



# AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

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

October 22, 2012

Rosalinh Ung, Associate Planner  
City of Newport Beach  
3300 Newport Boulevard  
Newport Beach, CA 92658-8915

**Subject: Uptown Newport Project**

Dear Ms. Ung:

During the meeting held on October 18, 2012 the Airport Land Use Commission (ALUC) for Orange County considered the subject project. The matter was duly discussed, moved, seconded, and carried with a vote of 4 to 1, with one recusal, by the Commission to find the City of Newport Beach proposed Uptown Newport Project to be Inconsistent with the Commission's *Airport Environs Land Use Plan (AELUP) for John Wayne Airport (JWA)* and *AELUP for Heliports*. The Commission based their inconsistency decision on Section 2.1.3 of the *JWA AELUP*, which states: "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."

Please contact Lea Choum, at (949) 252-5123 or via email at [lchoum@ocair.com](mailto:lchoum@ocair.com) if you require additional information or have questions regarding this proceeding.

Sincerely,

Kari A. Rigoni  
Executive Officer

cc: Brian Rupp, Shopoff Management, Inc.