

**DEPARTMENT OF TRANSPORTATION**

DIVISION OF AERONAUTICS – M.S. #40

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a California Way of Life.

June 18, 2020

Ms. Susy Kalkin, ALUC Staff  
County Association of Governments of San Mateo County  
555 County Center, 5<sup>th</sup> Floor  
Redwood City, California 94063-1665

Electronically Sent  
Kkalkin@smcggov.org

Dear Ms. Kalkin,

Thank you for soliciting input from the California Department of Transportation (Caltrans), Division of Aeronautics (Division) regarding the proposed 410 Noor Avenue Mixed-Use Residential project in South San Francisco. The State of California Legislature enacted California Public Utilities Code section 21670 et. seq. to ensure compatible land use within a two-mile radius of airports. The legislative purpose is to protect the “public health, safety and welfare by ensuring the orderly expansion of airports and adoption of land use measures that minimize the public’s exposure to excessive noise and safety hazards.” By authority of the Legislature, the Division has jurisdiction to assist airports, airport land use commissions (ALUC), and local agencies in the implementation of compatible land uses in the vicinity of airports.

The project site would include 338 for-rent residential units and 100 square feet (sq. ft.) of ground-floor retail space. Project approvals involve a conditional use permit, design review, a lot merger under the Subdivision Map Act, and environmental assessment in accordance with the California Environmental Quality Act.

The County Association of Governments of San Mateo County (C/CAG) is the designated agency<sup>i</sup> authorized to perform airport land use commission functions.<sup>ii</sup> As part of their airport land use planning functions, C/CAG adopted the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (ALUCP) in 2012. The policies of this ALUCP have four goals:

- To protect San Francisco International Airport (SFO) from further encroachment by incompatible land uses
- To safeguard the general welfare of the inhabitants within the vicinity of the Airport and the public by protecting them from adverse effects of aircraft noise and by avoiding an increase in the number of people exposed to airport/aircraft related hazards;

<sup>i</sup> Public Utilities Code (PUC) section 21670.1

<sup>ii</sup> PUC section 21674

- To ensure that no structures or land use characteristics adversely affect the navigable airspace in the vicinity of the Airport to provide for the safe passage of aircraft in flight
- To provide guidance to land use agencies on compatible land uses in the environs of SFO

The Division reviewed proposed land uses that would occupy the project site for consistency with the California Airport Land Use Planning Handbook, October 2011 (Handbook)<sup>iii</sup> and the ALUCP. The Handbook provides foundational principals for ALUCs to establish noise contours, overflight zones, safety zone compatibility maps, and airspace protection areas. The project site is in an area that frequently experiences noise levels above a Community Noise Level Equivalent CNEL<sup>iv</sup> of 70 decibels (dB), is frequently overflowed by aircraft using San Francisco International Airport, and would be split by Handbook and ALUCP safety zones<sup>v</sup>.

State guidance sets a CNEL of 65dB as the maximum noise level normally compatible with urban residential land uses. The Handbook's excessive noise minimization principals for which ALUCs establish ALUCP policy are as follows:

- New residential uses shall be considered incompatible within the CNEL contour determined by the ALUC.
- New nonresidential uses shall be considered incompatible in locations where the airport-related noise exposure would be highly disruptive to the specific land use.
- Land uses where interior activities may be easily disrupted by noise **Error! Bookmark not defined.** shall be required to comply with the following interior noise level criteria:
  - For residential uses, 45dB CNEL in any habitable room of single-or multi-family residences
  - For nonresidential uses, 50dB CNEL in:
    1. Offices
    2. Restaurants
    3. Retail stores

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<sup>iii</sup> The Handbook is not intended to perform local airport land use compatibility planning but ALUCs are required to formulate policies that best protect people and airports. Airports are vital components of the California transportation system and provide direct and indirect benefits to our society.

<sup>iv</sup> This is the noise metric adopted by the State of California for evaluating airport noise. It represents the average daytime noise level during a 24-hour day, adjusted to an equivalent level to account for the lower tolerance of people to noise during evening and nighttime periods relative to the daytime period.

<sup>v</sup> Chapter 3 of the Handbook provides safety zone mapping principals in which C/CAG established ALUCP safety zones.

The ALUCP provides the following noise impact policies:

- NP-4.3: Residential Subdivisions and Lot Splits are Incompatible within CNEL 70dB Contour The subdivision of land and the splitting of lots to enable the construction of additional housing within the CNEL 70dB contour shall be incompatible and inconsistent with this ALUCP.
- NP-4.4: Residential re-zonings are Incompatible within CNEL 70dB Contour. The re-zoning of land for residential use within the CNEL 70dB contour shall be considered incompatible and inconsistent with this ALUCP.

The proposed uses would be contrary to California Legislators' intent to protect the orderly growth of airports and minimizing the public's exposure to excessive noise. The project site is located within a 70 dB CNEL noise contour, which exceeds the principals contained in the Handbook. Further, the proposed uses would be incompatible with SFO, and inconsistent with stated ALUCP goals and policies. Accordingly, the proposed should be deemed inconsistent with the policies of the ALUCP because the site is located within the CNEL of 70dB noise contour.

The Handbook's safety hazard exposure minimization principals in Safety Zone 4, the Outer Approach/Departure Zone,<sup>vi</sup> where ALUCs establish ALUCP policy are as follows:

- Allow restaurants, retail industrial, light industrial, vehicle repair, and similar uses
- Limit residential uses to low densities but allow infill up to the average density of surrounding residential area
- Avoid commercial and other high intensity uses and buildings of more than three habitable floors

The ALUCP provides the following general policies that relate to safety:

- GP-4.2: Nonconforming uses may be rebuilt to a density (for residential uses, dwelling units per acre) or size (for nonresidential uses, building floor area) not exceeding that of the original construction. In all cases, however, reconstructed nonconforming uses shall comply with the noise compatibility and airspace protection policies of this ALUCP.
- GP-7: For the purpose of evaluating consistency with the compatibility criteria set forth in this ALUCP, any parcel that is split by compatibility zone boundaries shall be considered as if it were multiple parcels divided at the compatibility zone boundary line. Only the portion of the parcel that lies within the compatibility zone boundary shall be subject to the airport/land use compatibility consistency evaluation.

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<sup>vi</sup> California Airport Land Use Planning Handbook, October 2011, Figure 4E, Page 4-23

- SP-1: Outer Approach/Departure Zone (OADZ), Zone 4, extends along the extended runway centerline. It is subject to overflights of aircraft on approach and straight-out departures. At SFO, the OADZ off the west end of Runways 10R-28L and 10L-28R is overflowed by a high proportion of departures using Runways 28L and 28R, especially long-haul departures by heavy, wide-body aircraft.

The project site is split by ALUCP and Handbook Safety Zone 4. It is difficult to assess the proposed project land use compatibility without scaled engineer drawings indicating the location of the buildings and their relationship to safety zone boundaries. The Handbook states:

In situations where a parcel is split by two or more safety zones, clustering development can also be an effective means by which to avoid development in a higher risk safety zone. The disadvantage of clustering is that it allows an increased number of people to be in the potential impact area of an uncontrolled crash.

In general terms, the proposed residential uses would be contrary to California Legislators' intent to protect the orderly growth of airports and minimizing the public's exposure to safety hazard. The project site may utilize clustering on a portion of the site, but for the other portion of the site, higher density residential uses would be inconsistent with Handbook safety principles pertaining to residential density. In addition, safety zone boundaries are to be applied with reasonable caution toward protecting people. Though the project site is split by safety zone boundaries, accidents do not occur precisely along those lines. Further, the proposed uses would be incompatible with SFO, and inconsistent with stated ALUCP goals and policies.

If you have questions or need further assistance, please contact me at (916) 654-5314 or via email at [Robert.fiore@dot.ca.gov](mailto:Robert.fiore@dot.ca.gov).

Sincerely,

*Original signed by*

ROBERT FIORE  
Aviation Planner