

Ms. Hagan, Assistant Community Development Director

January 3, 2024

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An alternative solution proposed by the Division that may meet the City's intent and the ALUC's goal for compliance with the ALUCP would be to include concise, footnote text to the Zoning Code Amendments that states the assurance that all parcels in the airport influence area (AIA) will be compatible with the NUQ CLUP. This alternative would prevent cumbersome language amendments but also ensure that the proposed Zoning Text Amendments meet compatibility with the ALUCP for Moffett Federal Airfield.

It should also be noted that new laws regarding the provision of housing do not supersede existing laws, including Section 21670 of the California Public Utilities Code, which requires counties to establish ALUCs and compatibility plans to protect public health, safety, and welfare.

PUC Section 21675.1(f) provides: If a city or county overrules the commission pursuant to subdivision(d) with respect to a publicly owned airport that the city or county does not operate, the operator of the airport is not liable for damages to property or personal injury resulting from the city's or county's decision to proceed with the action, regulation, or permit.

Pursuant to PUC Section 21676(a), the Division and ALUC comments shall be included in the public record of any decision to overrule the ALUC. If you have questions or we may be of further assistance, please contact me at tiffany.martinez@dot.ca.gov or I can be reached at (916) 879-6596.

Sincerely,



Tiffany Martinez
Transportation Planner
Aeronautics Program

Attachments: City of Mountain View Intent to Override ALUC Determination.pdf

c: Matthew Friedman, Chief, Office of Aviation Planning, Aeronautics Program
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