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CITY/COUNTY ASSOCIATION OF GOVERNMENTS
OF SAN MATEO COUNTY

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NOTICE OF C/CAG AIRPORT LAND USE COMMITTEE (ALUC) SUBCOMMITEE MEETING
RE: Reconfiguration of the San Carlos Airport Avigation Easement Review Area (AERA) Boundary

DATE: **Wednesday, April 27, 2005**

TIME: **1:30 p.m.**

PLACE: **1528 El Camino Real, Suite 304, San Mateo, California (See attached directions)**

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AGENDA

1. **Roll Call** – Richard Newman, ALUC Chairperson
2. Public Comment on Items not on the Agenda – Richard Newman
   Note: *Public comment limited to two minutes per speaker. The Subcommittee cannot take any action on any matter raised under this item.*
3. Discussion of a Reconfiguration of the San Carlos Airport Avigation Easement Review Area (AERA) Boundary:
   a. Review of the existing AERA boundary – Dave Carbone, ALUC Staff
   b. Discussion of other AERA configurations – Richard Newman
   c. Next steps – Richard Newman
4. **Adjourn**

Attachment

Subcommittee Members:
Richard Newman, ALUC Chairperson/Aviation Representative
Supervisor Mark Church, ALUC Vice-Chairperson/County of San Mateo
Barbara Pierce, City of Redwood City
Matt Grocott, City of San Carlos

Access for persons with disabilities: In compliance with Title II of the Americans with Disabilities Act (ADA), the CCAG Airport Land Use Committee (ALUC) will provide reasonable accommodations for persons with disabilities to participate in this meeting with advance notice. If possible, please give notice to Dave Carbone, ALUC staff, at 650/363-4417, during normal business hours (8:00 a.m. – 5:00 p.m.) at least three (3) working days before the meeting.

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Airport Land Use Committee

555 COUNTY CENTER, 5TH FLOOR, REDWOOD CITY, CA 94063 • 650/599-1406 • 650/594-9980
(FRM00341.DOC)

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Please reply to: Dave Carbone, ALUC Staff, 455 County Center, Second Floor, Redwood City, CA 94063; TEL: 650;363-4417; FAX: 650/363-4849; email: dcarbone@co.sanmateo.ca.us

TO: CCAG Airport Land Use Committee (ALUC) Subcommittee Members, Re: Reconfiguration of the San Carlos Airport Avigation Easement Review Area (AERA) Boundary

FROM: Dave Carbone, ALUC Staff

DATE: April 19, 2005

RE: Subcommittee Background Information for Discussion of a Reconfiguration of the San Carlos Airport Avigation Easement Review Area (AERA) Boundary

As you know, this topic was discussed at the ALUC meeting on February 24, 2005. The outcome of the discussion was the creation of this subcommittee to address this issue in more detail and submit a recommendation to the full ALUC.

As a starting point for the Subcommittee discussion, I have enclosed Attachment E Refined, that was distributed at the February 24, 2005 ALUC meeting. This graphic is a simplified version of Attachment E, that is part of the ALUC staff report on this issue. I have also enclosed the original ALUC staff report, dated February 17, 2005, with five attachments (A-E) for background and reference.

Enclosures

ALUC Subcommittee Members:

Richard Newman, ALUC Chairperson/Aviation Representative
Supervisor Mark Church, ALUC Vice-Chairperson/County of San Mateo
Barbara Pierce, City of Redwood City
Matt Grocott, City of San Carlos

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DIRECTIONS TO THE ALUC SUBCOMMITTEE MEETING LOCATION ON WEDNESDAY, APRIL 27, 2005

The Subcommittee meeting will be held at 1:30 p.m. at 1528 El Camino Real, Suite 304, San Mateo, California. The directions to the building are as follows:

> Take Hwy 101 north to Hwy 92 west; take Hwy 92 west to the El Camino Real north exit; take the exit to El Camino Real and turn right; proceed north on El Camino Real. The 1528 office building is located past the Bovet Road intersection and ½ block north of the Borel Ave intersection, on the left side (west side) of El Camino Real.
>
> Turn left into the driveway just before the building (Keller Williams and Century 21 are on the street level). Park in back of the building or in the garage in the unreserved spaces.

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Please reply to: Dave Carbone, ALUC Staff 455 County Center, Second Floor, Redwood City, CA, 94063; Phone: 650/363-4417; Fax: 650/363-4849; e-mail: dcarbone@co.sanmateo.ca.us

To: C/CAG Airport Land Use Committee (ALUC) Members

From: Dave Carbone, ALUC Staff

Date: February 17, 2005

Re: Agenda Item No. 5: Consideration of an Amendment to the Comprehensive Airport Land Use Plan (CLUP) for San Carlos Airport, Re: Conforming the Avigation Easement Review Area (AERA) Boundary to the Area B Referral/Review Boundary of the Airport Influence Area (AIA) Boundary for San Carlos Airport.

Background

As part of a CLUP amendment in 1994, the Airport Land Use Commission (C/CAG) determined that the granting of avigation easements to the County of San Mateo, as the airport proprietor of San Carlos Airport, is necessary for the reasons explained below. An avigation easement is a legal instrument that provides an airport proprietor with certain rights regarding the use and protection of airspace over non-airport property. It also provides the current affected property owner(s) with formal notice that his/her property is located near an airport and may be subject to impacts from airport and/or aircraft operations. Avigation easements are obtained in the environs of San Carlos Airport for the following reasons:

- to prevent the creation or establishment of airport and/or airspace hazards for the free and unobstructed passage of aircraft through the airspace above the subject property, thereby protecting the lives and property of users of San Carlos Airport and the occupants of land in the vicinity of the airport.
- to prevent the impairment of the utility of San Carlos Airport and the public investment reflected therein to provide for the orderly development of the airport, which will help promote and enhance air transportation the region.

- to provide current affected property owners and subsequent affected property owners with formal notice that their properties are located near San Carlos Airport and may be subject to impacts from airport and/or aircraft operations (Source: *San Mateo County Comprehensive Airport Land Use Plan for San Carlos Airport*, as amended).

In 1994, C/CAG, acting as the Airport Land Use Commission, adopted an Avigation Easement Review Area (AERA) boundary in the environs of San Carlos Airport. The AERA is defined by a finite boundary that identifies a geographic area around San Carlos Airport within which the Airport Land Use Commission (C/CAG) will request a local agency to require the grant of an avigation easement to the County of San Mateo, using the County's standard form for such easements, as part of the Commission's review of certain proposed local agency land use policy actions located within the AERA boundary.

The configuration of the AERA boundary is based on a combination of the following:

- the projected 1995 55 dB CNEL aircraft noise contour.
- the FAR Part 77 Horizontal Surface.
- the FAR Part 77 Approach Surface.
- the FAR Part 77 Transitional Surface.

Based on the combination of these elements, three avigation easement subareas were created, as follows:

- Area A – property that is affected by FAR Part 77 height restrictions only
- Area B – property that is affected by aircraft noise impacts of 55 dB CNEL or higher and FAR Part 77 height restrictions
- Area C – property that is affected by aircraft noise impacts of 55 dB CNEL or higher only

Some local land use policy actions may include areas that extend beyond the AERA boundary. In such cases, the Airport Land Use Commission (C/CAG) will only request that an avigation easement be granted over those properties that are located within the AERA. The County of San Mateo will record the avigation easement document with the County Recorder at its own expense. A map that illustrates the configuration of AERA boundary is shown in Attachment A. The criteria for basing a request for the grant of an avigation easement to the County of San Mateo is shown in Attachment B .

Discussion

As you now know, the C/CAG Board, acting as the Airport Land Use Commission, adopted a reconfiguration of the Airport Influence Area (AIA) boundary for San Carlos Airport on October 14, 2004. The basis for that action was a recommendation from the Airport Land Use Committee (ALUC) to incorporate the real estate disclosure notice

provisions of AB 2776 (Simitian) that became effective January 1, 2004. The new AIA boundary consists of two subareas: Area A – requires disclosure of potential airport/aircraft impacts, as part of the sale of any real property within the defined AreaA boundary and Area B – a property specific boundary that defines the ALUC/C/CAG referral/review boundary for evaluation of proposed local agency land use policy actions and also requires real estate disclosure notices, related to the sale of real property within the defined boundary. The configuration of the new AIA boundary is shown in Attachment C. A map that illustrates the projected 1995 55 dB CNEL aircraft noise contour and the projected 2002 55 dB CNEL aircraft noise contour for San Carlos Airport is shown in Attachment D.

The current San Carlos Airport (CLUP) now contains an Avigation Easement Review Area (AERA) boundary and the Airport Influence Area (AIA) boundary area. The configuration of these two areas is very similar (see Attachment E). The purpose of this proposed CLUP amendment is to conform the Avigation Easement Review Area (AERA) boundary to the AIA Area B referral/review area boundary. The result would be (1) that the avigation easement criteria would now apply to properties within the Area B Boundary and (2) the grant of the avigation easement to the County, using the County's standard form for such easements, could be required as a potential condition of an ALUC/C/CAG review of a local agency policy action within AIA Area B boundary, based on the criteria shown in Attachment B.

As you know, much of the real estate disclosure discussion at the ALUC level was started several years ago when new high-density residential development was approved on Bair Island Road in Redwood City. This area is approximately 1.5 miles southeast of San Carlos Airport. This action occurred several years before the Simitian Bill was proposed. Due to the information available at the time (1994), the current AERA boundary does not include the Bair Island Road area because it was not zoned for residential use, nor was it ever contemplated that high-density residential uses would be developed in that area. As we have seen in the recent past, the Bair Island Road area, including the Pete's Harbor/Marina Shores property and other nearby sites, has become a prime area for new residential development.

The AIA Area B boundary does include the Bayshore Road/Bair Island Road area in Redwood City where new residential development is waiting to happen (i.e. a potential scaled-down version of the previous Marina Shores high-rise residential development and other high-density residential projects). The timing is appropriate now to conform the existing Avigation Easement Review Area (AERA) boundary to the AIA Area B boundary for the following reasons:

1. The Bair Island Road area currently includes a large apartment complex and a condominium complex. More high-density residential development is planned for the movie theatre site, the Pete's Harbor/Marina Shores Village site, and other parcels in the area.

2. The recordation of avigation easements would cover rental housing, where no disclosure of potential airport/aircraft impact is now given to tenants.

3. The AB 2776 (Simitian) disclosure notice was never intended to eliminate other types of disclosures. It was proposed to enhance disclosure and knowledge of potential aviation impacts. It was not meant to curtail such knowledge.

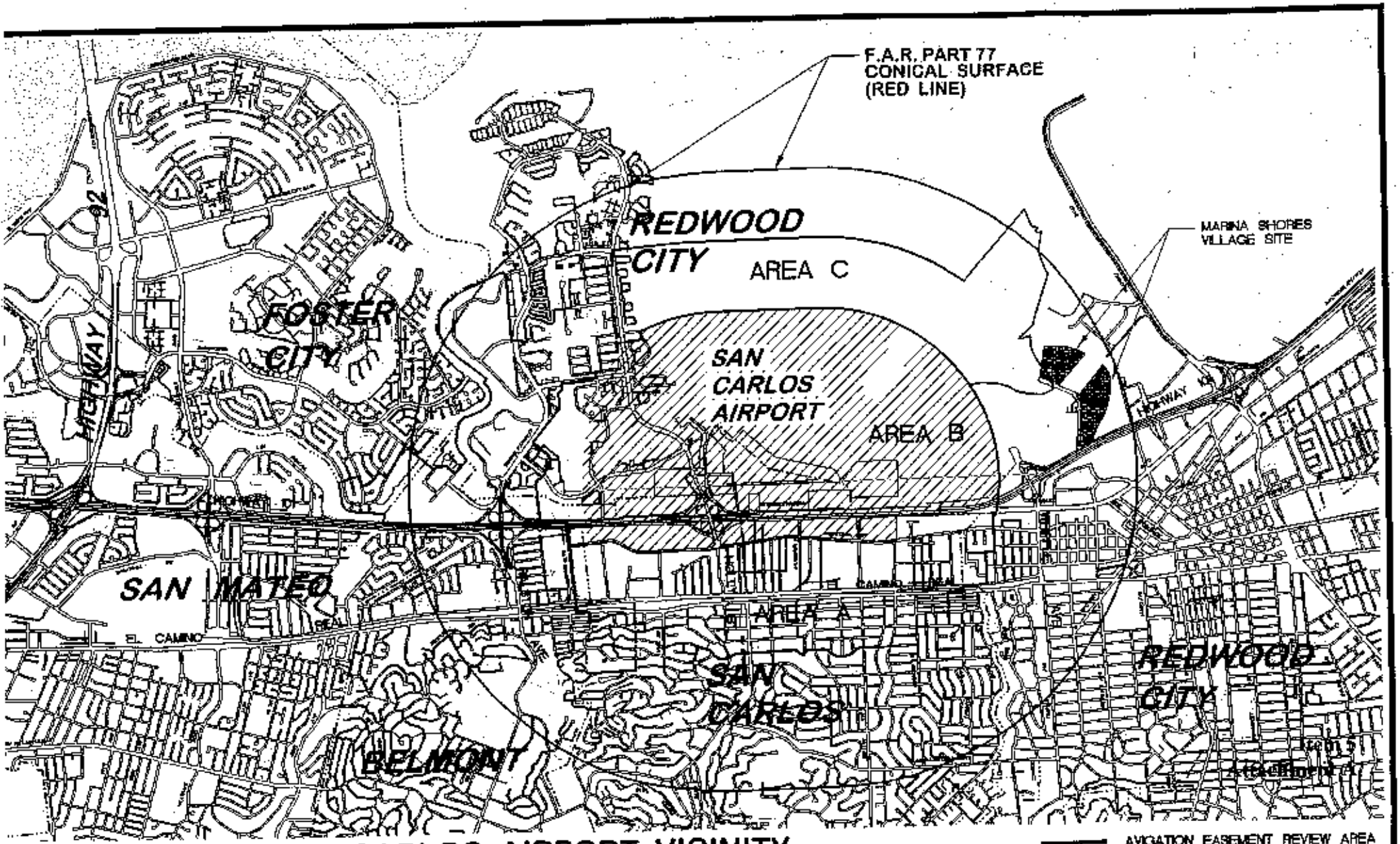
4. There is great pressure for more residential development throughout the County. The properties in the Bayshore Road/Bair Island Road area have become a focal point for new residential development, but unfortunately they are among the most impacted by aircraft operations in the San Carlos Airport environs. Since land use decisions have changed and residential development pressure has increased in the Bayshore Road / Bair Island Road area over the past 10 years, it would be poor planning to exclude this area from the avigation easement requirements.

The request for the grant of an avigation easement would only be initiated through the ALUC/C/CAG airport land use compatibility review process related to proposed local agency land use policy actions within the AIA Area B boundary. Such a request would be included as a condition of an ALUC/C/CAG review of a proposed land use policy action and implemented by the appropriate local agency. The avigation easement requirement would only apply to specific land use policy actions within the portions of the cities included in the AIA Area B boundary (Foster City, Belmont, Redwood City, and San Carlos). The voluntary grant of an avigation easement to the County, from a willing property owner, will remain as a way for an avigation easement to be granted to the County, without being part of a land use policy action or formal ALUC/C/CAG review.

Attachments:

Attachment A:	Map –	Configuration of the existing Avigation Easement Review Area (AERA) Boundary
Attachment B:		San Mateo County Comprehensive Airport Land Use Plan Table IV-5 criteria for basing a request for the grant of an avigation easement to the County of San Mateo
Attachment C:	Map –	Airport Influence Area (AIA) Area B boundary
Attachment D:	Map –	Configuration of the projected 1995 55 dB CNEL aircraft noise contour and projected 2002 55 dB CNEL aircraft noise contour for San Carlos Airport
Attachment E:	Map –	Configuration of the Avigation Easement Review Area (AERA) and the AIA Area B boundary

C/CAG/Connie Doc/No 5_Amendment to CLUP.doc



SAN CARLOS AIRPORT VICINITY

ALUC REVIEW February 24, 2005

SAN MATEO COUNTY
COMPREHENSIVE AIRPORT LAND USE PLAN

TABLE IV.-5

CRITERIA FOR BASING A REQUEST FOR THE GRANT OF AN AVIGATION EASEMENT TO THE COUNTY OF SAN MATEO

Key Elements of the Proposed Action	Criteria for Requesting the Grant of an Avigation Easement
1. Location	the affected property is located within the Avigation Easement Review Area (AERA) for San Carlos Airport, as shown on Map SC-18 on page IV.-51)
2. Policy Action(s)	the proposed land use policy action(s) includes adoption of one or more of the following: a. general plan b. general plan amendment (includes maps and/or text that result in a land use change that includes any of the land uses listed in Item No. 4) c. zoning ordinance d. zoning ordinance amendment (includes maps and/or text that result in a land use change that includes any of the land uses listed in Item No. 4) e. specific plan f. specific plan amendment (includes maps and/or text that result in a land use change that includes any of the land uses listed in Item No. 4)

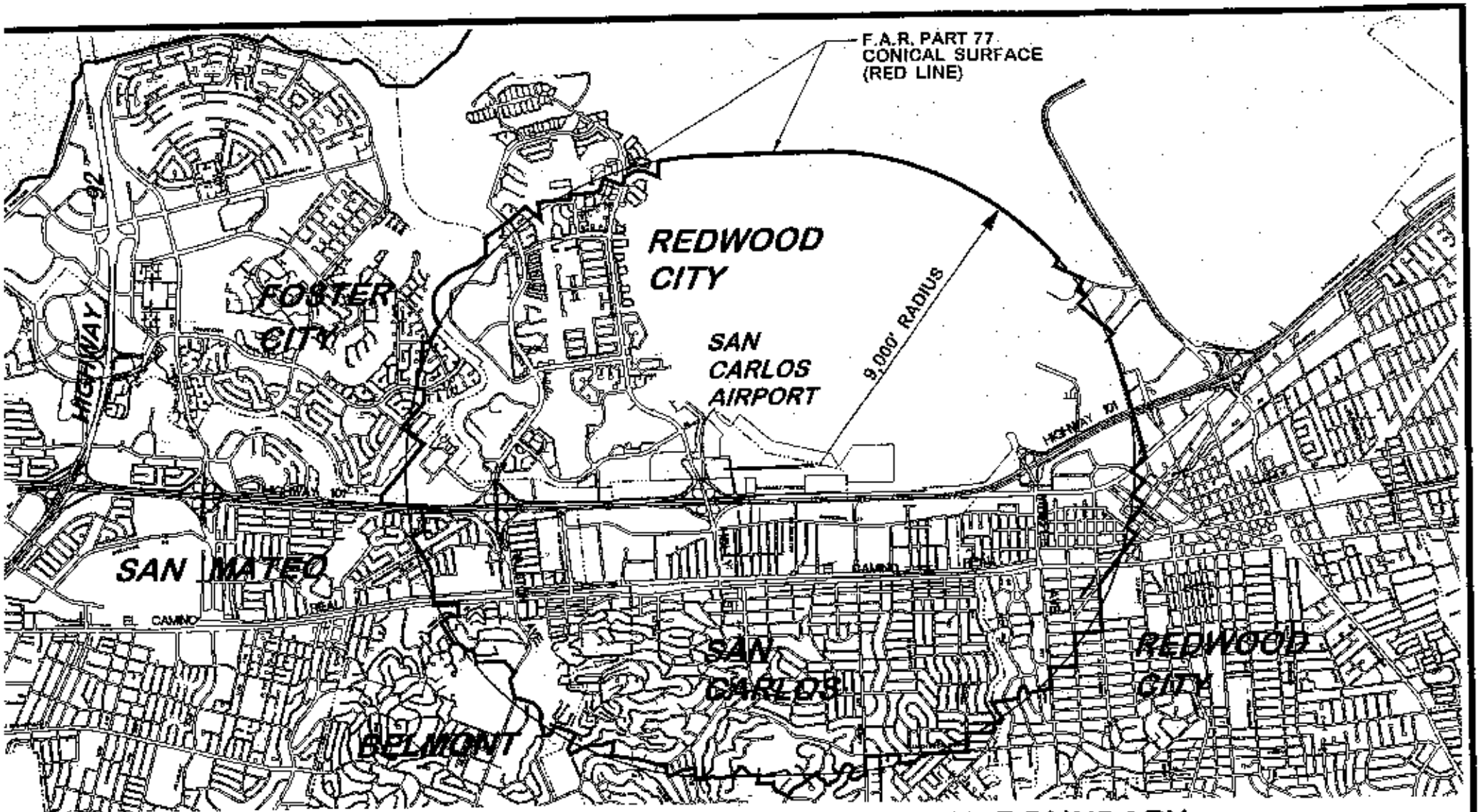
continued on page IV.-55

TABLE IV.-5 - Continued

CRITERIA FOR BASING A REQUEST FOR THE GRANT OF AN AVIGATION EASEMENT TO THE COUNTY OF SAN MATEO

Key Elements of the Proposed Action	Criteria for Requesting the Grant of an Avigation Easement
3. FAR Part 77 Height Restrictions	the proposed land use policy action(s) will allow any land use(s) that includes elements, features, and/or characteristics that are subject to the federal notice requirement and height restrictions specified in FAR Part 77, "Objects Affecting Navigable Airspace", as amended, as applicable to San Carlos Airport.
4. Land Uses	the proposed land use policy action(s) includes one or more of the following land uses: a. residential dwelling units, as follows: 1. detached single-family dwellings 2. multi-family dwellings (duplexes, apartments, condominiums, townhouses, group quarters, etc.) 3. mobile homes; modular homes b. schools c. libraries d. hospitals, nursing homes, and similar facilities e. churches, synagogues, and other places of worship

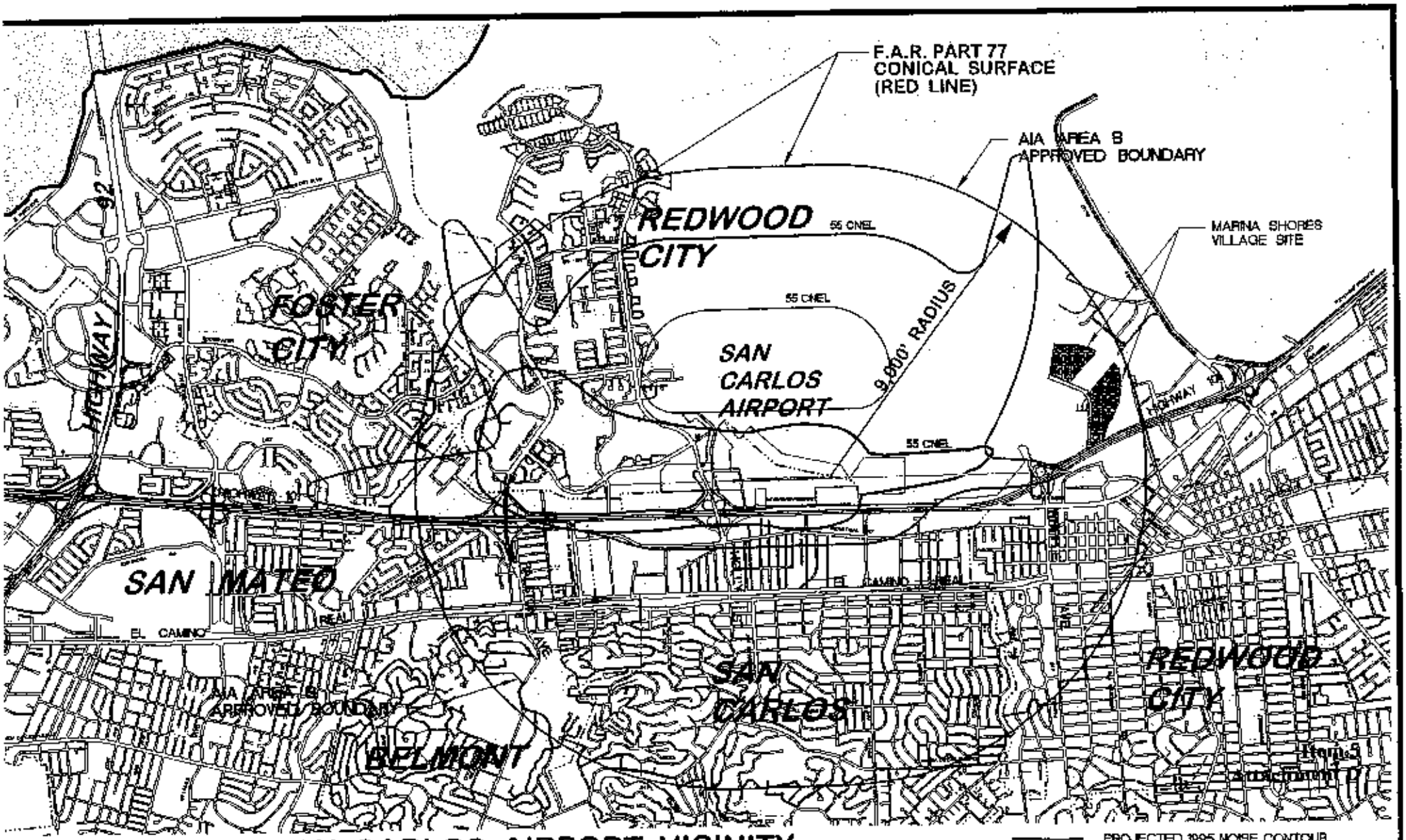
Source: 1994 amendment to the San Mateo County Comprehensive Airport Land Use Plan (CLUP) for San Carlos Airport, adopted by the Airport Land Use Commission (C/CAG) on December 8, 1994.



REVISED AIRPORT INFLUENCE AREA (AIA) BOUNDARY FOR SAN CARLOS AIRPORT (AREA B)

(APPROVED OCTOBER 14, 2004)

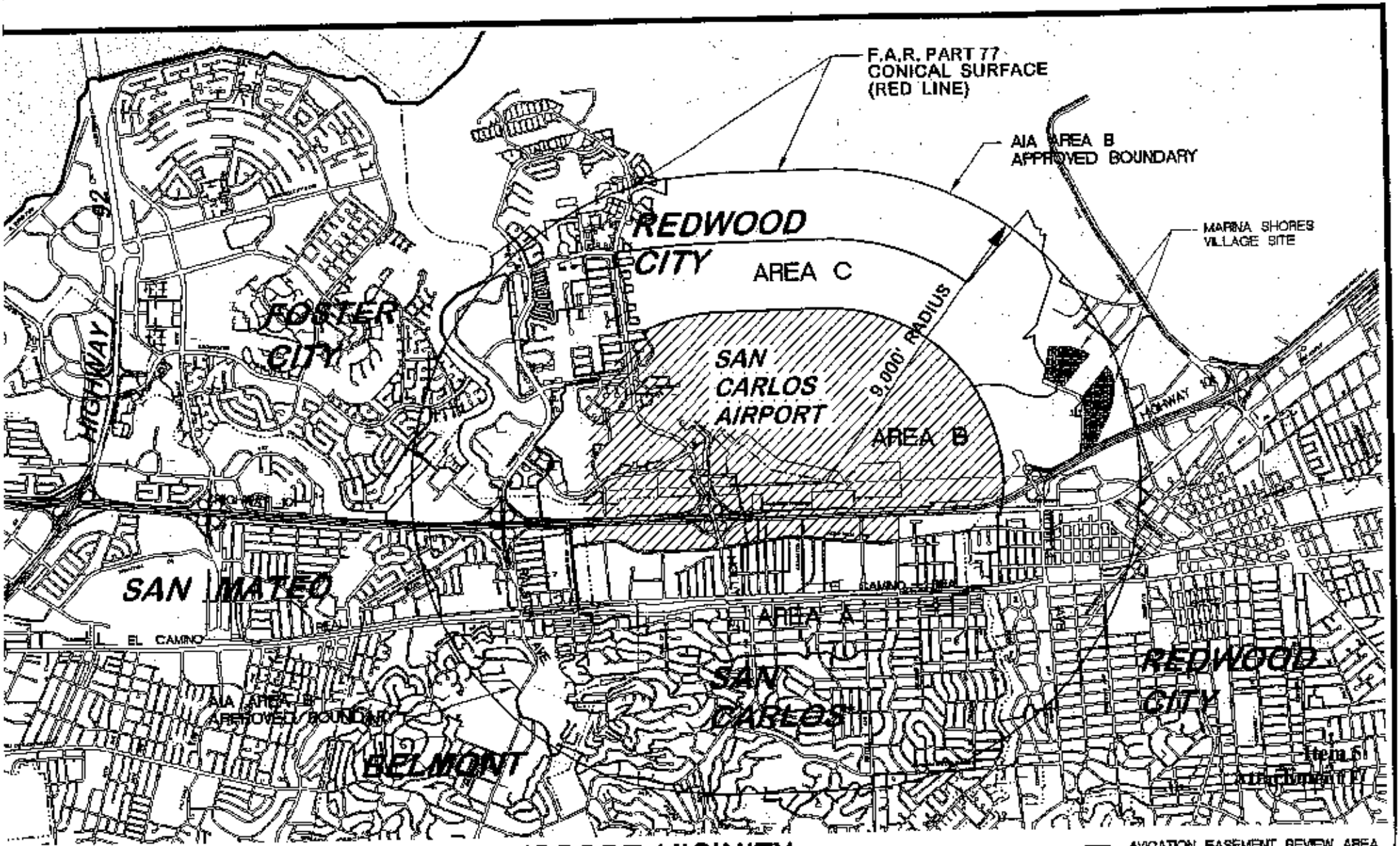
Item 5
Attachment C



SAN CARLOS AIRPORT VICINITY

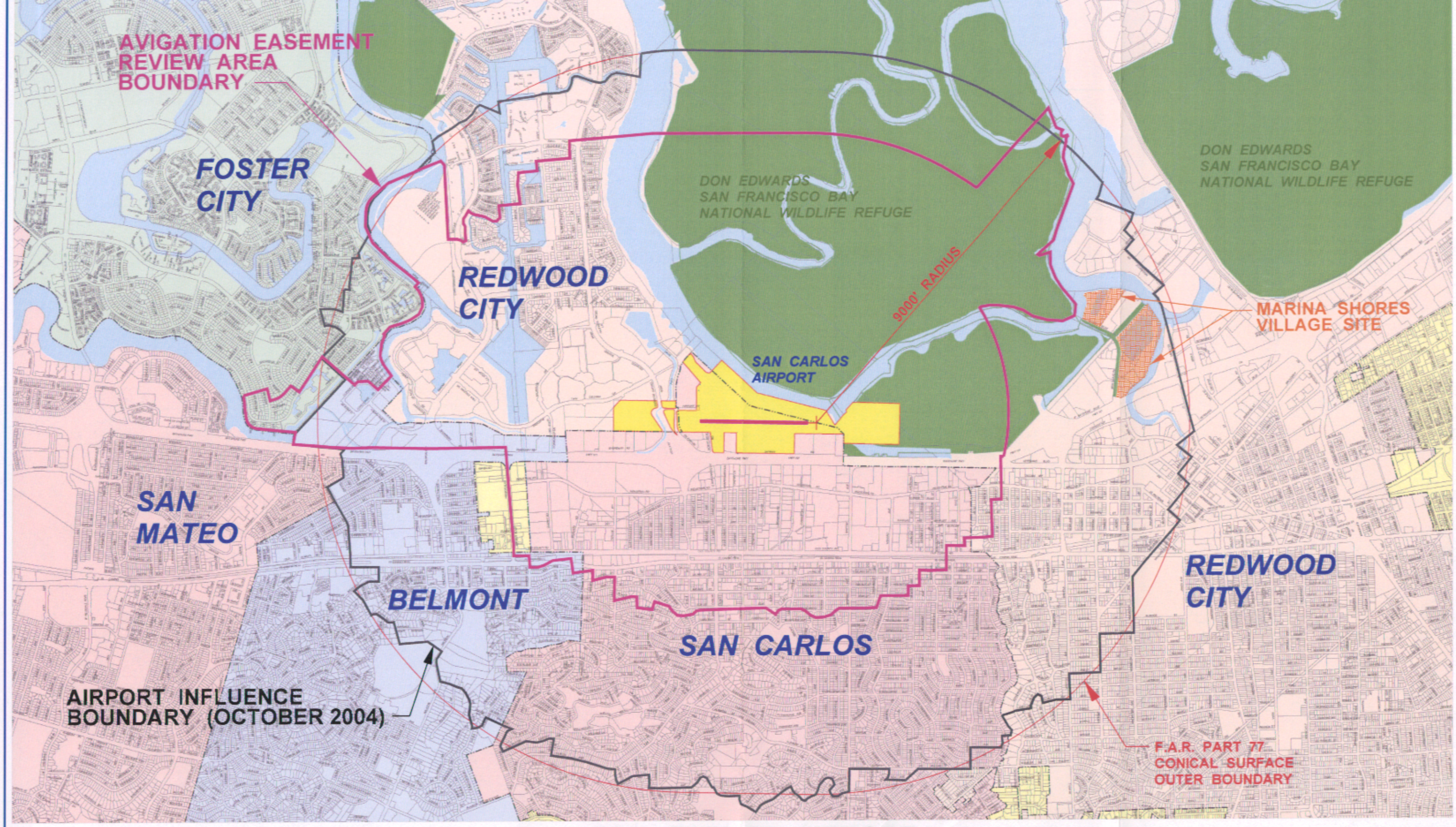
ALUC REVIEW February 24, 2005

Item 3



SAN CARLOS AIRPORT VICINITY

ALUC REVIEW February 24, 2005



SAN CARLOS AIRPORT
AIRPORT INFLUENCE BOUNDARY - OCTOBER 2004
AVIGATION EASEMENT REVIEW AREA 1994

ITEM 5
ATTACHMENT E REFINED