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By: **Delegate Pitkin**  
Introduced and read first time: February 8, 2002  
Assigned to: Commerce and Government Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Aviation Administration - General Aviation Airports - Standards**  
3 **and Guidelines**

4 FOR the purpose of requiring the Maryland Aviation Administration to study certain  
5 issues relating to land use planning and general aviation airports; requiring the  
6 Administration to develop certain standards and guidelines for land use in areas  
7 surrounding general aviation airports; requiring the Administration to take  
8 certain issues into consideration when developing certain standards and  
9 guidelines; requiring the Administration to report to the General Assembly on or  
10 before a certain date; and generally relating to the Maryland Aviation  
11 Administration and general aviation airports.

12 BY repealing and reenacting, without amendments,  
13 Article - Transportation  
14 Section 5-503  
15 Annotated Code of Maryland  
16 (2001 Replacement Volume)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article - Transportation**

20 5-503.

21 (a) As to each airport, in the establishment of airport zoning districts or the  
22 adoption or amendment of its airport zoning regulations, the Administration shall  
23 consider, among other things, to the extent that they affect and in order to promote  
24 the public health, safety, order, or security, the following:

25 (1) The character of the flying operations conducted or expected to be  
26 conducted at the airport;

27 (2) The surrounding terrain;

1           (3)     The height of existing structures and trees or other vegetation in the  
2 vicinity;

3           (4)     The feasibility of lowering or removing existing structures or trees or  
4 other vegetation in the vicinity;

5           (5)     As to the aerial approaches necessary for safe flying operations at the  
6 airport, the opinion of the federal agency charged with fostering civil aeronautics;

7           (6)     The risks associated with aerial traffic at the airport;

8           (7)     The type, size, weight, and load capacity of aircraft that use or might  
9 use the airport;

10          (8)     The weather conditions generally prevailing in the vicinity;

11          (9)     The size and layout of the landing area of the airport; and

12          (10)    The present and future needs of the inhabitants of this State with  
13 reference to the use of the airport for public transportation.

14   (b)     An airport zoning regulation adopted under this subtitle may not:

15           (1)     Require the removal or alteration of any structure that, as it existed  
16 when the regulation was adopted, did not conform to the regulation; or

17           (2)     Otherwise interfere with the continuance of any nonconforming use.

18   (c)     Except as otherwise provided in this subtitle, an airport zoning district or  
19 airport zoning regulation adopted under this subtitle may not apply to any property  
20 located more than 3 miles beyond the outer perimeter of any airport.

21   SECTION 2. AND BE IT FURTHER ENACTED, That:

22   (a)     The Maryland Aviation Administration shall:

23           (1)     study the issue of land use planning in areas surrounding general  
24 aviation airports;

25           (2)     examine safety and land use compatibility issues relating to general  
26 aviation airports; and

27           (3)     develop standards and guidelines for land use in areas surrounding  
28 general aviation airports in the State.

29   (b)     In developing the standards and guidelines required under subsection (a)  
30 of this section, the Maryland Aviation Administration shall consider:

31           (1)     the safety and compatibility of existing and future land use in areas  
32 surrounding general aviation airports;

- 1           (2)     safety for pilots and passengers in aircraft; and
- 2           (3)     the safety of residential areas in close proximity to the general  
3 aviation airports.

4     (c)     The Maryland Aviation Administration shall report to the General  
5 Assembly on or before October 1, 2003, in accordance with § 2-1246 of the State  
6 Government Article, on the standards and guidelines developed in accordance with  
7 this section.

8     SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take  
9 effect October 1, 2002.