

AIRPORT COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

RESOLUTION NO. 85-0082

**AUTHORIZATION TO ACQUIRE AN AVIGATION EASEMENT FOR A DEVELOPMENT PROJECT IN UNINCORPORATED SAN MATEO COUNTY 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 for some uses 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 residential developments in San Mateo County located within the 65 decibel Community Noise Equivalent Level noise contour or higher 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 who constructed a single-family residential development at 413 Alida Way in unincorporated San Mateo County, California is granting a perpetual avigation easement to the City and County of San Francisco in accordance with the ALUCP's Policy NP-3 (Grant of Avigation Easement); and
- WHEREAS, 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 in San Mateo County; now, therefore, be it
- RESOLVED, that the Airport Commission hereby authorizes the Director to acquire an avigation easement for 413 Alida Way (Assessor's Parcel Number 013-141-020) in unincorporated San Mateo County; 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*  
= JUN 8 2025  
*at its meeting of* \_\_\_\_\_

  
\_\_\_\_\_  
Secretary

**MEMORANDUM**

June 3, 2025

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

25-0082

JUN 3 2025

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 SAN MATEO COUNTY 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 for a property located in an area affected by aircraft noise in unincorporated San Mateo County, at no cost to the City and County of San Francisco (City). The property owner of a single-family residential development project is granting the San Francisco International Airport (Airport) an avigation easement as required by the Airport Land Use Compatibility Plan. The avigation easement provides protection to the Airport in that the property owner acknowledges the City's right to permit the flight of aircraft through the airspace above and in the vicinity of the property and grants the right to cause 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.

**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, 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

THIS PRINT COVERS CALENDAR ITEM NO. 7

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 a perpetual avigation easement at no cost.

A property owner has constructed a single-family residential development at 413 Alida Way (Assessor's Parcel Number 013-141-020) in unincorporated San Mateo County, California. The project is located inside of the 70 dB CNEL noise contour. As described in Policy NP-4, Residential Uses within the CNEL 70 dB Contour, the ALUCP considers properties within the 70 dB CNEL contour to be compatible if three conditions are met. First, the lot of record must have been zoned for residential use continuously since the 2012 adoption of the ALUCP. Second, the residential use must be sound-insulated to achieve an indoor noise level of 45 dB CNEL or less from external sources. Third, the property owner shall grant an avigation easement to the City as required under Policy NP-3, Grant of Avigation Easement, of the ALUCP.

The first and second conditions have been satisfied for this property. The property owner's grant of this avigation easement would satisfy the third condition.

### **Acceptance and Recordation of Easements**

With the Commission's authorization, Staff can 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 in San Mateo County.

### **Recommendation**

I recommend the Commission authorize the Airport Director to acquire an avigation easement for 413 Alida Way (APN 013-141-020) in unincorporated San Mateo County, and request Board of Supervisors' approval to accept and record the easement.

Sincerely,



Mike Nakornkhet  
Airport Director

Prepared by: Judi Mosqueda  
Chief Development Officer  
Design & Construction

Attachment