

Memorandum

To: Chair and Commissioners

Date: February 29, 2008

From: John F. Barna, Jr.
Executive Director

File No: Reference # 4.1
TAB 39
ACTION

Ref: **STATE AND FEDERAL LEGISLATIVE MATTERS**

Issue:

Should the Commission take a position on SB 1118 (Negrete McLeod) a bill dealing with Airport Land Use Commissions?

SB 1118 amends the State Aeronautics Act portion of the Public Utilities Code to:

- Alter/rescind the processes by which an Airport Land Use Commission (ALUC) can be formed,
- Delete provisions allowing a county (and cities) to exempt itself from forming an ALUC, and
- Require that all over-rides of an ALUC action/recommendation must be by a two-thirds vote of the affected jurisdiction.

Recommendation:

The Commission advised the Legislature in its Annual Report since 2004 to strengthen the statutes for airport land use planning.

Staff recommends that the Commission send a letter from the chair indicating that the Commission conceptually supports the bill.

Background:

The Senate Local Government Committee originally scheduled a March 5 hearing on SB 1118. At the author's request, the Committee postponed the hearing to April 2 so that the author could consider making amendments to the bill as introduced.

SB 1118:

- Eliminates with certain exceptions – Los Angeles and San Diego – the authority of the board of supervisors of a county in which an airport is located that is operated for the benefit of the general public that is not served by a scheduled airline to adopt a resolution declaring that the county is exempt from establishing an airport land use commission.

- Repeals the authority of a board of supervisors and city selection committee of mayors to designate a body to assume the planning responsibilities of an airport land use commission.
- Requires cities and counties to submit all actions, regulations, and permits within the vicinity of a public airport to the ALUC for review and approval until an ALUC Plan is adopted.
- Repeals the authority granted to public agencies in Marin county to overrule an ALUC action or recommendation by a majority vote, rather than the 2/3 vote requirement that other public agencies in the state must meet.
- Requires that an ALUC shall use, rather than shall be guided by, the information prepared and updated in the Airport Land Use Planning Handbook published by the Caltrans Division of Aeronautics in formulating, adopting, or amending an airport land use compatibility plan.