



September 21, 2020

City of Newport Beach City Council and Planning Commission
100 Civic Center Drive
Newport Beach, CA 92660

Re: Comments on the proposed Newport Airport Village – Residential component

The undersigned represent the So Cal Pilots Association. SoCal Pilots has membership of over 1,200 individual pilots and aircraft owners.

Although the Newport Airport Village provides a much-needed improvement to the business complex along Campus avenue the residential component of the project is incompatible with the surrounding use. In fact, it is illogical to place residential housing this close to a commercial airport. As pilots we spend a lot of time just across the street from this project at our hangars and tie downs. We have first-hand experience with the intensity of the noise and dust associated with the airport. If people are allowed to live this close to the airport, regardless of which side of the 65 CNEL line they are on, they will be very unhappy with their environment. Therefore, as people who experience this level of noise firsthand, to access our aircraft, we know what it is like and fully support the recommendations of the Airport Land Use Commission which advise against a residential component to this project so close to the airport.

Recommendation:

The City Council and Planning Commission should find the proposed General Plan Amendment and Zoning Change for the Newport Airport Village Inconsistent with the **ALUC** for JWA per:

1. 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."
2. 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."
3. 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 un the airport or on aeronautical operations." The Aeronautical study provided was for structures 124 feet AMSL, while the



General Plan Amendment and Development indicate the maximum height would be 129 feet AMSL.

4. 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".

Moreover, if the ALUC recommendations are overruled, there is likely to be significant liability and cost to the City, County and Developer. The occupants of this property will be subject to an intolerably noisy environment which will violate the right to quiet enjoyment as well as other basic tenant protections. Additionally, if the City of Newport Beach declines to properly study and mitigate interferences with aeronautical operations at JWA, that will increase the likelihood of an investigation by the FAA. The FAA has set the precedent of requiring structures to be de-constructed which interfere with aeronautical navigation.

While we fully support the commercial aspect of this development, the So Cal Pilots urge the City of Newport Beach to respect the sound judgement of the ALUC and not subject future residents to this highly incompatible land use.

Sincerely,

A handwritten signature in blue ink that reads "Stephen P Blythe". The signature is written in a cursive, flowing style.

Stephen Blythe, President of SoCal Pilots

Cc: City Clerk cityclerk@newportbeachca.gov