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AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

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MINUTES OF REGULAR MEETING

February 20, 2025

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

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

COMMISSIONERS PRESENT: Gerald Bresnahan, Mark Monin, Stephen Beverburg, Joe Klema, Shelley Hasselbrink
Alternate Commissioners Present: Patty Campbell, Jay Steffenhagen, Shareen Young

COMMISSIONERS ABSENT: Alan Murphy, Mike Carroll

STAFF PRESENT: Julie Fitch, Executive Officer
Kristal Carr, Recording Secretary
Jeffrey Stock, Senior Deputy County Counsel

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

INTRODUCTIONS:

Executive Officer Julie Fitch announced that Schelly Sustarsic's term at the City of Seal Beach ended and therefore her term (and Alternate Gary Miller's term) on ALUC ended. She thanked them for their dedicated service over the years. The Commissioners acknowledged and thanked former Commissioner Sustarsic (who was present) for her contribution to ALUC. Ms. Fitch announced the appointment of new Commissioner Shelley Hasselbrink and her Alternate, Tonya Doby, who both serve on the Los Alamitos City Council.

APPROVAL OF MINUTES:

Commissioner Monin moved to approve the June 20, 2024, minutes, and Commissioner Beverburg seconded. The Commissioners voted 4-0 (Monin, Bresnahan, Beverburg, Klema) to approve the June 20, 2024, meeting minutes.

Commissioner Beverburg moved to approve the July 18, 2024, minutes, and Alternate Young seconded. The Commissioners voted 4-0 (Bresnahan, Beverburg, Steffenhagen, Young) to approve the July 18, 2024, meeting minutes.

NEW BUSINESS:

1. City of Cypress

Ms. Fitch presented the staff report for the City of Cypress General Plan and Zoning Ordinance Amendments for Housing Element Implementation – Lincoln Avenue Specific Plan Amendment and recommended that the Commission find the proposed project consistent with the AELUP for JFTB – Los Alamitos.

Commissioner Beverburg mentioned that while a heliport is not proposed for this development and if the usual wording and documentation about heliports are included. Ms. Fitch explained that it is included in the Safety Element of the General Plan. She stated that staff from the City of Cypress was present to answer questions.

On a motion by Commissioner Monin and a second by Commissioner Hasselbrink, the Commission voted 5-0 (Monin, Hasselbrink, Beverburg, Klema, Bresnahan) in favor of the staff recommendation to find the City of Cypress General Plan and Ordinance Amendments for Housing Element Implementation – Lincoln Avenue Specific Plan Amendment consistent with the AELUP for JFTB.

2. The City of Newport Beach

Ms. Fitch presented the staff report for the City of Newport Beach Housing Overlay (HO) Zoning/Coastal Zoning Amendments. She mentioned correspondence from the public referring to the heliport on Santa Barbara Drive and stated that the City Police Department has shifted to the Huntington Beach heliport and seldom uses the location on Santa Barbara Drive. She recommended that the Commission find the proposed project consistent with the AELUP for JWA. She stated that Ben Zdeba from the City of Newport Beach was present to answer questions.

Commissioner Monin referred to the Huntington Beach Heliport and its level of activity, and asked if anyone knew how often and for what purpose the Newport Beach heliport it is used. Ben Zdeba, Planning Manager from Newport Beach, stated that the HP1 helicopter lands there approximately five times a year. He was unsure of the specific purpose of these landings but confirmed that they occur very infrequently. Ms. Fitch stated that the site is included in the Housing Element for residential use and will be designated as such moving forward.

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Alternate Steffenhagen noted that the Obstruction Imaginary Surfaces Attachment 6 does not appear to align with JWA's actual flight patterns, and that flights generally turn left after takeoff. Ms. Fitch clarified that the exhibits are based on FAA measurements and requirements.

Commissioner Beverburg stated that, in the past, the deed for housing included a notice informing buyers about potential airplane noise and asked if it is already in the requirements. Ms. Fitch confirmed that this is included. Chairman Bresnahan asked about the unit limit for HO-1 Airport Area and whether there are currently 2,577 units located there. Ms. Fitch replied that there is not. Chairman Bresnahan stated that the City is adding a lot of units to that area and that it is the worst place to build housing since it's right by the general aviation runway, with planes at full power, climbing, and turning. He said that he cannot find it consistent, and that it is bad land use planning.

Mr. Zdeba stated that he appreciates the comments and concerns. He stated that the City was put in a bad position by the state and that Newport Beach does not have the greatest land use deposit bank to pull vacant sites from nor do they have underperforming properties. There is more interest in developing housing in Newport Center and that's why they are doing the height increases to make it a more viable project. The City is looking to earmark units at 1201 Dove Street from the 2,577 units putting it on a property that is further away from the airport. The City has robust code requirements that are very specific to the Airport Area such as advance infiltration, interior facing amenities, indoor fitness amenities and discourage outward facing balconies or patios. He stated that the deed and notification is in place for owners and tenants for a higher noise area. He stated that the City is doing its best with what they have been given from the state.

Chairman Bresnahan acknowledged that they are moving away a little bit maybe but reiterated that the location is still not suitable for housing. He added that years from now, when people question how construction was allowed there, he does not want to have been part of that decision to have allowed it. Commissioner Monin acknowledged the City's predicament, but that it still does not change the location and noise issues. He also mentioned that Orange County was unfairly impacted by the region's distribution of housing units from LA and Riverside Counties and that he understands what the City is dealing with. Chairman Bresnahan acknowledged the need but stated that placing residential where it does not belong is not right approach and there is a concern with hearing impairment.

There was a motion by Commissioner Hasselbrink and a second by Commissioner Klema in favor of the staff recommendation to find the proposed Newport Beach Housing Overlay (HO) Zoning/Coastal Zoning Amendments consistent with the AELUP for JWA. Commissioner Klema stated that they had previously informed the City that it was inconsistent, and the city overruled them. He asked what the Commission can do now. Chairman Bresnahan replied that the Commission should do it again, as their job is to advise the City that it is not consistent, and if the City chooses to override it, that decision is up to them.

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Commissioner Beverburg stated that he did not agree with putting residential within the 65 CNEL and that should be enough to deem this is inconsistent. Commissioner Klema stated although he seconded the motion, he is prepared to say "nay." Commissioner Monin asked Ms. Fitch how it met the consistency recommendation. Ms. Fitch responded that the housing site on Dove Street closest to the airport is an existing housing site and it is within the 60 CNEL and other sites are within the 65. She noted that there is some gray area in how it is interpreted, but since it guarantees the units in the 60 CNEL, she thought it was more consistent than the units going into the 65 CNEL. Chairman Bresnahan said that could be true. He said the Commission looks at other things other than just noise and that if someone were standing in the 60 CNEL or the 65 CNEL, they would not be able to tell the difference.

Alternate Young asked if there is any difference between 60 CNEL and 65 CNEL, and that it doesn't seem that there is. Chairman Bresnahan explained that Community Noise Equivalent Level (CNEL) averages everything out over time. He explained that the 60 CNEL is going to be a noisy environment due to general aviation because they're flying right over on top of it low and slow and climbing. Alternate Young stated that the reports from December show that general aviation is increasing.

Commissioner Monin asked Alternate Steffenhagen if he agreed that activity was higher before COVID. Alternate Steffenhagen said that it's lower now because the tower is understaffed. Alternate Young asked how that is calculated into the formula. Commissioner Beverburg said that more flights would increase the CNEL. He noted that freeway noise averages 92 CNEL, household noise is typically 45 CNEL, and 65 CNEL is where you see long-term hearing damage.

Chairman Bresnahan stated that there is a motion and a second to approve the staff recommendation to find the project consistent with the AELUP for JWA, and he called for a vote. With a 1-4 vote, the motion did not carry.

Chairman Bresnahan asked if there is a second motion. Commissioner Beverburg motioned to find the proposed Newport Beach Housing Overlay (HO) Zoning/Coastal Zoning Amendments inconsistent with the *AELUP for JWA*, citing the discussion held. Chairman Bresnahan seconded the motion. The Commission voted 3 – 1 with 1 abstention. He asked if the motion carried. Ms. Fitch explained that a quorum would be four votes because it is based on the entire Commission, not just those present. Chairman Bresnahan stated that this motion failed as well.

Jeffrey Stock, ALUC Counsel stated that the Commission can continue the discussion or continue the item to another date. Chairman Bresnahan asked what time frame on moving this to another meeting date. Ms. Fitch replied that if no determination is made within 60 days of the complete submittal, then it is deemed consistent. She stated that there is a March meeting which would be within the 60 days. Chairman Bresnahan asked if no decision was made then

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what would happen. Mr. Stock explained that if you failed to make a finding then it would automatically be deemed consistent.

Commissioner Monin asked if that amount of time would change anyone's mind. Ms. Fitch stated that there could be more Commissioners present so that might change the vote. She stated that there are five voting Commissioners present, and there are seven Commissioners, so if more Commissioners are at the next meeting, then the vote could change. Chairman Bresnahan asked about the Alternates and Ms. Fitch replied that the three Alternates there had Commissioner's present. Commissioner Monin stated that he is tied between how the Commissioners feel versus the staff recommendation that has deemed it consistent. Chairman Bresnahan stated that staff has not deemed it consistent and that staff has made a recommendation, and the Commissioners are able to follow the staff recommendation or not. Commissioner Monin said that he relies on the staff analysis.

Chairman Bresnahan asked if there was a motion to continue the item to the March meeting. On a motion by Commissioner Beverburg and a second by Commissioner Klema the Commission voted 5-0 to move this item to the March 20, 2025, meeting.

3. Administrative Status Report:

Ms. Fitch referred to the items of correspondence since the last meeting and mentioned comment letters on EIR's and notices of intent to overrule. She stated that she is available to answer any questions.

4. Status of Determinations of Inconsistency:

Ms. Fitch reported that three overrules have been finalized since the last meeting. One was the Santa Ana Related Bristol Project, which was brought to ALUC over a year ago and was finally overruled on October 1, 2025. ALUC comment letters were provided on all three overrules, as well as Caltrans letters. Chairman Bresnahan noted that he found the letters from Caltrans very informative.

5. Items of Interest to the Commissioners:

Commissioner Monin noted that Alternate Steffenhagen had mentioned the understaffing of the tower and that the FAA has a capacity for 30, but they are currently at around 15. He discussed issues nationwide related to training, teacher availability, and candidate shortages, which may be contributing to the understaffing problem. Commissioner Monin added that this situation places a tremendous strain on the existing employees working there.

6. Items of Interest to the Public:

Cindy Salazar, Planning Manager for Orange County Public Works/Development Services, thanked the Commission for the opportunity to give a presentation about the County's Comprehensive General Plan Update. She introduced Amanda Tropaiano, with De Novo

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Consulting, who is helping with the Update. Ms. Tropaiano provided an overview of the County's General Plan Update and welcomed comments and questions. She described the County's outreach efforts and clarified that the Update is for only unincorporated areas of the County. The Commissioners asked questions which Ms. Tropaiano addressed.

ADJOURNMENT:

There being no further business before the Commission, the meeting was adjourned at 5:15 p.m. The next meeting is scheduled for March 20, 2025.