

# C/CAG

## CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

*Atherton • Belmont • Brisbane • Burlingame • Colma • Daly City • East Palo Alto • Foster City • Half Moon Bay • Hillsborough • Menlo Park  
Millbrae • Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County • South San Francisco • Woodside*

### BOARD MEETING NOTICE

Meeting No. 277

- DATE:** Thursday, April 9, 2015
- TIME:** 6:30 P.M.
- PLACE:** San Mateo County Transit District Office  
1250 San Carlos Avenue, Second Floor Auditorium  
San Carlos, CA
- PARKING:** Available adjacent to and behind building.  
Please note the underground parking garage is no longer open.
- PUBLIC TRANSIT:** SamTrans  
Caltrain: San Carlos Station.  
Trip Planner: <http://transit.511.org>

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- 1.0 CALL TO ORDER/ ROLL CALL
- 2.0 PLEDGE OF ALLEGIANCE
- 3.0 PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA  
*Note: Public comment is limited to two minutes per speaker.*
- 4.0 PRESENTATIONS/ ANNOUNCEMENTS
- None
- 5.0 CONSENT AGENDA

Consent Agenda items are considered to be routine and will be enacted by one motion. There will be no separate discussion on these items unless members of the Board, staff or public request specific items to be removed for separate action.

- 5.1 Approval of the minutes of regular business meeting No. 276 dated March 12, 2015. ACTION p. 1
- 5.2 SFO Comprehensive Airport Land Use Compatibility Plan Consistency Review – City of Pacifica Housing Element 2015-2023 (Draft 2/25/15) ACTION p. 7
- 5.3 SFO Comprehensive Airport Land Use Compatibility Plan Consistency Review – City of Millbrae Housing Element 2015-2023 (Public Review Draft, January 2015) ACTION p. 13
- 5.4 Half Moon Bay Airport, San Carlos Airport and SFO Airport Land Use Compatibility Plan Consistency Review – San Mateo County Housing Element (2014-2022 Draft) ACTION p. 22
- 5.5 Review and approval of Resolution 15-11 in support of the City of South San Francisco’s grant application for the State’s Affordable Housing and Sustainable Communities (AHSC) program ACTION p. 32
- 5.6 Review and approval of support letter for Caltrain’s Affordable Housing and Sustainable Communities (AHSC) grant application for the South San Francisco Caltrain Station Access and Improvement Project ACTION p. 38
- 6.0 REGULAR AGENDA
- 6.1 Review and approval of C/CAG legislative policies, priorities, positions, and legislative update. (A position may be taken on any legislation, including not previously identified.) ACTION p. 40
- 7.0 COMMITTEE REPORTS
- 7.1 Committee Reports (oral reports).
- 7.2 Chairperson’s Report
- 7.3 Boardmembers Report
- 8.0 EXECUTIVE DIRECTOR’S REPORT
- 9.0 COMMUNICATIONS - Information Only
- 9.1 Letter, from Mary Ann Nihart, C/CAG Chair, to The Honorable Luis Alejo, dated 3/14/15. RE: SUPPORT for Assembly Bill 227 (Alejo). p. 44
- 10.0 ADJOURN

Next schedule meeting May 14, 2015.

**PUBLIC NOTICING:** All notices of C/CAG Board and Committee meetings will be posted at San Mateo County Transit District Office, 1250 San Carlos Ave., San Carlos, CA.

**PUBLIC RECORDS:** Public records that relate to any item on the open session agenda for a regular board meeting are available for public inspection. Those records that are distributed less than 72 hours prior to the 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 those public records available for inspection. The documents are also available on the C/CAG Internet Website, at the link for agendas for upcoming meetings. The website is located at: <http://www.ccag.ca.gov>.

**NOTE:** Persons with disabilities who require auxiliary aids or services in attending and participating in this meeting should contact Mima Guilles at 650 599-1406, five working days prior to the meeting date.

*If you have any questions about the C/CAG Board Agenda, please contact C/CAG Staff:*

*Executive Director: Sandy Wong 650 599-1409*

*Administrative Assistant: Mima Guilles 650 599-1406*

## MEETINGS

- April. 2, 2015 Legislative Committee - SamTrans 4<sup>th</sup> Floor Dining Room - 6:45 p.m.
- April 9, 2015 C/CAG Board Retreat - SamTrans 2<sup>nd</sup> Floor Auditorium – 6:30 p.m.
- April 16, 2015 CMP Technical Advisory Committee - SamTrans, 2<sup>nd</sup> Floor Auditorium - 1:15 p.m.
- April 16, 2015 Stormwater Committee - SamTrans, 2<sup>nd</sup> Floor Auditorium - 2:30 p.m.
- April 27, 2015 Administrators' Advisory Committee - 555 County Center, 5<sup>th</sup> Fl, Redwood City - Noon
- April. 27, 2015 CMEQ Committee - San Mateo City Hall - Conference Room C - 3:00 p.m.

# C/CAG

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### BOARD MEETING MINUTES

Meeting No. 276

March 12, 2015

#### 1.0 CALL TO ORDER/ROLL CALL

Chair Nihart called the meeting to order at 6:33 p.m. Roll call was taken.

Elizabeth Lewis – Atherton  
David Braunstein - Belmont  
Cliff Lentz - Brisbane  
Terry Nagel - Burlingame  
Joseph Silva - Colma  
David Canepa - Daly City  
Art Kiesel - Foster City  
Marina Fraser - Half Moon Bay  
Kirsten Keith - Menlo Park (6:38 pm)  
Mary Ann Nihart - Pacifica  
Maryann Moise Derwin - Portola Valley  
Alicia Aguirre - Redwood City  
Mark Olbert - San Carlos  
Joe Goethals - San Mateo  
Don Horsley – San Mateo County  
Pradeep Gupta - South San Francisco  
Deborah Gordon - Woodside

#### Absent:

East Palo Alto  
Hillsborough  
Millbrae  
San Bruno

#### Others:

Sandy Wong, Executive Director C/CAG  
Nirit Eriksson, C/CAG Legal Counsel  
Tom Madalena, C/CAG Staff  
Jean Higaki, C/CAG Staff  
Matt Fabry, C/CAG Staff  
Wally Abrazaldo, C/CAG Staff  
Kim Springer, County of San Mateo

Joe La Mariana, County of San Mateo  
Ellen Barton, County of San Mateo  
Karen Ervin, Mayor, City of Pacifica  
John Keener, Councilmember, City of Pacifica  
Rick Bonilla, Councilmember, City of San Mateo  
Bill Chiang, PG&E, Local Government Relations Representative  
Andrew Antwih, Shaw/Yoder/Antwih  
Rich Dowling, Kittelson Associates  
Andrew Fremier, MTC  
Joe Hurley, SMCTA  
Jim Bigelow, RWC/San Mateo County Chamber, CMEQ member  
Mima Guilles, public  
Clarrissa Cabansagan, Transform  
Emily Loper, Bay Area Council

3.0 PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

*Note: Public comment is limited to two minutes per speaker.*

Scott Hart, PG&E, provided a brief update on PG&E activities.

4.0 PRESENTATIONS/ ANNOUNCEMENTS

4.1 Certificate of Appreciation to Nancy Blair for her years of dedicated services to C/CAG.

4.2 Presentation on Regionally Integrated Climate Action Planning Suite (RICAPS), progress towards local government adoption of climate action plans, reporting and recognition in San Mateo County.

Kim Springer provided a presentation on the RICAPS progress.

5.0 CONSENT AGENDA

Board Member Horsley MOVED approval of 5.1.1, 5.1.2, 5.2, and 5.3. Board Member Aguirre SECONDED. **MOTION CARRIED UNANIMOUSLY 17-0**

5.1.1 Approval of the minutes of regular business meeting No. 274 dated January 8, 2015. APPROVED

5.1.2 Approval of the minutes of the minutes of regular business meeting No. 275 dated February 12, 2015. APPROVED

5.2 Update on CalRecycle's response to County of San Mateo, Department of Public Works' 2014 five-year Countywide Integrated Waste Management Plan review report. APPROVED

5.3 Review and accept the Smart Corridor Demo Project Audit report through June 30, 2014. APPROVED

Items 5.4 was removed from the Consent Calendar agenda.

- 5.4 Receive the Proposed Fiscal Year 2015-16 C/CAG member fees and assessments for budgeting purposes. INFORMATION

Board Member asked, staff provided, clarifying information.

Board Member Olbert MOVED approval of Items 5.4. Board Member Nagel SECONDED. MOTION CARRIED UNANIMOUSLY 17-0.

APPROVED

6.0 REGULAR AGENDA

- 6.1 Review and approval of C/CAG legislative policies, priorities, positions, and legislative update. (A position may be taken on any legislation, including not previously identified.) APPROVED

Jean Higaki announced that our Shaw/ Yoder/ Antwih (SYA), has set up a "Lobby Day" on April 7, 2015 where Legislative Committee members will visit our delegation and transportation committee chairs in Sacramento.

Andrew Antwih, from SYA, provided an update on current legislative issues and explained details regarding AB 227. The Legislative Committee recommended that the Board support AB 227, regarding repayment of the weight fee revenues and would extend the deadline of public private partnerships.

Board Member Gordon MOVED that the Board support AB 227. Board Member Kiesel SECONDED. MOTION CARRIED UNANIMOUSLY 17-0.

- 6.2 Review and vote on the appointment of an elected official to the Bicycle and Pedestrian Advisory Committee (BPAC). APPROVED

There was one vacant elected officials seats. There were four applicants:

Gary Pollard, Foster City Herb Perez, Foster City
Marina Fraser, Half Moon Bay Deborah Ruddock, Half Moon Bay

A vote was done by ballot. Marina Fraser, Half Moon Bay, had the highest votes and is elected to the fill the vacant seat for elected officials on the BPAC committee.

- 6.3 Review and approval of appointments of elected officials to the Congestion Management & Environmental Quality Committee to fill two vacant seats. APPROVED

There were two vacant seats for elected officials. There were three applicants:

Deborah Penrose, Half Moon Bay Rick Bonilla, San Mateo
John Keener, Pacifica

A vote was done by ballot. The two elected officials that received the most votes were: **Rick Bonilla, San Mateo, and John Keener, Pacifica**, and were elected to fill the two vacant seats on the Congestion Management & Environmental Quality Committee.

- 6.4 Receive a presentation and provide comment on the San Mateo US 101 Express Lane Feasibility Study. INFORMATION

Andrew Fremier of the Metropolitan Transportation Commission, and Rick Dowling of Kittelson Associates, made a presentation on the Express Lane Feasibility Study. Board member discussion ensued. Board members requested for copy of the powerpoints.

Public comments from the public were heard from Jim Bigelow, Redwood City and San Mateo County Chamber, Clarrissa Cabansagan, Transform, and Emily Loper, Bay Area Council.

- 6.5 Review and approval of C/CAG investment recommendations from the Finance Committee and accept the Quarterly Investment Report as of December 31, 2014. APPROVED

Board Member Canepa MOVED approval of Item 6.5. Board Member Aguirre SECONDED.  
**MOTION CARRIED UNANIMOUSLY 17-0.**

- 6.6 Election of a C/CAG Chairperson and C/CAG Vice Chairperson. APPROVED

Boardmember Braunstein moved to elect Mary Ann Nihart as C/CAG Chair  
Boardmember Lewis seconded the motion.  
**MOTION CARRIED UNANIMOUSLY 17-0.**

Boardmember Keith moved to elect Alicia Aguirre as Vice Chair.  
Boardmember Lewis seconded the motion.  
**MOTION CARRIED UNANIMOUSLY 17-0.**

## 7.0 COMMITTEE REPORTS

7.1 Committee Reports (oral reports).

7.2 Chairperson's Report

7.3 Boardmembers Report

Board Member Lewis announced the next Council of Cities meeting will be on March 27, to be hosted by South San Francisco.

## 8.0 EXECUTIVE DIRECTOR'S REPORT

Executive Director Sandy Wong reminded Board members Statement of Economic Interests (Form 700) is due April 1, 2015. She announced the C/CAG April meeting will be the Retreat. Jean Higaki provided a quick update on the US 101 on-ramp meters turn-on schedule.

## 9.0 COMMUNICATIONS - Information Only

Copies of communications are included for C/CAG Board Members and Alternates only. To request a copy of the communications, contact Mima Guilles at 650 599-1406 or [mguilles@smcgov.org](mailto:mguilles@smcgov.org) or download a copy from C/CAG's website – [www.ccag.ca.gov](http://www.ccag.ca.gov).

9.1 Letter, via email, from Mary Ann Nihart, C/CAG Chair, to All Councilpersons of San Mateo County Cities and Members of the Board of Supervisors, all City/County Managers, dated 2/18/15. RE: C/CAG Committee Vacancies for Elected Officials.

9.2 Letter from Sandy Wong, C/CAG Executive Director, to Anthony Foxx, Secretary, U.S. Department of Transportation, dated 2/26/15. RE: Support for California's Connected Vehicle Pilot Deployment Proposal.

## 10.0 ADJOURN

Meeting adjourned 8:32 p.m.



**Date:** April 9, 2015  
**To:** C/CAG Board of Directors  
**From:** Sandy Wong, Executive Director  
**Subject:** SFO Comprehensive Airport Land Use Compatibility Plan Consistency Review – City of Pacifica Housing Element 2015-2023 (Draft 2/25/15)

(For further information or response to questions, contact Tom Madalena at 650-599-1460)

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**RECOMMENDATION**

That the C/CAG Board of Directors, acting as the Airport Land Use Commission, determine that the City of Pacifica Housing Element (Preliminary Draft 2015-2023) is 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).

**FISCAL IMPACT**

None

**SOURCE OF FUNDS**

Funding for the consistency determinations is derived from the C/CAG general fund.

**BACKGROUND**

This recommendation is being brought forward to the Board without a recommendation from the Airport Land Use Committee (ALUC). There was no quorum at the March 26, 2015 ALUC meeting and the city is required to meet a May 31<sup>st</sup> due date to complete the housing element process with the State of California Department of Housing and Community Development (HCD).

The State of California requires each city, county, or city and county, to adopt a comprehensive, long-term general plan for the future physical development of the community. The Housing Element is one of seven mandated elements of a local general plan (the general plan also includes a land use element and a noise element). Housing Element law mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. As a result, housing policy in the State of California rests largely upon the effective implementation of local general plans and, in particular, local housing elements.

The City of Pacifica has referred its Housing Element 2015-2023 to C/CAG, acting as the Airport Land Use Commission, for a determination of consistency with relevant airport/land use compatibility criteria in the SFO CLUP. The Housing Element is subject to ALUC/C/CAG review, pursuant to PUC Section 21676 (b).

The City of Pacifica Housing Element 2015-2023 (Public Review Draft, January 2015) is a policy

document that identifies goals, policies, programs, and other city actions to address existing and projected housing needs in the city. The Association of Bay Area Governments (ABAG) allocated housing unit production needs for each county within the Bay Area and, with the exception of San Mateo County, also allocated housing unit production need to the city level. In the case of San Mateo County, the county formed a subregion in partnership with all twenty cities in its jurisdiction for the purposes of conducting the Regional Housing Needs Allocation (RHNA), as allowed by State law. The San Mateo subregion designated the C/CAG as the entity responsible for coordinating and implementing the subregional RHNA process. The countywide RHNA process determined a need for 413 housing units in Pacifica between January 1, 2014 and October 31, 2022. According to the Housing Element, the City of Pacifica's analysis of housing opportunity sites indicates the potential to develop 434 units of new housing during the current planning period. Please see attachment 1 for a map of the potential housing sites in Pacifica.

## **DISCUSSION**

### **I. ALUCP Consistency Evaluation**

There are three airport/land use compatibility issues addressed in SFO ALUCP that relate to the proposed general plan amendment. These include: (a) consistency with noise compatibility policies, (b) safety criteria, and (c) airspace compatibility criteria. The following sections address each issue.

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

The 65 dB CNEL (Community Noise Equivalent Level) aircraft noise contour defines the state and federal threshold for aircraft noise-sensitive land use impacts. This is the threshold used by the SFO ALUCP. The City of Pacifica housing opportunity sites are located outside the 65 dB CNEL aircraft noise exposure contour for San Francisco International Airport as shown in the SFO ALUCP. Therefore, the Pacifica Housing Element 2015-2023 is consistent with the SFO ALUCP noise policies.

#### **(b) Safety Criteria**

The California Airport Land Use Planning Handbook requires airport land use compatibility plans to include safety zones for each runway end. The SFO ALUCP includes safety zones and related land use compatibility policies and criteria. However, the City of Pacifica Housing Element 2015-2023 is consistent with the SFO ALUCP safety policies as none of the housing sites fall within the safety zones for the San Francisco International Airport (SFO).

#### **(c) Height of Structures, Use of Airspace, and Airspace Compatibility**

The SFO ALUCP incorporates the provisions in Title 14 of the Code of Federal Regulations Part 77 (14 CFR Part 77), "Objects Affecting Navigable Airspace," as amended, to establish height restrictions and federal notification requirements related to proposed development within the 14 CFR 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 proposed construction or alterations of structures on the subject airspace.

A small portion City of Pacifica is located inside of the 14 CFR Part 77 Outer Boundary of TERPS Approach and OEI Departure Surfaces contour. Please see attachment 2 that displays the portion of Pacifica that falls within the Outer Boundary of TERPS Approach and OEI Departure Surfaces contour. Only one of the identified housing sites is located inside of this critical airspace contour. The zoning in Pacifica allows for heights up to 35 feet. The SFO Planning Staff, using SFO's iALP Airspace Tool, provided an analysis of the obstruction height for the Pacifica housing opportunity site within the critical airspace contour. This analysis determined that this housing opportunity site would not obstruct the TERPS approach/OEI departure surface at 58 feet based upon the identified zoning and allowable maximum heights of structures at 35 feet for the parcel. Therefore, based upon analysis of airspace and zoning height limits, all of the proposed housing opportunity sites are consistent with the SFO ALUCP airspace compatibility policies. The Pacifica Housing Element would be consistent with the critical airspace compatibility policies in the SFO ALUCP.

Under Federal law, it is the responsibility of the project sponsor to comply with all notification and other requirements described in 14 CFR Part 77. The city should notify project sponsors of proposed projects at the earliest opportunity to file form 7460-1 *Notice of Proposed Construction or Alteration*, if required, with the Federal Aviation Administration (FAA) to determine whether a project will constitute a hazard to air navigation. Subpart B of 14 CFR Part 77 provides guidance on determining when this form should be filed. The FAA has also developed an online tool for project sponsors to use when determining whether they are required to file the *Notice of Proposed Construction or Alteration*. Sponsors of proposed projects are urged to refer to this website to determine whether they are required to file Form 7460-1 with the FAA:

<https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeRequiredToolForm>

## **II. Real Estate Disclosure**

This section is included to reinforce the concept that real estate disclosure exists per State law and it is part of the real estate transaction process. This would occur during a real estate transaction and is outside of the responsibility for the City of Pacifica.

California Public Utilities Code PUC Section 21670 (a and b) states the following:

“(a) The Legislature hereby finds and declares that:

(1) It is in the public interest to provide for the orderly development of each public use airport in this state and the area surrounding these airports.....

(b) In order to achieve the purposes of this article, every county in which there is located an airport which is served by a scheduled airline shall establish an airport land use commission. Every county, in which there is located an airport which is not served by a scheduled airline, but is operated for the benefit of the general public, shall establish an airport land use commission....”

The California Business and Professional Code, Section 11010(b.13) (A and B) states the following:

“(A) The location of all existing airports, and of all proposed airports shown on the general plan of any city or county, located within two statute miles of the subdivision. If the property is located within an airport influence area, the following statement shall be included in the notice of intention:

### **Notice of Airport in Vicinity:**

This property is presently located in the vicinity of an airport, within what is known as the airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

(B) For purposes of this section, an "airport influence area," also known as an "airport referral area," is the area in which current or future airport-related noise, overflight, safety, or airspace protection factors may significantly affect land uses or necessitate restrictions on those uses as determined by an airport land use commission."

Chapter 496, Statutes of 2002 (formerly AB 2776 (Simitian)) affects all sales of real property that may occur within an airport influence area (AIA) boundary. It requires a statement (notice) to be included in the property transfer documents that (1) indicates the subject property is located within an AIA boundary and (2) that the property may be subject to certain impacts from airport/aircraft operations.

### **III. Compliance with California Government Code Section 65302.3**

California Government Code Section 65302.3 states that a local agency general plan and/or any affected specific plan must be consistent with the applicable airport/land use compatibility criteria in the relevant adopted ALUCP. The City of Pacifica Housing Element 2015-2023 should include appropriate text that indicates the goals, objectives, policies, and programs contained in the Housing Element document are consistent with the relevant airport/land use compatibility criteria contained in the SFO ALUCP.

### **ATTACHMENTS**

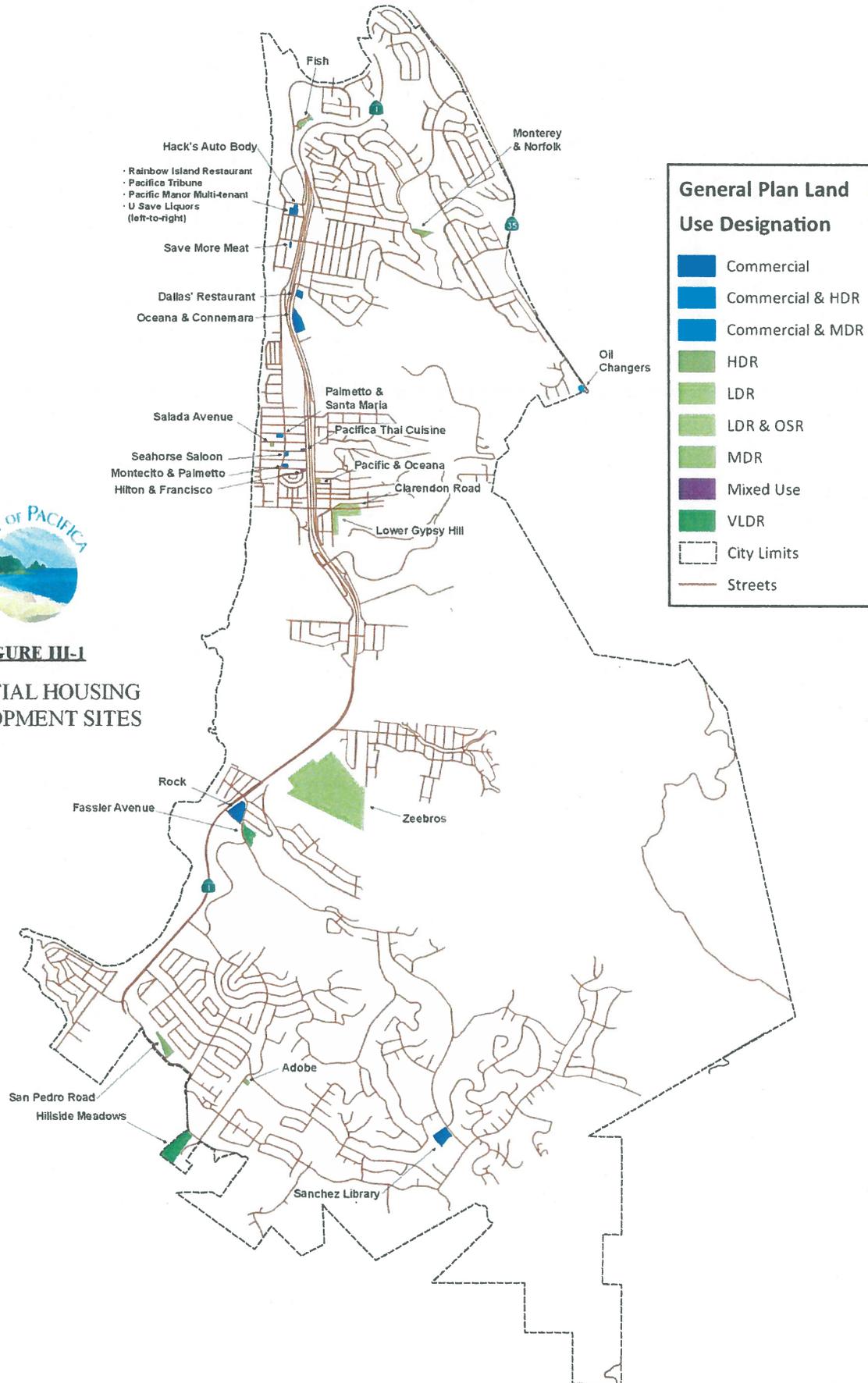
- Attachment 1 - Map of Pacifica Housing Opportunity Sites from Housing Element 2015-2023
- Attachment 2 - SFO Airport Noise, Safety, and Airspace Protection Zones.

# Attachment 1



**FIGURE III-1**

## POTENTIAL HOUSING DEVELOPMENT SITES



Attachment 2



- LEGEND**
- Boundary for Airport Influence Area B
  - Outer Boundary of Safety Zones
  - CNEL Contour, 2020 Forecast
  - 14 CFR Part 77 Conical Surface
  - Outer Boundary of TERPS Approach and OEI Departure Surfaces
  - Airport Property
  - BART Station
  - CALTRAIN Station
  - Municipal Boundary
  - Railroad
  - Freeway
  - Road
  - Local Park, Golf Course, Cemetery
  - Regional Park or Recreation Area
  - Open Space

**Sources**

- 100.1 FAA Notification Zone: Ricardo & Associates, Inc. and Jacobs Consultancy, based on 14 CFR Part 77, Subpart B, Section 77.9.
- Outer Boundary of TERPS Approach and OEI Departure Surfaces: San Francisco International Airport, Jacobs Consultancy, and Planning Technology Inc., 2009
- Safety Compatibility Zones: Jacobs Consultancy Team, 2008; Ricardo & Associates, Inc., 2011
- Noise Contour: URS Corporation and BridgeNet International, Draft Environmental Assessment, San Francisco International Airport Proposed Runway Safety Area Program, June 2011

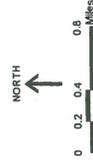


Exhibit IV-3  
**AIRPORT INFLUENCE AREA B – NORTH SIDE**  
 Comprehensive Airport Land Use Plan  
 for the Environs of San Francisco International Airport  
**CICAG**  
 City/County Association of Governments  
 of San Mateo County, California

Date: April 9, 2015  
To: C/CAG Board of Directors  
From: Sandy Wong, Executive Director  
Subject: SFO Comprehensive Airport Land Use Compatibility Plan Consistency Review – City of Millbrae Housing Element 2015-2023 (Public Review Draft, January 2015)

(For further information or response to questions, contact Tom Madalena at 650-599-1460)

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**RECOMMENDATION**

That the C/CAG Board of Directors, acting as the Airport Land Use Commission, determine that the City of Millbrae Housing Element is conditionally 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). The Draft Housing Element would become fully consistent with the SFO ALUCP if the following conditions are met:

**Airspace Protection**

The Draft Housing Element is conditionally consistent with the airspace protection policies of the ALUCP, provided the following policy is adhered to in implementation of the 2015-2023 Housing Element:

- 1) Compliance with 14 CFR Part 77, Subpart B, Notice of Proposed Construction or Alteration

Any proposed new construction or expansion of existing structures that would penetrate any of the FAR Part 77 imaginary surfaces for the San Francisco International Airport, as adopted by the San Mateo County Airport Land Use Commission (C/CAG), is deemed to be an incompatible land use, unless either the FAA has determined that the proposed structure does not constitute a hazard to air navigation and/or the Caltrans Aeronautics Program staff has issued a permit to allow construction of the proposed structure and the project is below the height of the critical aeronautical surfaces mapped on Figure IV-17 and Figure IV-18 in the adopted SFO ALUCP. The configuration of the FAR part 77 imaginary surfaces for the San Francisco International Airport is shown on Exhibit IV-13 on page IV-43.

**Page 23 of the Draft Housing Element**

Policy H3.21 for Airport Development Restrictions shall reference the “Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport” as the document for the policy.

**FISCAL IMPACT**

None

## **SOURCE OF FUNDS**

Funding for the consistency determinations is derived from the C/CAG general fund.

## **BACKGROUND**

This recommendation is being brought forward to the Board without a recommendation from the Airport Land Use Committee (ALUC). There was no quorum at the March 26, 2015 ALUC meeting and the city is required to meet a May 31<sup>st</sup> due date to complete the housing element process with the State of California Department of Housing and Community Development (HCD).

The State of California requires each city, county, or city and county, to adopt a comprehensive, long-term general plan for the future physical development of the community. The Housing Element is one of seven mandated elements of a local general plan (the general plan also includes a land use element and a noise element). Housing Element law mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. As a result, housing policy in the State of California rests largely upon the effective implementation of local general plans and, in particular, local housing elements.

The City of Millbrae has referred its Housing Element 2015-2023 to C/CAG, acting as the San Mateo County Airport Land Use Commission, for a determination of consistency with relevant airport/land use compatibility criteria in the SFO ALUCP. The Housing Element is subject to ALUC/C/CAG review, pursuant to PUC Section 21676 (b).

The City of Millbrae Housing Element 2015-2023 (Public Review Draft, January 2015) is a policy document that identifies goals, policies, programs, and other city actions to address existing and projected housing needs in the city. The Association of Bay Area Governments (ABAG) allocated housing unit production needs for each county within the Bay Area and, with the exception of San Mateo County, also allocated housing unit production need to the city level. In the case of San Mateo County, the county formed a subregion in partnership with all twenty cities in its jurisdiction for the purposes of conducting the Regional Housing Needs Allocation (RHNA), as allowed by State law. The San Mateo subregion designated the C/CAG as the entity responsible for coordinating and implementing the subregional RHNA process. The countywide RHNA process determined a need for 663 housing units in Millbrae between January 1, 2014 and October 31, 2022. According to the Housing Element, the City of Millbrae's analysis of housing opportunity sites indicates the potential to develop 1081 units of new housing during the current planning period. Compared against the RHNA, the City's housing opportunity sites offer a development capacity that exceeds the needs determination by more than 400 units

## **DISCUSSION**

### **I. ALUCP Consistency Evaluation**

There are three airport/land use compatibility issues addressed in SFO ALUCP that relate to the proposed general plan housing element amendment. These include: (a) consistency with noise compatibility policies, (b) safety criteria, and (c) airspace compatibility criteria. The following sections address each issue.

**(a) Noise Policy Consistency Analysis**

The 65 dB CNEL (Community Noise Equivalent Level) aircraft noise contour defines the state and federal threshold for aircraft noise-sensitive land use impacts. This is the threshold used by the SFO ALUCP. Portions of Millbrae are located inside of the 65 dB CNEL aircraft noise exposure contour for San Francisco International Airport as shown in the SFO ALUCP depicted on attachment 1. However, the City of Millbrae housing opportunity sites are all located outside of the 65 dB CNEL noise exposure contour boundaries established in the SFO ALUCP.

Therefore, the City of Millbrae Housing Element 2015-2023 (Public Review Draft, January 2015) is consistent with the SFO ALUCP noise policies.

**(b) Safety Criteria**

The California Airport/Land Use Planning Handbook requires airport land use compatibility plans to include safety zones for each runway end. The SFO ALUCP includes safety zones and related land use compatibility policies and criteria. The City of Millbrae housing opportunity sites are located inside the safety zone configurations established for the SFO ALUCP. Please see attachment 2 for the safety compatible zone configuration in Millbrae. There are parcels in both Safety Zone 2 (Inner Approach/Departure Zone) and Safety Zone 3 (Inner Turning Zone). Housing is considered to be a compatible use in Safety Zone 2 and Safety Zone 3. There are two sites mapped that fall within Safety Zone 1 (Runway Protection Zone and Object Free Area). All new structures are considered incompatible in Safety Zone 1. However, these two sites are not considered for housing per City of Millbrae Community Development Department staff.

Therefore, the City of Millbrae Housing Element 2015-2023 is consistent with the SFO ALUCP safety policies.

**(c) Height of Structures, Use of Airspace, and Airspace Compatibility**

The SFO ALUCP incorporates the provisions in Title 14 of the Code of Federal Regulations Part 77 (14 CFR Part 77), "Objects Affecting Navigable Airspace," as amended, to establish height restrictions and federal notification requirements related to proposed development within the 14 CFR 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 alterations of structures on the subject airspace.

There are housing opportunity sites in the Housing Element which are located within the 14 CFR Part 77 Approach surface and the Horizontal Surface. The SFO Planning Staff, using SFO's iALP Airspace Tool, provided an analysis of the obstruction height for the general area surrounding the potential housing opportunity sites within the critical airspace contour. The lowest critical aeronautical surface in this area that cannot be exceeded by a structure is approximately 78.3 feet above ground level. The maximum height currently allowed in the station area is 75 feet. The maximum height that is allowed in the downtown is 40 feet. Please see attachment 3 for the map of the critical aeronautical surfaces that affect the City of Millbrae and attachment 4 for the approximate location of the housing opportunity sites. In order for the Housing Element to be compatible with the airspace protection

policies the development of the potential housing sites must be in compliance with 14 CFR Part 77, Subpart B, Notice of Proposed Construction or Alteration during the implementation of the housing element.

The City of Millbrae Housing Element would be conditionally consistent with the SFO ALUCP airspace criteria provided the aeronautical studies are initiated with the FAA and a determination of no hazard to air navigation is granted by the FAA and/or the Caltrans Aeronautics Program staff has issued a permit to allow construction of the proposed structure.

The City of Millbrae is currently underway with an update to the Millbrae Station Area Specific Plan and that plan may call for changes to the allowable heights or locations of sites in the specific plan area. C/CAG staff has coordinated with the City of Millbrae during the development of the new specific plan and that plan will also come before the Airport Land Use Commission for a consistency determination at the appropriate time.

Under Federal law, it is the responsibility of the project sponsor to comply with all notification and other requirements described in 14 CFR Part 77. The city should notify project sponsors of proposed projects at the earliest opportunity to file form 7460-1 *Notice of Proposed Construction or Alteration*, if required, with the Federal Aviation Administration (FAA) to determine whether a project will constitute a hazard to air navigation. Subpart B of 14 CFR Part 77 provides guidance on determining when this form should be filed. The FAA has also developed an online tool for project sponsors to use when determining whether they are required to file the *Notice of Proposed Construction or Alteration*. Sponsors of proposed projects are urged to refer to this website to determine whether they are required to file Form 7460-1 with the FAA:

<https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeRequiredToolForm>

## II. Real Estate Disclosure

This section is included to reinforce the concept that real estate disclosure exists per state law and it is part of the real estate transaction process. This would occur during a real estate transaction and is outside of the Millbrae's responsibility.

California Public Utilities Code (PUC) Section 21670 (a and b) states the following:

“(a) The Legislature hereby finds and declares that:

(1) It is in the public interest to provide for the orderly development of each public use airport in this state and the area surrounding these airports...

(b) In order to achieve the purposes of this article, every county in which there is located an airport which is served by a scheduled airline shall establish an airport land use commission. Every county, in which there is located an airport which is not served by a scheduled airline, but is operated for the benefit of the general public, shall establish an airport land use commission.”

The California Business and Professional Code, Section 11010(b.13) (A and B) states the following:

“(A) The location of all existing airports, and of all proposed airports shown on the general plan of any city or county, located within two statute miles of the subdivision. If the property is

located within an airport influence area, the following statement shall be included in the notice of intention:

**Notice of Airport in Vicinity:**

This property is presently located in the vicinity of an airport, within what is known as the airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

(B) For purposes of this section, an "airport influence area," also known as an "airport referral area," is the area in which current or future airport-related noise, overflight, safety, or airspace protection factors may significantly affect land uses or necessitate restrictions on those uses as determined by an airport land use commission.”

Chapter 496, Statutes of 2002 (formerly AB 2776 [Simitian]) affects all sales of real property that may occur within an airport influence area (AIA) boundary. It requires a statement (notice) to be included in the property transfer documents that (1) indicates the subject property is located within an AIA boundary and (2) that the property may be subject to certain impacts from airport/aircraft operations.

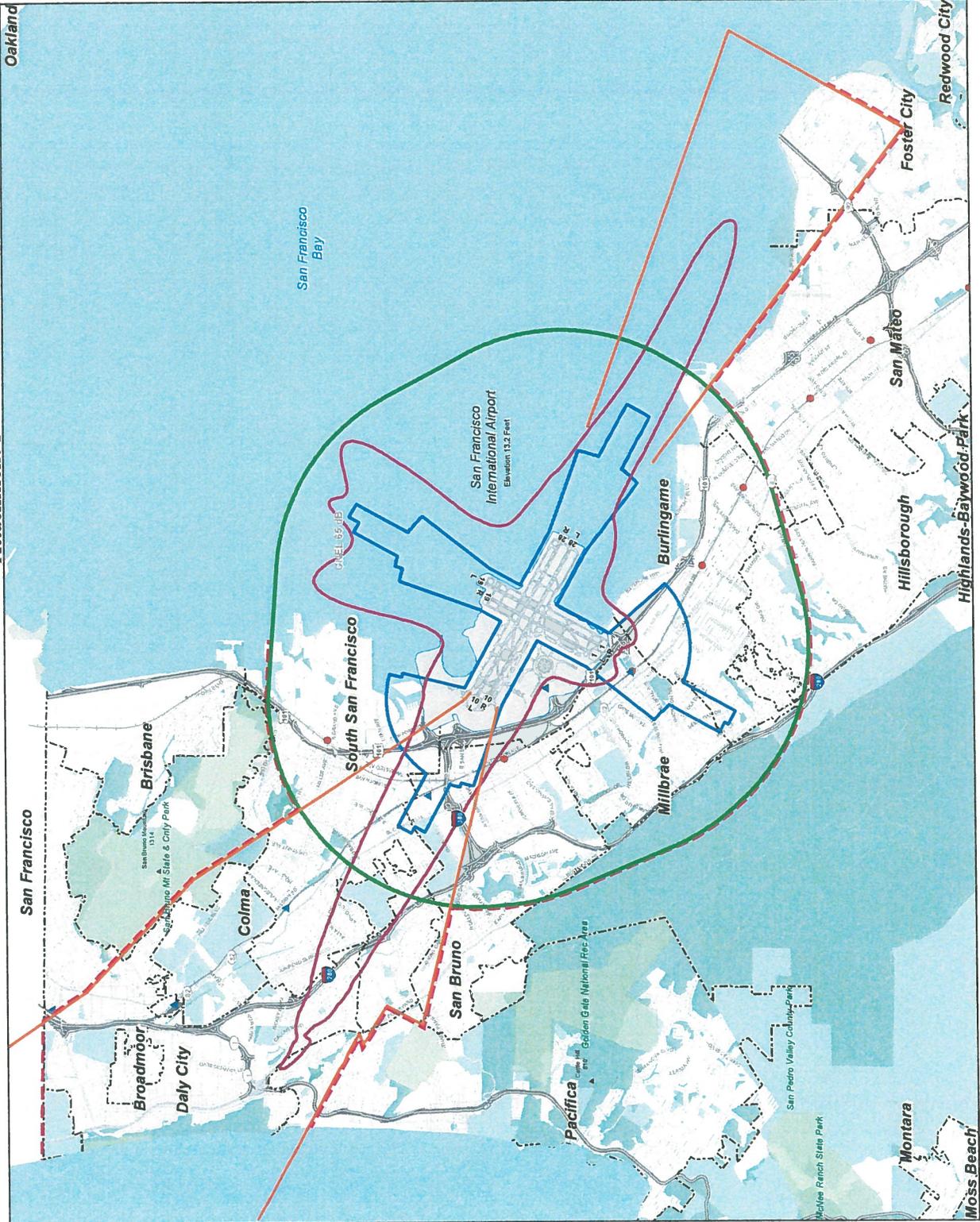
**III. Compliance with California Government Code Section 65302.3**

California Government Code Section 65302.3 states that a local agency general plan and/or any affected specific plan must be consistent with the applicable airport/land use compatibility criteria in the relevant adopted ALUCP. The City of Millbrae Housing Element 2015-2023 (Public Review Draft, January 2015) should include appropriate text that indicates the goals, objectives, policies, and programs contained in the Housing Element document are consistent with the relevant airport/land use compatibility criteria contained in the SFO ALUCP.

**ATTACHMENTS**

- Attachment 1 – Exhibit IV- 2 Noise Contours, Airspace Contours and Safety Zones in the SFO ALUCP
- Attachment 2 – Exhibit IV-9 Safety Compatibility Zones
- Attachment 3 – Exhibit IV-17 – Critical Aeronautical Surfaces
- Attachment 4 – Millbrae Housing Element housing opportunity sites map

Attachment 1



- LEGEND**
- Boundary for Airport Influence Area B
  - Outer Boundary of Safety Zones
  - CNEL Contour, 2020 Forecast
  - 14 CFR Part 77 Critical Surface
  - Outer Boundary of TERPS Approach and OEI Departure Surfaces
  - Airport Property
  - BART Station
  - CALTRANS Station
  - Municipal Boundary
  - Railroad
  - Road
  - Freeway
  - Local Park, Golf Course, Cemetery
  - Regional Park or Recreation Area
  - Open Space

**Sources**

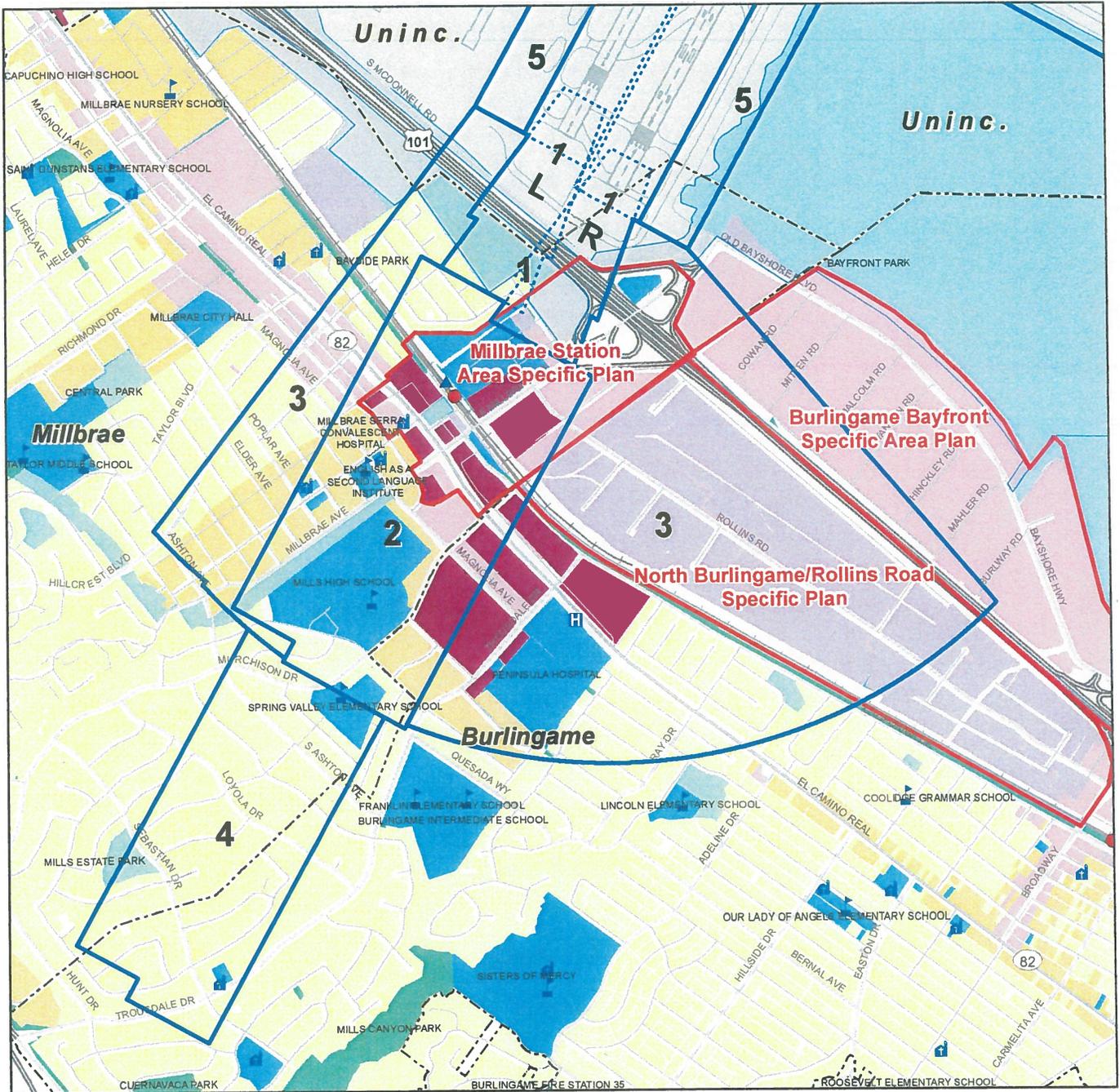
- 100-foot FAA Notification Zone: Ricondo & Associates, Inc. and Jacobs Consultancy, based on 14 CFR Part 77, Subpart B, Section 77.9.
- Outer Boundary of TERPS Approach and OEI Departure Surfaces: San Francisco International Airport, Jacobs Consultancy, and Planning Technology Inc., 2009
- Safety Compatibility Zones: Jacobs Consultancy Team, 2009; Ricondo & Associates, Inc., 2011
- Noise Contour: URS Corporation and BridgeNet International, Death Environmental Assessment, San Francisco International Airport Proposed Runway Safety Area Program, June 2011



Exhibit IV-2  
**AIRPORT INFLUENCE AREA B -**  
**LAND USE POLICY ACTION/PROJECT REFERRAL AREA**  
 Comprehensive Airport Land Use Plan  
 for the Environs of San Francisco International Airport

**CICAG**  
 City/County Association of Governments  
 of San Mateo County, California

# Attachment 2



## 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
- H 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

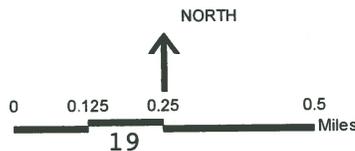


Exhibit V-9  
**SAFETY COMPATIBILITY ZONES**  
**IN THE CITIES OF BURLINGAME AND MILLBRAE**  
 Comprehensive Airport Land Use Plan  
 for the Environs of San Francisco International Airport

**CICAG**  
 City/County Association of Governments  
 of San Mateo County, California

# Attachment 3

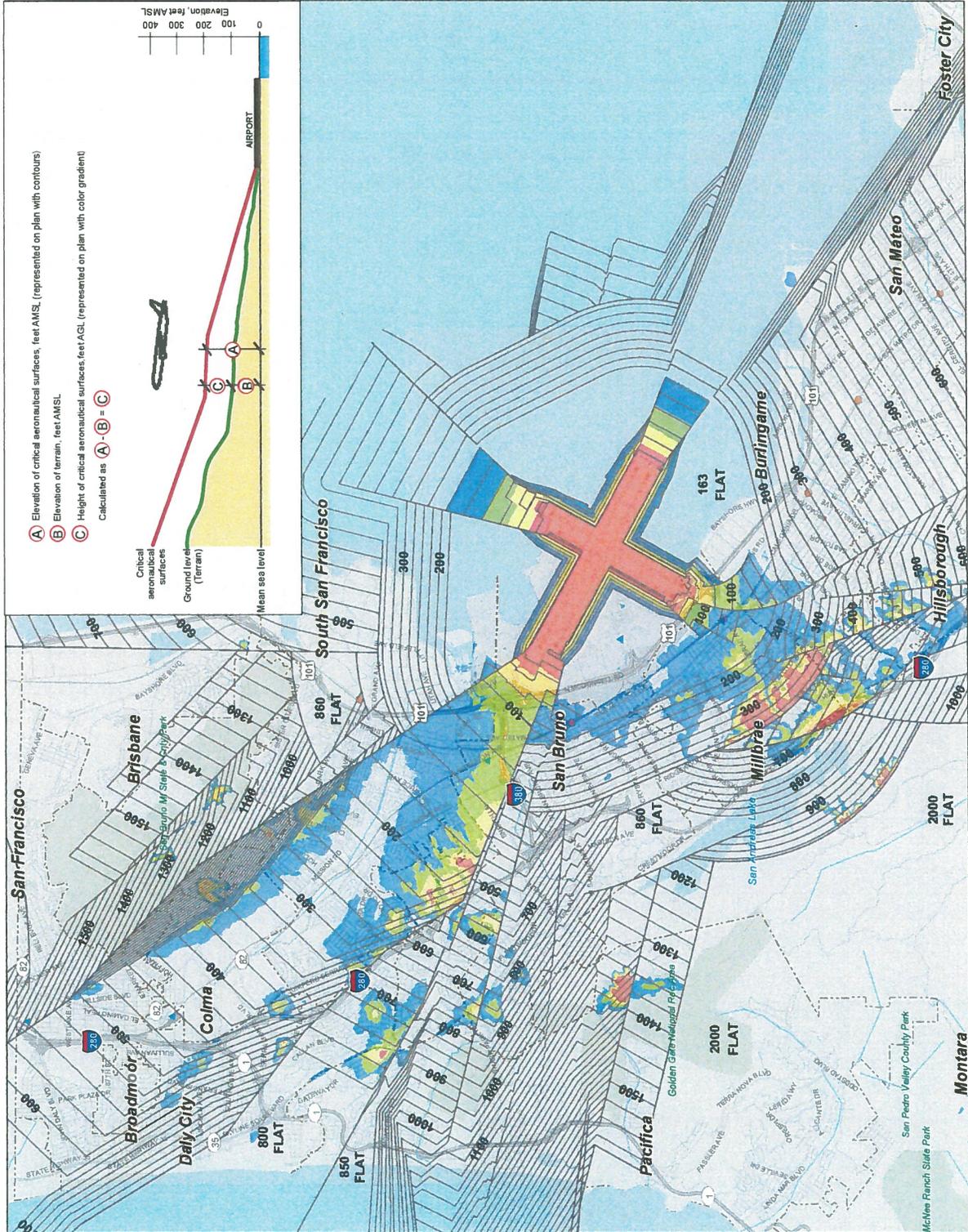
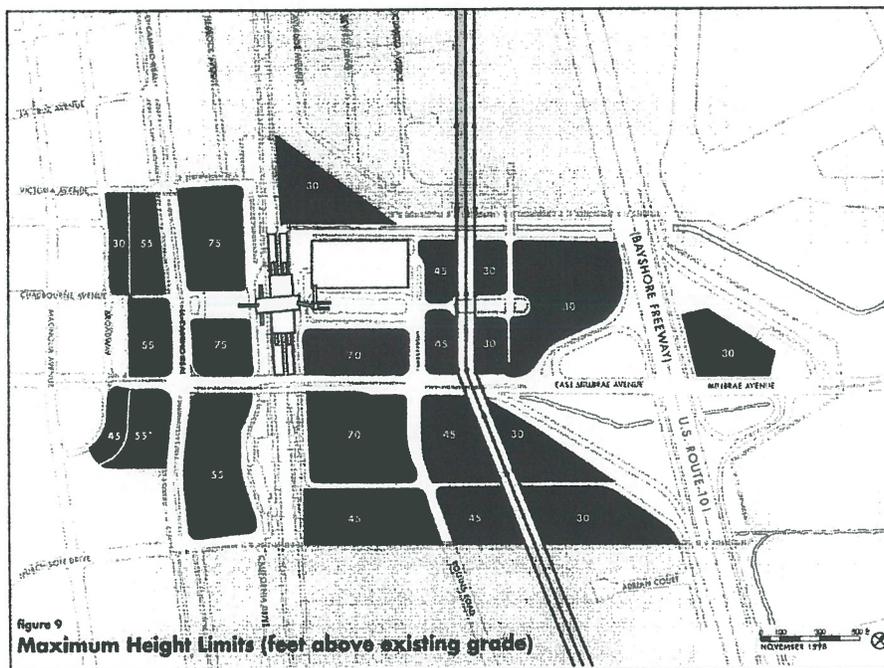


Exhibit IV-17  
**CRITICAL AERONAUTICAL SURFACES**  
 - NORTHWEST SIDE  
 Comprehensive Airport Land Use Plan  
 for the Environs of San Francisco International Airport  
**CICAG**  
 City/County Association of Governments  
 of San Mateo County, California



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Millbrae Station Area Specific Plan – November 24, 1998

**Downtown**

Outside of the Millbrae Station Area, there is additional mixed-use development potential in the downtown area. This three-block area along Broadway and the west side of El Camino Real is characterized by a mix of one, two, and three-story buildings, some with upper floor apartments. Approximately 77 apartments currently exist in the area, and the downtown is considered to be a viable area for additional similar housing. Historically, market rate rental units are typically affordable to low and moderate income households, but in recent years this has become less true. The Downtown encompasses approximately eight acres. The 55 lots in the Downtown average about 5,000 square feet. City estimates are that 40 percent of the Downtown area sites, or 22 lots, could be reasonably developed with up to four units on second and/or third stories, for a total development capacity of 168 units.

**Areas Likely to Redevelop**

The City has identified a few keys sites as most likely to develop, based on their location, ownership, surrounding land use patterns, and current uses. The City does not know which sites will develop when and there are no specific proposals regarding any of these sites, except where noted.

Date: April 9, 2015  
To: C/CAG Board of Directors  
From: Sandy Wong, Executive Director  
Subject: Half Moon Bay Airport, San Carlos Airport and SFO Airport Land Use Compatibility Plan Consistency Review – San Mateo County Housing Element (2014-2022 Draft)

(For further information or response to questions, contact Tom Madalena at 650-599-1460)

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**RECOMMENDATION**

That C/CAG Board of Directors, acting as the Airport Land Use Commission, determine that the San Mateo County Housing Element is conditionally 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) and Airport Land Use Compatibility Plan for the Environs of Half Moon Bay Airport (HAF ALUCP) and consistent with the applicable airport/land use policies and criteria the San Carlos Airport Comprehensive Airport Land Use Plan (SQL CLUP). The Draft Housing Element would become fully consistent with the SFO ALUCP and HAF ALUCP if the following conditions are met:

**A) Noise Compatibility**

The Draft Housing Element is conditionally consistent with noise compatibility policies of the SFO ALUCP provided the following conditions are adhered to in implementation of the 2014-2022 Housing Element:

- 1) For new residential development exposed to noise between 65-70 dB Community Noise Equivalent Level (CNEL), sound insulation will be provided to reduce interior noise levels from exterior sources to 45 dB CNEL or lower. The criteria described in Table IV-1 on page IV-18 must be met during implementation.
- 2) For the development or construction of a land use considered to be conditionally compatible with aircraft noise of 65 dB CNEL or greater, the granting of an aviation easement to the City and County of San Francisco as operator of SFO shall be required. The aviation easement to be used in fulfilling this condition is presented in Appendix G of the SFO ALUCP.

**B) Safety Criteria**

The Draft Housing Element is conditionally consistent with the safety criteria in the HAF ALUCP provided the following conditions are adhered to in implementation of the 2014-2022 Housing Element:

- 1) In Safety Zone 2 housing is a compatible use as long as it complies with the criteria as set forth in section 4.2.2.3 of the HAF ALUCP which describe the definition of infill development. In Safety Zone 3 housing is also a compatible use as long as it complies with the criteria as set

forth in section 4.2.2.3 of the HAF ALUCP. Potential housing sites located inside of Safety Zone 2 and Safety Zone 3 of the HAF ALUCP the San Mateo County Housing Element shall conform with the safety policies contained in the HAF ALUCP described in Table 4, Safety Criteria Matrix, on page 4-23 of the HAF ALUCP. Within Safety Zone 2 Airport Land Use Commission review is required for any proposed structure taller than 35 feet above ground level (AGL).

### **C) Airspace Protection**

The Draft Housing Element is conditionally consistent with the airspace protection policies of the SFO ALUCP and HAF ALUCP, provided the following policy is adhered to in implementation of the 2014-2022 Housing Element:

#### 1) Compliance with 14 CFR Part 77, Subpart B, Notice of Proposed Construction or Alteration

Any proposed new construction or expansion of existing structures that would penetrate any of the FAR Part 77 imaginary surfaces for the San Francisco International Airport or Half Moon Bay Airport, as adopted by the San Mateo County Airport Land Use Commission (C/CAG), is deemed to be an incompatible land use, unless either the Federal Aviation Administration (FAA) has determined that the proposed structure does not constitute a hazard to air navigation and/or the Caltrans Aeronautics Program staff has issued a permit to allow construction of the proposed structure. The structure must also be below the height of the critical aeronautical surfaces mapped on Figure IV-17 and Figure IV-18 in the adopted SFO ALUCP.

### **FISCAL IMPACT**

None

### **SOURCE OF FUNDS**

Funding for the consistency determinations is derived from the C/CAG general fund.

### **BACKGROUND**

This recommendation is being brought forward to the Board without a recommendation from the Airport Land Use Committee (ALUC). There was no quorum at the March 26, 2015 ALUC meeting and San Mateo County is required to meet a May 31<sup>st</sup> due date to complete the housing element process with the State of California Department of Housing and Community Development (HCD).

The State of California requires each city, county, or city and county, to adopt a comprehensive, long-term general plan for the future physical development of the community. The Housing Element is one of seven mandated elements of a local general plan (the general plan also includes a land use element and a noise element). Housing Element law mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. As a result, housing policy in the State of California rests largely upon the effective implementation of local general plans and, in particular, local housing elements.

San Mateo County referred its Housing Element 2014-2022 to C/CAG, acting as the San Mateo County Airport Land Use Commission, for a determination of consistency with relevant airport/land use

compatibility criteria in the SFO ALUCP, HAF ALUCP and SQL CLUP. The Housing Element is subject to ALUC/C/CAG review, pursuant to PUC Section 21676 (b).

The San Mateo County Housing Element 2014-2022 (Public Review Draft) is a policy document that identifies goals, policies, programs, and other city actions to address existing and projected housing needs in the city. The Association of Bay Area Governments (ABAG) allocated housing unit production needs for each county within the Bay Area and, with the exception of San Mateo County, also allocated housing unit production need to the city level. In the case of San Mateo County, the county formed a subregion in partnership with all twenty cities in its jurisdiction for the purposes of conducting the Regional Housing Needs Allocation (RHNA), as allowed by State law. The San Mateo subregion designated the C/CAG as the entity responsible for coordinating and implementing the subregional RHNA process. The countywide RHNA process determined a need for 913 housing units in unincorporated San Mateo County between January 1, 2014 and October 31, 2022. According to the Housing Element, the County of San Mateo's analysis of housing opportunity sites indicates the potential to develop 1648 units of new housing during the current planning period. Please see attachment 1 for a map of the potential housing sites in unincorporated San Mateo County.

## **DISCUSSION**

### **I. ALUCP Consistency Evaluation**

There are three airport/land use compatibility issues addressed in SFO ALUCP, HAF ALUCP and SQL CLUP that relate to the proposed general plan housing element amendment. These include: (a) consistency with noise compatibility policies, (b) safety criteria, and (c) airspace compatibility criteria. The following sections address each issue.

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

The 65 dB CNEL aircraft noise contour defines the state and federal threshold for aircraft noise-sensitive land use impacts. This is the threshold used by the SFO ALUCP. Portions of unincorporated San Mateo County are located inside of the aircraft noise exposure contours for San Francisco International Airport as shown in the SFO ALUCP depicted on attachment 2. San Mateo County does have housing opportunity sites that are located inside of the 65-70 dB CNEL and 70-75 dB CNEL noise exposure contours boundaries established in the SFO ALUCP. Residential uses located between the 65-70 dB CNEL and 70-75 dB CNEL noise contours are conditionally compatible with the SFO ALUCP. Residential structures are permitted, provided that sound insulation is provided to reduce interior noise levels from exterior sources to CNEL 45dB or lower and that an aviation easement is granted to the City and County of San Francisco as operator of SFO.

Therefore, the San Mateo County Housing Element 2014-2022 is conditionally consistent with the SFO ALUCP noise policies. The housing element would be compatible if the conditions described in Table IV-1 (Noise/land Use Compatibility Criteria) on page IV-18 of the SFO ALUCP are met during implementation of the housing element.

The 60 dB CNEL noise exposure contour is the threshold for noise compatibility for the Half Moon Bay airport. Portions of unincorporated San Mateo County are located inside of the 60 dB CNEL noise contour established for Half Moon Bay Airport. None of the housing opportunity sites are located inside of the 60 dB CNEL noise contour. Therefore, the San Mateo County Housing Element is consistent with the noise policies established in the HAF ALUCP.

The SQL CLUP uses the 55 dB CNEL noise contour for determining land use compatibility. The San Mateo County housing opportunity sites are located outside of the 55 dB CNEL aircraft noise exposure contour boundary established for the San Carlos Airport. Therefore, the San Mateo County Housing Element is consistent with the noise policies established in the SQL CLUP.

**(b) Safety Criteria**

The California Airport/Land Use Planning Handbook requires airport land use compatibility plans to include safety zones for each runway end. The SFO ALUCP, HAF ALUCP and SQL CLUP include safety zones and related land use compatibility policies and criteria.

The San Mateo County housing opportunity sites are not located inside the safety zone configurations established for the SFO ALUCP. Therefore, the County of San Mateo Housing Element is consistent with the SFO ALUCP safety policies.

The HAF ALUCP also includes safety zones and related land use compatibility policies and criteria. San Mateo County does have housing opportunity sites that are located inside the safety zone configurations established for the HAF ALUCP. There are sites located in both Safety Zone 2 (Inner Approach/Departure Zone) and Safety Zone 3 (Inner Turning Zone). In Safety Zone 2 housing is a compatible use as long as it complies with the criteria as set forth in section 4.2.2.3 of the HAF ALUCP which describes the definition of infill development. In Safety Zone 3 housing is also a compatible use as long as it complies with the criteria as set forth in section 4.2.2.3 of the HAF ALUCP. Within Safety Zone 2 Airport Land Use Commission review is required for any proposed structure taller than 35 feet above ground level (AGL).

Based on the potential housing sites being located inside of Safety Zone 2 and Safety Zone 3 of the HAF ALUCP the San Mateo County Housing Element would be conditionally consistent with the safety policies contained in the HAF ALUCP provided that the policies described in Table 4, Safety Criteria Matrix, on page 4-23 are adhered to during implementation of the Housing Element.

The SQL CLUP includes a safety zone and related land use compatibility policies and criteria. The San Mateo County Housing Element is consistent with the SQL CLUP safety policies as none of the housing sites fall within the safety zone for the San Carlos Airport.

**(c) Height of Structures, Use of Airspace, and Airspace Compatibility**

The SFO ALUCP, HAF ALUCP and SQL CLUP incorporate the provisions in Title 14 of the Code of Federal Regulations Part 77 (14 CFR Part 77), "Objects Affecting Navigable Airspace," as amended, to establish height restrictions and federal notification requirements related to proposed development within the 14 CFR Part 77 airspace boundaries for San Francisco International Airport, Half Moon Bay Airport and San Carlos 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 alterations of structures on the subject airspace.

There are housing opportunity sites in the Housing Element which are located within PART 77 critical airspace surfaces of both the SFO ALUCP and HAF ALUCP. Please see attachments 3 and 4 for the

maps of the critical aeronautical surfaces that affect the County of San Mateo for SFO and Half Moon Bay Airport. Additionally, there are potential housing sites identified that are located within areas that have been identified as having terrain penetrations in the HAF ALUCP. In order for the Housing Element to be compatible with the airspace protection policies the development of the potential housing sites must be in compliance with 14 CFR Part 77, Subpart B, Notice of Proposed Construction or Alteration during the implementation of the housing element.

The County of San Mateo Housing Element would be conditionally consistent with the SFO ALUCP and HAF ALUCP airspace criteria provided the aeronautical studies are initiated with the FAA and a determination of no hazard to air navigation is granted by the FAA and/or the Caltrans Aeronautics Program staff has issued a permit to allow construction of the proposed structure. For San Francisco International Airport the structures must also be below the height of the critical aeronautical surfaces mapped on Figure IV-17 and Figure IV-18 in the adopted SFO ALUCP.

Portions of unincorporated San Mateo County are located inside of the 14 CFR Part 77 horizontal and conical imaginary surface contours established for SQL CLUP. None of the potential housing sites identified in the Housing Element are within these contours. As a result the San Mateo County Housing Element is consistent with the SQL CLUP airspace protection policies.

Under Federal law, it is the responsibility of the project sponsor to comply with all notification and other requirements described in 14 CFR Part 77. The city should notify project sponsors of proposed projects at the earliest opportunity to file form 7460-1 *Notice of Proposed Construction or Alteration*, if required, with the Federal Aviation Administration (FAA) to determine whether a project will constitute a hazard to air navigation. Subpart B of 14 CFR Part 77 provides guidance on determining when this form should be filed. The FAA has also developed an online tool for project sponsors to use when determining whether they are required to file the *Notice of Proposed Construction or Alteration*. Sponsors of proposed projects are urged to refer to this website to determine whether they are required to file Form 7460-1 with the FAA:

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## **II. Real Estate Disclosure**

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(B) For purposes of this section, an "airport influence area," also known as an "airport referral area," is the area in which current or future airport-related noise, overflight, safety, or airspace protection factors may significantly affect land uses or necessitate restrictions on those uses as determined by an airport land use commission.”

Chapter 496, Statutes of 2002 (formerly AB 2776 [Simitian]) affects all sales of real property that may occur within an airport influence area (AIA) boundary. It requires a statement (notice) to be included in the property transfer documents that (1) indicates the subject property is located within an AIA boundary and (2) that the property may be subject to certain impacts from airport/aircraft operations.

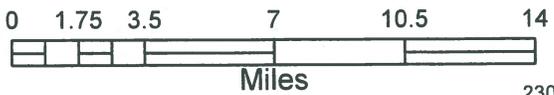
**ATTACHMENTS**

- Attachment 1 – San Mateo County Housing Opportunity Sites Map – overview (entire set of Housing Opportunity Sites maps can be viewed at <http://ccag.ca.gov/committees/board-of-directors/>)
- Attachment 2 – SFO Noise Contours
- Attachment 3 – SFO Critical Aeronautical Surfaces
- Attachment 4 – Half Moon Bay Airport Critical Aeronautical Surfaces

Map 9-1: Adequate Sites Inventory, San Mateo County

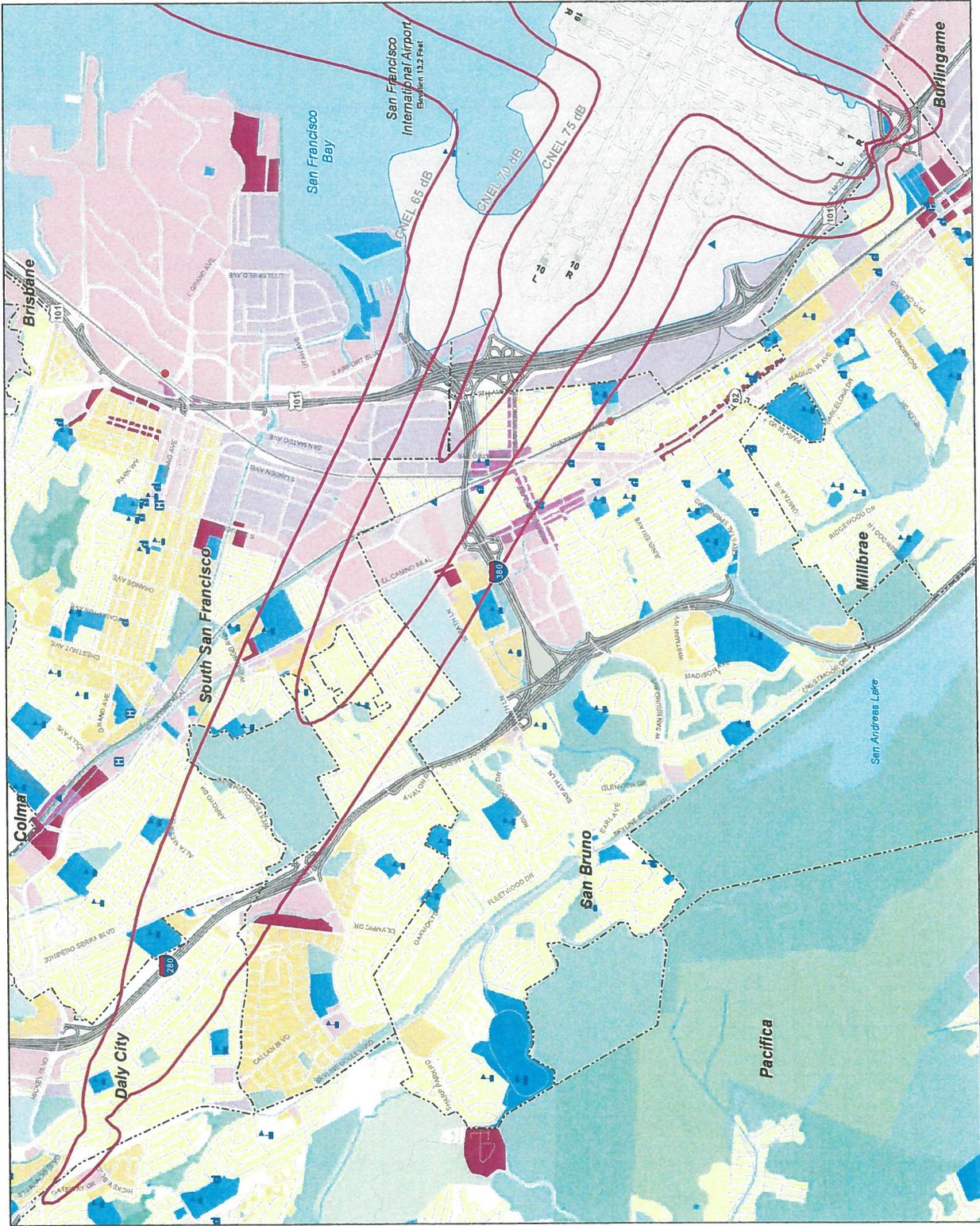


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-  Non-Vacant Redevelopable Parcels
-  Vacant Parcels
-  Unincorporated Communities

Attachment 2



**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

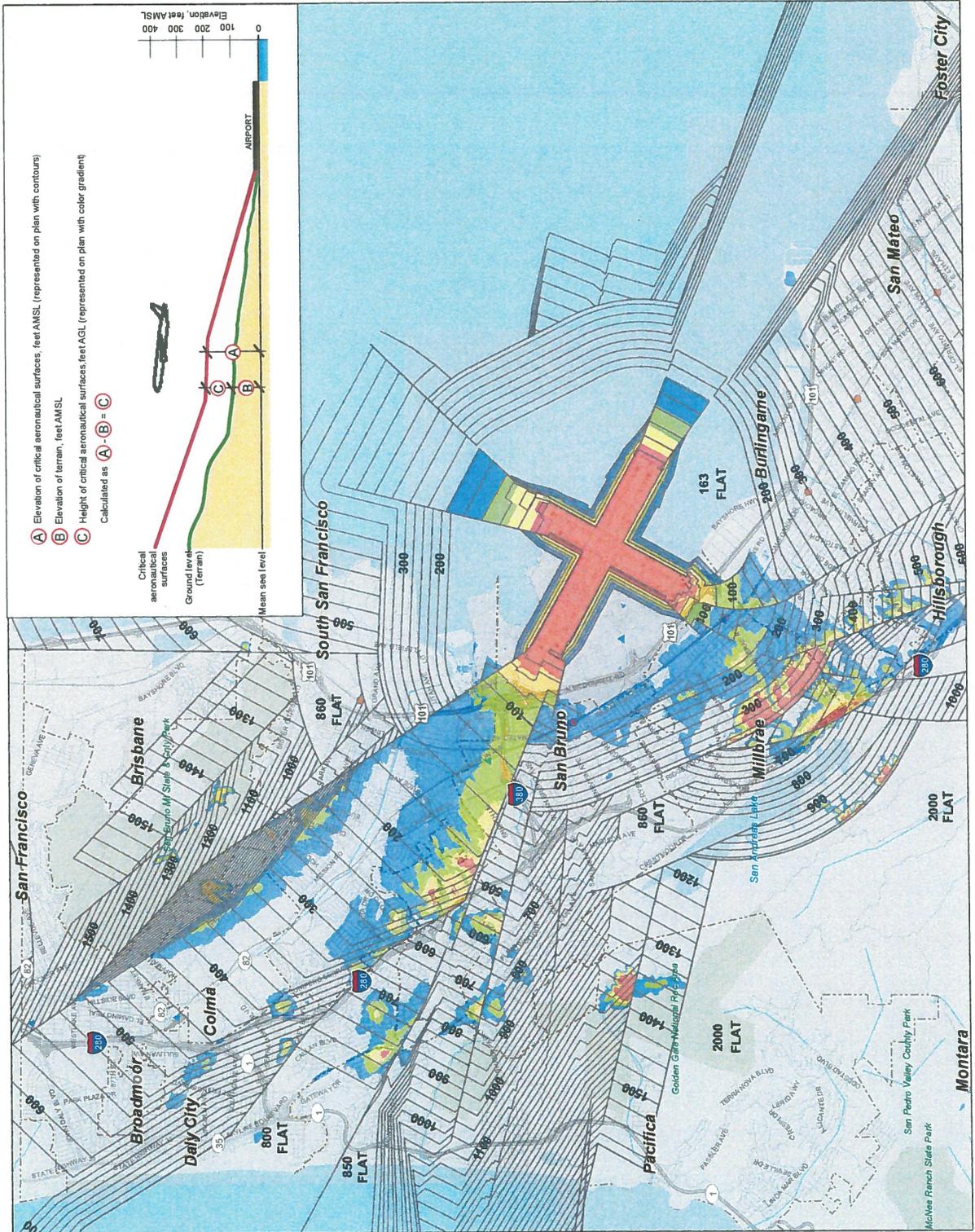
**Sources:**

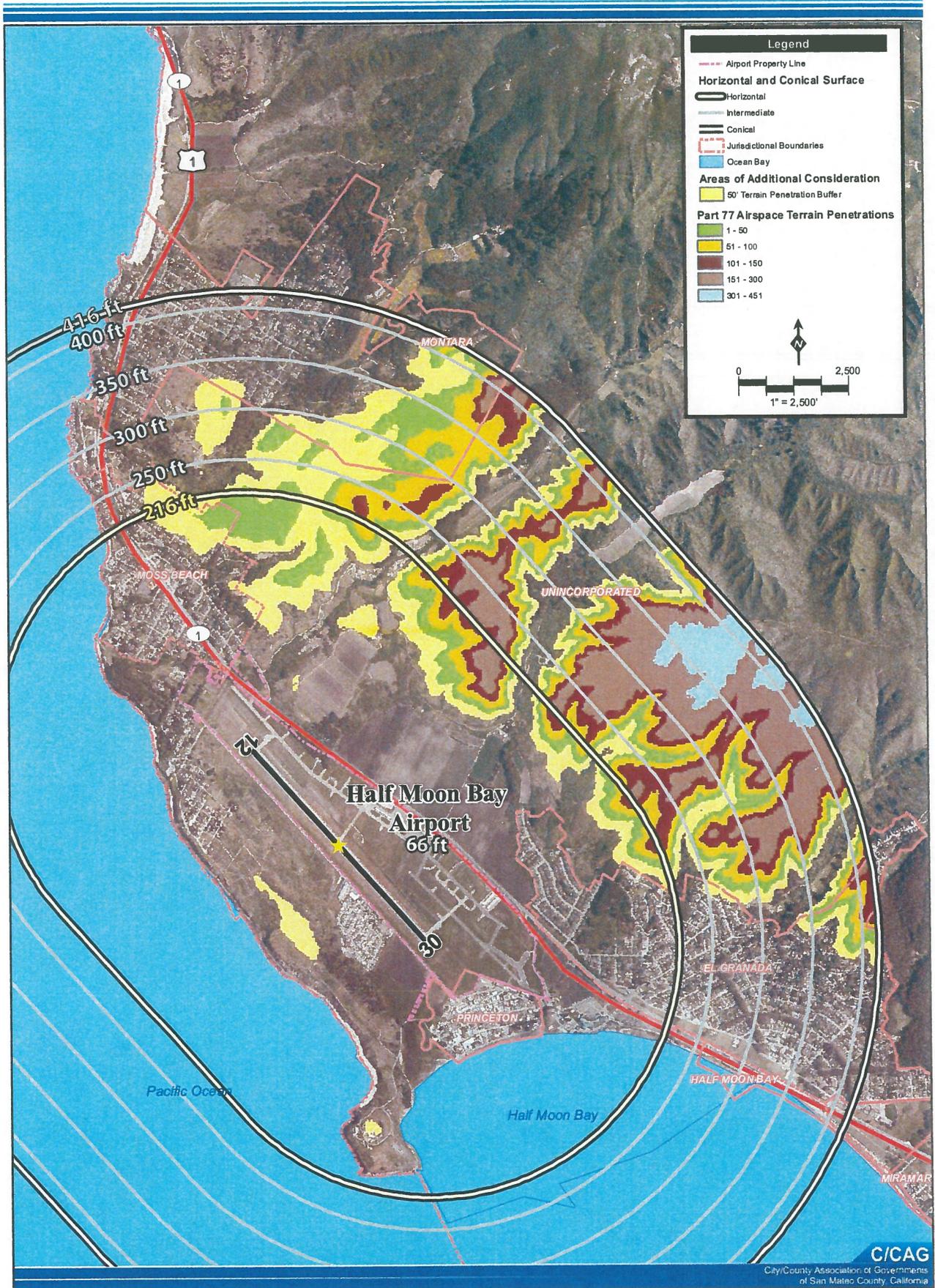
- Noise Contour Data
  - Draft Environmental Assessment, Proposed Runway Safety Area Program, San Francisco International Airport, URS Corporation and BridgeNet International, June 2011
- County Base Maps
  - San Mateo County Planning & Building Department, 2007
- Local Plans
  - Burlingame Downtown Specific Area Plan, August 2006
  - Burlingame Downtown Specific Plan, January 2009
  - Burlingame General Map, September 1984
  - North Burlingame/Follins Road Specific Plan, February 2007
  - Colma Municipal Code Zoning Maps, December 2003
  - Daily City General Plan Land Use Map, 2005
  - Hillsborough General Plan, March 2005
  - Millbrae Land Use Plan, November 1999
  - Pacifica General Plan, August 1996
  - San Bruno General Plan, December 2008
  - San Bruno City Land Use Map, January 2007
  - San Mateo County General Map, 1992
  - South San Francisco General Plan, 1988



Exhibit IV-6  
**NOISE COMPATIBILITY ZONES –**  
**DETAIL**  
 Comprehensive Airport Land Use Plan  
 for the Environs of San Francisco International Airport  
**C/CAG**  
 City/County Association of Governments  
 of San Mateo County, California

### Attachment 3





C/CAG  
City/County Association of Governments  
of San Mateo County, California

Exhibit 4E  
PART 77 TERRAIN PENETRATIONS

# C/CAG AGENDA REPORT

**DATE:** April 9, 2015

**TO:** C/CAG Board of Directors

**FROM:** Sandy Wong, Executive Director

**SUBJECT:** Review and approval of Resolution 15-11 in support of the City of South San Francisco's grant application for the State's Affordable Housing and Sustainable Communities (AHSC) program

[For further information please contact Sandy Wong at (650) 599-1409]

---

**RECOMMENDATION:**

That the C/CAG Board of Directors review and approve Resolution 15-11 in support of the City of South San Francisco's grant application for the State's Affordable Housing and Sustainable Communities (AHSC) program.

**FISCAL IMPACT:**

None.

**BACKGROUND/DISCUSSION:**

the State of California, the Strategic Growth Council (SGC) and the Department of Housing and Community Development (Department) has issued a Notice of Funding Availability dated January 30, 2015 (NOFA), and amended as of March 19, 2015, under the Affordable Housing and Sustainable Communities (AHSC) Program established under Division 44, Part 1 of the Public Resources Code commencing with Section 75200.

The City of South San Francisco has been invited by the Strategic Growth Council to submit a full application for their project for their project. By the deadline of March 19, 2015, there were only letters of interest submitted from agencies in San Mateo County, and both are successful in being invited to submit full application.

The City of South San Francisco project will create the needed pedestrian and bicycle linkages from downtown South San Francisco to an upgraded Caltrain station, making other improvements walkable community improvements, as well as linking to affordable housing units.

**ATTACHMENTS:**

- Resolution 15-11
- Support letter



## **RESOLUTION 15-11**

### **RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY IN SUPPORT OF THE CITY OF SOUTH SAN FRANCISCO'S GRANT APPLICATION FOR THE STATE'S AFFORDABLE HOUSING AND SUSTAINABLE COMMUNITIES (AHSC) PROGRAM**

**RESOLVED**, by the Board of Directors of the City/County Association of Governments of San Mateo County (C/CAG); that,

**WHEREAS**, the State of California, the Strategic Growth Council (SGC) and the Department of Housing and Community Development (Department) has issued a Notice of Funding Availability dated January 30, 2015 (NOFA), and amended as of March 19, 2015, under the Affordable Housing and Sustainable Communities (AHSC) Program established under Division 44, Part 1 of the Public Resources Code commencing with Section 75200; and

**WHEREAS**, the City of South San Francisco (the City) is applying for AHSC Program funds for assistance in creating needed pedestrian and bicycle linkages from downtown South San Francisco to an upgraded Caltrain station (the Station); and

**WHEREAS**, the current Caltrain station is located across US 101 over a long and narrow sidewalk that goes up and over US 101, discouraging pedestrian traffic; and

**WHEREAS**, those pedestrians coming from downtown to the Station will still have to navigate across one of two busy Airport Blvd. intersections which, because of their proximity to truck traffic and an US 101 on-ramp, are difficult to navigate; and

**WHEREAS**, the City is partnering with the San Mateo County Transit Authority under the Authority's leadership to create a new station relocated adjacent to downtown with the potential for more pedestrian access; and

**WHEREAS**, funds in hand by the City and the Authority do not yet include important pedestrian and bike improvements to make the station more accessible with such amenities as low impact crosswalk and sidewalk treatments to protect storm water, pedestrian bulb outs, high visibility ladder crosswalks, ADA ramps, median pedestrian refuge areas, installation of shared bicycle lanes, and wider sidewalks; and

**WHEREAS**, there are several developers in the planning stages of building 120 new affordable housing units and 406 new market rate housing units in the downtown; and

**WHEREAS**, the potential for an even greater walkable community and transit hub exists with the improvements sought with this AHSC grant; and

**WHEREAS**, those improvements will collectively assist the City in potentially creating more housing and employment in the downtown area consistent with the goals of the recently adopted Downtown Plan; and

**WHEREAS**, the San Mateo County Council of Governments (CCAG) is the designated county Congestion Management Agency that supports projects that improve the quality of life in general, and;

**WHEREAS**, the City's application for AHSC Program funds supports CCAG goals that reduce greenhouse gas emissions and improve transportation linkages for bicyclist and pedestrians.

**NOW THEREFORE BE IT RESOLVED**, by the Board of Directors of the City/County Association of Governments of San Mateo County (C/CAG) that the C/CAG Board of Directors does endorse and support the City of South San Francisco's AHSC grant application, and further authorizing the C/CAG Chair to submit a letter of support to State Department of Community Development.

**PASSED, APPROVED, AND ADOPTED, THIS 9TH DAY OF APRIL 2015.**

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**Mary Ann Nihart, Chair**

# C/CAG

## CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

*Atherton • Belmont • Brisbane • Burlingame • Colma • Daly City • East Palo Alto • Foster City • Half Moon Bay • Hillsborough • Menlo Park •  
Millbrae • Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County • South San Francisco •  
Woodside*

April 9, 2015

Ms. Claudia Cappio, Director  
California Department of Housing and Community Development  
2020 West El Camino Avenue  
Sacramento, CA 95833

**RE: Support for the City of South San Francisco's application for Affordable Housing and Sustainable Communities program funding for the South San Francisco Complete Streets to Transit and Employment: Pedestrian and Bicycle Safety Improvement Project**

Dear Ms. Cappio:

The City/County Association of Governments for San Mateo County (C/CAG) supports the City of South San Francisco's application to the Affordable Housing and Sustainable Communities (AHSC) program for the Complete Streets to Transit and Employment: Pedestrian and Bicycle Safety Improvement Project.

The C/CAG Board of Directors represents each of the 20 cities plus the county in San Mateo County. C/CAG is also the designated Congestion Management Agency (CMA) for in San Mateo County. C/CAG serves San Mateo County by enabling the 21 local jurisdictions to collaborate on common issues such as transportation, housing, and greenhouse gas reduction that affect the quality of life in San Mateo County.

The City of South San Francisco project funding request is for bicycle and pedestrian improvements that will connect and link affordable housing on the west side of the City to the soon to be relocated South San Francisco Caltrain station on the east side of the City. There are over 10,000 residents that live within a mile radius of the station yet barriers restrict access to transit and employment while forcing residents into cars.

The project area has been designated by the Metropolitan Transportation Commission (MTC) as a Priority Development Area (PDA). This area is accessible to transit, jobs, shopping and other services. The SSF Caltrain station will undergo a \$55 million upgrade, greatly improving service for Caltrain riders and providing a direct connection to downtown South San Francisco. The upgrade is possible from a partnership between the City which has appropriated \$5.9 million and San Mateo County Transportation Authority, which approved \$49.1 million. In addition to the investment for public improvements, the development of 526 new housing units (including 120 affordable) is a significant investment in the project area that will advance the goal of reducing

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Ms. Claudia Cappio, Director

California Department of Housing and Community Development

**RE: Support for the City of South San Francisco's application for AHSC program funding**

greenhouse gases by locating housing within the immediate vicinity of the relocated Caltrain station. Total housing investment will be approximately \$202 million (including \$9.8 million in public and affordable housing funds).

I thank you for your consideration of this application.

Sincerely,

Sincerely,

Mary Ann Nihart, Chair

City/County Association of Governments of San Mateo County (C/CAG)

Attachment: C/CAG Board of Director Resolution Number 15-11

# C/CAG AGENDA REPORT

**DATE:** April 9, 2015

**TO:** C/CAG Board of Directors

**FROM:** Sandy Wong, Executive Director

**SUBJECT:** Review and approval of support letter for Caltrain's Affordable Housing and Sustainable Communities (AHSC) grant application for the South San Francisco Caltrain Station Access and Improvement Project

[For further information please contact Sandy Wong at (650) 599-1409]

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## **RECOMMENDATION:**

That the C/CAG Board of Directors review and approve the support letter for Caltrain's Affordable Housing and Sustainable Communities (AHSC) grant application for the South San Francisco Caltrain Station Access and Improvement Project.

## **FISCAL IMPACT:**

None.

## **BACKGROUND/DISCUSSION:**

the State of California, the Strategic Growth Council (SGC) and the Department of Housing and Community Development (Department) has issued a Notice of Funding Availability dated January 30, 2015 (NOFA), and amended as of March 19, 2015, under the Affordable Housing and Sustainable Communities (AHSC) Program established under Division 44, Part 1 of the Public Resources Code commencing with Section 75200.

Caltrain's project has been invited by the Strategic Growth Council to submit a full application for funding. By the deadline of March 19, 2015, there were only two letters of interest submitted from agencies in San Mateo County, and both are successful in being invited to submit full application.

The Caltrain Station Improvement Project will include final design and construction of the new platform, track and station improvements. The project will also include the construction of a pedestrian and bicycle tunnel for the new, relocated Caltrain Station. Once completed, the station will provide a safer and more accessible connection to the downtown area and to major South San Francisco employers east of US 101.

## **ATTACHMENT:**

Support letter.

# C/CAG

## CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

*Atherton • Belmont • Brisbane • Burlingame • Colma • Daly City • East Palo Alto • Foster City • Half Moon Bay • Hillsborough • Menlo Park •  
Millbrae • Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County • South San Francisco •  
Woodside*

April 9, 2015

Strategic Growth Council  
1400 Tenth Street  
Sacramento, CA 94814

Dear Council:

On behalf of City/County Association of Governments of San Mateo County (C/CAG) I'm pleased to write in support of Caltrain's Affordable Housing Sustainable Communities (AHSC) grant application for the South San Francisco Caltrain Station Access and Improvement Project.

The C/CAG Board of Directors represents each of the 20 cities plus the county in San Mateo County. C/CAG is also the designated Congestion Management Agency (CMA) for in San Mateo County. C/CAG serves San Mateo County by enabling the 21 local jurisdictions to collaborate on common issues such as transportation, housing, and greenhouse gas reduction that affect the quality of life in San Mateo County.

The Caltrain Station Improvement Project will include final design and construction of the new platform, track and station improvements. The project will also include the construction of a pedestrian and bicycle tunnel for the new, relocated Caltrain Station. Once completed, the station will provide a safer and more accessible connection to the downtown area and to major South San Francisco employers east of US 101.

The South San Francisco Caltrain Station serves the nation's largest biotech business center where some 40,000 commuters travel to and from daily. Improving access and safety at the station will encourage more commuters to utilize Caltrain and other public transportation options in the area, reducing the number of vehicles driven on the region's congested freeways. The station tunnel will also provide a vital connection from downtown South San Francisco to the businesses east of US 101, spurring economic development and job growth in the area.

C/CAG urges your positive consideration of AHSC funding for the Caltrain Station Access and Improvement Project.

Sincerely,

Mary Ann Nihart, Chair  
City/County Association of Governments of San Mateo County (C/CAG)

## C/CAG AGENDA REPORT

ITEM 6.1

Date: April 9, 2015  
To: C/CAG Board of Directors  
From: Sandy Wong, Executive Director  
Subject: Review and approval of C/CAG legislative policies, priorities, positions, and legislative update (A position may be taken on any legislation, including legislation not previously identified)

(For further information or questions contact Jean Higaki at 599-1462)

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### RECOMMENDATION

Review and approval of C/CAG legislative policies, priorities, positions, and legislative update (A position may be taken on any legislation, including legislation not previously identified).

### FISCAL IMPACT

Unknown.

### SOURCE OF FUNDS

N/A

### BACKGROUND

On April 7, 2015, C/CAG Legislative Committee members and C/CAG staff will make a trip to Sacramento to visit the San Mateo County State Senate and Assembly delegates as well as other state transportation legislators and members of the administration.

A verbal summary of the visit to Sacramento will be provided to the C/CAG Board at the April 9<sup>th</sup> meeting.

### ATTACHMENT

1. March 26, 2015 State Legislative Update from Shaw/ Yoder/ Antwih Inc.



**SHAW/YODER/ANTWIH, inc.**  
LEGISLATIVE ADVOCACY • ASSOCIATION MANAGEMENT

**DATE:** March 26, 2015  
**TO:** Board Members, City/County Association of Governments, San Mateo County  
**FROM:** Andrew Antwih and Matt Robinson, Shaw / Yoder / Antwih, Inc.  
**RE:** STATE LEGISLATIVE UPDATE – April 2015

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***C/CAG Lobby Day***

On April 7, members of the C/CAG Legislative Committee will travel to Sacramento to meet with members of the San Mateo County delegation, Transportation Committee Chairs, and members of the Brown Administration. This visit will provide C/CAG with an opportunity to discuss important issues with the delegation, including transportation needs in the County, important projects underway, and C/CAG's legislative priorities for the year.

***San Mateo County Projects Competing for Cap and Trade Funding***

Concept proposals for the Affordable Housing and Sustainable Communities (AHSC) Program were due February 19. The Strategic Growth Council reviewed the proposals and selected both projects submitted by local agencies within San Mateo County – the City of South San Francisco and Caltrain. South San Francisco is requesting \$7.7 million for its project which focuses on compete streets improvements to better link the surrounding community to transit. Caltrain is requesting \$4.7 million for improvements to the South San Francisco Caltrain Station that consist of new and enhanced station platforms, track and signal improvements, a new pedestrian and bicycle underpass, a new shuttle drop-off location and a new station plaza. Full applications are due to the Strategic Growth Council by April 15. **We encourage members of the Board to submit letters of support to the Council in support of these projects.**

***Bills of Interest***

**ACA 4 (Frazier) Lower-Voter Threshold for Transportation Taxes**

This bill would lower voter approval requirements from two-thirds to 55 percent for the imposition of special taxes used to provide funding for transportation purposes.

**AB 4 (Linder) Vehicle Weight Fees**

This bill would prohibit vehicle weight fee revenues from being transferred from the State Highway Account to the Transportation Debt Service Fund, the Transportation Bond Direct Payment Account, or any other fund or account for the purpose of payment of the debt service on transportation general obligation bonds, and would also prohibit loans of weight fee revenues to the General Fund. This bill would sunset on January 1, 2020.

**AB 194 (Frazier) Managed Lanes**

This bill would authorize a regional transportation agency to apply to the California Transportation Commission to operate a high-occupancy toll (HOT) lane. This bill further requires that a regional transportation agency “consult” with any local transportation authority (e.g. C/CAG) prior to applying for a HOT lane if any portion of the lane exists in the local transportation authority’s jurisdiction. This bill also specifically does not authorize the conversion of a mixed-flow lane into a HOT lane.

**AB 227 (Alejo) Vehicle Weight-Fees**

This bill would undo the statutory scheme that allows vehicles weight fees from being transferred to the general fund from the State Highway Account to pay debt-service on transportation bonds and requires the repayment of any outstanding loans from transportation funds by December 31, 2018. This bill would also extend the authorization of public-private partnerships. **The Board is in SUPPORT of this bill.**

**AB 378 (Mullin) US 101 Congestion Relief**

This bill is a placeholder for legislation that will eventually target congestion relief on US 101. The author began meeting with stakeholder groups, including C/CAG, to discuss solutions to the US 101. This will be an ongoing effort and the bill may not move until next year.

**AB 464 (Mullin) Local Sales Tax Limit Increase**

This bill would increase, from 2 percent to 3 percent, the statewide cap on sales tax at the local level. Currently, the statewide sales tax may not exceed 9.5 percent when combined with any local sales tax. This would increase the overall limit to 10.5 percent.

**AB 1362 (Gordon) Constitutional Stormwater Definition**

The Constitution requires a majority vote of impacted property owners vote or a two-thirds vote of all voters living within a designated area in order to impose a property-related fee. Exempt from these provisions are fees for sewer, water, and refuse collection services. Fees for these services follow a protest procedure wherein if a majority of property owners write in protest of the new fee, it shall not be imposed. To interpret the Constitution, statute defines certain terms. This bill would add a definition of “stormwater” in anticipation of a Constitutional Amendment to add it to the fees subject to protest process as opposed to seeking voter approval.

**SB 32 (Pavley) Extension of the California Global Warming Solutions Act of 2006 (AB 32)**

Under AB 32, ARB adopted a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990, to be achieved by 2020, and was authorized to adopt regulations to achieve the GHG reduction-target, including a market-based compliance mechanism (e.g. Cap and Trade). This bill would require ARB to approve a GHG limit equivalent to 80% below the 1990 level to be achieved by 2050 and would authorize the continued use of the regulatory process to ensure the target is met.

**SB 321 (Beall) Stabilization of Gasoline Excise Tax**

The gas tax swap replaced the state sales tax on gasoline with an excise tax that was set at a level to capture the revenue that would have been produced by the sales tax. The excise tax is required to be adjusted annually by the BOE to ensure the excise tax and what would be produced by the sales tax remains revenue neutral. This bill would, for purposes of adjusting

the state excise tax on gasoline, require the BOE to use a five-year average of the sales tax when calculating the adjustment to the excise tax.