

AIRPORT COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

RESOLUTION NO. 22-0009

AUTHORIZATION TO ACQUIRE AN AVIGATION EASEMENT FOR A DEVELOPMENT PROJECT IN UNINCORPORATED SOUTH SAN FRANCISCO AT NO COST, AND TO REQUEST THE BOARD OF SUPERVISORS' APPROVAL TO ACCEPT AND RECORD THE EASEMENT

- WHEREAS, the Airport is required by the State of California Noise Standards for Airports (Title 21, California Code of Regulations) to eliminate incompatible land uses within its noise impact area, and the Airport can eliminate incompatibility under Title 21 by acquiring avigation easements, which acknowledge the right for the passage of aircraft over a property and grant the right to cause noise and other environmental effects of aircraft operations to and from the Airport; and
- WHEREAS, the California Public Utilities Code provides for the adoption of airport land use compatibility plans to safeguard the general welfare of the inhabitants within the vicinity of airports and the public in general; and
- WHEREAS, the City/County Association of Governments of San Mateo County adopted the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport* (ALUCP), which requires as a condition of approving developments in San Mateo County located within the 65 decibel Community Noise Equivalent Level noise contour for the Airport, that property owners grant the City and County of San Francisco, at no cost, a perpetual avigation easement; and
- WHEREAS, the property owner developing a single family residential development at 297 Alta Vista Drive in unincorporated South San Francisco, California is granting a perpetual avigation easement to the City and County of San Francisco, as required under Policy NP-3, Grant of Avigation Easement, of the ALUCP; and
- WHEREAS, following a General Plan conformity determination by the Planning Department and approval by the Board of Supervisors, the Director of Real Estate would sign the avigation easement and Airport staff would record the easement in San Mateo County; now, therefore, be it
- RESOLVED, that the Airport Commission hereby authorizes the Director to acquire an avigation easement for 297 Alta Vista Drive (APN Number 013-122-150) in unincorporated South San Francisco; and, be it further
- RESOLVED, that the Airport Commission hereby authorizes the Director to request the Board of Supervisors' approval to accept and record the easement.

I hereby certify that the foregoing resolution was adopted by the Airport Commission
= JAN 18 2022
at its meeting of _____



Secretary



MEMORANDUM

January 18, 2022

TO: AIRPORT COMMISSION
Hon. Larry Mazzola, President
Hon. Eleanor Johns, Vice President
Hon. Everett A. Hewlett, Jr.
Hon. Jane Natoli
Hon. Malcolm Yeung

22-0009
= JAN 18 2022

FROM: Airport Director

SUBJECT: Authorization to Accept and Record an Avigation Easement

DIRECTOR'S RECOMMENDATION: AUTHORIZE THE AIRPORT DIRECTOR TO ACQUIRE AN AVIGATION EASEMENT FOR A DEVELOPMENT PROJECT IN UNINCORPORATED SOUTH SAN FRANCISCO AT NO COST TO THE CITY AND COUNTY OF SAN FRANCISCO, AND TO REQUEST THE BOARD OF SUPERVISORS' APPROVAL TO ACCEPT AND RECORD THE EASEMENT.

Executive Summary

Staff seeks authorization to acquire an avigation easement from a property owner located in an area affected by aircraft noise in unincorporated South San Francisco, at no cost to the City and County of San Francisco. The property owner of a single-family residential development project is granting the Airport an avigation easement, as required by the Airport Land Use Compatibility Plan. The avigation easement provides protection to the Airport in that property owner would acknowledge the City and County of San Francisco's right to permit the flight of aircraft through the airspace above and in the vicinity of the property, and grant the right to impose noise, sound, vibration, and other environmental effects incident to the operation of aircraft. Staff also seeks authorization to request the Board of Supervisors' approval to accept and record the easement.

In light of the ongoing COVID-19 crisis and its impact on Airport finances, Staff has considered the financial implications of accepting and recording the avigation easement and determined that the easement would be acquired at no cost to the City and County of San Francisco.

Background

The San Francisco International Airport (Airport) is required by the State of California Noise Standards for Airports (Title 21, California Code of Regulations) to eliminate incompatible land uses within its noise impact area. Incompatible land uses include residences, schools, hospitals, and places of worship. The Airport can eliminate incompatibility under Title 21 by acquiring avigation easements, which acknowledge the right for the passage of aircraft over a property, and grant the right to cause noise and other environmental effects of aircraft operations, to and from the Airport.

The California Public Utilities Code provides for the adoption of airport land use compatibility plans to safeguard the general welfare of the inhabitants within the vicinity of airports and the public in general. The City/County Association of Governments of San Mateo County adopted the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport* (ALUCP). The ALUCP

THIS PRINT COVERS CALENDAR ITEM NO. 9

AIRPORT COMMISSION CITY AND COUNTY OF SAN FRANCISCO

LONDON N. BREED MAYOR LARRY MAZZOLA PRESIDENT ELEANOR JOHNS VICE PRESIDENT EVERETT A. HEWLETT, JR. JANE NATOLI MALCOLM YEUNG IVAR C. SATERO AIRPORT DIRECTOR

requires, as a condition of approving developments in San Mateo County located within the 65 decibel Community Noise Equivalent Level noise contour for the Airport, that property owners grant the City and County of San Francisco, at no cost, a perpetual avigation easement.

A property owner is developing a single-family residential development at 297 Alta Vista Drive (APN Number 013-122-150) in unincorporated South San Francisco, California. Because the project is located inside of the Noise Impact Boundary, the San Mateo County Airport Land Use Commission conditionally approved the proposed development, pending the property owner granting an avigation easement to the City and County of San Francisco, as required under Policy NP-3, Grant of Avigation Easement, of the ALUCP.

Acceptance and Recordation of Easements

With Airport Commission authorization, Staff can submit the easement signed by the property owner to the Real Estate Division. Following a General Plan conformity determination by the Planning Department and approval by the Board of Supervisors, the Director of Real Estate would sign the avigation easement and Airport staff would record the easement in San Mateo County.

Recommendation

I recommend the Commission authorize the Director to acquire an avigation easement for 297 Alta Vista Drive (APN Number 013-122-150) in unincorporated South San Francisco, and request the Board of Supervisors' approval to accept and record the easement.



Ivar C. Satero
Airport Director

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Planning, Design & Construction

Attachment