) Order 5610.2.

Environmental justice demands that the City carefully assess and mitigate any disproportionate adverse effects on low-income populations. This includes evaluating whether these groups will face unique or amplified risks compared to the general population. The City's reliance on compliance with existing noise and safety standards

Ms. Matheus, Principal Planner
September 9, 2024
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alone does not address the broader environmental justice concerns of placing such housing in these areas.

Densities and Intensities Concerns

The JWA AELUP density and intensity limits were determined in accordance with PUC section 21001 relating to the State Aeronautics' Act and the mandated guidance provided by the Handbook. The JWA AELUP is a fundamental tool used by ALUCs in fulfilling their purpose of promoting airport land use compatibility, in order to provide for the orderly development of air transportation, while at the same time protecting the public health, safety, and welfare. As mandated (PUC sections 21674(c), 21675, and 21676 (b)), the Orange County ALUC used the criteria of the JWA AELUP in making its determination of inconsistency, and their determination of inconsistency is supported by the Division.

Closing

PUC Section 21675.1(f) provides: If a city or county overrules the commission pursuant to subdivision(d) with respect to a publicly owned airport that the city or county does not operate, the operator of the airport is not liable for damages to property or personal injury resulting from the City's decision to proceed with the action, regulation, or permit.

Pursuant to PUC Section 21676(a), the Division and ALUC comments shall be included in the public record of any decision to overrule the ALUC. If you have questions or we may be of further assistance, please contact vincent.ray@dot.ca.gov.

Sincerely,

Matthew Friedman

Matthew Friedman
Senior Aviation Planner, Division of Aeronautics

c: Julie Fitch, Executive Office, John Wayne Airport Land Use Commission,
jfitch@ocair.com
Lan Zhou, District 12 Director, Caltrans, lan.zhou@dot.ca.gov
Marlon Fournoy, Division Chief (Acting) Division of Aeronautics, Caltrans,
marlon.fournoy@dot.ca.gov
Patrick Miles, Office Chief of Aviation Safety, Caltrans, patrick.miles@dot.ca.gov

Ms. Matheus, Principal Planner
September 9, 2024
Page 6

Tarek Tabshouri, Office Chief of Technical Assistance Division of Aeronautics,
Caltrans, tarek.tabshouri@dot.ca.gov
Vincent Ray, Associate Aviation Planner, Caltrans, vincent.ray@dot.ca.gov



August 14, 2024

Julie Fitch, Executive Officer
Airport Land Use Commission
3160 Airway Avenue
Costa Mesa, CA 92626

RECEIVED

AUG 14 2024

AIRPORT LAND USE COMMISSION

SENT VIA CERTIFIED MAIL AND ELECTRONIC MAIL TO: ALUCINFO@OCAIR.COM

Subject: 2045 General Plan Update Project – Notice of Intent to Overrule the Orange County Airport Land Use Commission

Dear Ms. Fitch:

On August 13, 2024, the City Council of the City of Irvine adopted a resolution (attached) to notify the Orange County Airport Land Use Commission (ALUC) and California Department of Transportation, Division of Aeronautics (Division of Aeronautics) of the City's intent to overrule ALUC's determination that 2045 General Plan Update Project (Project) is inconsistent with the Airport Environs Land Use Plan for the John Wayne Airport. The attached resolution includes specific findings documenting the Project's consistency with the State Aeronautics Act which will be considered during a subsequent public hearing to formally overrule ALUC's determination.

Pursuant to Section 21676(b) of Public Utilities Code, ALUC and the Division of Aeronautics may provide comments to the City. Comments should be sent to:

Alyssa Matheus, Principal Planner
City of Irvine
Community Development Department
P.O. Box 19575
Irvine, CA 92623
amatheus@cityofirvine.org

If you have any questions regarding this matter, or require any additional information, please feel free to contact me at amatheus@cityofirvine.org or 949-724-6397.

Sincerely,

Alyssa Matheus

Alyssa Matheus
Principal Planner

Enclosure:

1. Notice of Intent to Overrule ALUC's Inconsistency Determination - City Council Staff Report and Resolution

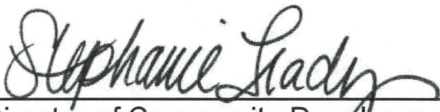
cc: Stephanie Frady, Director of Community Development
Marika Poynter, Manager of Planning Services
File Nos: 00921398-PGA and 00832948-PZC



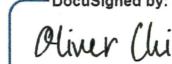
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: AUGUST 13, 2024

TITLE: NOTICE OF INTENT TO OVERRULE THE ORANGE COUNTY AIRPORT LAND USE COMMISSION'S DETERMINATION OF INCONSISTENCY REGARDING THE 2045 GENERAL PLAN UPDATE



Director of Community Development

DocuSigned by:

7809AA719A2B4C7

City Manager

RECOMMENDED ACTION

- 1) Conduct the public hearing.
- 2) Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, NOTIFYING THE ORANGE COUNTY AIRPORT LAND USE COMMISSION AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION, DIVISION OF AERONAUTICS OF THE CITY'S INTENTION TO FIND THAT THE 2045 GENERAL PLAN (FILE NO. 00921398-PGA) AND ZONE CHANGE (FILE NO. 00832942-PZC) ARE CONSISTENT WITH THE PURPOSES OF THE CALIFORNIA DEPARTMENT OF TRANSPORTATION, DIVISION OF AERONAUTICS ACT AND OVERRULE THE ORANGE COUNTY AIRPORT LAND USE COMMISSION'S DETERMINATION THAT THE 2045 GENERAL PLAN UPDATE AND ASSOCIATED ZONE CHANGE ARE INCONSISTENT WITH THE 2008 JOHN WAYNE AIRPORT ENVIRONS LAND USE PLAN

EXECUTIVE SUMMARY

As part of the proposed 2045 General Plan Update, the City identified the capacity for up to 15,000 new residential units within the Irvine Business Complex (IBC) (also referred to as "Focus Area 1"). Focus Area 1 is located within the boundaries of the 2008 John Wayne Airport Environs Land Use Plan (AELUP), which is within the jurisdiction of the Orange County Airport Land Use Commission (ALUC).

Due to the location of Focus Area 1 within the AELUP planning area, the City of Irvine (City) was required to submit the 2045 General Plan Update and associated zone change (collectively referred to as "the Project") to ALUC for a consistency determination with the AELUP. On May 22, 2024, the City submitted the Project to the ALUC, for inclusion at a future ALUC meeting.

On June 20, 2024, the ALUC conducted its review of the Project, and voted (6-0-1) to find the development of residential units within Focus Area 1 inconsistent with the AELUP due to concerns related to aircraft noise, safety hazards associated with aircrafts and residential uses, and land use compatibility issues (Attachment 2).

In instances where the ALUC finds a project to be inconsistent with the AELUP, Public Utilities Code Sections 21676 and 21676.5 provide a path forward by which a City can overrule the inconsistency determination of the ALUC.

The City cannot proceed with the portion of the Project within the IBC unless and until it overrules ALUC's determination. A two-third's vote of the City Council (four affirmative votes) is required to initiate the overrule process by notifying ALUC of proposed findings in support of the overrule, and to complete the overrule at a public hearing 45 days after notification to ALUC.

Accordingly, a request to provide notice to both ALUC and the California Department of Transportation, Division of Aeronautics (State Division of Aeronautics) of the City Council's intention to overrule the ALUC finding of inconsistency is before the City Council for consideration. Should the City Council choose to adopt a resolution outlining their intention to overrule the ALUC inconsistency determination, in accordance with staff's recommendation, this action would authorize staff to formally provide notice, through a resolution (Attachment 2), to both ALUC and the State Division of Aeronautics, of the City's intention to overrule the ALUC inconsistency determination pursuant to Public Utilities Code Section 21676(b).

The overrule process has been utilized by the City for other projects located within the jurisdiction of the ALUC. As points of reference, the ALUC made similar inconsistency determinations prior to the City Council's approval of the Housing Element in 2022, prior to the City Council's approval of the IBC Vision Plan in 2010, and in connection with General Plan and zoning proposals in Newport Beach, Santa Ana, and Costa Mesa.

ANALYSIS

Background

Under California statute (Government Code section 65580 et seq.), jurisdictions must update their General Plan Housing Element every eight years. As prescribed by statute, the City Council adopted the 2021-2029 Housing Element in January 2022, with the California Department of Housing and Community Development (HCD) subsequently certifying the element in May 2022. Following adoption of the 2021-2029 certified Housing Element, the City is required to update the General Plan and Zoning Ordinance to ensure consistency with the Housing Element.

The Project would accommodate the capacity for up to 57,656 new residential units, consistent with the housing site inventory in the certified 2021-2029 Housing Element.¹ As part of this capacity analysis, the IBC area (also referred to as Focus Area 1) would include an increase of up to 15,000 new units.

Given the location of the IBC within an area regulated by the AELUP, the City is required to submit the Project to ALUC for a consistency determination with the adopted AELUP.

In compliance with this requirement, the City submitted the Project to the ALUC on May 22, 2024 and it was agendaized for the June 20, 2024 meeting. During the hearing, ALUC staff noted that the Project includes policies and implementation actions necessary to accommodate the development capacity outlined in the City's adopted and certified 2021-2029 Housing Element, as required by State law. The ALUC voted (6-0-1) to find that portions of the 2045 General Plan Update and associated zone change affecting Focus Area 1 would be inconsistent with the AELUP based on noise, safety, and general concerns of land use incompatibility. The City received a determination of inconsistency from the ALUC on June 24, 2024 (Attachment 1).

Noise

The AELUP uses the Community Noise Equivalent Level (CNEL) system for measuring noise impacts, which is a weighted average of noise over time. The AELUP defines the noise exposure in the 60-65 dB CNEL noise contour (Noise Impact Zone 2) as "Moderate Noise Impact" in the 65 dB CNEL or greater noise contour (Noise Impact Zone 1) as "High Impact" (AELUP Sections 3.2.3 and 3.2.4). Residential uses are identified as "conditionally consistent" for the 60-65 dB CNEL noise contour and "normally inconsistent" for the 65- 70 dB CNEL noise contour (AELUP Section 3, Table 1 [Limitations on Land Use Due to Noise]). However, residential units are not outright prohibited; instead, they are required to be developed with advanced sound attenuation systems to bring the sound attenuation to no more than 45dB inside. In addition, residential uses within the 65-70 dB CNEL noise contour are required to be "indoor-oriented", which helps to ensure quality of life for residents in this area.

The ALUC found that the increased capacity of up to 15,000 units within Focus Area 1 would result in new development within 60, 65, or 70 dBA CNEL contours for John Wayne Airport (JWA), which would result in aircraft noise impacts that may be incompatible with the general welfare of the residents within Focus Area 1.

¹ The total capacity of 57,656 units outlined in the 2021-2029 Housing Element is inclusive of the City's plan for achieving the City's Regional Housing Needs Assessment (RHNA) of 23,610 units and a buffer for low-income and very low-income units.

Figure 1: Airport Noise Impact Zones



While portions of Focus Area 1 are within the 60 dB CNEL, 65 dB CNEL, and 70 dB CNEL contours, the updated Noise Element establishes a maximum interior noise level of 45 CNEL and a maximum exterior noise level of 65 CNEL for residential uses, consistent with noise standards in the AELUP. Additionally, the following policies and implementation measure in the updated Noise and Circulation Elements of the General Plan would further support the City's goal of reducing noise incompatibilities associated with JWA:

Noise Element

1. **Objective N-1, Policy (a):** require all plans submitted for development review to demonstrate whether the plan area is located within an existing or future Noise Element noise contour, including vehicle, rail, and aircraft noise contours.
2. **Objective N-1, Policy (b):** avoid new residential development within the 65 dBA CNEL contour for aircraft, roadway, or rail noise unless “normally compatible” exterior noise standards can be maintained in private open spaces, and interior noise standards can be achieved through building design.
3. **Objective N-1, Policy (e):** Require the following Single Event Noise Standard for noise-sensitive land uses within the 60 CNEL of aircraft and railroad noise sources:
 - a. The maximum interior noise levels of the loudest 10% of single noise events [L_{max} (10)] shall not exceed 65 dBA between 7 a.m. and 7 p.m. nor 55 dBA between 7 p.m. and 7 a.m. for typical occupancy. Noise monitoring conducted to determine maximum single-event noise must include representative aircraft operation.
4. **Objective N-3, Policy (a):** Coordinate efforts to reduce noise impacts with appropriate public and government agencies, such as aircraft and transit regulatory agencies.
5. **Objective N-3, Policy (e):** Seek the cooperation of aircraft regulatory agencies in the modification and selection of flight paths that will reduce noise impacts on residential and other noise-sensitive areas.
6. **Objective N-3, Policy (f):** Ensure that any proposal to update aircraft noise contours used by the City of Irvine for planning analysis is submitted, before adoption by the City, to the Airport Land Use Commission

Circulation Element

1. **Objective C-8, Policy (b):** Support expansion of service at John Wayne Airport as long as all environmental impacts such as noise, air pollution, and traffic congestion can be mitigated.
2. **Implementation Measure:** Work with the Airport Land Use Commission to implement community outreach programs to raise awareness about air transportation initiatives and gather feedback from residents on noise and pollution concerns.

In addition to complying with the above-listed General Plan policies and implementation measure, future projects proposed within Focus Area 1 would also be required to comply with Section 5-8-4 of the Irvine Zoning Ordinance. This section of the Zoning Ordinance specifically requires projects within the IBC area to submit project-specific noise studies to evaluate their compatibility with surrounding land uses, including JWA. Section 5-8-4.C of the Irvine Zoning Ordinance also establishes the following standards to avoid noise incompatibilities associated with JWA:

- A. Sound attenuation. For all residential dwelling units within the 60 CNEL contour of John Wayne Airport, the maximum interior noise levels shall not exceed 45 dBA CNEL with windows closed, and shall not exceed the single event noise criteria outlined in the noise element of the General Plan of the loudest 10 percent of single noise events (Lmax 10) shall not exceed 65 dBA daytime (7 a.m. to 7 p.m.) and 55 dBA nighttime (7 p.m. to 7 a.m.).
- B. Residential uses are prohibited within the 1985 John Wayne Airport Master Plan 65 dBA CNEL contour.

Compliance with these existing and proposed regulations would ensure that future residential and residential mixed-use projects facilitated by Project approval would not be exposed to excessive noise hazards within areas around JWA.

Safety

AELUP Section 2.1.2 (Safety Compatibility Zones) sets forth zones depicting which land uses are acceptable in various portions of the area surrounding JWA. The purpose of these zones is to support the continued use and operation of the 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.

Development standards for Safety Zone 2 (Inner Approach/Departure Zone) prohibit residential uses except on large agricultural parcels and limits nonresidential uses to activities which attract few people. Safety Zone 3 (Inner Turning Zone) limits residential uses to low densities when deemed to be acceptable due to noise and limits nonresidential uses having moderate to higher usage intensities. Safety Zone 4 (Outer Approach/Departure Zone) limits residential uses to very low densities (if deemed to be acceptable when considering noise) and allows for higher densities as infill urban areas when alternate uses are impractical. Safety Zone 4 includes similar limitations on nonresidential uses. Safety Zone 6 (Traffic Pattern Zone) aims to avoid residential uses unless they are airport related and includes similar limitations on nonresidential uses to Zone 3. Importantly, the project does not include any housing opportunity sites in the JWA Clear Zone/Runway Protection Zone (Zone 1), the area where safety hazards are most likely to occur and the area in which residential uses are prohibited.

Figure 2: Airport Safety Zones



While portions of Focus Area 1 are located within the Safety Zones 2, 3, 4, and 6, the following policies in the updated Land Use Element of the General Plan would ensure that future development facilitated by Project approval would occur in a manner that does not conflict with operations at JWA:

1. **Objective LU-6, Policy (a):** Safeguard the public health, safety, and welfare of sensitive receptors/land uses when placing them near the following land uses: those dealing with hazardous substances, those causing excessive noise or dust, and those creating other conflicts. Simultaneously, ensure that proposed sensitive receptors/land uses do not impede the ongoing operation or expansion of airports, surface utilities, offsite hazardous waste facilities, solid waste facilities, manufacturing, research and development, mining and processing, or any land use involving hazardous substances as defined by federal and state regulations.
2. **Objective LU-9, Policy (c):** Develop residential uses that are not in conflict with nearby John Wayne Airport Operations.

In addition to complying with the above-listed policies, future projects proposed within Focus Area 1 would also be required to comply with existing compatibility standards set forth in the Irvine Zoning Ordinance, including those specifically regulating development in the IBC area. As required by Section 5-8-4.C of the Irvine Zoning Ordinance, future projects proposed within Focus Area 1 would be required to comply with the following standards to reduce safety hazards associated with JWA:

- A. Building height limitations, recordation of aviation easements, obstruction lighting and marking, and airport proximity disclosures and signage shall be provided as required by the per Orange County Airport Environs Land Use Plan standards for John Wayne Airport.
- B. Building heights shall not penetrate Federal Aviation Regulation (FAR) Part 77 Imaginary Surfaces for John Wayne Airport.
- C. Residential land uses shall be prohibited in John Wayne Airport Safety Zone 3
- D. Applicants for a conditional use permit for a heliport or helistop shall provide evidence that the proposed heliport or helistop complies fully with State of California permit procedures and with any and all conditions of approval imposed by the Federal Aviation Administration (FAA), the Airport Land Use Commission for Orange County (ALUC), and by the Caltrans Division of Aeronautics.

Compliance with these existing and proposed regulations would ensure that future residential and residential mixed-use projects facilitated by Project approval would not result in the exposure of people to safety hazards within areas around JWA.

General Land Use Compatibility

The ALUC determination notes “the Commission is charged by Public Utilities Code 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 Public Utilities Code 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.”

These standards and policies set forth in the AELUP were adopted to prevent the creation of new noise and safety problems. As set forth above, any future development proposed under the new residential overlay, Focus Area 1, will be required to comply with the noise criteria and safety standards established in Sections 2 and 3 of the AELUP, applicable policies and implementation measures set forth in the General Plan Update, as well as existing regulations established within the Irvine Zoning Ordinance, all of which are aimed at avoiding land use incompatibilities with JWA.

Further, future projects proposed within the Focus Area 1 would be either be subject to noise-specific mitigation measures set forth in the General Plan Environmental Impact Report (EIR) requiring site- and project-specific noise studies and design measures to reduce such impacts or would be required to undergo a separate environmental review process to demonstrate compliance with noise standards set forth in the AELUP, General Plan, and Irvine Zoning Ordinance. Compliance with these existing and proposed standards would ensure that future projects facilitated by Project approval would be sited and designed in a manner that is compatible with surrounding uses, including JWA.

Compliance with these existing and proposed regulations and AELUP standards will be evaluated and demonstrated at the time of the subsequent comprehensive General Plan Update and at the time that actual development projects are proposed in the future to ensure such projects do not result in incompatibilities with JWA.

Overrule Process

As a final review authority on legislative acts, the City Council may choose to overrule ALUC's determination by following a two-step process, which is established in Public Utilities Code Sections 21676 and 21676.5. The first step is to conduct a public hearing to adopt a resolution of intent to overrule ALUC's determination, a copy of which would be sent to ALUC and the State Division of Aeronautics to provide formal notification of the City's intent. ALUC may provide comments to the City Council within 30 days of receiving the resolution of intention. If ALUC's comments are not available within this timeframe, the City Council may act without them. Any comments by ALUC are advisory to the City Council. Comments by ALUC must be included in the public record of any final decision by the City Council to overrule ALUC's determination.

The second step, not less than 45 days after notification has been sent to ALUC and State Division of Aeronautics, is that the City Council conduct a public hearing to consider adopting a resolution to overrule ALUC's determination and make specific findings that the Project is consistent with the purposes of the State Aeronautics Act, as set forth in Public Utilities Code Section 21670.

The attached resolution notifying ALUC and the State Division of Aeronautics of the City's intent, and the resolution to overrule ALUC, which will be presented at a future hearing, must be adopted by a two-thirds vote of the City Council.

Pursuant to Public Utilities Code Section 21616.5(b), if the City Council overrules ALUC's determination, the City Council's action shall not be subject to further review ALUC review. Public Utilities Code Section 21678 states that if the City overrules ALUC's action or recommendation, the operator of the airport shall be immune to liability from damages to property or personal injury caused by or resulting directly or indirectly from the City's decision to overrule the ALUC determination.

Community Engagement and Public Outreach

On July 26, 2024, notice of the August 13, 2024, City Council public hearing was published in the Orange County Register and posted at designated City bulletin boards. As of the writing of this report, no public comments on this application have been received.

ENVIRONMENTAL REVIEW

The adoption of a resolution to notify ALUC of the City's intent to overrule ALUC's finding that the Project is inconsistent with the AELUP 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 not potential for resulting in physical change to the environment, directly or indirectly.

ALTERNATIVES CONSIDERED

The City Council may decide not to overrule ALUC's determination of inconsistency, which would result in the removal of Focus Area 1 from the proposed language of the General Plan and Zoning Ordinance. The removal of Focus Area 1 from the General Plan and Zoning Ordinance would result in an inconsistency with the certified 2021-2029 Housing Element that would result in the need for Housing Element to be revised and resubmitted to the California Department of Housing and Community Development (HCD) for approval and re-certification. This process is would likely be complex and result in significant delays that likely would extend beyond the City's statutory requirement to

update the General Plan and Zoning Ordinance by February 2025. Failure to meet this deadline could result in significant consequences to the City, including but not limited to, fines, loss of grant funding, exposure to builder's remedy projects, and loss of building permit authority. However, these risks are expected to be temporary and may be less likely given the City's willingness to work with HCD on updating the Housing Element to comply with the approved General Plan and Zoning Ordinance.

FINANCIAL IMPACT

There is no fiscal impact related to approval of this item. However, failure to adopt the overrule and include Focus Area 1 in the 2045 General Plan Update and Zoning Ordinance could result in State-imposed fines and losses of grant funding and would also require additional funds to revise the 2021-2029 Housing Element for recertification by HCD.

REPORT PREPARED BY: Alyssa Matheus, Principal Planner

ATTACHMENTS

1. ALUC Inconsistency Determination Letter dated June 24, 2024
2. City Council Resolution No. 24-XX, a resolution notifying the Orange County Airport Land Use Commission and the California Department of Transportation, Division of Aeronautics of the City's Intention to find the 2045 General Plan Update consistent with the State Aeronautics Act and overrule the Orange County Airport Land Use Commission's determination that the 2045 General Plan Update is inconsistent with the 2008 John Wayne Airport Environs Land Use Plan

ec: Marika A. Poynter, Manager of Planning Services

File Nos: 00921398-PGA; 00832948-PZC



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

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

June 24, 2024

Alyssa Mateus, Principal Planner
City of Irvine
1 Civic Center Plaza
P.O. Box 19575
Irvine, CA 92623-9575

Subject: ALUC Determination for City of Irvine 2045 General Plan Update and Associated Zone Change (File Nos: 00921398-PGA and 00832948)

Dear Ms. Mateus:

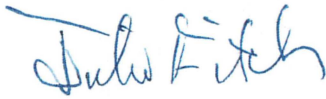
During the public meeting held on June 20, 2024, the Airport Land Use Commission (ALUC) for Orange County considered the subject item. The matter was duly discussed and with a 6-0 vote, the Commission found the proposed 2045 General Plan Update and Associated Zone Change (File Nos: 00921398-PGA and 00832948) to be Inconsistent with the *Airport Environs Land Use Plan for John Wayne Airport (AELUP for JWA)* per:

- Section 2.1.1 Aircraft Noise that the “aircraft noise emanating from airports may be incompatible with general welfare of the inhabitants within the vicinity of an airport.”
- Section 2.1.2 Safety Compatibility Zones in which “the purpose of these zones is to support the continued use and operation of an airport by establishing compatibility and safety standards to promote air navigational safety and to reduce potential safety hazards for persons living, working or recreating near JWA.”
- 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.”

- 3.2.1 General Policy of the AELUP which states that the General Land Use policy of the Airport Land Use Commission for Orange County shall be “Within the boundaries of the AELUP, any land use may be found to be Inconsistent with the AELUP which... places people so that they are affected adversely by aircraft noise...”

Please contact me at (949) 252-5170 or jfitch@ocair.com with any questions. Thank you!

Sincerely,

A handwritten signature in blue ink, appearing to read "Julie Fitch".

Julie Fitch
Executive Officer

cc: ALUC

CITY COUNCIL RESOLUTION NO. 24-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, NOTIFYING THE ORANGE COUNTY AIRPORT LAND USE COMMISSION AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION, DIVISION OF AERONAUTICS OF THE CITY'S INTENTION TO FIND THAT THE 2045 GENERAL PLAN (FILE NO. 00921398-PGA) AND ZONE CHANGE (FILE NO. 00832942-PZC) ARE CONSISTENT WITH THE PURPOSES OF THE CALIFORNIA DEPARTMENT OF TRANSPORTATION, DIVISION OF AERONAUTICS ACT AND OVERRULE THE ORANGE COUNTY AIRPORT LAND USE COMMISSION'S DETERMINATION THAT THE 2045 GENERAL PLAN UPDATE AND ASSOCIATED ZONE CHANGE ARE 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; and

WHEREAS, in compliance with Government Code Section 65580 *et seq.*, the City of Irvine adopted the 2021-2029 Housing Element on January 11, 2022; and

WHEREAS, the State of California Department of Housing and Community Development (HCD) certified the 2021-2029 Housing Element on May 24, 2022; and

WHEREAS, Government Code Section 65300.5 requires that the General Plan and elements and parts thereof comprise an integrated, internally consistent and compatible statement of policies for the adopting agency; and

WHEREAS, in compliance with Government Code Sections 65580 and 65300.5, the City of Irvine initiated a General Plan amendment for a comprehensive update to the Irvine General Plan (File No. 00921398-PGA) and a zone change to update the City of Irvine Zoning Ordinance (File No. 00832948-PZC) (collectively referred to as “the Project”) to ensure consistency with the adopted and certified 2021-2029 Housing Element; and

WHEREAS, the Project present a framework and strategy to meet the existing and future housing needs in the City of Irvine based on the Regional Housing Needs Assessment and housing strategy identified in the certified Housing Element; and

WHEREAS, the updated Land Use Element of the General Plan identifies three primary focus areas for potential change and new growth, including Focus Area 1 – the Greater Irvine Business Complex Area (IBC area), Focus Area 2 – the Greater Spectrum Area, and Focus Area 3 – the Great Park Area; and

WHEREAS, the zone change includes the establishment of an overlay district, which covers the three focus areas, and accompanying development standards to allow residential and residential mixed-use development as an opportunity on existing non-residentially zoned sites in support of the updated Land Use Element and certified 2021-2029 Housing Element; and

WHEREAS, Focus Area 1 has been identified for an increased capacity of up to 15,000 dwelling units and generally falls within the planning boundary established by the Airport Land Use Commission for Orange County (“ALUC”) in the 2008 John Wayne Airport Environs Land Use Plan (AELUP), and as such, any changes to the General Plan or Zoning Ordinance regulations related to Focus Area 1 must be submitted to ALUC for its review pursuant to Public Utilities Code Section 21676; and

WHEREAS, on June 20, 2024, the ALUC held a public hearing on the matter and voted (6-0-1) to find the Project inconsistent with the AELUP citing noise and land use incompatibilities, as well as potential aircraft safety hazards; 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. The purpose of this section 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; and

WHEREAS, on July 23, 2024, the City Council held a public hearing, wherein the City Council directed staff to agendize the City’s notice of intention to overrule ALUC’s inconsistency determination at the August 13, 2024 City Council meeting; and

WHEREAS, pursuant to Sections 15060(c)(2) and 15060(c)(3) of the California Environmental Quality Act (CEQA) Guidelines, the adoption of a resolution to notify ALUC of the City's intent to overrule ALUC's finding that the Project is inconsistent with the AELUP is not subject to the CEQA Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly and is therefore not considered a project; and

WHEREAS, on July 26, 2024, notice of the August 13, 2024 City Council public hearing was published in the Orange County Register and posted at designated City bulletin boards; and

WHEREAS, 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; and

WHEREAS, on August 13, 2024, the City Council of the City of Irvine considered information presented the Community Development Department and the public at a duly noticed public hearing.

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

SECTION 1. That the above recitals are true and correct and are incorporated herein.

SECTION 2. Pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines, California Code of Regulations, the adoption of a resolution to notify ALUC of the City's intent to overrule ALUC's finding that the Project is inconsistent with the AELUP is not subject to the CEQA Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly and is therefore not considered a project.

SECTION 3. 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. Sections 3.2.3 and 3.2.4 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 dB CNEL or greater 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 sound attenuation systems to bring the sound level, after attenuation, to no more than 45 dB CNEL inside a residential unit. 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.

Portions of Focus Area 1 are within the 60 dB CNEL, 65 dB CNEL, and 70 dB CNEL contours for JWA. However, the updated Noise Element of the General Plan establishes a maximum interior noise level of 45 dB CNEL and a maximum exterior noise level of 65 dB CNEL for residential uses, consistent with noise standards in the AELUP. Additionally, the following policies and implementation measure in the updated Noise and Circulation Elements further support the City's goal of reducing noise incompatibilities associated with JWA:

Noise Element

- A. Objective N-1, Policy (a): require all plans submitted for development review to demonstrate whether the plan area is located within an existing or future Noise Element noise contour, including vehicle, rail, and aircraft noise contours.
- B. Objective N-1, Policy (b): avoid new residential development within the 65 dBA CNEL contour for aircraft, roadway, or rail noise unless "normally compatible" exterior noise standards can be maintained in private open spaces, and interior noise standards can be achieved through building design.
- C. Objective N-1, Policy (e): Require the following Single Event Noise Standard for noise-sensitive land uses within the 60 CNEL of aircraft and railroad noise sources:
 - i. The maximum interior noise levels of the loudest 10% of single noise events [L_{max}(10)] shall not exceed 65 dBA between 7 a.m. and 7 p.m. nor 55 dBA between 7 p.m. and 7 a.m. for typical occupancy. Noise

monitoring conducted to determine maximum single-event noise must include representative aircraft operation.

- D. Objective N-3, Policy (a): Coordinate efforts to reduce noise impacts with appropriate public and government agencies, such as aircraft and transit regulatory agencies.
- E. Objective N-3, Policy (e): Seek the cooperation of aircraft regulatory agencies in the modification and selection of flight paths that will reduce noise impacts on residential and other noise-sensitive areas.
- F. Objective N-3, Policy (f): Ensure that any proposal to update aircraft noise contours used by the City of Irvine for planning analysis is submitted, before adoption by the City, to the Airport Land Use Commission.

Circulation Element

- A. Objective C-8, Policy (b): Support expansion of service at John Wayne Airport as long as all environmental impacts such as noise, air pollution, and traffic congestion can be mitigated.
- B. Implementation Measure: Work with the Airport Land Use Commission to implement community outreach programs to raise awareness about air transportation initiatives and gather feedback from residents on noise and pollution concerns.

In addition to complying with the above-listed General Plan policies and implementation measure, future projects proposed within Focus Area 1 would also be required to comply with Section 5-8-4 of the Irvine Zoning Ordinance. This section of the Zoning Ordinance specifically requires projects within the IBC area to submit project-specific noise studies to evaluate their compatibility with surrounding land uses, including JWA. Section 5-8-4.C of the Irvine Zoning Ordinance also establishes the following standards to avoid noise incompatibilities associated with JWA:

- i. Sound attenuation. For all residential dwelling units within the 60 CNEL contour of John Wayne Airport, the maximum interior noise levels shall not exceed 45 dBA CNEL with windows closed, and shall not exceed the single event noise criteria outlined in the noise element of the General Plan of the loudest 10 percent of single noise events (L_{max 10}) shall not exceed 65 dBA daytime (7 a.m. to 7 p.m.) and 55 dBA nighttime (7 p.m. to 7 a.m.).
- ii. Residential uses are prohibited within the 1985 John Wayne Airport Master Plan 65 dBA CNEL contour.

Further, future projects proposed within the IBC area would be either be subject to noise-specific mitigation measures set forth in the General Plan Environmental Impact Report (EIR) requiring site- and project-specific noise studies and design measures to reduce such impacts or would be required to undergo a separate environmental review process to demonstrate compliance with noise standards set forth in the AELUP, General Plan, and Irvine Zoning Ordinance. Compliance with these existing and proposed regulations would ensure that future residential and residential mixed-use projects facilitated by Project approval would not be exposed to excessive noise hazards within areas around JWA.

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

AELUP Section 2.1.2 (Safety Compatibility Zones) sets forth Safety Zones depicting which land uses are acceptable in various portions of the JWA environs.

Safety Zone 2 (Inner Approach/Departure Zone) prohibits residential uses except on large agricultural parcels and limits nonresidential uses to activities which attract few people. Safety Zone 3 (Inner Turning Zone) limits residential uses to low densities when deemed to be acceptable due to noise and limits nonresidential uses having moderate to higher usage intensities. Safety Zone 4 (Outer Approach/Departure Zone) limits residential uses to very low densities (if deemed to be acceptable when considering noise) and allows for higher densities as infill urban areas when alternate uses are impractical. Zone 4 includes similar limitations on nonresidential uses. Safety Zone 6 (Traffic Pattern Zone) aims to avoid residential uses unless they are airport related and includes similar limitations on nonresidential uses to Zone 3. Importantly, the project does not include any housing opportunity sites in the JWA Clear Zone/Runway Protection Zone (Zone 1), the area where safety hazards are most likely to occur and the area where residential uses are prohibited.

Portions of Focus Area 1 are located within the JWA Safety Zones 2, 3, 4 and 6. However, the following policies in the updated Land Use Element would ensure that future development facilitated by Project approval would occur in a manner that does not conflict with operations at JWA:

- A. Objective LU-6, Policy (a): Safeguard the public health, safety, and welfare of sensitive receptors/land uses when placing them near the following land uses: those dealing with hazardous substances, those causing excessive noise or dust, and those creating other conflicts. Simultaneously, ensure that proposed sensitive receptors/land uses do not impede the ongoing operation or expansion of airports, surface utilities, offsite hazardous waste facilities, solid waste facilities, manufacturing, research and development, mining and processing, or any land use involving hazardous substances as defined by federal and state regulations.

- B. Objective LU-9, Policy (c): Develop residential uses that are not in conflict with nearby John Wayne Airport Operations.

In addition to complying with the above-listed policies, future projects proposed within Focus Area 1 would also be required to comply with existing compatibility standards set forth in the City of Irvine Zoning Ordinance, including those specifically regulating development in the IBC area. As required by Section 5-8-4.C of the Irvine Zoning Ordinance, future projects proposed within Focus Area 1 would be required to comply with the following standards to reduce safety hazards associated with JWA:

- i. Building height limitations, recordation of avigation easements, obstruction lighting and marking, and airport proximity disclosures and signage shall be provided as required by the per Orange County Airport Environs Land Use Plan standards for John Wayne Airport.
- ii. Building heights shall not penetrate Federal Aviation Regulation (FAR) Part 77 Imaginary Surfaces for John Wayne Airport.
- iii. Residential land uses shall be prohibited in John Wayne Airport Safety Zone 3.
- iv. Applicants for a conditional use permit for a heliport or helistop shall provide evidence that the proposed heliport or helistop complies fully with State of California permit procedures and with any and all conditions of approval imposed by the Federal Aviation Administration (FAA), the Airport Land Use Commission for Orange County (ALUC), and by the Caltrans Division of Aeronautics.

Compliance with these existing and proposed regulations would ensure that future residential and residential mixed-use projects facilitated by Project approval would not result in the exposure of people to safety hazards within areas around JWA.

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 future development proposed under the new overlay will comply with the noise criteria and safety standards established in Sections 2 and 3 of the AELUP, applicable policies and implementation measures set forth in the General Plan Update, as well as existing regulations established within the Irvine Zoning Ordinance aimed at avoiding land use incompatibilities with JWA. Further, future projects proposed within the IBC area would be either be subject to noise-specific mitigation measures set forth in the General Plan Environmental Impact Report (EIR) requiring site- and project-

specific noise studies and design measures to reduce such impacts or would be required to undergo a separate environmental review process to demonstrate compliance with noise standards set forth in the AELUP, General Plan, and Irvine Zoning Ordinance. Compliance with these existing and proposed standards would ensure that future projects facilitated by Project approval would be sited and designed in a manner that is compatible with surrounding uses, including JWA.

SECTION 4. Based upon the foregoing findings, the City Council hereby adopts this notice of intention to overrule the determination of the ALUC that the Project is inconsistent with the AELUP.

SECTION 5. The City Council hereby directs City staff to provide the ALUC and California Department of Transportation, Division of Aeronautics, with notice of the City's intent to overrule the ALUC 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 6. The corresponding General Plan amendment zone change, and all supporting documents, are online and on file and available for public review at 1 Civic Center Plaza, Irvine, CA 92606.

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.

SECTION 8. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this resolution is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, then such decision shall not affect the validity of the remaining portions of this resolution. The City Council of the City of Irvine hereby declares that the City Council would have adopted this resolution, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that anyone or more sections, subsections, sub-divisions, sentences, clauses, phrases, or portions thereof be declared unconstitutional, invalid, or ineffective.

MAYOR OF THE CITY OF IRVINE

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

July 25, 2024

Alicia Velasco, Planning Director
City of Cypress
5275 Orange Ave.
Cypress CA 90630

Subject: ALUC Determination for McDonnell Center Amended Specific Plan Amendment

Dear Ms. Velasco:

During the public meeting held on July 18, 2024, the Airport Land Use Commission (ALUC) for Orange County considered the subject item. The matter was duly discussed and with a 6-0 vote (Bresnahan, Beverburg, Steffenhagen, Miller, Planto, Young), the Commission found the proposed Cypress McDonnell Center Amended Specific Plan Amendment to be consistent with the *Airport Environs Land Use Plan for Joint Forces Training Base - Los Alamitos (AELUP for JFTB-Los Alamitos)*, **on the condition** that the McDonnell Center Amended Specific Plan Amendment include the following language:

“Any project that would penetrate the FAR Part 77 Surfaces, must be submitted to the Airport Land Use Commission (ALUC) for Orange County for review prior to approval by the City.”

We would appreciate a copy of the revised draft Specific Plan with the language above when it available. Please contact me at jfitch@ocair.com or (949) 252-5170 if you have any questions regarding this proceeding. Thank you!

Sincerely,

A handwritten signature in blue ink that reads "Julie Fitch".

Julie Fitch
Executive Officer

cc: ALUC Commissioners



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

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

July 25, 2024

Alicia Velasco, Planning Director
City of Cypress
5275 Orange Ave.
Cypress CA 90630

Subject: ALUC Determination for Cypress Town Center and Commons (CTCC) Specific Plan Amendment 3.0

Dear Ms. Velasco:

During the public meeting held on July 18, 2024, the Airport Land Use Commission (ALUC) for Orange County considered the subject item. The matter was duly discussed and with a 5-0 vote (Bresnahan, Steffenhagen, Miller, Planto, Young), the Commission found the proposed Cypress Town Center and Commons (CTCC) Specific Plan Amendment to be consistent with the *Airport Environs Land Use Plan for Joint Forces Training Base - Los Alamitos (AELUP for JFTB-Los Alamitos)*.

Please contact me at jfitch@ocair.com or (949) 252-5170 if you have any questions regarding this proceeding. Thank you!

Sincerely,

Julie Fitch
Executive Officer

cc: ALUC Commissioners

2025 MEETING DATES
Airport Land Use Commission for Orange County

January 16, 2025

February 20, 2025

March 20, 2025

April 17, 2025

May 15, 2025

June 19, 2025

July 17, 2025

August 21, 2025

September 18, 2025

October 16, 2025

November 20, 2025

December 18, 2025