

AMENDED IN ASSEMBLY JANUARY 5, 2012

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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 21675 of the Public Utilities Code, relating to airports.

LEGISLATIVE COUNSEL'S DIGEST

AB 662, as amended, Hueso. 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 *regulations provide* for the establishment of military Air Installation Compatible Use Zones (~~AICUZ~~) (*AICUZs*). 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 *on or after January 1, 2012*, pursuant to a public process that ~~provided for reasonable public comment and participation~~ *resulted in adoption of an environmental impact statement pursuant to the federal National Environmental Policy Act of 1969, as amended.*

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
 14 commission may develop height restrictions on buildings, specify
 15 use of land, and determine building standards, including
 16 soundproofing adjacent to airports, within the airport influence
 17 area. The airport land use compatibility plan shall be reviewed as
 18 often as necessary in order to accomplish its purposes, but shall
 19 not be amended more than once in any calendar year.
 20 (b) (1) The commission shall include, within its airport land
 21 use compatibility plan formulated pursuant to subdivision (a), the
 22 area within the jurisdiction of the commission surrounding any
 23 military airport for all of the purposes specified in subdivision (a).
 24 (2) If for a military airport within the jurisdiction of the
 25 commission, a military Air Installation Compatible Use Zone was

1 adopted *on or after January 1, 2012*, pursuant to a public process
2 that provided for reasonable public comment and participation,
3 including a public process that resulted in adoption of an
4 environmental impact statement pursuant to the *federal* National
5 Environmental Policy Act of 1969 (Chapter 55 (commencing with
6 Section 4321) of Title 42 of the United States Code) (*42 U.S.C.*
7 *Sec. 4321 et seq.*), as amended, the airport land use compatibility
8 plan shall be consistent with the safety and noise standards in the
9 Air Installation Compatible Use Zone prepared for that military
10 airport.

11 (3) If a military Air Installation Compatible Use Zone was
12 adopted without a public process that provided for reasonable
13 public comment and participation as described in paragraph (2),
14 the requirements of paragraph (2) are inapplicable.

15 (4) This subdivision does not give the commission any
16 jurisdiction or authority over the territory or operations of any
17 military airport.

18 (c) The airport influence area shall be established by the
19 commission after hearing and consultation with the involved
20 agencies.

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

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

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