

RESOLUTION 22-63

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY, ACTING AS THE SAN MATEO COUNTY AIRPORT LAND USE COMMISSION, DETERMINING THAT AMENDMENTS TO THE MILLBRAE STATION AREA SPECIFIC PLAN TO ALLOW USES CLASSIFIED AS “BIOTECHNOLOGY LEVEL 2” WITHIN PORTIONS OF THE TRANSIT ORIENTED DEVELOPMENT ZONE LOCATED EAST OF EL CAMINO REAL, WEST OF THE RAILROAD CORRIDOR AND NORTH OF MILLBRAE AVENUE, WHICH ARE LOCATED WITHIN SAFETY COMPATIBILITY ZONE 2, ARE NOT CONSISTENT WITH THE POLICIES OF THE COMPREHENSIVE AIRPORT LAND USE COMPATIBILITY PLAN FOR THE ENVIRONS OF SAN FRANCISCO INTERNATIONAL AIRPORT.

RESOLVED, by the Board of Directors of the City/County Association of Governments of San Mateo County (C/CAG), in its capacity as the San Mateo County Airport Land Use Commission, that,

WHEREAS, in accordance with the requirements of California Public Utilities Code Section 21676(b) a local agency General Plan, Zoning Ordinance and/or any affected specific plan must be consistent with the applicable airport/land use criteria in the relevant adopted Airport Land Use Compatibility Plan (ALUCP); and

WHEREAS, the City of Millbrae completed the Millbrae Station Area Specific Plan (MSASP) update in 2015 which was reviewed at the time by the ALUC and determined to be conditionally compatible with the SFO ALUCP; and

WHEREAS, in 2020 Millbrae submitted to the ALUC proposed amendments to the MSASP for a determination of Consistency with the SFO ALUCP. The proposal included various amendments to allow for uses classified as *Biotechnology Level 2* within portions of the specific plan area, including the Transit Oriented Development (TOD) Zone, south of Millbrae Avenue. In November 2020, the C/CAG Board (acting as the Airport Land Use Commission) adopted Resolution 20-57, determining that those amendments were not consistent with the Safety Compatibility Criteria of the SFO ALUCP.

WHEREAS, the City of Millbrae is now considering further amendments to the MSASP to allow uses classified as *Biotechnology Level 2* within additional portions of the TOD Zone located east of El Camino Real, west of the railroad corridor and north of Millbrae Avenue, that are located within Safety Compatibility Zone 2 of the SFO ALUCP (“Specific Plan Amendments”); and

WHEREAS, the area encompassed by the MSASP lies within Airport Influence Area (AIA) B for San Francisco International Airport, the area subject to formal CCAG/ALUC review, and accordingly, the City of Millbrae has referred the Specific Plan Amendments to C/CAG, acting as the San Mateo County Airport Land Use Commission, for a determination of consistency with the SFO ALUCP; and

WHEREAS, this airport land use plan consistency review is focused on Safety Compatibility issues since the Specific Plan Amendments do not address noise sensitive land uses nor change any development standards in the MSASP which were previously reviewed by the ALUC in 2015. Compatibility with the relevant Safety Compatibility Policies is discussed below:

- a. The SFO ALUCP includes five sets of safety zones and identifies specific land uses which are either incompatible or should be avoided within each of these zones.
- b. The properties impacted by the proposed Specific Plan Amendments lie within Safety Compatibility Zone 2, the Inner Approach/Departure Zone (IADZ).
- c. The Specific Plan Amendments propose to include hazardous uses (Biosafety Level 2) as a conditionally permitted use within additional specific plan areas that are located within Safety Compatibility Zone 2 in order to accommodate Biosafety Level 2 uses.
- d. The compatibility criteria for safety are established in Table IV-2 of the SFO ALUCP, which lists *Hazardous Uses* as incompatible within Safety Zone 2. *Hazardous Uses* are further clarified in Safety Policy SP-3, to specify that Biosafety Level 2 uses are considered *Hazardous Uses*.
- e. The Specific Plan Amendments are in direct conflict with the Safety Policies of the SFO ALUCP and are therefore not consistent with these policies.

WHEREAS, at its June 23, 2022 meeting, based on the factors listed above, the Airport Land Use Committee unanimously recommended that the C/CAG Board of Directors, acting as the Airport Land Use Commission, determine that the Specific Plan Amendments are not consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport, specifically with the Safety Compatibility Criteria; and,

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the City/County Association of Governments for San Mateo County, acting as the San Mateo County Airport Land Use Commission, that the Specific Plan Amendments are determined to be inconsistent with the Safety Compatibility policies and criteria contained in the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport.

PASSED, APPROVED, AND ADOPTED, THIS 14TH DAY OF JULY 2022.



Davina Hurt, Chair