

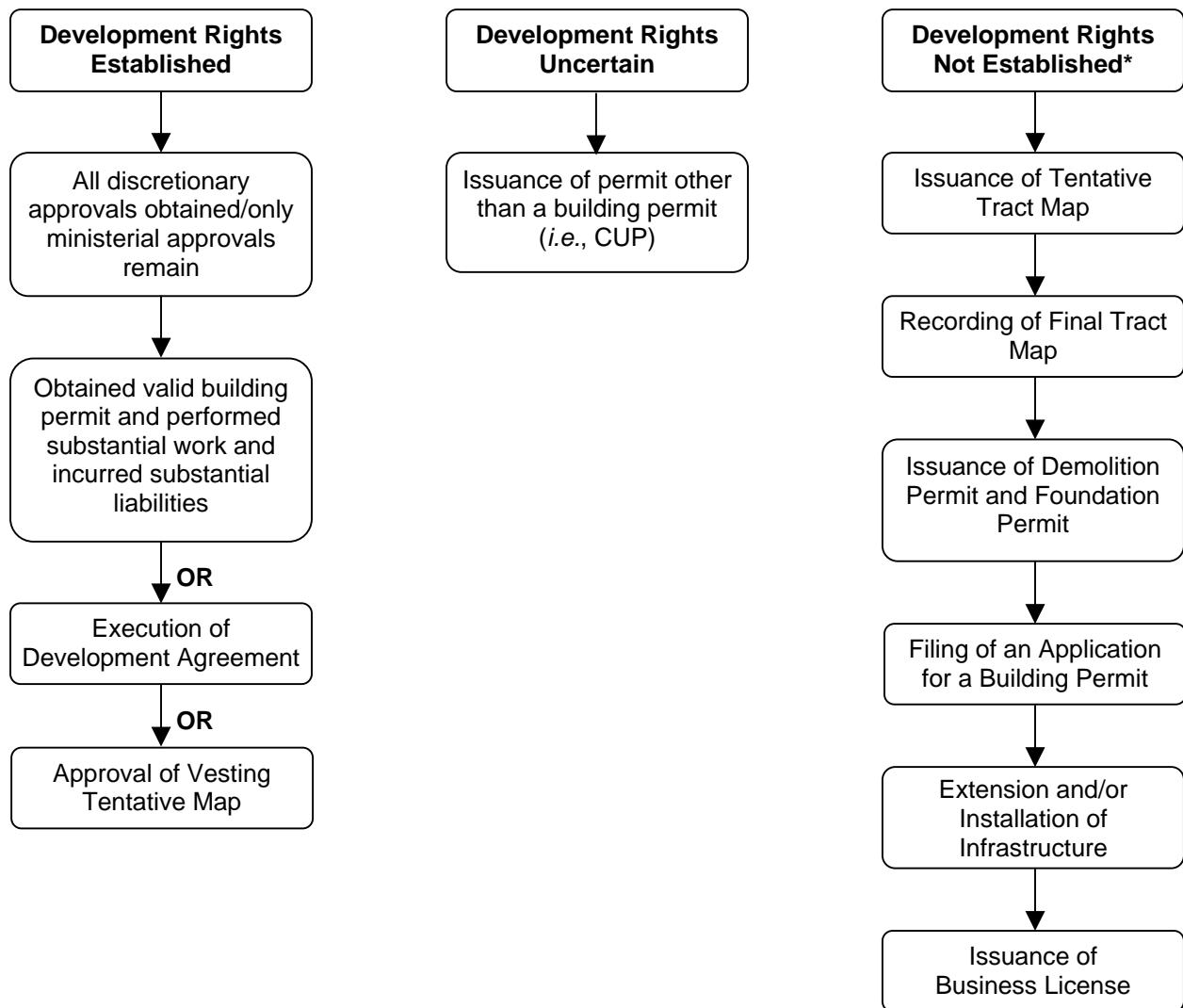
Figure 1

Formulating Airport Land Use Compatibility Policies – Existing Development –

The Aeronautic Act gives ALUCs authority to conduct compatibility planning for areas around airports only "to the extent that these areas are not already devoted to incompatible uses." See, Public Utilities Code §21670(a)(2).

This phrase is generally accepted to mean that ALUCs have no authority over "existing development."

Current CLUPs do not define "existing" development. The Aeronautics Act also does not define the term. It is, therefore, necessary to turn to other statutes, together with case law, for guidance.



* This list is not exhaustive; there may be other situations where development rights are not established.