

AMENDED IN ASSEMBLY JANUARY 4, 2012

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 662

Introduced by Assembly Member Hueso

February 17, 2011

An act to amend Section ~~21670.3~~ 21675 of the Public Resources Utilities Code, relating to ~~the San Diego County Regional Airport Authority~~ *airports*.

LEGISLATIVE COUNSEL'S DIGEST

AB 662, as amended, Hueso. ~~San Diego County Regional Airport Authority~~. *Airport land use compatibility plans*.

The State Aeronautics Act governs the creation and operation of airports in this state. The act provides for the establishment of county airport land use commissions to carry out various requirements, including the formulation of a comprehensive land use compatibility plan to provide for the orderly growth of airports and the area surrounding airports within the jurisdiction of the commission, and to safeguard the general welfare of the inhabitants within the vicinity of an airport and the public in general. The act requires each county in which there is an airport served by a scheduled airline, with certain exceptions, to establish an airport land use commission. The act requires the commission to include, within its airport land use compatibility plan, the area within the jurisdiction of the commission surrounding any military airport for specified purposes.

Existing federal law provides for the establishment of military Air Installation Compatible Use Zones (AICUZ). The State Aeronautics

Act requires that an airport land use compatibility plan adopted by a county airport land use commission be consistent with the safety and noise standards in an AICUZ prepared for a military airport within the jurisdiction of the commission.

This bill would require that an airport land use compatibility plan adopted by a county airport land use commission be consistent with the safety and noise standards in an AICUZ if the AICUZ was adopted pursuant to a public process that provided for reasonable public comment and participation.

~~Existing law exempts the County of San Diego from the requirement to establish a commission and, instead, makes the San Diego County Regional Airport Authority responsible for the preparation, adoption, and amendment of an airport land use compatibility plan for each airport in San Diego County.~~

~~This bill would exempt from that military airport inclusion requirement the preparation, adoption, or amendment by the authority of an airport land use compatibility plan for the City of Coronado. The bill would authorize the authority to include within the plan for the city the area within the jurisdiction of the authority surrounding any military airport.~~

~~The bill would make legislative findings and declarations as to the necessity of a special statute for the City of Coronado.~~

~~Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.~~

The people of the State of California do enact as follows:

1 SECTION 1. Section 21675 of the Public Utilities Code is
 2 amended to read:
 3 21675. (a) Each commission shall formulate an airport land
 4 use compatibility plan that will provide for the orderly growth of
 5 each public airport and the area surrounding the airport within the
 6 jurisdiction of the commission, and will safeguard the general
 7 welfare of the inhabitants within the vicinity of the airport and the
 8 public in general. The commission’s airport land use compatibility
 9 plan shall include and shall be based on a long-range master plan
 10 or an airport layout plan, as determined by the Division of
 11 Aeronautics of the Department of Transportation, that reflects the
 12 anticipated growth of the airport during at least the next 20 years.
 13 In formulating an airport land use compatibility plan, the

1 commission may develop height restrictions on buildings, specify
2 use of land, and determine building standards, including
3 soundproofing adjacent to airports, within the airport influence
4 area. The airport land use compatibility plan shall be reviewed as
5 often as necessary in order to accomplish its purposes, but shall
6 not be amended more than once in any calendar year.

7 (b) (1) The commission shall include, within its airport land
8 use compatibility plan formulated pursuant to subdivision (a), the
9 area within the jurisdiction of the commission surrounding any
10 military airport for all of the purposes specified in subdivision (a).
11 The

12 (2) *If for a military airport within the jurisdiction of the*
13 *commission, a military Air Installation Compatible Use Zone was*
14 *adopted pursuant to a public process that provided for reasonable*
15 *public comment and participation, including a public process that*
16 *resulted in adoption of an environmental impact statement pursuant*
17 *to the National Environmental Policy Act of 1969 (Chapter 55*
18 *(commencing with Section 4321) of Title 42 of the United States*
19 *Code), the airport land use compatibility plan shall be consistent*
20 *with the safety and noise standards in the Air Installation*
21 *Compatible Use Zone prepared for that military airport. This*

22 (3) *If a military Air Installation Compatible Use Zone was*
23 *adopted without a public process that provided for reasonable*
24 *public comment and participation, the requirements of paragraph*
25 *(2) are inapplicable.*

26 (4) *This subdivision does not give the commission any*
27 *jurisdiction or authority over the territory or operations of any*
28 *military airport.*

29 (c) The airport influence area shall be established by the
30 commission after hearing and consultation with the involved
31 agencies.

32 (d) The commission shall submit to the Division of Aeronautics
33 of the department one copy of the airport land use compatibility
34 plan and each amendment to the plan.

35 (e) If an airport land use compatibility plan does not include the
36 matters required to be included pursuant to this article, the Division
37 of Aeronautics of the department shall notify the commission
38 responsible for the plan.

39 ~~SECTION 1. Section 21670.3 of the Public Utilities Code is~~
40 ~~amended to read:~~

1 ~~21670.3. (a) Sections 21670 and 21670.1 do not apply to the~~
2 ~~County of San Diego. In that county, the San Diego County~~
3 ~~Regional Airport Authority, as established pursuant to Section~~
4 ~~170002, shall be responsible for the preparation, adoption, and~~
5 ~~amendment of an airport land use compatibility plan for each~~
6 ~~airport in San Diego County.~~

7 ~~(b) Subdivision (b) of Section 21675 does not apply to the~~
8 ~~preparation, adoption, or amendment of an airport land use~~
9 ~~compatibility plan for the City of Coronado by the San Diego~~
10 ~~County Regional Airport Authority. The San Diego County~~
11 ~~Regional Airport Authority may include, within its airport land~~
12 ~~use compatibility plan for the City of Coronado, the area within~~
13 ~~the jurisdiction of the authority surrounding any military airport.~~
14 ~~This subdivision does not give the San Diego County Regional~~
15 ~~Airport Authority any jurisdiction or authority over the territory~~
16 ~~or operations of any military airport.~~

17 ~~(e) The San Diego County Regional Airport Authority shall~~
18 ~~engage in a public collaborative planning process when preparing~~
19 ~~and updating an airport land use compatibility plan.~~

20 ~~SEC. 2. The Legislature finds and declares that a special law~~
21 ~~is necessary and that a general law cannot be made applicable~~
22 ~~within the meaning of Section 16 of Article IV of the California~~
23 ~~Constitution because of the unique island location of the City of~~
24 ~~Coronado and its proximity to large military installations.~~