

# C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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Millbrae • Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County • South San Francisco • Woodside*

## AIRPORT LAND USE COMMITTEE (ALUC) AGENDA

**Date:** June 25, 2020  
**Time:** 4:00 p.m.

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On March 17, 2020, the Governor issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow for local legislative bodies to conduct their meetings telephonically or by other electronic means. Pursuant to the Shelter-in-Place Orders issued by the San Mateo County Health Officer and the Governor, and the CDC's social distancing guidelines, which discourage large public gatherings, C/CAG meetings will be conducted via remote conferencing. Members of the public may observe or participate in the meeting remotely via one of the options below.

Join by Zoom:

<https://us02web.zoom.us/j/84036212957?pwd=NWtyZkx2ekNjTjFpWXhnSHdpMXkwZz09>

Meeting ID: 840 3621 2957  
Password: 323089

Join by Phone:

(669) 900-6833

Meeting ID: 840 3621 2957

Persons who wish to address the ALUC Committee on an item to be considered at this meeting, or on items not on this agenda, are asked to submit written comments to [kkalkin@smcgov.org](mailto:kkalkin@smcgov.org). Oral comments will also be accepted during the meeting through Zoom. Please see instructions for written and oral public comments at the end of this agenda.

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| 1. Call to Order/Roll Call                   | Action<br>(Ortiz)                      |        |
| 2. Public Comment on Items not on the Agenda | Limited to 2<br>minutes per<br>speaker |        |
| 3. Approval of Minutes – May 28, 2020        | Action<br>(Ortiz)                      | Page 1 |

- |   |                            |               |
|---|----------------------------|---------------|
| <p>4. San Francisco International Airport Comprehensive Airport Land Use Compatibility Plan Consistency Review – 410 Noor Avenue Mixed-Use Residential Project, a proposed 338-unit residential project with ancillary ground floor commercial space on a 4.74-acre parcel at 410 Noor Avenue, South San Francisco, and including General Plan and Zoning Text Amendments.</p> <p>5. Member Comments/Announcements</p> <p>6. Items from Staff</p> <p>7. Adjournment – <i>Next regular meeting – July 23, 2020</i></p> | <p>Action<br/>(Kalkin)</p> | <p>Page 4</p> |
|---|----------------------------|---------------|

**NOTE: All items appearing on the agenda are subject to action by the Committee. Actions recommended by staff are subject to change by the Committee.**

If you have any questions regarding the C/CAG Airport Land Use Committee Meeting Agenda, please contact Susy Kalkin at [kkalkin@smcgov.org](mailto:kkalkin@smcgov.org).

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**PUBLIC NOTICING:** All notices of C/CAG regular Board meetings, standing committee meetings, and special meetings will be posted at the San Mateo County Transit District Office, 1250 San Carlos Ave., San Carlos, CA, and on C/CAG’s website at: <http://www.ccag.ca.gov>.

**PUBLIC RECORDS:** Public records that relate to any item on the open session agenda for a regular Board meeting, standing committee meeting, or special meeting are available for public inspection. Those public records that are distributed less than 72 hours prior to a regular Board meeting are available for public inspection at the same time they are distributed to all members, or a majority of the members, of the Board. The Board has designated the City/County Association of Governments of San Mateo County (C/CAG), located at 555 County Center, 5th Floor, Redwood City, CA 94063, for the purpose of making public records available for inspection. Such public records are also available on C/CAG’s website at: <http://www.ccag.ca.gov>. Please note that C/CAG’s office is temporarily closed to the public; please contact Mima Guilles at (650) 599-1406 to arrange for inspection of public records.

**PUBLIC PARTICIPATION DURING VIDEOCONFERENCE MEETINGS:** Persons with disabilities who require auxiliary aids or services to participate in this meeting should contact Mima Guilles at (650) 599-1406, five working days prior to the meeting date.

Written comments should be emailed in advance of the meeting. Please read the following instructions carefully:

1. Written comments should be emailed to [kkalkin@smcgov.org](mailto:kkalkin@smcgov.org)
2. The email should include the specific agenda item on which you are commenting or note that your comment concerns an item that is not on the agenda.
3. Members of the public are limited to one comment per agenda item.
4. The length of the emailed comment should be commensurate with the two minutes customarily allowed for verbal comments, which is approximately 250-300 words.
5. If your emailed comment is received at least 2 hours prior to the meeting, it will be provided to the ALUC Committee members, made publicly available on the C/CAG website along with the agenda, and read aloud by C/CAG staff during the meeting. We cannot guarantee that emails received less than 2 hours before the meeting will be read during the meeting, but such emails will be included in the administrative record of the meeting.

Oral comments will be accepted during the meeting through Zoom. Please read the following instructions carefully:

1. The ALUC Committee meeting may be accessed through Zoom at the online location indicated at the top of this agenda.
2. You may download the Zoom client or connect to the meeting using an internet browser. If using your browser, make sure you are using a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer.
3. You will be asked to enter an email address and name. We request that you identify yourself by your name as this will be visible online and will be used to notify you that it is your turn to speak.
4. When the C/CAG staff member or ALUC Committee Chair call for the item on which you wish to speak, click on "raise hand." The C/CAG staff member will activate and unmute speakers in turn. Speakers will be notified shortly before they are called on to speak.
5. When called, please limit your remarks to the time allotted.

**Airport Land Use Committee (ALUC)**  
**Meeting Minutes**  
**May 28, 2020**

**1. Call to Order/Roll Call**

Chair Ortiz called the meeting to order at 4:05 pm. via the Zoom platform. The attendance sheet is attached. He requested staff provide a briefing on the online meeting protocols. Staff noted that votes would all be roll call and outlined the process for both public and committee participation utilizing the “raise hand” function.

**2. Public Comment on items not on the Agenda**

None

**3. Minutes of the January 23, 2020 Meeting**

Motion: Committee Member O’Connell moved, and Member Rak seconded, approval of the January 23, 2020 minutes. Motion carried by unanimous roll call vote (8-0).

**4. San Francisco International Airport Comprehensive Airport Land Use Compatibility Plan Consistency Review – Olympic Way Retreat, including General Plan Amendment and related entitlements to allow construction of a two-story, 48,650 sf retreat center on a 4.27 acre site at 2152 Olympic Way, Daly City.**

Susy Kalkin, C/CAG staff, presented the staff report. She noted the recommendation was to send the project forward to the C/CAG Board with a recommendation that the project be determined consistent with the SFO ALUCP subject to requiring Daly City to impose a real estate disclosure notification requirement per Policy IP-1.

Committee Member Ford requested clarification on the entitlements. Staff noted that the entitlements for the project will be considered separately by the City of Daly City subsequent to the ALUC determination on ALUCP consistency.

Motion: Vice-Chair Davis moved, and Member Rak seconded, approval of the staff recommendation. Motion carried by unanimous roll call vote (8-0).

**5. San Francisco International Airport Comprehensive Airport Land Use Compatibility Plan Consistency Review –Genentech Master Plan Update and related Zoning Amendments to increase the build-out potential within the 207-acre Genentech Campus, located in South San Francisco, east of US 101.**

Susy Kalkin, C/CAG staff, presented the staff report, noting staff was recommending the ALUC Committee make a recommendation that the C/CAG Board determine the project consistent with the SFO ALUCP subject to including additional language in the zoning

ordinance text to address potential construction period height impacts and ensure compliance with SFO ALUCP Policy AP-4, Other Hazards.

Motion: Committee Member Nagales moved, and Vice-Chair Davis seconded, approval of the staff recommendation. Motion carried by unanimous roll call vote (8-0).

**6. Member Comments/Announcements**

None

**7. Items from Staff**

None

**8. Adjournment**

The meeting was adjourned at 4:25 pm.

DRAFT

## 2020 C/CAG Airport Land Use Committee Attendance Report

Name	Agency	Jan 2020	May 2020			
Terry O'Connell	City of Brisbane	X	X			
Ricardo Ortiz	City of Burlingame	X	X			
Pamela DiGiovanni	City of Daly City					
Richa Awasthi	City of Foster City					
Adam Eisen	City of Half Moon Bay					
Anne Oliva	City of Millbrae	X	X			
Shelly Masur/Janet Borgens beginning Feb.	City of Redwood City					
Laura Davis	City of San Bruno	X	X			
Adam Rak	City of San Carlos	X	X			
Warren Slocum	County of San Mateo & Aviation Rep.					
Mark Nagales	City of South San Francisco	Y	X <sup>arrived at 4:07</sup>			
Carol Ford	Aviation Representative		X			
Dave Williams	Half Moon Bay Airport Pilots Assn	X	X			

X – Committee Member Attended  
 Y – Designated Alternate Attended

**Staff and guests in attendance for the May 28, 2020 meeting:** Susy Kalkin, Sean Charpentier and Sandy Wong, C/CAG; Gretchen Kelly, SMC Airports; Nile Ledbetter and Nupur Sinha, SFO Planning; Tony Rozzi, SSF staff & Gregory Lamphier, Env. Consultant for Genentech; Carmelisa Morales, Daly City staff; and Steve Lynch, Olympic Way Project Sponsor

## C/CAG AGENDA REPORT

Date: June 25, 2020

To: Airport Land Use Committee

From: Susy Kalkin

Subject: San Francisco International Airport Comprehensive Airport Land Use Compatibility Plan Consistency Review – 410 Noor Avenue Mixed-Use Residential Project, a proposed 338-unit residential project with ancillary ground floor commercial space on a 4.74-acre parcel at 410 Noor Avenue, South San Francisco, and including General Plan and Zoning Text Amendments.

(For further information please contact Susy Kalkin at [kkalkin@smcgov.org](mailto:kkalkin@smcgov.org))

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### RECOMMENDATION

That the C/CAG Airport Land Use Committee (ALUC) recommend to the C/CAG Board of Directors, that the C/CAG Board, acting as the Airport Land Use Commission, determine that:

- 1) The proposed General Plan and Zoning Text Amendments to reference the Local Agency Override process available under State law are consistent with the applicable airport/land use policies and criteria contained in the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (SFO ALUCP); however,
- 2) The subject development project is not consistent with the applicable airport/land use policies and criteria contained in the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (SFO ALUCP), specifically with the noise compatibility policies.

### BACKGROUND/DISCUSSION

The subject project, which includes amendments to South San Francisco's land use policies, affects properties that are located within Airport Influence Area B (AIA B), the "Project Referral" area, for San Francisco International Airport. California Government Code Section 65302.3 states that a local agency General Plan, Zoning Ordinance and/or any affected specific plan must be consistent with the applicable airport/land use criteria in the relevant adopted Airport Land Use Compatibility Plan (ALUCP). Additionally, per Policy GP-10.1, since South San Francisco has not amended its General Plan and Zoning to reflect the policies and requirements of the current SFO ALUCP all proposed development projects are subject to ALUC review. In accordance with these requirements, the City of South San Francisco has referred the subject amendments and development project to C/CAG, acting as the San Mateo County Airport Land Use Commission, for a determination of compatibility with the SFO ALUCP.

Project Description

The project site is a 4.74-acre parcel located at the northwest corner of Noor and Huntington Avenues in South San Francisco, about two miles northwest of SFO, directly under a departure path for runways 28R & 28L, which is developed with a now vacant multi-plex theater. The proposed project (Development Project) consists of demolition of existing improvements and construction of three 3-5 story residential buildings containing a total of 338 for-rent apartment units, with ground-floor residential amenities and a small retail space.

Proposed General Plan and Zoning Amendments

The project also includes General Plan and Zoning Amendments (Policy Amendments), as follow, to recognize the Local Agency Override process that is provided by State law, whereby a local agency may override an Airport Land Use Commission determination through a 2/3rds majority vote, based on specific findings that are outlined in State law.

**General Plan Land Use Policy 2-I-22:** Require that all future development conforms with the relevant height, aircraft noise, and safety policies and compatibility criteria contained in the most recently adopted version of the San Mateo County Comprehensive Airport Land Use Plan for the environs of San Francisco International Airport, with the exception of projects deemed appropriate by the City Council, and to the extent necessary, approved through the Local Agency Override process, consistent with the Public Utilities Code Section 21675.1 (d).

**General Plan Noise Policy 9-I-10:** Do not allow new residential or noise sensitive development in the CNEL 70 dB+ areas impacted by SFO operations, as required by Airport Land Use Commission infill criteria, with the exception of projects deemed appropriate by the City Council and to the extent necessary, approved through the Local Agency Override process.

**General Plan Noise Policy 9-I-11:** Require new residential development in area between the most recent FAA-accepted 65 and 70 dB CNEL aircraft noise contours for San Francisco International Airport (SFO), or those projects deemed appropriate by the City Council and, to the extent necessary, approved through the Local Agency Override process, to grant an aviation easement to the City and County of San Francisco, as proprietor of SFO.

**Zoning Ordinance Table 20.300.010:**

Land Use	CNEL Range (db)	Requirements and Limitations
Residential and other noise sensitive uses (e.g., schools, hospitals, and churches)	Less than 65	Satisfactory
	65 to 70	Acoustic study and noise attenuation measures required
	Over 70	Not allowed, <u>with the exception of projects deemed appropriate by the City Council, and to the extent necessary, approved through the Local Agency Override process, consistent with the Public Utilities Code Section 21675.1 (d).</u>



Because this consistency request involves two distinct parts, the Policy Amendments and the Development Plan, they will be discussed separately in the following analysis.

## **1. ALUCP Consistency Evaluation – Development Project**

Three sets of airport/land use compatibility policies in the SFO ALUCP relate to the Development Project: (a) noise compatibility policies and criteria, (b) safety policies and criteria, and (c) airspace protection policies. In addition, the Project must comply with the Overflight Notification requirements of the ALUCP. The following sections address each issue:

### **(a) Noise Policy Consistency Analysis**

The airport noise compatibility policies have a two-fold purpose:

1. To protect the public health, safety, and welfare by minimizing the exposure of residents and occupants of future noise-sensitive development to excessive noise.
2. To protect the public interest in providing for the orderly development of SFO by ensuring that new development in the Airport environs complies with all requirements necessary to ensure compatibility with aircraft noise in the area. The intent is to avoid the introduction of new incompatible land uses into the Airport’s “noise impact area” so that the Airport will continue to be in compliance with the State Noise Standards for airports.

ALUCP Noise Analysis Timeframe - Given that once development occurs near an airport it is very difficult to modify, PUC Section 21675 (a) requires that ALUCPs be based on an airport development plan that reflects the anticipated growth of the airport during at least the next 20 years. Accordingly, the CNEL contours identified in the SFO ALUCP are based on long range aircraft operation forecasts (2009-2028), rather than point in time measurements. Staff wants to stress this point since the application materials address current noise measurements and other noise projections (ex. FAR Part 150, Airport Director’s Quarterly Noise Reports) that may differ from the longer-range projections included in the SFO ALUCP.

The application materials include two noise studies prepared for the project, one by the Papadimos Group (Sept 2017) and one by Charles Salter Associates (Jan. 2020) which provide somewhat different conclusions and recommendations, specifically about the existing CNEL range on the site, with both measuring 72 dB CNEL, but one (Salter) attributing 3 dB CNEL to roadway noise and the other (Papadimos) attributing it all to overflight. While they are included as an electronic attachment, for purposes of this review they are not relevant since the specific charge of the Airport Land Use Commission is to make a determination of whether the Development Project complies with the policies and provisions of the SFO ALUCP, and the ALUCP stipulates the data sets upon which the Commission must base its decisions.

In accordance with SFO ALUCP Policy NP-1 Noise Compatibility Zones, Exhibit IV-5 identifies the noise compatibility zones for the purposes of this ALUCP, with greater detail shown on Exhibit IV-6, included as Attachment 2. As depicted, the project site is located almost entirely within the 70-75

dB CNEL contour. Pursuant to SFO ALUCP Table IV-1, Noise/Land Use Compatibility Criteria, (Attachment 3) multi-family residential use is identified as “Not Compatible” within that contour, unless at the time of adoption of the SFO ALUCP (2012) the site had been zoned exclusively for residential use, which is not the case with the subject development site. “Not Compatible” is further clarified in SFO ALUCP Noise Policy NP-2 to mean “that the proposed land use is incompatible with aircraft noise at the indicated CNEL level”, regardless of proposed mitigation. **Accordingly, the Development Project is determined to be Not Compatible, and therefore not consistent with the Noise Policies of the SFO ALUCP.**

**(b) Safety Policy Consistency Analysis**

**Runway Safety Zones** - The SFO ALUCP includes five sets of safety zones and related land use compatibility policies and criteria. As shown on Attachment 4, a small portion of the Development Project is located within Safety Zone 4, the Outer Approach/Departure Zone, which prohibits biosafety facilities, schools, child day care centers, nursing homes, stadiums and arenas. Per the project plans the only public space identified that is likely to infringe on this safety zone is identified as the leasing office, which is considered a compatible use.

**(c) Airspace Protection Policy Consistency Analysis**

**Structure Heights** - The SFO ALUCP incorporates the provisions in Title 14 of the Code of Federal Regulations Part 77 (Part 77), “Objects Affecting Navigable Airspace,” as amended, to establish height restrictions and federal notification requirements related to proposed development within the Part 77 airspace boundaries for San Francisco International Airport. The regulations contain three key elements: (1) standards for determining obstructions in the navigable airspace and designation of imaginary surfaces for airspace protection, (2) requirements for project sponsors to provide notice to the Federal Aviation Administration (FAA) of certain proposed construction or alteration of structures that may affect the navigable airspace, and (3) the initiation of aeronautical studies, by the FAA, to determine the potential effect(s), if any, of the proposed construction or alteration of structures on the subject airspace.

The Development Project includes three buildings that range in height from 3-5 stories, with the tallest having a maximum height of approximately 60 feet. As shown on Attachment 5, the project site is located within an area that requires filing FAA Form 7460-1, Notice of Proposed Construction or Alteration, for structures exceeding 30 feet in height. The application materials acknowledge this and indicate a condition of project approval would ensure the project sponsor demonstrate compliance with this FAA requirement.

The Project area is also located within the Part 77 airspace protection surfaces for SFO (see Attachment 6). The application materials include a detailed airspace analysis which concludes that the Development Project will not penetrate the Part 77 Imaginary Surface. This is further confirmed through utilization of SFO’s online iALP Airspace Tool, Attachment 7, which shows the combined project height of 101 ft above mean sea level (MSL), given a 59 ft tall building and an elevation of approximately 42 feet above MSL, would be approximately 62 feet below the Part 77 surface of approximately 163.2 ft. above MSL.

**Other Flight Hazards** - Within AIA B, certain land use characteristics are recognized as hazards to air navigation and, per SFO ALUCP Policy AP-4, need to be evaluated to ensure compatibility with FAA rules and regulations. These characteristics include the following:

- Sources of glare, such as highly reflective buildings, building features, or blight lights including search lights, or laser displays, which would interfere with the vision of pilots in command of an aircraft in flight;
- Distracting lights that could be mistaken for airport identification lightings, runway edge lighting, runway end identification lighting, or runway approach lighting;
- Sources of dust, smoke, water vapor, or steam that may impair the visibility of a pilot in command of and aircraft in flight;
- Sources of electrical/electronic interference with aircraft communications/navigation equipment; or
- Any use that creates an increased attraction for wildlife, particularly large flocks of birds, that is inconsistent with FAA rules and regulations, including but not limited to *FAA Order 5200.5A, Waste Disposal Site On or Near Airports* and *FAA Advisory Circular 150/5200-33B, Hazardous Wildlife Attractants On or Near Airports* and any successor or replacement orders or advisory circulars.

As indicated in the Project Application - Supplemental Information (p. 6), South San Francisco Municipal Code Section 20.300.010 includes performance standards to ensure that development does not create an aircraft hazard.

### **Airport Influence Area A – Real Estate Disclosure Area**

The Development Project is located within both the Airport Influence Area (AIA) A & B boundaries for San Francisco International Airport. Within Area A, which includes all of San Mateo County, the real estate disclosure requirements of state law apply. The law requires a statement to be included in the property transfer documents that (1) indicates the subject property is located within an airport influence area (AIA) boundary and (2) that the property may be subject to certain impacts from airport/aircraft operations.

The application materials indicate that South San Francisco would include a condition on any project approval to require real estate disclosure in accordance with this requirement.

## **2. ALUCP Consistency Evaluation – General Plan and Zoning Policy Amendments**

As indicated above in the project description, Policy Amendments are proposed to specifically recognize the “Local Agency Override” provision of state law [PUC Section 21675.1 (d)] which provides a process for jurisdictions to override an airport land use commission disapproval of a

proposed land use policy or development action. As drafted, these policies are consistent with the provisions of the SFO ALUCP which directly acknowledge and describe the override process.

The application materials contemplate the possibility of utilizing the Override procedures and indicate that any subsequent project approval would include conditions to mitigate noise including:

- Construction and design features to meet acoustic performance standards recommended in the noise study to reduce interior noise to 45 dB;
- Granting of an avigation easement to the City and County of San Francisco, in accordance with ALUCP Policy NP-3, prior to issuance of building permits;
- Requirement of an indemnification agreement with the City of South San Francisco prior to issuance of building permits, ensuring that liability related to noise is assumed by the Project; and
- Requirement to include real estate disclosures in leases disclosing the presence of an airport within two miles of the property.

#### **Comment Letter – SFO Planning**

A comment letter was submitted by the SFO Acting Planning Director, Attachment 8, objecting to the proposed development as inconsistent with the noise policies of the SFO ALUCP.

#### **ATTACHMENTS**

1. ALUCP Supplemental Application
  - a. Project Plan excerpts
  - b. Noise Study - see <https://ccag.ca.gov/committees/airport-land-use-committee/>
  - c. Airspace Analysis - see <https://ccag.ca.gov/committees/airport-land-use-committee/>
2. SFO ALUCP Exh. IV-6 Noise Compatibility Zones
3. SFO ALUCP Table IV-1 Noise/Land Use Compatibility Criteria
4. SFO ALUCP Exh. IV-8 Safety Compatibility Zones – SSF and San Bruno
5. SFO ALUCP Exh. IV-11 FAA Notification Area – North Side
6. SFO ALUCP Exh. IV-14 Part 77 Airport Imaginary Surfaces – North Side
7. iALP Airspace Tool Project Analysis
8. Letter from SFO Planning dated June 25, 2020

## **C/CAG Application for Land Use Consistency Determination – Supplemental Information**

**AGENCY NAME:** City of South San Francisco

**PROJECT NAME:** 410 Noor Mixed-Use Residential Project

**APNs:** 014183270, 014183230

### **PROJECT DESCRIPTION**

In March, 2018, SyRes Properties submitted an application for a mixed-use development at 410 Noor Avenue. The 4.74-acre site is located at the intersection of Noor Avenue and Huntingdon Avenue, and is currently the site of vacant Century Plaza theaters. The project site is located within the El Camino Real Mixed-Use (ECRMX) zoning district, and is approximately one-third of a mile from the San Bruno BART station.

The project consists of three separate residential buildings, with ground-floor residential amenities and a small retail space. Project parking is located within below-grade garages. The applicant's project plan set is attached, outlining the site design, architectural and landscape concepts ([Attachment 1](#)).

The proposed project includes:

- 338 for-rent residential units (mix of studio, one- and two-bedroom units)
- Parking spaces for residents and visitors
- 1,100 square feet (sq. ft.) of ground-floor retail space
- Amenity spaces for residents
- A publicly-accessible community garden and park space
- Bicycle storage and amenities
- Sidewalk and streetscape improvements, focusing on connections to the BART station
- Noise insulation to reduce interior noise levels to less than 45 dB.
- TDM Plan to support trip reduction and encourage alternate transportation modes, and capitalize on the project's location proximate to BART, bus routes including the ECR rapid on El Camino Real, and the Centennial Trail.

The applicant has submitted technical reports to support the CEQA review process; an Environmental Consistency Analysis and supporting documents reviewed by the City and its outside CEQA consultant are attached to this application ([Attachment 2](#)).

As discussed below, the project has been designed to be consistent with Plan Bay Area 2040, the City's General Plan and the existing ECRMX zoning, and is important to meeting the City's Regional Housing Needs Assessment (RHNA) targets, which are expected to increase dramatically in the upcoming RHNA cycle. As a General Plan/zoning compliant project in the City, the project will require a Conditional Use Permit (required for the proposed reduction of parking, increased density under the incentives program for ECRMX district, and certain allowed findings for design exceptions), Design Review, Transportation Demand Management (TDM) program, a lot merger under the Subdivision Map Act, and CEQA clearance.

Based on the City's analysis of the project, and discussed below and described in the Airspace Analysis and Obstruction Study prepared by Williams Aviation Consulting (Attachment 3), the Project is **consistent** with the safety and airspace protection policies of the Airport Land Use Compatibility Plan (ALUCP) for San Francisco International Airport (SFO). And, as discussed below and described in the February 2020 Environmental Noise Study prepared by Charles M. Salter Associates, Inc. ("Salter Noise Study") (Attachment 2-H), recent noise data contained in the 2019 Airport Director's Report indicates that the Property is located in the 65-70 dB CNEL could be considered **conditionally compatible** with the noise policies of the ALUCP.

As discussed below, because the currently adopted Exhibit IV-6 of the ALUCP, adopted in 2012 based on 2011 data, shows the site largely in the 70+ dB CNEL and the currently adopted FAA Part 150 2019 Noise Exposure Map, published in 2015 based on 2014 data, shows a small portion of one proposed building at the edge of the 70+ dB CNEL, clarifying General Plan text amendments are proposed to the following General Plan policies that expressly reference these specific *currently-adopted noise* contour maps to expressly incorporate City Council discretion to approve appropriate projects based on technical studies and to add a reference to the Local Agency Override process for projects that is available under State law, to the extent such process is necessary, as follows (proposed new text shown in underline):

**Land Use Policy 2-I-22:** Require that all future development conforms with the relevant height, aircraft noise, and safety policies and compatibility criteria contained in the most recently adopted version of the San Mateo County Comprehensive Airport Land Use Plan for the environs of San Francisco International Airport, with the exception of projects deemed appropriate by the City Council, and to the extent necessary, approved through the Local Agency Override process, consistent with the Public Utilities Code Section 21675.1 (d).

**Noise Policy 9-1-10:** Do not allow new residential or noise sensitive development in the CNEL 70 dB+ areas impacted by SFO operations, as required by Airport Land Use Commission infill criteria, with the exception of projects deemed appropriate by the City Council and to the extent necessary, approved through the Local Agency Override process.

**Noise Policy 9-I-11:** Require new residential development in area between the most recent FAA-accepted 65 and 70 dB CNEL aircraft noise contours for San Francisco International Airport (SFO), or those projects deemed appropriate by the City Council and, to the extent necessary, approved through the Local Agency Override process, to grant an aviation easement to the City and County of San Francisco, as proprietor of SFO.

### Policy Analysis

As proposed, the project is consistent with the ECRMZ zoning district land use and development standards, and is consistent with the General Plan Land Use Designation of El Camino Real Mixed Use (ECRMU), which is intended to accommodate high-intensity active uses and mixed-use development in the South El Camino Real area. Retail and department stores; eating and drinking establishments; hotels; commercial recreation; financial, business, and personal services; residential; educational and social services; and office uses are permitted in this district. The mixed-use project is consistent with and

implements many of the City's General Plan policies, focusing on high-quality transit-oriented development, improving the pedestrian environment and providing a wide range of housing options:

*Land Use Guiding Policies:*

2-G-3: Provide land use designations that maximize benefits of increased accessibility that will result from BART extension to the city and adjacent locations.

2-G-6 Maximize opportunities for residential development, including through infill and redevelopment, without impacting existing neighborhoods or creating conflicts with industrial operations.

2-G-7: Encourage mixed-use residential, retail, and office development in centers where they would support transit, in locations where they would provide increased access to neighborhoods that currently lack such facilities, and in corridors where such developments can help to foster identity and vitality.

2-G-8: Provide incentives to maximize community orientation of new development, and to promote alternative transportation modes.

*El Camino Real Sub-Area Policies*

Guiding Policy 3.4-G-7: Develop the South El Camino area as a vibrant corridor with a variety of residential and non-residential uses to foster a walkable and pedestrian-scaled environment.

Policy 3.4-1-24: Promote visually intricate development, using horizontal and vertical building articulation that engages pedestrians; and diversity in color, materials, scale, texture, and building volumes.

3.4-1-25: Maintain an open, walkable environment throughout the area by providing space at the ground level for enhanced pedestrian connections, either through open promenades or internal semi-public pathways.

3.4-1-26: Limit curb cuts along pedestrian routes, so that pedestrian circulation and safety are not compromised by vehicle access to parking.

3.4-1-30: Require development be oriented to El Camino Real, with the ground floor of buildings designed so that pedestrians can see shops, restaurants, and activities as they walk along the sidewalk. The ground floor of buildings along Huntington, Noor, and South Spruce avenues should also be designed to provide visual interest and promote pedestrian comfort.

*Transportation*

Guiding Policy 4.2-G-10 Make efficient use of existing transportation facilities and, through the arrangement of land uses, improved alternate modes, and enhanced integration of various transportation systems serving South San Francisco, strive to reduce the total vehicle-miles traveled.

*Housing Element*

Goal 1: Promote the provision of housing by both the private and public sectors for all income groups in the community.

Policy 1-5: The City shall encourage a mix of residential, commercial, and office uses in the areas designated as Planned Development Areas (PDAs), properties located in the South San Francisco BART Transit Village Zoning District and in proximity to BART and Caltrain stations and along El Camino Real, consistent with the Grand Boulevard Initiative.

In addition to implementing the goals and policies of the City's General Plan, the 410 Noor project also is consistent with and implements the Bicycle Master Plan and Pedestrian Master Plan, by improving pedestrian and bicycle conditions and facilities that connect to the San Bruno BART station.

Further, the project is consistent with State housing law mandates, will assist the City in meeting its Regional Housing Needs Assessment (RHNA) housing targets, and will help assuage the State's housing crisis by providing 338 needed units of housing in an appropriate infill, transit-oriented redevelopment location. The California Legislature has found and declared that a lack of housing "is a critical problem that threatens the economic, environmental, and social quality of life in California," and that "[t]he excessive cost of the state's housing supply is partially caused by activities and policies of many local governments that limit the approval of housing, increase the cost of land for housing, and require that high fees and exactions be paid by producers of housing."<sup>1</sup> As a result, the Legislature has recently enacted and reinforced numerous State laws, including the Housing Accountability Act<sup>2</sup> and SB 330 (Housing Crisis Act of 2019),<sup>3</sup> that strongly support approval of developments such as the project, and that narrowly circumscribe cities' authority to deny or significantly condition the approval of such projects. Approval of the project is consistent with these state mandates and efforts to combat the State's housing crisis.

Finally, the project is consistent with Plan Bay Area 2040 (or PBA),<sup>4</sup> the Bay Area's long-range Regional Transportation Plan and Sustainable Communities Strategy. PBA integrates land use and transportation strategies to achieve state and regional emissions reduction targets pursuant to SB 375. Plan Bay Area 2040 has been designed to support a growing economy, provide more housing and transportation choices, and reduce pollution caused by transportation by clustering areas of more intense development near transportation. The Project is located in a Priority Development Area (PDA) and a Transit Priority Area (TPA) as designated by Plan Bay Area 2040, and is therefore an appropriate location for dense housing consistent with long-range, regional planning goals. As discussed below under CEQA compliance, we note that PBA contemplates additional density in appropriate locations near airports and included a mitigation measure which will be applied to this Project to ensure interior noise levels are less than 45 dB.

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<sup>1</sup> Gov. Code § 65589.5(a).

<sup>2</sup> [https://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=GOV&sectionNum=65589.5](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&sectionNum=65589.5).

<sup>3</sup> [https://leginfo.ca.gov/faces/billTextClient.xhtml?bill\\_id=201920200SB330](https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200SB330)

<sup>4</sup> <http://2040.planbayarea.org/>



## DISCUSSION OF RELATIONSHIP TO AIRPORT LAND USE COMPATIBILITY

### Safety

A small portion of the Project site is located within Safety Zone 4: Outer Approach/Departure Zone (ALUCP, Exhibit IV-8, Attachment 4 with the project site highlighted.) This Safety Zone prohibits the following types of uses: biosafety facilities, schools, child day care centers, hospitals, nursing homes, stadiums, and arenas. Because the Project consists of residential and commercial uses, it is **consistent** with the ALUCP Safety Zone requirements.

### Airspace Protection

Per the ALUCP, airspace protection policies are established with a two-fold purpose:

1. To protect the public health, safety, and welfare by minimizing the public's exposure to potential safety hazards that could be created through the construction of tall structures.
2. To protect the public interest in providing for the orderly development of SFO by ensuring that new development in the Airport environs avoids compromising the airspace in the Airport vicinity. This avoids the degradation in the safety, utility, efficiency, and air service capability of the Airport that could be caused by the attendant need to raise visibility minimums, increase minimum rates of climb, or cancel, restrict, or redesign flight procedures.

As proposed, the 410 Noor project is **consistent** with the ALUCP Airspace Protection policies, described in detail below:

### FAA Notification Requirements

The ALUCP requires compliance with Federal Aviation Administration (FAA) Airspace Protection regulations, which require any project with a height that would exceed the regulations' prescribed elevations to submit certain notice to the FAA. Exhibits IV-10 and IV-11 of the ALUCP show the approximate height range that would trigger FAA notification. According to these figures and consultation with the FAA's online tool, the proposed project is required to file a Notice of Proposed Construction or Alteration with the FAA. As a project Conditions of Approval, the applicant will be required to provide evidence of compliance with FAA requirements regarding construction within the FAA Part 77 conical zone.

### Building Heights

ALUCP Exhibit IV-14 "14 CFR Part 77 Airport Imaginary Surfaces – North Side" is attached with the project site highlighted (Attachment 4). As indicated on the map, the height for the imaginary surface established for the horizontal surface at the site location is 163.2 feet above Mean Sea Level (MSL). The proposed project parcels are located at between 35 and 48 feet above MSL. The proposed buildings at the 410 Noor project site are designed to be constructed at a maximum building height of 59 feet above ground level.

Maximum structure heights would be approximately 94 to 107 feet above MSL. A structure built at a maximum of 107 feet above MSL would be well below the imaginary surface height established. Based on the proposed project's maximum height of 107 feet above MSL, no additional safety requirements are anticipated. Therefore, the proposed project would be consistent with the airspace policies as established in the adopted 2012 SFO ALUCP.

As part of the 410 Noor project application, the applicant submitted an airspace analysis and obstruction evaluation study ([Attachment 3](#)), completed by Williams Aviation Consultants. The study contains the following conclusion regarding building heights:

- *At the study location, the proposed 3, 4, and 5 story buildings, with a ground elevation of approximately 50' AMSL, will not penetrate the Horizontal Surface at SFO, if the overall total height of the proposed buildings stay below 163' AMSL.*

#### Other Flight Hazards

Per ALUCP Policy A4, proposed land uses with characteristics that may cause visual, electronic, or wildlife hazards, particularly bird strike hazards, to aircraft taking off or landing at the Airport or in flight are incompatible in Area B of the Airport Influence Area. As a mixed-use residential project, the 410 Noor proposal does not contain any characteristics that would cause these hazards. The South San Francisco Zoning Ordinance (Section 20.300.010) contains performance standards to ensure that all development protects the community from nuisances, hazards and objectionable conditions, including those which could be aircraft hazards, including light, glare, air contaminants, or electromagnetic interference. As proposed, the 410 Noor project is consistent with the performance standards contained in the Zoning Ordinance, and would not create an aircraft hazard.

#### Noise

ALUCP Exhibit IV-6 "Noise Compatibility Zones – Detail" is attached ([Attachment 4](#)) (plan adopted in 2012, based on 2011 data), and the 410 Noor project site is highlighted. The map shows the project site within the CNEL 70dB contour. According to the ALUCP Table IV-1 (on the following page), Noise and Land Use Compatibility Criteria, multi-family residential land uses are deemed "Not Compatible" within this zone, but residential uses are considered conditionally compatible in areas exposed to noise above CNEL 70 dB if the proposed use is on a lot of record zoned exclusively for residential use as of the effective date of the ALUCP. The currently adopted FAA Part 150 Noise Exposure Map (FAA Part 150 Map), published in 2015 based on 2014 data, shows a small portion of one of the proposed project buildings at the edge of the 70db contour.

Two site specific noise studies have been conducted for the 410 Noor Project, the most recent is the Salter Noise Study ([Attachment 2-H](#)). As discussed on pages 6 and 7 of the Salter Noise Study, on-site noise monitoring and SFO noise monitoring data from 2017 to the present indicate that the project site is within the 65-70 dB CNEL. While the project is not consistent with the ALUCP noise contours, recent site-specific data shows that the airport noise patterns are changing over time, and that the project site is less impacted by noise than at the time the ALUCP was adopted. The Salter Noise Study also confirms that the project interiors can be reduced to less than 45 dB, consistent with the ALUCP noise policy and the City's General Plan policies.

CNEL Range	Land Use
Less than 65 dB	Land use and related structures compatible without restrictions.
65 to 70 dB	Land use and related structures are permitted, provided that sound insulation is provided to reduce interior noise levels from exterior sources to CNEL 45 dB or lower and that an avigation easement is granted to the City and County of San Francisco as operator of SFO.
70 dB to 75 dB	Land use and related structures are not compatible. However, use is conditionally compatible only on an existing lot of record zoned only for residential use as of the effective date of the ALUCP. Use must be sound-insulated to achieve an indoor noise level of CNEL 45 dB or less from exterior sources.
Over 75 dB	Land use and related structures are not compatible

Consistent with the City’s General Plan policies and the ALUCP noise policies for projects located in the 65-70 dB CNEL, the City will require enforceable Conditions of Approval to mitigate noise including:

- Construction and design features to meet acoustic performance standards recommended in the noise study, to reduce interior noise to 45 dB
- Granting an avigation easement to the City and County of San Francisco, in accordance with ALUCP Policy NP-3, prior to issuance of building permits
- Requirement of an indemnification agreement with the City prior to issuance of building permits, ensuring that liability related to noise is assumed by the project
- Requirement to include real estate disclosures in leases disclosing the presence of an airport within two miles of the property, per Section 11010 of the Business and Professions Code.

**CEQA ANALYSIS**

In 2010, the City adopted the South El Camino Real General Plan Amendments and associated Zoning Code Amendments, and certified the Amendment Environmental Impact Report (State Clearinghouse #2009062070) (GPA EIR). Per CEQA Guidelines Section 15168, an Environmental Consistency Checklist (ECA) has been prepared and reviewed by the City’s CEQA consultant for the 410 Noor project, which is a subsequent project within the South El Camino Real General Plan Amendment area. According to Section 15168, a program EIR can be used in compliance with CEQA to address the effects of a subsequent project, so long as the project is covered by the program EIR, and no conditions exist that would trigger a subsequent EIR pursuant to CEQA Guidelines Section 15162. The CEQA Environmental Consistency Analysis (ECA) and supporting analysis indicates that the 410 Noor project, as proposed, would not result in new or substantially more severe environmental effects than what was analyzed in the South El Camino General Plan Amendment EIR.

We note that, as discussed in the ECA, the General Plan Amendment EIR anticipated a change in the noise contours over time, given advances in airplane technology and changes in SFO’s operations. See GPA EIR pages 9-2. As previously discussed, recent site-specific noise data shows that the project site is currently within the 65-70db CNEL, not within the 70db CNEL contour as was the case when the

ALUCP was adopted. As part of this project, clarifying General Plan text amendments are proposed to two General Plan policies (Land Use Policy 2-I-22 and Noise Policy 9-1-11) that expressly reference the currently-adopted, noise contour maps (ALUCP Exhibit IV-6 and FAA Part 150 Map). The proposed amendments expressly incorporate City Council discretion to approve appropriate projects based on technical studies and add a reference to the Local Agency Override process for projects (already available under State law), to the extent such an override process is necessary. These clarifying amendments to the General Plan noise-related policies will allow the City to better achieve the vision and policies of the General Plan and ensure internal policy consistency.

Similarly, as a PDA/TPA project consistent with the regional goals of Plan Bay Area 2040, the PBA EIR analyzed noise impacts related to airport land use compatibility on a regional basis. The PBA EIR acknowledged that Project development could potentially be located in close proximity to existing airports such that applicable exterior and interior noise thresholds would be exceeded, and found that a potentially significant impact could occur to projected development only. The PBA EIR ultimately concluded that to the extent that an individual project adopts and implements all feasible mitigation measures described in PBA EIR Mitigation Measure 2.6-6 (see below), the appropriate design and building construction would ensure interior noise levels of 45 dB CNEL and this impact would be less than significant with mitigation. (PBA EIR, pp. 2.6-33 to 34.)

The Project is consistent with the type of development analyzed in the PBA EIR. See the Land Use and Planning section of the ECA for an analysis of the Project's consistency with Plan Bay Area 2040. The project will implement PBA EIR Mitigation Measure 2.6-6 by complying with the recommendations to ensure indoor noise levels of CNEL 45 dB or less in compliance with PBA EIR Mitigation Measure 2.6-6 as described in the Salter Noise Study.

*PBA EIR Mitigation Measure 2.6-6: Local lead agencies for all new development proposed to be located within an existing airport influence zone, as defined by the locally adopted airport land use compatibility plan or local general plan, shall require a site-specific noise compatibility. The study shall consider and evaluate existing aircraft noise, based on specific aircraft activity data for the airport in question, and shall include recommendations for site design and building construction to ensure compliance with interior noise levels of 45 dB CNEL, such that the potential for sleep disturbance is minimized.*

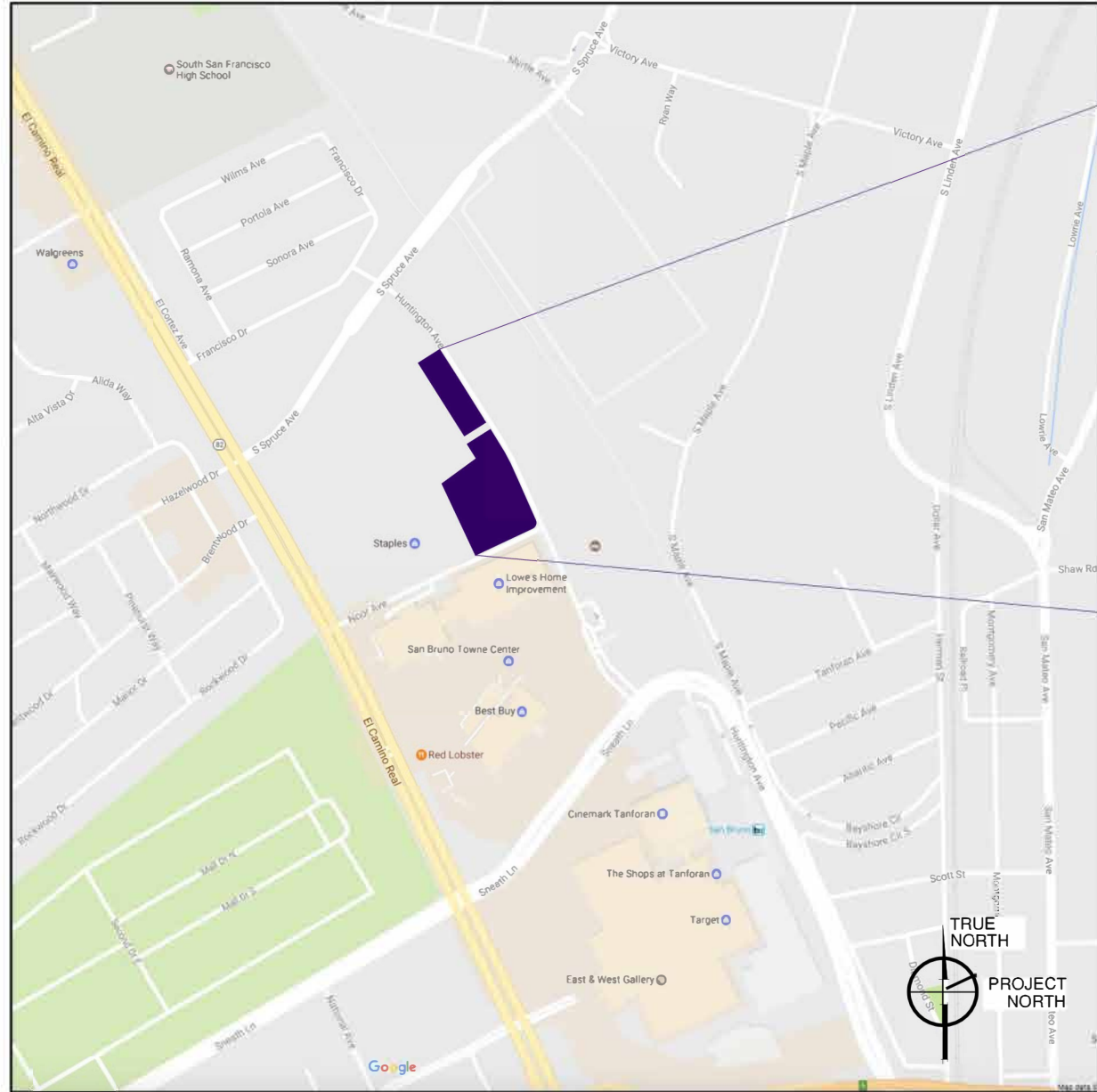
The 410 Noor ECA and supporting technical documents are attached to this report ([Attachment 2](#)).

**Attachments:**

1. 410 Noor Site Plan
2. Draft Environmental Consistency Analysis with supporting technical studies and exhibits:
  - A. Summary of Mitigation, General Plan Policies, and Standard Condition Requirements
  - B. Summary of Impacts and Policies That Reduce Impacts
  - C. CEQA Appendix N
  - D. CAP GHG-Reducing Strategies

- E. Hexagon Transportation Consultants, Transportation Demand Management (TDM) Program – 410 Noor Avenue
- F. Michael L. Bench, Evaluation of Existing Trees – 410 Noor Ave
- G. Fugro, Phase I, Environmental Site Assessment Executive Summary - 410 Noor Avenue
- H. Charles M. Salter Associates, Inc. 2020 Environmental Noise Study – 410 Noor Residences
- I. Hexagon Transportation Consultants, Traffic Impact Analysis (TIA) – 410 Noor Avenue
- 3. Airspace Analysis and Obstruction Study (Williams Aviation Consulting)
- 4. ALUCP Exhibits:
  - a. ALUCP Exhibit IV-6 “Noise Compatibility Zones – Detail” (with 410 Noor Project site highlighted)
  - b. IV-8 “Safety Compatibility Zones” (with 410 Noor Project site highlighted)
  - c. ALUCP Exhibit IV-14 “14 CFR Part 77 Airport Imaginary Surfaces – North Side” (with 410 Noor Project site highlighted)

3485193.1



**VICINITY MAP**

LOCATION: 37°38'31" N 122°5'16" W  
 ELEVATION: + 45'  
 BUILDING A HEIGHT: 49'- 8"  
 BUILDING B HEIGHT: 59'-10"  
 BUILDING C HEIGHT: 38'- 6"



**PERSPECTIVE RENDERING**

THE SITE INCLUDES TWO PARCELS, ONE OF WHICH HOUSES THE VACANT CENTURY THEATRE, WHILE THE OTHER IS USED AS AN ON-GRADE PARKING LOT. THE PROPOSED USE IS A 338 UNIT MULTI-FAMILY PROJECT WITH 467 PARKING STALLS IN PARTIALLY BELOW GRADE GARAGES. THE PROJECT WILL CONSIST OF 3 BUILDINGS:  
 BLDG A: 4 STORY/ 49'-8" HEIGHT (TYPE VA O/ IA BASEMENT)  
 BLDG B: 5 STORY/ 59'-10" HEIGHT (TYPE IIIA O/ IA BASEMENT)  
 BLDG C: 3 STORY/ 38'-6" HEIGHT (TYPE VA O/ IA BASEMENT)

LOT AREA:	206,474 S.F. (4.74 ACRE)
EXISTING LOT COVERAGE:	47,513 S.F.
PROPOSED LOT COVERAGE:	90,775 SF (TYPICAL FLOOR)
FAR:	2.50 ALLOWED (3.5 FOR MIXED-USE W/ INCENTIVE PROGRAM) 2.64 PROVIDED
REQUIRED PARKING:	1 PER STUDIO, 1.5 PER 1 BED, 1.8 PER 2 BED, .25 PER DU FOR GUEST ( <b>677 STALLS</b> )
PROVIDED PARKING:	467 STALLS
RESIDENTIAL DENSITY:	71.3 DU/ACRE
LANDSCAPING ON SITE:	65,128 SF (31.54%)

**PROJECT DESCRIPTION**

**GENERAL INFORMATION**

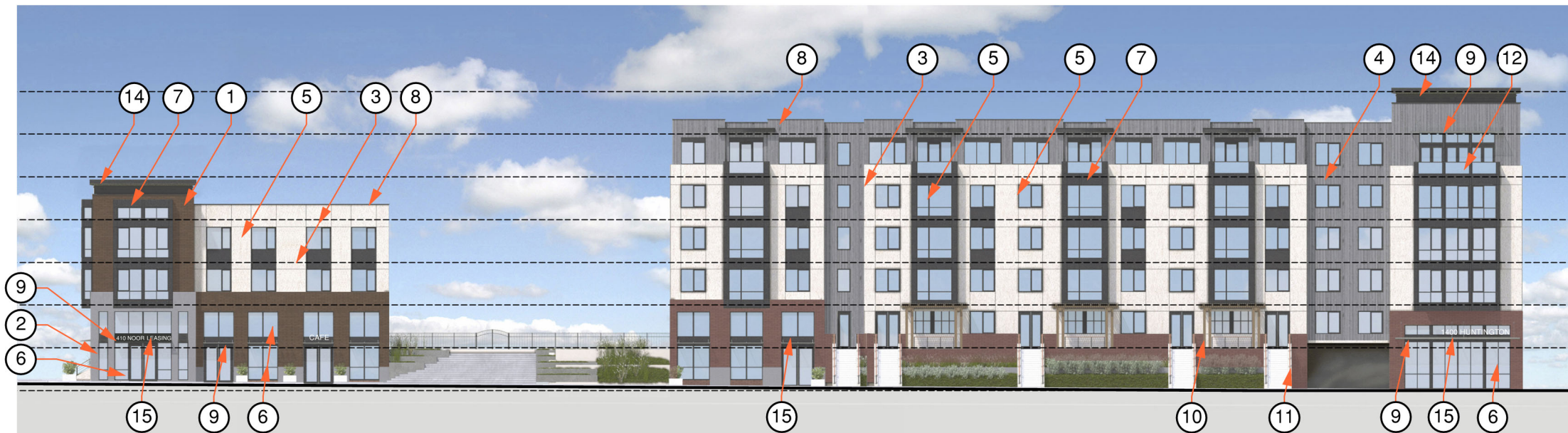
**410 NOOR AVENUE**

APRIL 3, 2020



- +38'-6" (VARIES) T.O. ROOF
- +29'-6" T.O. PLATE
- +20'-4" T.O. SBFLR LEVEL 3
- +10'-2" T.O. SBFLR LEVEL 2
- +0'-0" T.O. SLAB LEVEL 1
- -11'-2" T.O. SLAB BASEMENT

**EAST ELEVATION (NOOR AVE.) 2**

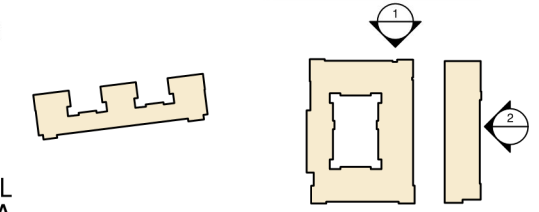


- +59'-10" (VARIES) T.O. ROOF
- +49'-10" T.O. PLATE
- +40'-8" T.O. SBFLR LEVEL 5
- +30'-6" T.O. SBFLR LEVEL 4
- +20'-4" T.O. SBFLR LEVEL 3
- +10'-2" T.O. SBFLR LEVEL 2
- +0'-0" T.O. SLAB LEVEL 1
- -11'-2" T.O. SLAB BASEMENT

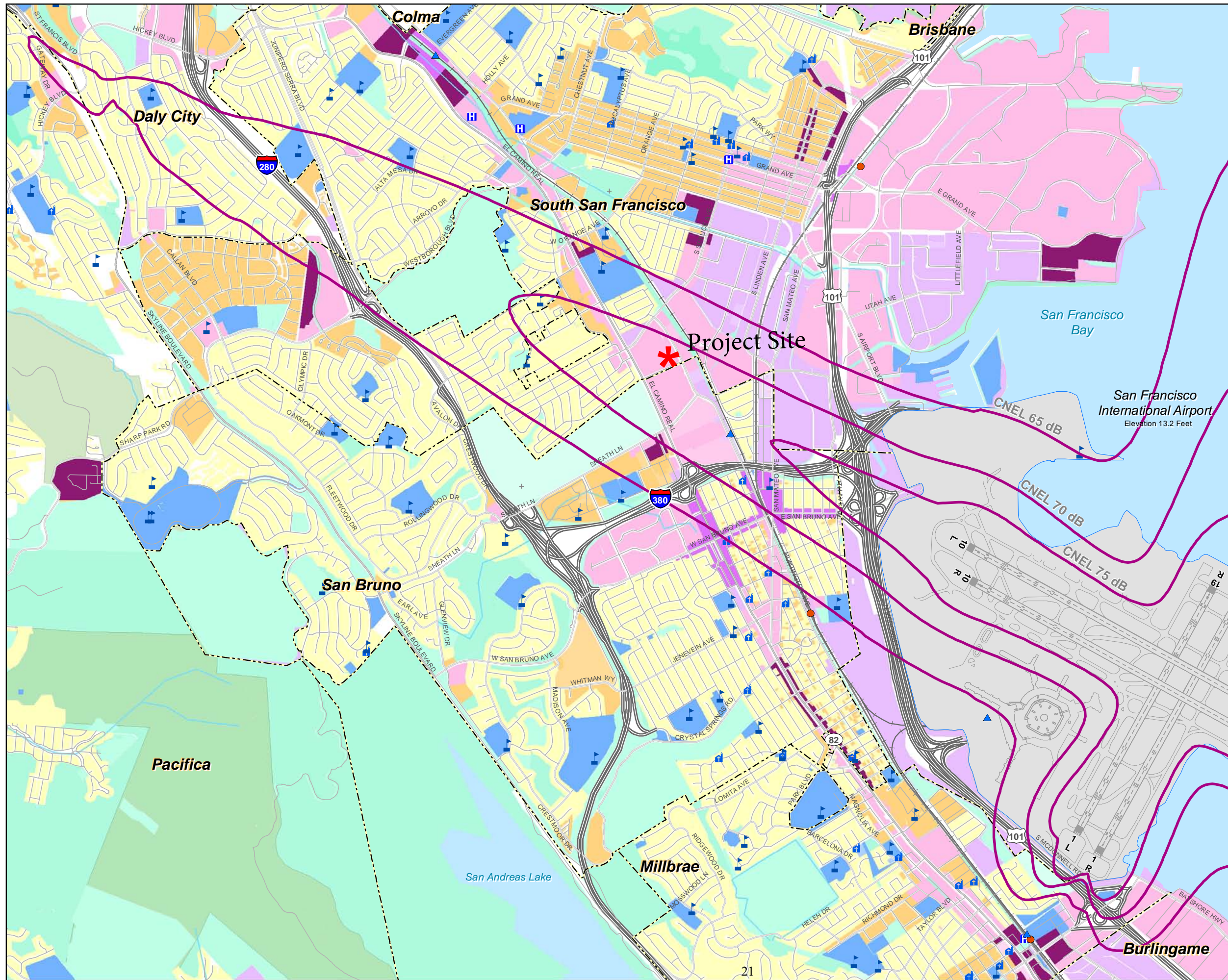
**NORTH ELEVATION (HUNTINGTON AVE.) 1**

- |  |  |  |
|--|--|--|
| ① BRICK VENEER                               | ⑦ CEMENTITIOUS PANEL & TRIM, SMOOTH FINISH | ⑬ AWNING OVER HANG   |
| ② CAST STONE BASE                            | ⑧ PARAPET                                  | ⑭ CORNICE  |
| ③ PLASTER - SMOOTH SAND FINISH               | ⑨ METAL AWNING                             | ⑮ BLDG SIGNAGE<br>ADDRESS: 36" TALL<br>OTHER SIGN: 18" TALL<br>3" DEPTH, HELVETICA<br>OR SIM; CAST METAL |
| ④ VERTICAL CEMENTITIOUS SIDING W/ WOOD GRAIN | ⑩ CEMENTITIOUS TRELLIS                     |  |
| ⑤ VINYL WINDOWS, ARCHITECTURAL BRONZE FINISH | ⑪ STOOP TO STREET                          |  |
| ⑥ STOREFRONT TO MATCH VINYL                  | ⑫ GLASS RAIL                               |  |

**KEY PLAN**



**ELEVATIONS** 1/32" = 1'-0"



**LEGEND**

- CNEL Contour, 2020 Forecast
- Airport Property
- ▲ BART Station
- CALTRAIN Station
- ▤ School
- Ⓜ Place of Worship
- Ⓜ Hospital
- Municipal Boundary
- Railroad
- Freeway
- Road
- Planned Land Use Per General Plans:
- Public
- Multi-Family Residential
- Single Family Residential
- Mixed Use
- Transit Oriented Development
- Commercial
- Industrial, Transportation, and Utilities
- Local Park, Golf Course, Cemetery
- Regional Park or Recreation Area
- Open Space
- Planned use not mapped

**Sources:**

Noise Contour Data:  
 - Draft Environmental Assessment, Proposed Runway Safety Area Program, San Francisco International Airport. URS Corporation and BridgeNet International, June 2011

**County Base Maps:**

- San Mateo County Planning & Building Department, 2007

**Local Plans:**

- Burlingame Bayfront Specific Area Plan, August 2006
- Burlingame Downtown Specific Plan, January 2009
- Burlingame General Map, September 1984
- North Burlingame/ Rollins Road Specific Plan, February 2007
- Colma Municipal Code Zoning Maps, December 2003
- Daly City General Plan Land Use Map, 1987
- Hillsborough General Plan, March 2005
- Millbrae Land Use Plan, November 1998
- Pacifica General Plan, August 1996
- San Bruno General Plan, December 2008
- San Mateo City Land Use Plan, March 2007
- San Mateo County Zoning Map, 1992
- South San Francisco General Plan, 1998

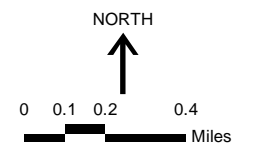


Exhibit IV-6  
**NOISE COMPATIBILITY ZONES --  
 DETAIL**

Comprehensive Airport Land Use Plan  
 for the Environs of San Francisco International Airport



**Table IV-1 Noise/Land Use Compatibility Criteria**

LAND USE	COMMUNITY NOISE EQUIVALENT LEVEL (CNEL)			
	BELOW 65 dB	65-70 dB	70-75 dB	75 dB AND OVER
<b>Residential</b>				
Residential, single family detached	Y	C	N (a)	N
Residential, multi-family and single family attached	Y	C	N (a)	N
Transient lodgings	Y	C	C	N
<b>Public/Institutional</b>				
Public and Private Schools	Y	C	N	N
Hospitals and nursing homes	Y	C	N	N
Places of public assembly, including places of worship	Y	C	N	N
Auditoriums, and concert halls	Y	C	C	N
Libraries	Y	C	C	N
Outdoor music shells, amphitheaters	Y	N	N	N
<b>Recreational</b>				
Outdoor sports arenas and spectator sports	Y	Y	Y	N
Nature exhibits and zoos	Y	Y	N	N
Amusements, parks, resorts and camps	Y	Y	Y	N
Golf courses, riding stables, and water recreation	Y	Y	Y	Y
<b>Commercial</b>				
Offices, business and professional, general retail	Y	Y	Y	Y
Wholesale; retail building materials, hardware, farm equipment	Y	Y	Y	Y
<b>Industrial and Production</b>				
Manufacturing	Y	Y	Y	Y
Utilities	Y	Y	Y	Y
Agriculture and forestry	Y	Y (b)	Y (c)	Y (c)
Mining and fishing, resource production and extraction	Y	Y	Y	Y

## Notes:

CNEL = Community Noise Equivalent Level, in A-weighted decibels.

Y (Yes) = Land use and related structures compatible without restrictions.

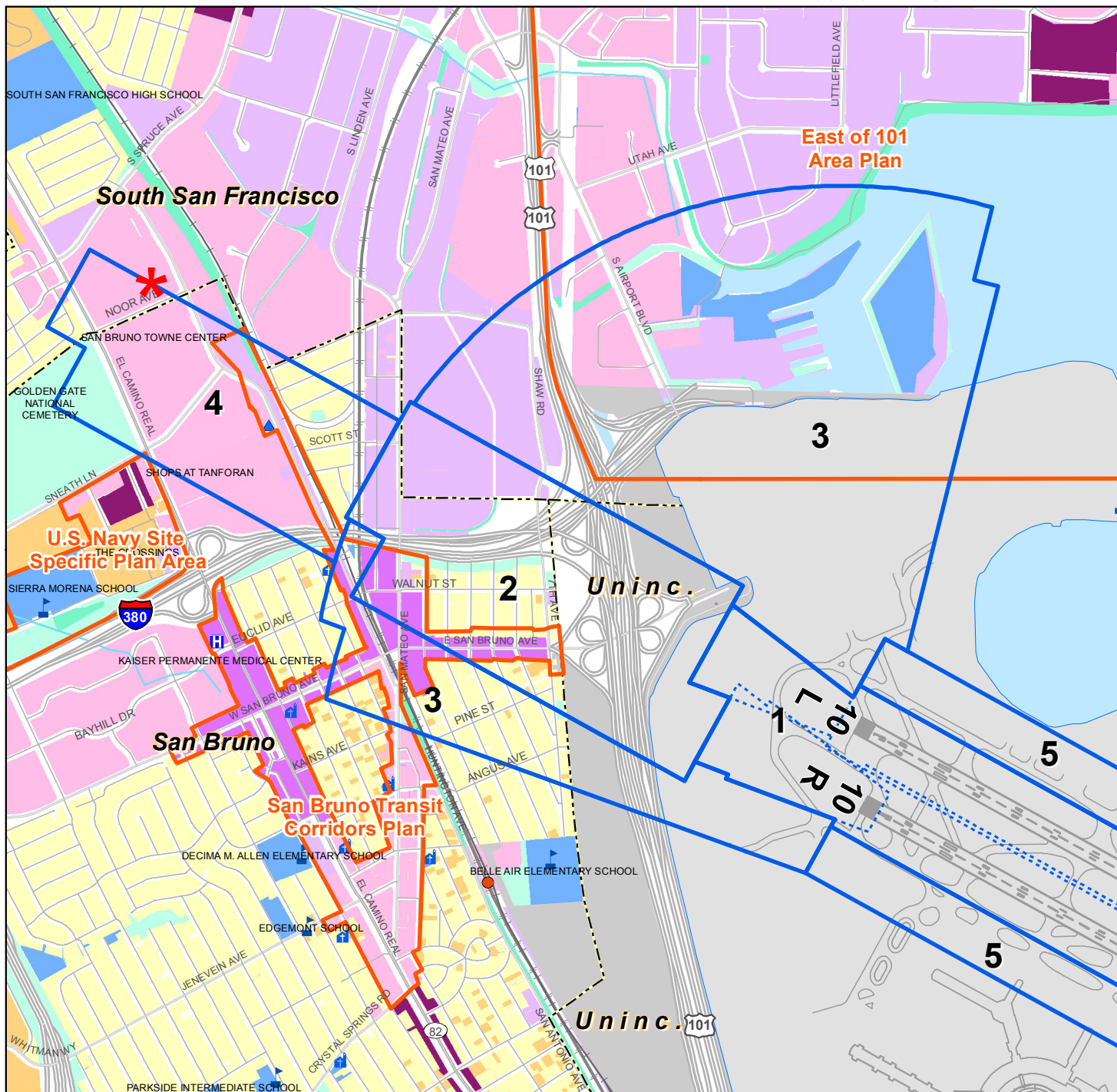
C (conditionally compatible) = Land use and related structures are permitted, provided that sound insulation is provided to reduce interior noise levels from exterior sources to CNEL 45 dB or lower and that an avigation easement is granted to the City and County of San Francisco as operator of SFO. See Policy NP-3.

N (No) = Land use and related structures are not compatible..

- (a) Use is conditionally compatible only on an existing lot of record zoned only for residential use as of the effective date of the ALUCP. Use must be sound-insulated to achieve an indoor noise level of CNEL 45 dB or less from exterior sources. The property owners shall grant an avigation easement to the City and County of San Francisco prior to issuance of a building permit for the proposed building or structure. If the proposed development is not built, then, upon notice by the local permitting authority, SFO shall record a notice of termination of the avigation easement.
- (b) Residential buildings must be sound-insulated to achieve an indoor noise level of CNEL 45 dB or less from exterior sources.
- (c) Accessory dwelling units are not compatible.

SOURCES: Jacobs Consultancy Team 2010. Based on State of California General Plan Guidelines for noise elements of general plans; California Code of Regulations, Title 21, Division 2.5, Chapter 6, Section 5006; and 14 CFR Part 150, Appendix A, Table I.

PREPARED BY: Ricondo & Associates, Inc., June 2012.



## LEGEND

### Safety Compatibility Zones

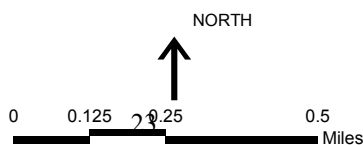
- 1 - Runway Protection Zone-Object Free Area
- 2 - Inner Approach/Departure Zone
- 3 - Inner Turning Zone
- 4 - Outer Approach/Departure Zone
- 5 - Sideline Zones
- Internal boundaries of ALP-defined areas
- Specific Plan Area
- Airport Property
- ▲ BART Station
- CALTRAIN Station
- 🏫 School
- 🕌 Place of Worship
- 🏥 Hospital
- Municipal Boundary
- Railroad
- Freeway
- Major Road
- Road

### Planned Land Use Per General Plans

- Public
- Multi-Family Residential
- Single Family Residential
- Mixed Use
- Transit Oriented Development
- Commercial
- Industrial, Transportation, and Utilities
- Local Park, Golf Course, Cemetery
- Regional Park or Recreation Area
- Open Space

### Sources:

- Local Plans:  
 - San Bruno General Plan, December 2008  
 - South San Francisco General Plan, 1998



**FAA NOTIFICATION REQUIREMENTS**

A structure proponent must file FAA Form 7460-1, Notice of proposed Construction or Alteration, for any proposed construction or alteration that meets any of the following Notification Criteria described in 14 CFR part 77.9:

§77.9(a) - A height more than 200 feet above ground level (AGL) at its site;

§77.9(b) - within 20,000 feet of a runway more than 3,200 feet in length, and exceeding a 100:1 slope imaginary surface (i.e., a surface rising 1 foot vertically for every 100 feet horizontally) from the nearest point of the nearest runway. The 100:1 surface is shown as follows:

- 20,000 Feet Limit From Nearest Runway
- 100 — Elevation Above Mean Sea Level

**Heights of 100:1 Surface Above Ground (AGL)**

- Terrain penetrations of Airspace Surface
- Less than 30
- 30-65
- 65-100
- 100-150
- 150-200
- 200 and more

§77.9(c) - Roadways, railroads, and waterways are evaluated based on heights above surface providing for vehicles; by specified amounts or by the height of the highest mobile object normally traversing the transportation corridor;

§77.9(d) - Any construction or alteration on any public-use or military airport (or heliport).

Structure proponents or their representatives may file via traditional paper forms via uS mail, or online at the FAA's oE/AAA website, <http://oeaaa.faa.gov>

**LEGEND**

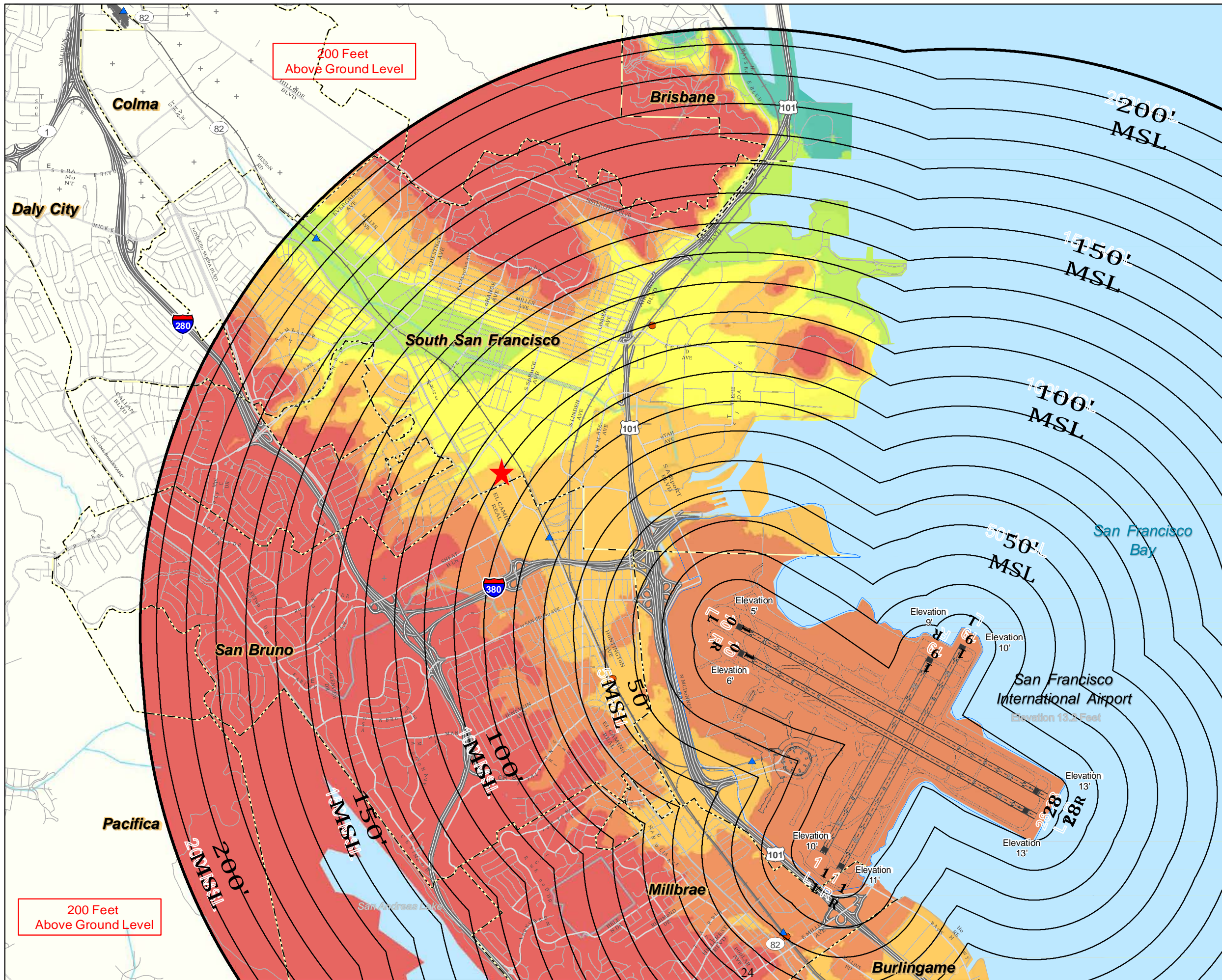
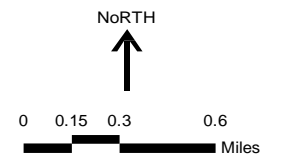
- ▲ BART Station
- CALTRAIN Station
- Municipal Boundary
- Railroad
- Freeway
- Road

**Note:**

per 14 CFR part 77, developers proposing structures taller than the indicated elevations must file Form 7460-1 with the FAA at least 30 days before the proposed construction. However, due to local requirements for a favorable FAA determination as a contingency for project approval, it is advisable to file the Form 7460-1 as soon as possible because the FAA can take several months to undertake aeronautical reviews.

**Source:**

Ricondo & Associates, Inc. and Jacobs Consultancy, based on 14 CFR part 77, Subpart B, Section 77.9.



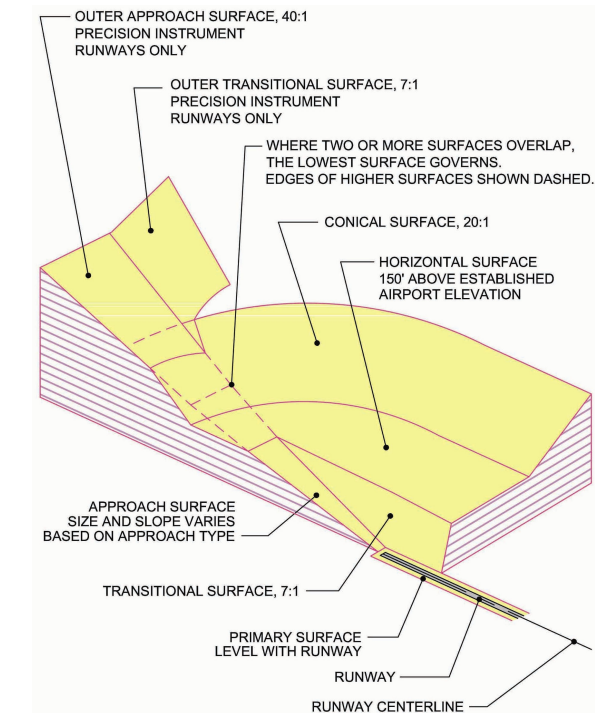
200 Feet Above Ground Level

200 Feet Above Ground Level

## LEGEND

- 14 CFR Part 77 Civil Airport Imaginary Surfaces
- 100' MSL Elevation Contour, feet AMSL
- ▲ BART Stations
- CALTRAIN Stations
- Regional Park or Recreation Area
- - - Municipal Boundary
- Railroads
- Freeways
- Roads

### Isometric Drawing of 14 CFR Part 77, Section 77.19 Civil Airport Imaginary Surfaces



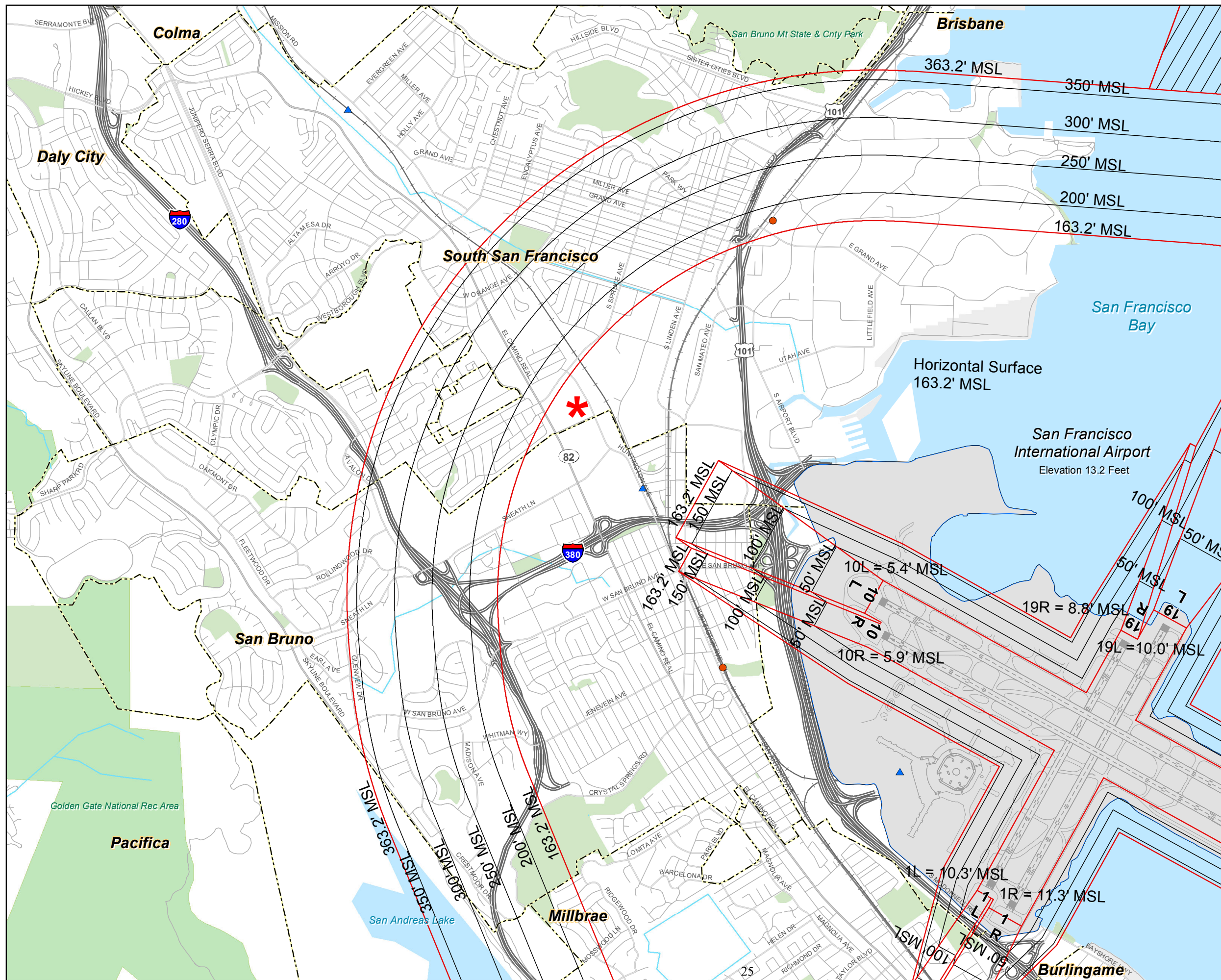
Sources:

14 CFR Part 77 Surfaces: City and County of San Francisco, Ricondo & Associates, Inc., 2010

NORTH



0 0.125 0.25 0.5  
Miles



SURFACE INTERSECTION ANALYSIS INFORMATION - AIRPORT CODE "SFO"								
Coordinate System: WGS84			Date: 05/13/20			Model: 2-SFO_ALL_Surfaces_31JUL14		
Latitude	Longitude	Site El.(AMSL)	Ht.(AGL)	Overall Ht.(AMSL)	Max Ht. (AMSL)	Exceeds By	Under By	Surface
37° 38' 30.5485"	122° 25' 12.4313"	41.82	59	100.82	154.91		54.09	SFO_RW28LR_OEI_Corridor_090309
37° 38' 30.5485"	122° 25' 12.4313"	41.82	59	100.82	163.2		62.38	SFO_P77_19_Horizontal_Plane
37° 38' 30.5485"	122° 25' 12.4313"	41.82	59	100.82	304.09		203.27	SFO_RW10R_VIZ_Straight_In
37° 38' 30.5485"	122° 25' 12.4313"	41.82	59	100.82	311.66		210.84	SFO_RW28R_IFR_NonSTND_Departure_2000
37° 38' 30.5485"	122° 25' 12.4313"	41.82	59	100.82	355.04		254.22	SFO_RW28L_IFR_NonSTND_Departure
37° 38' 30.5485"	122° 25' 12.4313"	41.82	59	100.82	357.73		256.91	SFO_VFR77_Exist_Conical
37° 38' 30.5485"	122° 25' 12.4313"	41.82	59	100.82	390.86		290.04	SFO_RW10R_RNP_2Y_Final_Approach_O
37° 38' 30.5485"	122° 25' 12.4313"	41.82	59	100.82	519.64		418.82	SFO_RW28R_ILS_CAT2_Missed_Approach_11
37° 38' 30.5485"	122° 25' 12.4313"	41.82	59	100.82	640		539.18	SFO_CIRCLING_CAT_B
37° 38' 30.5485"	122° 25' 12.4313"	41.82	59	100.82	730		629.18	SFO_RW10R_LNAVx_Final_Approach_OB
37° 38' 30.5485"	122° 25' 12.4313"	41.82	59	100.82	733.44		632.62	SFO_RW28R_LOC_Missed_Approach_11
37° 38' 30.5485"	122° 25' 12.4313"	41.82	59	100.82	733.47		632.65	SFO_RW28L_LOC_Missed_Approach_22A
37° 38' 30.5485"	122° 25' 12.4313"	41.82	59	100.82	738.32		637.5	SFO_RW28R_LPV_Missed_Approach_2B
37° 38' 30.5485"	122° 25' 12.4313"	41.82	59	100.82	740		639.18	SFO_CIRCLING_CAT_C
37° 38' 30.5485"	122° 25' 12.4313"	41.82	59	100.82	753.95		653.13	SFO_RW28L_ILS_Cat1_Missed_Approach_22A
37° 38' 30.5485"	122° 25' 12.4313"	41.82	59	100.82	860		759.18	SFO_CIRCLING_CAT_D
37° 38' 30.5485"	122° 25' 12.4313"	41.82	59	100.82	953.6		852.78	SFO_RW28R_RNP_Y_Missed_OB
37° 38' 30.5485"	122° 25' 12.4313"	41.82	59	100.82	1241.96		1141.14	SFO_RW28L_VNAV_Missed_Approach_OB
37° 38' 30.5485"	122° 25' 12.4313"	41.82	59	100.82	1363.59		1262.77	SFO_RW28R_VNAV_Missed_Approach_2B
37° 38' 30.5485"	122° 25' 12.4313"	41.82	59	100.82	1600		1499.18	SFO_MVA_2008
37° 38' 30.5485"	122° 25' 12.4313"	41.82	59	100.82	1891.48		1790.66	SFO_RW01L_IFR_NonSTND_Departure
Total penetrations above surfaces: 0								
Total penetrations below surfaces: 21								
Zone Analysis								
X	Y	Range	Safety Zones					
6005754.963	2061866.571	70-75 db	None					

San Francisco International Airport

June 25, 2020

Susy Kalkin  
 ALUC Staff  
 City/County Association of Governments of San Mateo County  
 555 County Center, 5<sup>th</sup> Floor  
 Redwood City, CA 94063

**Subject:** *San Francisco International Airport's Objection to Proposed Construction at 410 Noor Avenue in South San Francisco*

Dear Ms. Kalkin:

Thank you for notifying San Francisco International Airport (SFO or "Airport") of the proposed new mixed-use development at 410 Noor Avenue in South San Francisco, on the site of the currently vacant Century Plaza theaters (the "Project"). We appreciate this opportunity to coordinate with the City/County Association of Governments of San Mateo County (C/CAG) and the City of South San Francisco (South San Francisco) in evaluating the land use compatibility of the Project. The Airport objects to the Project at its proposed location because it would be incompatible with the noise policies of the Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (ALUCP). The Airport accordingly recommends that the Airport Land Use Commission (ALUC) deny the Project as proposed.

### Background

The California Public Utilities Code requires airport land use commissions to prepare and adopt an airport land use compatibility plan for each public use and military airport within their jurisdictions.<sup>1</sup> The purpose is twofold: (1) to protect airports, which are typically regional, state, and national assets, from local development that would encroach on the ability of airports to operate and (2) to promote good land use planning and zoning in communities located near airports that protects residents in the communities near airports. In 1996, C/CAG, acting in its capacity as ALUC, adopted the ALUCP. In 2012, C/CAG updated the ALUCP.

As provided in the California Airport Land Use Planning Handbook,<sup>2</sup> the ALUCP covers four primary land use and zoning areas of concern:

- Aircraft Noise Impact Reduction – To reduce the potential number of future airport area residents who could be exposed to noise impacts from airport and aircraft operations.
- Safety of Persons on the Ground and in Aircraft in Flight – To minimize the potential number of future residents and land use occupants exposed to hazards related to aircraft operations and accidents.
- Height Restrictions/Airspace Protection – To protect the navigable airspace around the Airport for the safe and efficient operation of aircraft in flight.
- Overflight Notification – To establish an area within which aircraft flights to and from the Airport occur frequently enough and at a low enough altitude to be noticeable by sensitive residents. Within this area, real estate disclosure notices shall be required, pursuant to state law.

<sup>1</sup> Cal. Publ. Util. Code, § 21674(c).

<sup>2</sup> The California Department of Transportation, Division of Aeronautics prepared the *California Airport Land Use Planning Handbook* (Oct. 2011), as required by state law.. See Cal. Pub. Util. Code, §§ 21674.5, 21674.7.

AIRPORT COMMISSION CITY AND COUNTY OF SAN FRANCISCO

LONDON N. BREED  
MAYOR

LARRY MAZZOLA  
PRESIDENT

ELEANOR JOHNS

RICHARD J. GUGGENHIME

MALCOLM YEUNG

IVAR C. SATERO  
AIRPORT DIRECTOR

**I. The Project is incompatible with the ALUCP.**

The Project is inconsistent with the ALUCP noise compatibility policies. Specifically, Policy NP-2 prohibits new residential units – multi-family or otherwise – within the 70-75 decibels (dB) Community Noise Equivalent Level (CNEL) contour for SFO.<sup>3</sup> “The 2020 forecast contours define the boundaries within which the noise compatibility policies of [the] ALUCP are based.”<sup>4</sup> The Project site is located directly within the 70-75 dB contour of the 2020 forecast.<sup>5</sup> Policy NP-4.1 allows that “[r]esidential uses are considered conditionally compatible in areas exposed to noise above CNEL 70 dB only if the proposed use is on a lot of record zoned exclusively for residential use as of the effective date of the ALUCP.”<sup>6</sup> But as of October 2012, the effective date of the ALUCP, the Project site was zoned Mixed-Use. Therefore, the proposed Project is incompatible, and because the Project site was not zoned exclusively for residential use, the Project cannot be conditionally compatible.

The Project site is also partly located within the Airport’s Safety Compatibility Zone 4, which prohibits public uses such as schools and large child day care centers. Therefore, a school or large child day care would not be compatible for the commercial space on the ground floors of the Project.

In the event South San Francisco – over the Airport’s objection – overrides a finding of incompatibility with the ALUCP noise policies and approves the proposed Project, then at a minimum, the Airport requests that South San Francisco condition issuance of the building permit for the Project on the execution of an avigation easement in favor of the City and County of San Francisco. Execution of an avigation easement prior to issuance of a building permit is also a requirement for uses found to be conditionally acceptable under the ALUCP. The developer would also need to ensure effective sound insulation indoors to a noise level of CNEL 45 dB or less from exterior sources.

**II. South San Francisco’s prior agreements further preclude approval of the Project at the proposed site.**

Since 1984, South San Francisco has received funding from the Airport and grants from the FAA’s Airport Improvement Program (AIP) for airport noise insulation programs. During this time through the early 2000s, South San Francisco has received over \$71.1 million in noise insulation funds. As a condition for receiving the federal grants, South San Francisco provided assurances that were incorporated into and became part of the grant agreement with the federal government, including that it would “take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft” and to “not cause or permit any change in land use, within its jurisdiction that will reduce its compatibility, with respect to the airport . . . .”<sup>7</sup> Approving the proposed Project within the 70-75 dB CNEL noise contour would violate this condition of grant acceptance.

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<sup>3</sup> ALUCP, p. IV-17.

<sup>4</sup> *Id.* at I-13.

<sup>5</sup> *See id.* at Exhibit III-1.

<sup>6</sup> *Id.* at IV-19.

<sup>7</sup> Airport Improvement Program Grant Assurances, 64 Fed. Reg. 45,011 (Aug. 18, 1999).

Susy Kalkin  
June 25, 2020  
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The Airport appreciates your consideration of these comments. If I can be of assistance regarding this matter, please do not hesitate to contact me at (650) 821-9464 or at [nupur.sinha@flysfso.com](mailto:nupur.sinha@flysfso.com).

Sincerely,



Nupur Sinha  
Acting Airport Planning Director  
San Francisco International Airport  
Bureau of Planning and Environmental Affairs

cc: Sandy Wong, C/CAG  
Tony Rozzi, South San Francisco, Principal Planner  
Nixon Lam, SFO, Environmental Affairs Manager