



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

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

March 22, 2022

Scott Drapkin, Assistant Director
City of Costa Mesa/Development Services
P.O. Box 1200
Costa Mesa, CA 92628-1200

Subject: ALUC Determination for Costa Mesa Housing Element Update 2021-2029

Dear Mr, Drapkin:

During the public meeting held on March 17, 2022, the Airport Land Use Commission (ALUC) for Orange County considered the subject item. The matter was duly discussed and with a 4-0 vote, the Commission found the proposed Housing Element Update 2021-2029 6th Cycle to be Inconsistent with the *Airport Environs Land Use Plan for John Wayne Airport (AELUP for JWA)* per:

- Section 2.1.3, which states that a “Determination of No Hazard to Air Navigation [by FAA] does not automatically equate to a Consistency determination by the ALUC. The FAA may also conclude that a project is an Obstruction but not a Hazard to Air Navigation. The Commission may find a project Inconsistent based on an Obstruction determination. The Commission may utilize criteria for protecting aircraft traffic patterns at individual airports which may differ from those contained in FAR Part 77, should evidence of health, welfare, or air safety surface sufficient to justify such an action.”
- 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.”

Additionally, in accordance with PUC Section 21676.5.(a), the Commission has required that the City submit all subsequent City actions, regulations, and permits within JWA’s airport influence area to the Commission for review until the City’s general plan is revised or specific overrule findings are made.

Please contact me if you would like to set up a meeting to discuss the future actions that would require submittal to ALUC. I can be reached at lechoum@ocair.com or (949) 252-5170. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lea U. Choum".

Lea U. Choum *for*
Executive Officer

cc: ALUC