

AMENDED IN SENATE APRIL 23, 2013

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SENATE BILL

No. 758

Introduced by Senator Block

February 22, 2013

An act to ~~add Section 21670.5 to the Public Utilities~~ *add and repeal Section 65302.11 of the Government Code*, relating to ~~airports~~ *land use*.

LEGISLATIVE COUNSEL'S DIGEST

SB 758, as amended, Block. ~~San Diego County Regional Airport Authority; joint land use study.~~ *General plans: City of Coronado.*

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 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 postpone the preparation of an airport land use compatibility plan for the City of Coronado and the United States Naval Air Station North Island by the San Diego Regional Airport Authority as the airport land use commission until a joint land use study is completed by the City of Coronado, the United States Navy, and the San Diego Regional Airport Authority. By requiring the local airport land use commission to postpone the preparation of its airport land use compatibility plan, the bill would impose a state-mandated local program.~~

The Planning and Zoning Law requires the legislative body of a city or county to adopt a comprehensive, long-term general plan that includes various elements, including, among others, a circulation safety element consisting of the general location and extent of existing and proposed major thoroughfares, including military airports. This law requires the general plan, and any applicable specific plan, to be amended within 180 days of any amendment to the airport land use compatibility plan.

This bill would, until January 1, 2015, instead require the general plan, and any applicable specific plan, for the City of Coronado to be amended, as necessary, within 540 days of any amendment to the airport land use compatibility plan.

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

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

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

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

- 1 ~~SECTION 1. Section 21670.5 is added to the Public Utilities~~
- 2 ~~Code, to read:~~
- 3 ~~21670.5. Notwithstanding Sections 21670.3 and 21675, the~~
- 4 ~~San Diego Regional Airport Authority as the airport land use~~
- 5 ~~commission for San Diego County shall postpone the preparation~~

1 of an airport land use compatibility plan (ALUCP) for the City of
2 Coronado and the United States Naval Air Station North Island
3 until a joint land use study (JLUS) is completed by the City of
4 Coronado, the United States Navy, and the San Diego Regional
5 Airport Authority. In preparing the ALUCP, the authority may
6 incorporate the recommendations of the JLUS.

7 *SECTION 1. Section 65302.11 is added to the Government*
8 *Code, to read:*

9 *65302.11. (a) Notwithstanding subdivision (b) of Section*
10 *65302.3, the general plan, and any applicable specific plan, for*
11 *the City of Coronado shall be amended, as necessary, within 540*
12 *days of any amendment to the plan required under Section 21675*
13 *of the Public Utilities Code if the amendment is made prior to*
14 *January 1, 2015.*

15 *(b) This section shall remain in effect only until January 1, 2017,*
16 *and as of that date is repealed, unless a later enacted statute, that*
17 *is enacted before January 1, 2017, deletes or extends that date.*

18 *SEC. 2. The Legislature finds and declares that a special law*
19 *is necessary and that a general law cannot be made applicable*
20 *within the meaning of Section 16 of Article IV of the California*
21 *Constitution because of the unique island location of the City of*
22 *Coronado and its proximity to large military installations. In*
23 *addition, the complexities of amending a general plan and a local*
24 *coastal plan for the City of Coronado will take significantly longer*
25 *than six months.*

26 ~~*SEC. 3. If the Commission on State Mandates determines that*~~
27 ~~*this act contains costs mandated by the state, reimbursement to*~~
28 ~~*local agencies and school districts for those costs shall be made*~~
29 ~~*pursuant to Part 7 (commencing with Section 17500) of Division*~~
30 ~~*4 of Title 2 of the Government Code.*~~