



Agenda Date: 10/4/2005  
Agenda Placement: 6G

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**TO:** Board of Supervisors  
**FROM:** Michael Stoltz for Robert Peterson - Director  
Airport  
**REPORT BY:** Kathleen Dubrin, Staff Services Analyst II , 259-8683  
**SUBJECT:** Certificate of Acceptance for Avigation and Hazard Easement Deed

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### **RECOMMENDATION**

Director of Public Works/Aviation requests authorization for the Chair to sign a Certificate of Acceptance of an Avigation and Hazard Easement Deed from American Canyon Business Park, LLC. (A Portion of Assessor's Parcel Nos. 057-130-012 and 028)

### **EXECUTIVE SUMMARY**

The Avigation and Hazard Easement Deed is required as a prerequisite to issuance of a building permit because the parcels are located within the airport planning area for the Napa County Airport. For the deed to be recorded, Government Code section 27281 requires that it be accepted by the County, as owner of the Airport, by the signature of the Chair of the Board on the certificate of acceptance attached to the deed.

### **FISCAL IMPACT**

Is there a Fiscal Impact?                      No

### **ENVIRONMENTAL IMPACT**

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 aviation 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 over such property. The easement deed also prevents such adjacent property from itself being used in a manner, which creates aviation hazards such as glare, radio interference, and overly 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 aviation and hazard easement deeds are those located in an "airport planning area" as defined in County Code 18.80.020. These easements are required by Napa County Code section 15.08.040(A)(4) and (H) (1) as a prerequisite to issuance of a building permit for the property subject to the easement.

The parcels in question are located within the airport planning area for the Napa County Airport. The respective owners have executed the required easement deed. For the deed to be recorded, Government Code section 27281 requires that it be accepted by the County, as owner of the Airport, by the signature of the Chair of the Board (or in Chair's absence, the Vice-Chair) on the certificate of acceptance attached to the deed.

**SUPPORTING DOCUMENTS**

A . Compatibility Plan

CEO Recommendation: Approve

Reviewed By: Andrew Carey