




AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

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

AGENDA ITEM 2

June 18, 2026

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

The following attachments are provided for your information:

- John Wayne Airport Monthly Statistics April 2026
- ALUC Response Letter to Newport Beach NOI to Overrule ALUC on Newport Place Planned Community Amendment – June 11, 2026
- ALUC Referral Notice to Newport Beach regarding 1300 Dove Street – June 1, 2026
- ALUC Response Letter to Newport Beach NOI to Overrule ALUC on Comprehensive General Plan Update – May 28, 2026
- ALUC Determination Letter to City of Buena Park – General Plan Amendment (Land Use Map) and Zoning Map Amendment for 5600 Beach Boulevard – May 22, 2026
- Caltrans Response to Newport Beach Notice of Intent to Overrule ALUC on the proposed Newport Place Planned Community Development Plan (PC11) – May 20, 2026
- Caltrans Response to Newport Beach Notice of Intent to Overrule ALUC on the Proposed City of Newport Beach Comprehensive General Plan Update Project (PA2022-080) – May 18, 2026

John Wayne Airport Posts April 2026 Statistics

June 5, 2026

(SANTA ANA, CA) - Airline passenger traffic at John Wayne Airport increased in April 2026 compared to April 2025. In April 2026, the Airport served 930,776 passengers, an increase of 2.2% when compared with the April 2025 passenger traffic count of 910,435.

Commercial aircraft operations in April 2026 of 7,786 increased 0.7% and commuter aircraft operations of 658 decreased 0.5% when comparing with 2025 levels.

Total aircraft operations increased in April 2026 as compared with the same month in 2025. In April 2026, there were 30,926 total aircraft operations (takeoffs and landings), a 19.7% increase compared to 25,837 total aircraft operations in April 2025.

General aviation activity of 22,468 accounted for 72.7% of the total aircraft operations during April 2026 and increased 28.9% compared with April 2025.

The top three airlines in April 2026 based on passenger count were Southwest Airlines (253,633), American Airlines (164,226), and United Airlines (152,381).

John Wayne Airport
Monthly Airport Statistics - April 2026

	April 2026	April 2025	% Change	Year-To-Date 2026	Year-To-Date 2025	% Change
Total passengers	930,776	910,435	2.2%	3,568,259	3,438,071	3.8%
Enplaned passengers	464,147	454,064	2.2%	1,781,321	1,718,076	3.7%
Deplaned passengers	466,629	456,371	2.2%	1,786,938	1,719,995	3.9%
Total Aircraft Operations	30,926	25,837	19.7%	129,606	96,473	34.3%
General Aviation	22,468	17,433	28.9%	96,325	64,106	50.3%
Commercial	7,786	7,732	0.7%	30,345	29,883	1.5%
Commuter ¹	658	661	-0.5%	2,831	2,426	16.7%
Military	14	11	27.3%	105	58	81.0%
Air Cargo Tons ²	1,320	1,228	7.5%	4,974	5,011	-0.7%
International Statistics ³	(included in totals above)					
	April 2026	April 2025	% Change	Year-To-Date 2026	Year-To-Date 2025	% Change
Total Passengers	20,717	27,285	-24.1%	78,193	102,192	-23.5%
Enplaned passengers	10,342	13,642	-24.2%	39,093	51,478	-24.1%
Deplaned passengers	10,375	13,643	-24.0%	39,100	50,714	-22.9%
Total Aircraft Operations	173	236	-26.7%	692	898	-22.9%

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:	1,206 tons
Passenger Carriers (incidental belly cargo):	114 tons
Current cargo tonnage figures in this report are for:	March 2026

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 2025 North America Airport Satisfaction Study](#) for the second consecutive year, 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](#).

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

June 11, 2026

Rosalinh Ung, Principal Planner
City of Newport Beach
100 Civic Center Drive
Newport Beach, CA 92660

Subject: Response to Notice of Intent to Overrule the Airport Land Use Commission Determination Regarding the Amendment to Newport Place Planned Community Development Plan (PC-11) (PA2025-0196)

Dear Ms. Ung,

We are in receipt of the City of Newport Beach (City) letter dated May 13, 2026, and City Council Resolution No. 2026-27 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 Amendment to the Newport Place Planned Community Development Plan (PC-11) related to the minimum inclusionary for-sale housing percentage required within the Residential Overlay (PA2025-0196). 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. These comments shall be included in the public record of a final decision to overrule the ALUC.

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

Background

On April 16, 2026, the ALUC for Orange County found the proposed Newport Place Planned Community Development Plan (PC-11) Amendment related to Affordable Housing Percentage in Residential Overlay (PA2025-0196) to be inconsistent with the *Airport Environs Land Use Plan (AELUP) for John Wayne Airport (JWA)*. The inconsistency determination was based on *AELUP* Sections 2.1.1, 2.1.2, 2.1.4, PUC Section 21674, and Section 3.2.1.

Pursuant to Section 1.2 of the *AELUP for JWA*, the purpose of the *AELUP* is to safeguard the general welfare of the inhabitants within the vicinity of the airport and to ensure the continued operation of the airport. Specifically, the *AELUP* seeks to protect the public from the adverse effects of aircraft noise, to ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, and to ensure that no structures or activities adversely affect navigable airspace.

Additionally, Section 2.1.4 of the *AELUP for JWA* and PUC Section 21674 charge the Commission to coordinate at the local level to ensure compatible land use planning. The current PC-11 Development Standards no longer contain the same airport noise compatibility limitation that supported the ALUC's prior consistency determination in July 2023. The proposed Amendment also relies on the 2014 Settlement Agreement/EIR 617 noise contours rather than the noise contours adopted in the *AELUP for JWA*. Because those contours have not been adopted by ALUC or incorporated into the *AELUP for JWA*, the City's proposed actions are inconsistent with the *AELUP for JWA*.

ALUC has the following additional comments regarding the findings included in Resolution No. 2026-27 and the facts provided in support of those findings.

Response to Finding A - Regarding Noise Standards:

Finding A states that the Amendment is consistent with the noise standards of the *AELUP* because the Residential Overlay is located within the 60 dBA and 65 dBA CNEL noise contours and residential uses are identified as "normally consistent" within the 60 dBA CNEL noise contour. Finding A further provides that residential development shall be limited to parcels wholly or partially outside the 65 dBA CNEL noise contour unless and until the City determines, based on substantial evidence, that sites wholly within the 65 dBA contour area are needed to satisfy the City's 6th Cycle RHNA mandate.

The ALUC acknowledges that residential uses may be identified as normally consistent within the 60 dBA CNEL noise contour. However, unlike the amendment considered by ALUC in July 2023, the current PC-11 Development Standards no longer contain the airport noise compatibility limitation that supported the prior consistency determination.

For purposes of ALUC review, the applicable noise contours are those contained in the adopted *AELUP for JWA*. A consistency analysis cannot be based on different or updated noise contours unless those contours have been incorporated into the *AELUP*. Because the proposed Amendment relies on the 2014 Settlement Agreement/EIR 617 noise contours, and because the current PC-11 Development Standards no longer contain the prior airport noise compatibility limitation, the proposed Amendment remains inconsistent with the *AELUP for JWA*.

Response to Finding B - Regarding Safety:

Pursuant to *AELUP* Section 2.1.2, "[s]afety and compatibility zones depict which land uses are acceptable and which are unacceptable in various portions of airport environs. The purpose of these zones is to support the continued use and operation of an airport by establishing compatibility

and safety standards to promote air navigational safety and to reduce potential safety hazards for persons living, working or recreating near JWA.”

Finding B states that the Residential Overlay is located within Safety Zone 6, that residential uses are allowed in this zone, and that the Amendment is not within the JWA Clear Zone/Runway Protection Zone. The ALUC acknowledges that the Residential Overlay is located within Safety Zone 6 and outside Safety Zone 3. However, the fact that residential uses may be allowed in Safety Zone 6 does not end the compatibility analysis, particularly where aircraft overflight, proximity to JWA, and noise compatibility remain relevant considerations.

Newport Place Planned Community is located within Safety Zone 6 – Traffic Pattern Zone, with a small portion also within Safety Zone 3 – Inner Turning Zone. Flight tracks included in the ALUC staff report show numerous general aviation flights over the Newport Place Planned Community, including one day of Reverse Flow operations. Considering the applicable Safety Zones, proximity to JWA, and aircraft overflight activity, safety and land use compatibility remain relevant considerations for this Amendment.

Response to Finding C - Regarding Purpose and Intent of the AELUP and Compatibility with Adjacent Land Uses:

Finding C states that the Amendment is consistent with the purpose and intent of the *AELUP* and will not result in incompatible land uses adjacent to JWA because it would revise only the minimum affordability housing percentage for for-sale residential development within the Overlay, from 15 percent to 6 percent for lower-income households and 8 percent for moderate-income households, and no other changes are proposed.

By virtue of *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.

Although the proposed Amendment is limited to the affordable housing percentage, it applies within a Residential Overlay that no longer contains the same airport noise compatibility limitation that supported the prior ALUC consistency determination. Therefore, while the Amendment does not directly modify the Residential Overlay boundaries or other development standards, it would further facilitate for-sale residential development under standards that ALUC found inconsistent with the *AELUP for JWA*. Based upon careful consideration of all information provided, the applicable *AELUP* policies, the ALUC-adopted noise contours for JWA, and input from ALUC members with expertise in aviation, the ALUC found the proposed PC-11 Amendment 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,



Stephen Beverburg
Vice Chairman

cc: Airport Land Use Commission for Orange County
Caltrans/Division of Aeronautics



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

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

June 1, 2026

Oscar Orozco, Associate Planner
City of Newport Beach
100 Civic Center Drive
Newport Beach, CA 92660

Subject: 1300 Dove Street

Dear Mr. Orozco:

This is to confirm that Airport Land Use Commission (ALUC) staff received your 1300 Dove Street project submittal for a consistency determination. Your submittal, received on May 29, 2026, together with the additional information received on June 1, 2026, is deemed complete and will be scheduled for the June 18, 2026, ALUC meeting, unless otherwise noticed.

Your attendance at the meeting would be appreciated in case there are any 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 will be provided to you prior to the Commission meeting. You may contact us at (949) 252-5170 or at alucinfo@ocair.com if you have any questions. Thank you!

Sincerely,

August McNab
Staff Planner



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

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

May 28, 2026

Benjamin M. Zdeba, Acting Deputy Community Development Director
City of Newport Beach
100 Civic Center Drive
Newport Beach, CA 92660

Subject: Response to Notice of Intent to Overrule the Airport Land Use Commission Determination Regarding the City of Newport Comprehensive General Plan Update (PA2022-080)

Dear Mr. Zdeba,

We are in receipt of the City of Newport Beach (City) letter dated April 29, 2026, and City Council Resolution No. 2026-25 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 City of Newport Beach Comprehensive General Plan Update (PA2022-080). 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. These comments shall be included in the public record of a final decision to overrule the ALUC.

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

Background

On March 19, 2026, the ALUC for Orange County found the proposed City of Newport Beach Comprehensive General Plan Update (PA2022-080) to be consistent with the *Airport Environs Land Use Plan (AELUP) for Heliports* and inconsistent with the *Airport Environs Land Use Plan (AELUP) for John Wayne Airport (JWA)*.

The inconsistency finding was based on AELUP Sections 2.1.1, 2.1.2, 2.1.4, PUC Section 21674, and Section 3.2.1. Pursuant to Section 1.2 of the *AELUP for JWA*, the purpose of the AELUP is to safeguard the general welfare of the inhabitants within the vicinity of the airport and to ensure the continued operation of the airport. Specifically, the AELUP seeks to protect the public from the

adverse effects of aircraft noise to ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, and to ensure that no structures or activities adversely affect navigable airspace.

Additionally, Section 2.1.4 of the *AELUP for JWA* and PUC Section 21674 charge the Commission to coordinate at the local level to ensure compatible land use planning. The City's proposed General Plan Update includes policies allowing residential land uses within the 65 dB CNEL and uses the 2014 Settlement Agreement Noise Contours rather than the ALUC-adopted noise contours included in the *AELUP for JWA*. Because the 2014 Settlement Agreement Noise Contours have not been adopted by ALUC or incorporated into the *AELUP for JWA*, the City's proposed actions are inherently inconsistent with the *AELUP for JWA*. In the context of ALUC review, the City cannot choose which noise standards it wants to abide by. The only applicable noise standards for ALUC purposes are those found within the *AELUP for JWA*.

ALUC has the following additional comments regarding the findings and facts of support included in Resolution No. 2026-25.

Response to Finding and Fact in Support A - Regarding Noise Standards:

Resolution No. 2026-25 states that the 2006 General Plan Noise Element was based on the CNEL noise contours of the 1985 *AELUP* Master Plan that were updated by subsequent modeling, and that the City updated its Noise Element applying that updated modeling. The City further states that the 2014 Settlement Agreement Amendment and associated EIR were predicated on updated noise contours and that the City's Noise Element has been in effect since 2023 and is consistent with the noise contours established pursuant to the 2014 Settlement Agreement Amendment.

The ALUC acknowledges the City's position that the 2014 Settlement Agreement Noise Contours reflect more recent noise modeling. However, those contours have not been adopted by ALUC or incorporated into the *AELUP for JWA*. The proposed Draft Noise Element includes the 2014 Settlement Agreement Noise Contours and policies allowing residential uses within the 65 dB CNEL contours. The Draft Land Use Element also includes mixed-use/residential uses within both the ALUC-adopted 65 dB CNEL contours and the smaller 2014 Settlement Agreement contours.

For purposes of an *AELUP* consistency determination, the City and ALUC must use the noise contours provided in the adopted *AELUP*. A consistency analysis cannot be based on different or updated contours unless those contours have been incorporated into the *AELUP*. Therefore, because the General Plan Update continues to allow residential development within the 65 dB CNEL and relies on Exhibit N-3, 2014 Settlement Agreement Airport Noise Contours, rather than the ALUC-adopted contours in the *AELUP for JWA*, the General Plan Update remains inconsistent with the *AELUP for JWA*. Moreover, the City's resolution fails to justify how locating individuals within a 65 dB CNEL contour promotes appropriate noise standards. Namely, how would a reasonable person residing within a 65 dB CNEL find such noise acceptable? See PUC Section 21669. To the contrary, ALUC believes that locating individuals within a 65 dB CNEL creates new noise and safety problems. This highlights the fact that such a practice is not only inconsistent with the *AELUP for JWA* but also PUC Section 21670.

Response to Finding and Fact in Support B - Regarding Safety:

Pursuant to AELUP Section 2.1.2, “[s]afety and compatibility zones depict which land uses are acceptable and which are unacceptable in various portions of airport environs. The purpose of these zones is to support the continued use and operation of an airport by establishing compatibility and safety standards to promote air navigational safety and to reduce potential safety hazards for persons living, working or recreating near JWA.”

Resolution No. 2026-25 notes that the General Plan Update does not include housing opportunity sites in the JWA Clear Zone/Runway Protection Zone and that most housing opportunity sites in the JWA Airport Planning Area (APA) are located in Safety Zone 6. However, safety compatibility review under the AELUP is not limited to the Clear Zone/Runway Protection Zone. While the General Plan Update does not change existing land uses in the current Land Use Element, the policies contained therein continue to address land uses within the JWA APA. The northern part of the City of Newport Beach is within Safety Zones 2, 3, 4, and 6. The City indicates that it will continue to evaluate compliance and compatibility with the AELUP through Policy LU-28.2. In addition, the Draft Safety Element includes Goal S-9, “A community protected from airport-related hazards,” with policies addressing land use compatibility, noise and air pollution, emerging technologies, and aircraft rescue.

JWA flight tracks for four recent days were included in the ALUC staff report for informational purposes, including Reverse Flow operations on January 12, 2026. Accordingly, although the Draft GPU does not propose changes to land uses within the Safety Zones, safety, overflight, and land use compatibility remain relevant considerations within the JWA APA.

Response to Finding and Fact in Support C - Regarding Air Transportation and Intent of the AELUP:

By virtue of *AELUP for JWA* Sections 1.2 “Purpose and Scope” and 2.0 “Planning Guidelines,” the ALUC is charged with protecting public airports from encroachment by incompatible land use development, while also protecting the health, safety, and welfare of citizens who work and live in the airport’s environs. However, future project-level review does not resolve a General Plan-level inconsistency where the policy framework itself allows residential uses within areas identified as incompatible under the adopted *AELUP for JWA*.

The adopted AELUP remains the applicable compatibility plan for purposes of ALUC review unless and until it is amended. Based on the City’s submittal, applicable AELUP policies, and the ALUC-adopted noise contours for JWA, the ALUC found the proposed Comprehensive General Plan Update inconsistent with the *AELUP for JWA*.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Stephen Beverburg". The signature is stylized with large, flowing loops and a long horizontal stroke at the end.

Stephen Beverburg
Vice Chairman

cc: Airport Land Use Commission for Orange County
Caltrans/Division of Aeronautics



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

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

May 22, 2026

Ian McAleese, Senior Planner
City of Buena Park
6650 Beach Boulevard
Buena Park, CA 90622-5009

Subject: ALUC Determination for City of Buena Park General Plan Amendment (Land Use Map) and Zoning Map Amendment for a 281-Unit Three- and Four-Story Semi-Attached Residential Development at 5600 Beach Boulevard

Dear Mr. McAleese:

During the public meeting held on May 21, 2026, the Airport Land Use Commission (ALUC) for Orange County considered the subject item. The matter was duly discussed and with a 6-0 vote (Beverburg, Murphy, Hasselbrink, Klema, Sustarsic, and Hibard), the Commission found the City of Buena Park General Plan Amendment (Land Use Map) and Zoning Map Amendment for a 281-Unit Three- and Four-Story Semi-Attached Residential Development at 5600 Beach Boulevard to be consistent with the *Airport Environs Land Use Plan for Fullerton Municipal Airport*.

Please contact Staff Planner August McNab at amcnab@ocair.com or (949) 252-5170 if you have any questions regarding this proceeding. Thank you!

Sincerely,

Julie Fitch, AICP
Executive Officer

cc: ALUC Commissioners

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



May 20, 2026

Ms. Rosalinh Ung
Principal Planner
City of Newport Beach
100 Civic Center Drive
Newport Beach, CA 92660

Electronically Sent: rung@newportbeachca.gov

Dear Ms. Ung:

The California Department of Transportation, Division of Aeronautics (Caltrans), supports cities, counties, and Airport Land Use Commissions (ALUC) in developing land use policies that promote public health, safety, and welfare near airports. We appreciate the opportunity to provide input on the City's proposed overrule of the Orange County ALUC determination.

On May 13, 2026, Caltrans received an email that included Resolution No. 2026-27 declaring an intent to overrule the ALUC's April 16, 2026, inconsistency determination for the proposed Newport Place Planned Community Development Plan (PC11) Project (PA2025-0196) (Project) with the Airport Environs Land Use Plan (AELUP) for the John Wayne Airport (JWA).

Caltrans has reviewed the proposed Findings and Facts in Support (Findings) provided by the City of Newport Beach (City) and the Staff Report from ALUC dated March 19, 2026, and the Inconsistency Determination letter dated April 16, 2026.

Based on the proposed Findings of Resolution No. 2026-27, Caltrans has determined that the Findings are not sufficient to warrant the proposed overrule. Specifically, the Findings do not appear to be consistent with the purposes of the statutes set forth in the California Public Utilities Code (PUC) sections 21670–21676.5, nor with the noise and safety criteria disseminated in the AELUP for the JWA. Caltrans concurs with the ALUC's determination that the City's Newport Place Planned Community (PC-11) Development Plan is inconsistent with the AELUP and recommends that the City revise its proposal to ensure full compliance with applicable statutory and policy requirements.

Ms. Rosalinh Ung, Principal Planner
May 20, 2026
Page 2

PUC Section 21675.1 (f) states: "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 or county's decision to proceed with the action, regulation, or permit."

Pursuant to PUC Section 21676(a), Caltrans 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 me at ahmed.akhtar@dot.ca.gov or I can be reached at (916) 917-3477.

Sincerely,

Ahmed Akhtar
Aviation Planner
Caltrans Division of Aeronautics

c: Julie Fitch, Executive Director, ALUC Orange County, jfitch@ocair.com

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

May 18, 2026

Mr. Benjamin Zdeba Electronically Sent: bzdeba@newportbeachca.gov
Acting Deputy Community Development Director
City of Newport Beach
100 Civic Center Drive
Newport Beach, CA 92660

Dear Mr. Zdeba:

The California Department of Transportation, Division of Aeronautics (Caltrans), supports cities, counties, and Airport Land Use Commissions (ALUCs) in developing land use policies that promote public health, safety, and welfare near airports. We appreciate the opportunity to provide input on the City's proposed overrule of the Orange County ALUC determination.

On April 29, 2026, Caltrans received an email that included Resolution No. 2026-25 declaring an intent to overrule the ALUC's March 19, 2026, inconsistency determination for the proposed City of Newport Beach Comprehensive General Plan Update Project (PA2022-080) (Project) with the Airport Environs Land Use Plan (AELUP) for the John Wayne Airport (JWA).

Caltrans has reviewed the proposed Findings and Facts in Support (Findings) provided by the City of Newport Beach (City) and the Staff Report from ALUC dated April 28, 2026, and the Inconsistency Determination letter dated March 19, 2026.

Caltrans has reviewed the proposed Findings of Resolution No. 2026-25 and has determined that the Findings are not sufficient to warrant the proposed overrule. Specifically, the Findings do not appear to be consistent with the purposes of the statutes set forth in the California Public Utilities Code (PUC) sections 21670–21676.5, nor with the noise and safety criteria disseminated in the AELUP for the JWA. Caltrans concurs with the ALUC's determination that the City's General Plan Update is inconsistent with the AELUP and recommends that the City revise its proposal to ensure full compliance with applicable statutory and policy requirements.

Mr. Benjamin Zdeba, Acting Deputy Community Development Director May 18, 2026
Page 2

PUC Section 21675.1(f) states: "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 or county's decision to proceed with the action, regulation, or permit."

Pursuant to PUC Section 21676(a), Caltrans 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 me at ahmed.akhtar@dot.ca.gov or I can be reached at (916) 917-3477.

Sincerely,

Ahmed Akhtar
Aviation Planner
Caltrans Division of Aeronautics

c: Julie Fitch, Executive Director, ALUC Orange County, jfitch@ocair.com