



Legislation Details (With Text)

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**Title:** Director of Public Works requests authorization for the Chair to sign Certificate of Acceptance of Avigation and Hazard Easement Deed for Mr. Victor Smith (Assessor's Parcel Number 046-400-022) to preserve the Napa County Airport's right to engage in and support aviation uses and to prevent the subject property from being used in a manner which creates avigation hazards.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Deed

Date	Ver.	Action By	Action	Result
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**TO:** Board of Supervisors

**FROM:** Steven Lederer- Director of Public Works

**REPORT BY:** Katherine Bales- Assistant Airport Manager

**SUBJECT:** Certificate of Acceptance for Avigation and Hazard Easement Deed - APN 046-400-022

**RECOMMENDATION**

Director of Public Works requests authorization for the Chair to sign Certificate of Acceptance of Avigation and Hazard Easement Deed for Mr. Victor Smith (Assessor's Parcel Number 046-400-022) to preserve the Napa County Airport's right to engage in and support aviation uses and to prevent the subject property from being used in a manner which creates avigation hazards.

**EXECUTIVE SUMMARY**

The subject Avigation and Hazard Easement Deed is as a prerequisite to issuance of a building permit because the parcel lies within Zone C of the Airport Land Use Compatibility Plan for the Napa County Airport. Government Code section 27281 requires that the Certificate of Acceptance be signed by the County, as owner of the Airport, prior to recordation.

**FISCAL & STRATEGIC PLAN IMPACT**

Is there a Fiscal Impact?	No
Is it currently budgeted?	No
Where is it budgeted?	N/A
Is it Mandatory or Discretionary?	Mandatory
Discretionary Justification:	Avigation Easements required by Napa County Code Chapter 18.80 and Section 15.08.040(A)(4) for any parcel within Zones B, C, and D of the Airport Land Use Compatibility Plan.
Is the general fund affected?	No
Future fiscal impact:	N/A
Consequences if not approved:	Property Owner will not be able to build on their property.
County Strategic Plan pillar addressed:	Effective and Open Government

**ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA pursuant to 14 California Code of Regulations section 15301 - Class 1: Operation or maintenance of existing facility, in that the purpose of the easement is to facilitate continued operation of the existing Napa County Airport by preventing future interference with aviation on, over, and in the immediate vicinity of the Airport from uses conducted on the property subject to the easement.

**BACKGROUND AND DISCUSSION**

The purpose of an Avigation and Hazard Easement Deed is to preserve for the Napa County Airport, the right to continue to engage in, and support aviation uses at the Airport; even though, when reasonably operated, such uses may incidentally result in noise, vibrations, fumes, dust, and the emission of fuel particles affecting the property subject to the easement, when such uses are occurring in the airspace above such property. These easement deeds also prevent adjacent properties from being used in a manner which creates avigation hazards such as glare, radio interference, and excessively tall ground-based obstructions.

As a recorded easement, the deed will also serve to formally notify the property owner and their successors in interest that the parcel is close to an airport, and due to such proximity may be subject to such noise, vibrations, fumes, and building/landscaping restrictions.

Parcels requiring avigation and hazard easement deeds are those having an Airport Compatibility Combination District zoning designation as defined in County Code Chapter 18.80. These easements are required by Napa County Code Chapter 18.80 and Section 15.08.040(A)(4) as a prerequisite to issuance of a building permit for the property subject to the easement.

The parcel in question lies within Zone C of the Airport Land Use Compatibility Plan for the Napa County Airport (Exhibit D of attached Avigation Easement). Specifically, on the approach end of Runway 19R.

Mr. Smith has had a chance to review the hazards and understands the impacts low flying aircraft and regular noise may have on his parcel.

Government Code section 27281 requires that the Certificate of Acceptance be signed by the County, as owner of the Airport, and attached to the deed prior to recordation.