

Attachment G

ALUC Determination Letter



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

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

July 21, 2020

David Blumenthal, AICP
Planning Consultant
City of Newport Beach
100 Civic Center Drive
Newport Beach, CA 92660

Subject: ALUC Determination for Newport Airport Village

Dear Mr. Blumenthal:

During the public meeting held on July 16, 2020, the Airport Land Use Commission (ALUC) for Orange County considered the subject project. The matter was duly discussed, and with a unanimous vote of 6-0, the Commission found the proposed General Plan Amendment, Zoning Code Amendment and proposed Newport Airport Village project located at 4320, 4340, 4360, 4400, 4500, 4520, 4540, 4570, 4600, and 4630 Campus Drive; 4525, 4533 and 4647 MacArthur Boulevard; and 4341, 4361, and 4501 Birch Street, to be Inconsistent with the *Airport Environs Land Use Plan (AELUP) for John Wayne Airport (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 2.1.3 Building Height Restrictions which states that “the results of an aeronautical study conducted by the FAA... will be utilized to help determine if a structure will have an adverse effect on the airport or on aeronautical operations.” The Aeronautical study provided was for structures 124 feet AMSL, while the General Plan Amendment and Development Plan indicate the maximum height would be 129 feet AMSL, and
- 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.”

Please contact Julie Fitch at jfitch@ocair.com or at (949) 252-5284 if you require additional information or have questions regarding this proceeding.

Sincerely,



Lea U. Choum
Executive Officer

cc: ALUC