

AIRPORT COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

RESOLUTION NO. 24-0244

**AUTHORIZATION TO ACQUIRE AN AVIGATION EASEMENT FOR A
DEVELOPMENT PROJECT IN 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**

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 that acknowledge the right for air traffic over and near 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

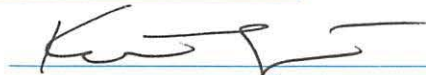
WHEREAS, the property owner developing a mixed-use development at 180 El Camino Real in South San Francisco, California is granting a perpetual avigation easement to the City and County of San Francisco, in accordance with Policy NP-3, Grant of Avigation Easement, of the ALUCP; and

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 Commission hereby authorizes the Director to acquire an avigation easement for 180 El Camino Real (Assessor's Parcel Number 014-183-110) in South San Francisco, California; and, be it further

RESOLVED, that the 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
at its meeting of NOV 19 2024


Secretary

MEMORANDUM

November 19, 2024

TO: AIRPORT COMMISSION
Hon. Malcolm Yeung, President
Hon. Jane Natoli, Vice President
Hon. Jose F. Almanza
Hon. Mark Buell

24-0244

NOV 19 2024

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 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

The Director seeks authorization to acquire an avigation easement for a mixed-use development project in South San Francisco that may be affected by aircraft noise, at no cost to the City and County of San Francisco. The property owner is granting the San Francisco International Airport (Airport) an avigation easement, as required by the Airport Land Use Compatibility Plan and as required by the City of South San Francisco. The avigation easement protects the Airport in that the property owner acknowledges the Airport's right to permit air traffic above and in the vicinity of the property. Staff also seeks authorization to request the Board of Supervisors' approval to accept and record the easement.

Background

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. Incompatible land uses include residences, schools, hospitals, and places of worship. The Airport can eliminate incompatibility under Title 21 by acquiring avigation easements that acknowledge the right for the passage of an 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

THIS PRINT COVERS CALENDAR ITEM NO. 10

the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport* (ALUCP). The ALUCP requires, as a condition of approving developments in San Mateo County located within the 65 decibel Community Noise Equivalent Level (dB CNEL) 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 mixed-use development at 180 El Camino Real (Assessor's Parcel Number 014-183-110) in South San Francisco, California. Because the project is located inside of the 65 dB CNEL noise contour, the San Mateo County Airport Land Use Commission (ALUC) determined that development was inconsistent with relevant ALUCP noise compatibility policies and criteria. The ALUC required the property owner grant an avigation easement to the City and County of San Francisco, as required by the ALUCP.

Acceptance and Recordation of Easements

With Commission authorization, Staff will submit the easement signed by the property owner to the Real Estate Division. Following a General Plan conformity determination by the San Francisco 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 with the San Mateo County Recorder's Office.

Recommendation

I recommend the Commission authorize the Director to acquire an avigation easement for 180 El Camino Real in South San Francisco, California and to request the Board of Supervisors' approval to accept and record the easement.



Ivar C. Satero
Airport Director

Prepared by: Judi Mosqueda
Chief Development Officer

Attachment