

# APPENDIX F

## ONTARIO INTERNATIONAL AIRPORT LAND USE COMPATIBILITY PLANNING DOCUMENTS

---

### Exhibit F1

#### Alternative Process Resolution No. 95-34

#### RESOLUTION NO. 95-34

**A RESOLUTION OF THE CITY OF ONTARIO, CALIFORNIA,  
ESTABLISHING ALTERNATIVE PROCEDURES FOR LAND USE  
PLANNING WITHIN THE SPHERE OF INFLUENCE OF THE ONTARIO  
INTERNATIONAL AIRPORT IN LIEU OF REINSTATING THE WEST  
VALLEY AIRPORT LAND USE COMMISSION**

**WHEREAS**, Public Utilities Code Section 21670 et. seq. provides for the establishment of an Airport Land Use Commission (ALUC) in every county in which there is a public use airport served by a scheduled airline; and

**WHEREAS**, prior to passage of Senate Bill No. 443 (effective June 30, 1993), Public Utilities Code Section 21670 (b) required each county to establish an ALUC in such circumstances; and

**WHEREAS**, Senate Bill No. 443 amended Public Utilities Code Section 21670 (b) by eliminating the mandate for ALUC's in order to relieve counties and other public agencies supporting ALUC's of the duty to incur unnecessary expenses in certain aspects of airport land use planning; and

**WHEREAS**, the Ontario City Council adopted Resolution 93-120 in November of 1993 withdrawing from the West Valley ALUC; and

**WHEREAS**, the West Valley ALUC was disbanded in response to Senate Bill No. 443 after all affected public agencies, including the City of Ontario, withdrew from the Joint Powers Agreement, which had established individual ALUC's for the East, West, and Mountain/Desert planning areas of the County of San Bernardino; and

**WHEREAS**, the State of California no longer reimburses the County of San Bernardino for administration of the ALUC program; and

**WHEREAS**, Assembly Bill No. 2831 (effective January 1, 1995), amended Public Utilities Code Section 21670 (b) by reinstating the requirement that local agencies, such as the County of San Bernardino, establish an ALUC; and

**WHEREAS**, Assembly Bill No. 2831 also provided the option of establishing an alternative procedure to the establishment of an ALUC which allows local jurisdictions to make land use decisions for areas within a public use airport sphere of influence as designated by the Comprehensive Airport Land Use Plan; and

**WHEREAS**, establishment of the alternative procedure set forth in Public Utilities Code Section 21670.1 rather than reinstating the West Valley ALUC will eliminate redundant reviews and streamline processes; and

**Exhibit F1, Continued**

**WHEREAS**, the City of Ontario is in compliance with all applicable airport land use planning regulations and requirements, with the exception of the recently enacted changes to the Public Utilities Code requiring reinstatement of an ALUC or establishment of an alternative procedure for making land use planning decisions within the sphere of influence of the Ontario International Airport; and

**WHEREAS**, verification of this compliance is set forth in the Certificate of Consistency issued by the West Valley ALUC prior to its dissolution; and

**WHEREAS**, the West Valley ALUC adopted the Airport Environs Element of the Ontario General Plan as the Comprehensive Airport Land Use Plan for the Ontario International Airport; and

**WHEREAS**, the City of Ontario is obligated under the new provisions of the Public Utilities Code to establish alternative procedures for the review and processing of amendments to the adopted Comprehensive Airport Land Use Plan for the sphere of influence of the Ontario International Airport or defer local land use authority to an ALUC.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council hereby adopts the alternative procedures set forth in Subdivision (c) of Public Utilities Code Section 21670.1 for review and processing of amendments to the adopted Comprehensive Airport Land Use Plan for the sphere of influence of the Ontario International Airport, and for voluntary mediation of disputes. It is further resolved that:

1. Proper land use planning will be accomplished for areas within the sphere of influence of the Ontario International Airport pursuant to Article 3.5 of Chapter 4 of Part 1 of Division 9 of the Public Utilities Code in accordance with Subdivision (c) of Section 21670.1; and
2. Proper land use planning will be accomplished for areas within the sphere of influence of the Ontario International Airport by using as guidelines the Airport Land Use Planning Handbook published by Division of Aeronautics of the State Department of Transportation and any other applicable federal aviation regulations; and
3. Proper land use planning will be accomplished for areas within the sphere of influence of the Ontario International Airport through adherence to the Airport Environs Element of the Ontario General Plan; and
4. Any amendments of the Airport Environs Element of the Ontario General Plan, including amendment of the Airport Environs Land Use Plan, will be processed in accordance with the State Planning, Zoning, and Development Laws and any other applicable laws, ordinances, and/or resolutions regulating airport land use planning; and
5. The City's planning efforts for areas within the sphere of influence of the Ontario International Airport, including amendment of the Comprehensive Airport Land Use Plan, will involve notification of the general public, landowners, interested groups, and other public agencies; and

**Exhibit F1, Continued**

6. The Airport Mediation Board would serve as the mediator of disputes arising from the amendment of the adopted Comprehensive Airport Land Use Plan; and

7. No mediation will be required because no other City has standing to pursue mediation; and

8. The entire area of the 65 CNEL contour for the Ontario International Airport lies within the City of Ontario; and

9. The City's General Plan and Specific Plans are consistent with the adopted Comprehensive Airport Land Use Plan; and

10. The Planning Department shall be responsible for preparing and processing amendments to the adopted Comprehensive Airport Land Use Plan where necessary; and

11. The City Council will be responsible for approving these amendments; and

12. The adoption of the foregoing alternative procedures are exempt from the provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et. seq.

I hereby certify that the above-resolution was duly passed and approved by the City Council of the City of Ontario at a regular meeting thereof held on the 2nd day of May, 1995.



*L. L. Curtis*  
 City Clerk of the City of Ontario

**Exhibit F2**

**Alternative Process Language Approval Letter from California Division of Aeronautics**

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN JR., Governor

**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



*Flex your power!  
Be energy efficient!*

March 18, 2011

Mr. Jerry L. Blum  
Planning Director  
Ontario Planning Department  
303 East B Street  
Ontario, CA 91764

Dear Mr. Blum:

The California Department of Transportation (Caltrans), Division of Aeronautics (Division), received a letter from your office dated February 15, 2011, regarding the amendment of the alternative process for LA/Ontario International Airport. Your letter mentions the background with respect to the approval of the San Bernardino County Alternative process by the Division in 1995. Since that time, the impacts from Ontario International Airport have grown to affect neighboring jurisdictions. The amended alternative process outlined in Chapter 2, Sections 2-4 of the February 2011 Public Draft LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) have been reviewed and are consistent with the processes outlined in Public Utilities Code Section 21670.1. The Division will give our final approval of the amended alternative process once we can determine the affected jurisdictions will within a reasonable amount of time prepare, adopt, and implement the policies and procedures outlined in the ALUCP.

Thank you and if you should have any questions, please contact me at (916) 654-7075 or by email at [ron.bolyard@dot.ca.gov](mailto:ron.bolyard@dot.ca.gov).

Sincerely,

A handwritten signature in blue ink that reads "Ron Bolyard".

RON BOLYARD, Aviation Planner  
Office of Aviation Planning