

RULES AND PROCEDURES FOR THE AIRPORT LAND USE COMMISSION

On November 21, 1972, the San Joaquin Council of Governments (SJCOG) was designated as the Airport Land Use Commission (ALUC) for the County of San Joaquin under the provisions of Chapter 4, Article 3.5 of the California Public Utilities Code. The Code mandates the establishment of ALUCs and details their various responsibilities. These Rules and Procedures are intended to provide for the orderly conduct of ALUC activities.

1. GENERAL PROVISIONS

1.1. Name

The name of the Commission shall be the Airport Land Use Commission for the County of San Joaquin. The name may be abbreviated the Commission or the ALUC.

1.2. Purpose

The fundamental purpose of the ALUC is to carry out the statutory responsibilities required by Sections 21670 et seq. of the California Public Utilities Code (PUC). The statutes describe these responsibilities as being “to protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public’s exposure to excessive noise and safety hazards within areas around public airports.

2. POWERS AND DUTIES

2.1 The powers and duties of the ALUC are (as enumerated within PUC Section 21674):

- a) To prepare and adopt an airport land use compatibility plan for each of the airports within the commission’s jurisdiction.
- b) To review the plans, regulations, and other actions of local agencies and airport operators pursuant to PUC Section 21676.
- c) To assist local agencies in ensuring compatible land uses in the vicinity of all new airports and in the vicinity of existing airports to the extent that the land in the vicinity of those airports is not already devoted to incompatible uses.
- d) To coordinate planning at the state, regional, and local levels so as to provide for the orderly development of air transportation, while at the same time protecting the public health, safety, and welfare.

- e) The powers of the ALUC shall in no way be construed to give the ALUC jurisdiction over the operation of any airport.

2.2 The ALUC will maintain a schedule of fees necessary to enable it to fulfill its duties as defined by state law. The fees shall cover costs for reviewing and processing proposals, for holding public hearings, and for the preparation of Airport Land Use Compatibility Plans (ALUCP). The fee recovery shall not exceed the reasonable cost of providing the service, and shall be imposed pursuant to PUC Section 66016.

3. OPERATIONS

3.1 The ALUC is subject to the following Rules of the San Joaquin Council of Governments (SJCOG):

- a) Article IV: SJCOG Board Membership
Article IV: Powers and Duties of the Executive Director
Article VI: Terms and Duties of Elected Officers
Article VII: Meetings
Article IX: Parliamentary Authority
- b) The ALUC is subject to the Conflict of Interest Code of SJCOG.
- c) The ALUC is subject to the Public Participation Plan of SJCOG
- d) The ALUC is subject to the California Environmental Quality Act Procedures of SJCOG.
- e) The San Joaquin Council of Governments (SJCOG) shall serve as staff to the ALUC.

3.2 The SJCOG Executive Director shall serve as the Executive Officer to the Commission responsible for the following duties, either directly or with assistance of other staff:

- a) Review of proposed actions submitted to the ALUC for review in accordance with provisions of state law, the San Joaquin County Airport Land Use Compatibility Plans, and the Airport Land Use Project Review and Process Guidelines.
- b) The ALUC authorizes the Executive Officer or delegated ALUC staff to review submitted local agency actions and make a determination of consistency or inconsistency with the applicable ALUCP. The determination of consistency or inconsistency shall be transmitted to the referring local agency.
- c) Coordinate and consult with staff of local government agencies regarding projects refer to the ALUC for review and the manner in which the ALUC policies apply thereto; also informal consultation with project proponents and other members of the public.
- d) Prepare meeting agendas and staff reports and distribution of these documents to Commission members.

- e) Attendance at each ALUC meeting or, if he or she cannot be present, making arrangements for other SJCOG staff to assume his or her duties during the meeting.
- f) Prepare draft resolutions for those agenda items requiring them.
- g) Other matters pertaining to the business of the ALUC.
- h) The ALUC Executive Officer may establish administrative procedures as necessary to effectively carry out these rules and procedures.

4. AIRPORT LAND USE COMPATABILITY PLANS

- a) The ALUC shall formulate and adopt an Airport Land Use Compatibility Plan (ALUCP) for all public use airports within the jurisdiction of the ALUC.
- b) The ALUC shall establish planning boundaries for the ALUCP(s), after hearing and consulting with affected local agencies.
- c) The ALUCP shall provide for the orderly growth of the airport and the area surrounding the airport within the jurisdiction of the ALUC and shall safeguard the general welfare of the inhabitants within the vicinity of the airport and the public in general.
- d) The Comprehensive Land Use Plan shall include and shall be based on a long range master plan or an airport layout plan that reflects the anticipated growth of the airport during at least the next 20 years.
- e) The ALUCP(s) shall be reviewed as often as necessary in order to maintain its purpose, but shall not be amended more than once in any calendar year.
- f) Amendments to an ALUCP may be instituted by ALUC staff, based on changing conditions at an airport, or may be requested by a local agency, airport operator, or interested party. Decisions of the ALUC on ALUCP amendment requests are final.
- g) If the ALUC finds that a local agency has not brought its General Plan and any applicable specific plan into consistency with an adopted or amended Comprehensive Land Use Plan for an airport within the jurisdiction of the local agency, as required by Government Code Section 65302.3 (Planning and Zoning Law), the ALUC will require that the local agency submit subsequent actions, regulations, and permits to the ALUC for review, until the requirements of Section 65302.3 are met. Specific project types and the review process shall be governed by the current adopted Airport Land Use Commission Project Review and Process Guidelines.
- h) Upon adoption or amendment to an ALUCP, a copy of the plan shall be provided to each affected local agency within fifteen (15) days. A copy shall also be provided to the Caltrans Division of Aeronautics.

5. PROJECT REVIEW AND DETERMINATION PROCESS

Receipt and review of proposed actions submitted to the ALUC for review shall be in accordance with the current adopted *Airport Land Use Commission Project Review and Process Guidelines*.

6. PUBLIC HEARINGS

- a) Public hearings of the ALUC shall be scheduled to consider adoption of amendment to the ALUC Policy Plan or ALUCP and to hear an appeal of a determination of land use consistency or inconsistency. Public hearings may be held for other items which would benefit from a public hearing.
- b) The Executive Officer shall give notice of each public hearing by the ALUC. Such notices shall be given at least ten (10) days prior to the hearing by publication in a newspaper of general circulation in the territory in which the airport is located and by mailings to the requestor, the affected local agency, the affected airport, and any other person or agency deemed by the Executive Officer as requiring notice. The Executive Officer shall also give notice by such other notice requirements as may be required by statute.
- c) Public hearings of the ALUC may be continued. The ALUC shall adopt a resolution making its decision concerning a public hearing item within thirty-five (35) days from the conclusion of the public hearing.

7. AMENDMENT TO RULES AND PROCEDURES

- a) The ALUC may amend these Rules and Procedures. Written notice of proposed amendments shall be sent to each local agency and each airport under ALUC jurisdiction at least three (3) weeks prior to the vote by the Commission on the proposed amendment.
- b) Approval of proposed amendments to these Rules and Procedures shall require the affirmative vote of at least two-thirds (2/3) of the total votes of the ALUC.

8. RECORD OF ADOPTION AND AMENDMENT

Adopted October 25, 1983
Amended August 24, 1993
Amended July 25, 2013



RESOLUTION
SAN JOAQUIN COUNCIL OF GOVERNMENTS
Acting as the Designated Airport Land Use Commission

R-14-04

**RESOLUTION ADOPTING AMENDED RULES AND PROECURES FOR THE
AIRPORT LAND USE COMMISSION**

WHEREAS, section 21674 of the California Public Utilities Code, Sections authorizes San Joaquin Council of Governments, as the designated Airport Land Use Commission (ALUC) to “adopt rules and regulations consistent with state law in order to carry out its responsibilities”; and

WHEREAS, the ALUC adopted “Rules and Procedures” for conducting meetings, business, and hearings of the ALUC on October 25, 1983, and amended on August 24, 1993; and

WHEREAS, the ALUC desires to update its “Rules and Procedures” to reflect current law and practice; and

WHEREAS, the updated rules, set forth in the document “Rules and Procedures for the Airport Land Use Commission” attached hereto and incorporated herein by reference, shall supersede any afore-referenced rules and procedures previously adopted by the Airport Land Use Commission; and

WHEREAS, the 2013 update to the “Rules and Procedures” has been circulated to the local planning agencies, Caltrans Division of Aeronautics, and to other interested members of the public and has been reviewed and supported.

NOW, THEREFORE, BE IT RESOLVED, that SJCOG, approves the 2013 amendment to “Rules and Procedures” of the ALUC.

PASSED AND APPROVED this 25th day of July 2013, by the following votes of the San Joaquin Council of Governments, to wit;

AYES: Councilman Dresser, City of Lathrop; Mayor Pro Tem Katzakian, City of Lodi; Councilman Debrum, City of Manteca; Councilman Laugero, City of Escalon; Councilman Holman, City of Stockton; Mayor Pro Tem Maciel, City of Tracy; Mayor Silva, City of Stockton; Supervisor Vogel, San Joaquin County; Vice Mayor Winn, City of Ripon; Councilman Zapien, City of Stockton.

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NOES:

ABSENT: **Supervisor Bestolarides, San Joaquin County; Supervisor
Villapudua, San Joaquin County.**



JEFF LAUGERO
Chair