

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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AIRPORT LAND USE COMMITTEE (ALUC) AGENDA

Date: February 23, 2023
Time: 4:30 p.m.

Please note that on September 16, 2021, the Governor signed AB 361, which amended certain provisions of the Ralph M. Brown Act in order to allow for local legislative bodies to conduct their meetings remotely via telephonically or by other electronic means under specified circumstances. Thus, pursuant to Government Code section 54953(e), C/CAG Committee meetings will be conducted via remote conferencing. Members of the public may observe or participate in the meeting remotely via one of the options below:

Join Zoom Meeting

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

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- | | |
|--|----------------------------------|
| 1. Call to Order/Roll Call | Action
(O'Connell) |
| 2. Brief Overview of Teleconference Meeting Procedures | Information
(Kalkin) |
| 3. Public Comment on Items not on the Agenda | Limited to 2 minutes per speaker |

- | | | |
|---|------------------------------|---------|
| 4. Approval of Minutes – January 26, 2023 | Action
(O’Connell) | Page 1 |
| 5. San Carlos Airport Land Use Compatibility Plan Consistency Review – Proposed 56-unit townhome development with related General Plan and Zoning Amendments for property located at 505 E. Bayshore Road, Redwood City. | Action
(Kalkin) | Page 6 |
| 6. San Carlos Airport Land Use Compatibility Plan Consistency Review – Amendments to the City of Redwood City’s Downtown Precise Plan (DTPP) and General Plan to increase the maximum allowable development caps for office and residential use, allow Research & Development use in the Downtown General and Transit Districts, and modify other development standards, guidelines and policies. | Action
(Kalkin) | Page 24 |
| 7. San Francisco International Airport Comprehensive Airport Land Use Compatibility Plan Consistency Review – City of Millbrae Draft 2023-2031 Housing Element. | Action
(Kalkin) | Page 33 |
| 8. Review and Approval of ALUC Meeting Time and Location - 2023. | Action
(Kalkin) | Page 51 |
| 9. AB 2449 and Hybrid ALUC Committee Meetings | Information
(Charpentier) | Page 52 |
| 10. Member Comments/Announcements | | |
| 11. Items from Staff | Information
(Kalkin) | |
| 12. Adjournment – <i>Next regular meeting – Mar. 23, 2023</i> | | |

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

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

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PUBLIC NOTICING: All notices of C/CAG regular Board meetings, standing committee meetings, and special meetings will be posted at the San Mateo County Courtyard, 555 County Center, Redwood City, CA, and on C/CAG’s website at: <http://www.ccag.ca.gov>.

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

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

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

1. Written comments should be emailed to kkalkin@smcgov.org
2. The email should include the specific agenda item on which you are commenting or note that your comment concerns an item that is not on the agenda.
3. If your emailed comments are received at least 2 hours prior to the meeting, they will be provided to the ALUC Committee members, made publicly available on the C/CAG website along with the agenda, but will not be read aloud by staff during the meeting. We cannot guarantee that comments received less than 2 hours before the meeting will be distributed to the Committee members, but they will be included in the administrative record of the meeting.

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

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

Airport Land Use Committee (ALUC)

Meeting Minutes

January 26, 2023

1. Call to Order/Roll Call

Chair O'Connell called the meeting to order at 4:30 pm. via the Zoom platform. The attendance sheet is attached.

Sean Charpentier, C/CAG Executive Director noted that C/CAG had supplemented its typical staff for this meeting, noting Melissa Andrikopoulos, C/CAG Counsel, and consultants Chris Jones and Patrick Hickman, from ESA Airports were in attendance to assist.

2. Brief Overview of Teleconference Meeting Procedures

C/CAG staff gave an overview of the meeting protocols being implemented due to COVID-19, noting the meeting is being conducted as a Zoom online meeting pursuant to the provisions of the Governor's Executive Order N-29-20, which suspends certain requirements of the Brown Act.

3. Public Comment on items not on the Agenda - None

4. Minutes of the October 27, 2022 Meeting

Motion: Member Hamilton moved, and Member Ortiz seconded, approval of the October 27, 2022, minutes. Motion carried (5-0-2) by the following roll call vote: AYE - Members Ortiz, Cahalan, Hamilton, Ford and Chair O'Connell. NO – none. ABSTAIN – Members Sturken and Nicolas.

5. San Francisco International Airport Comprehensive Airport Land Use Compatibility Plan Consistency Review – Town of Colma Draft 2023-2031 Housing Element.

Sean Charpentier, C/CAG Executive Director, presented the staff report.

Motion: Member Ortiz moved, and Member Hamilton seconded, approval of the staff recommendation. Motion carried (8-0-0) by the following roll call vote: AYE - Members Ortiz, Cahalan, Sturken, Hamilton, Nicolas, Ford, Branscomb and Chair O'Connell. NO – none. ABSTAIN – none.

6. San Carlos Airport Land Use Compatibility Plan Consistency Review – City of San Carlos Focused General Plan Update (2023-2031 Housing Element and related General Plan Amendments)

Sean Charpentier, C/CAG Executive Director, presented the staff report.

Member Ford noted the staff report indicated that the Housing Element identifies a number of zoning amendments, including height increases, that will be processed subsequently, and wanted assurance that these changes would be reviewed by the ALUC. Chris Jones, from ESA Airports, noted that it these types of standards are typically included in zoning ordinances and are subject

to review by the ALUC. Sean Charpentier added that C/CAG staff will be working with San Carlos staff to bring subsequent zoning ordinance amendments forward for ALUC review.

Rich Newman asked for clarification that the recently enacted deed notice requirements would be included in the recommendation. Patrick Hickman, ESA Airports, noted that all subsequent projects are subject to the new Overflight Policy 2 policy, further clarifying that San Carlos is being held to the current 2015 San Carlos ALUCP requirements, including the updated overflight policy.

Motion: Member Ortiz moved, and Member Hamilton seconded, approval of the staff recommendation. Motion carried (8-0-0) by the following roll call vote: AYE - Members Ortiz, Cahalan, Sturken, Hamilton, Nicolas, Ford, Branscomb and Chair O’Connell. NO – none. ABSTAIN – none.

7. San Carlos Airport Land Use Compatibility Plan Consistency Review - Redwood City Focused General Plan Update (2023-2031 Housing Element and related General Plan Amendments)

Sean Charpentier, C/CAG Executive Director, presented the staff report, noting minor revisions to proposed conditions of approval related to amended language proposed for Housing Element Program H3-1, as follows (new language shown in bold underline, replacing previously proposed language shown in strike-out underline):

- Amend the Zoning Ordinance to ensure that assisted living, senior living, and cottage-style housing are permitted uses in residential zoning districts, **in accordance with applicable San Carlos ALUCP Safety Compatibility policies and state law)** ~~except in areas where this might conflict with the Safety Compatibility policies of the San Carlos ALUCP.~~
- Review, and revise as needed, the Zoning Ordinance to provide more clarity on the provisions of residential care for non-seniors in larger group settings. Specifically, revise zoning and permit procedures to permit residential care facilities for seven or more persons with objectivity to facilitate approval certainty in all residential zones, **in accordance with applicable San Carlos ALUCP Safety Compatibility policies and state law)** ~~except in areas where this might conflict with the Safety Compatibility policies of the San Carlos ALUCP.~~

Chair O’Connell questioned the phrasing of Public Safety policy PS-10, which says “work to achieve consistency between General Plan land use and related policies and the San Carlos ALUCP”, noting it sounds less than committed. Member Ford agreed, requesting firmer language. Patrick Hickman, ESA Airports, responded that this is typical general plan language, and does not relieve the city from the need to be consistent with the ALUCP policies and to bring forward subsequent zoning amendments and/or projects for further ALUC consistency reviews.

Member Sturken asked for additional clarification on the recommended conditions. Sean Charpentier noted that regarding the recommended changes to the Housing Element language there is a need to recognize that the Housing Element currently states that particular uses are permitted when the San Carlos ALUCP identifies them as conditional in circumstances when they are located within a designated Safety Compatibility zone. Accordingly, to ensure compatibility the condition identifies language that would acknowledge this situation.

Member Ford noted that there were several sites shown on the 'Proposed Projects/Housing Opportunity Sites' exhibit that are located directly under the landing approach to San Carlos Airport which will experience a tremendous amount of overflight – specifically noting the Birch Street Townhomes and the Syufy site.

Member Sturken expressed concern that the recommended conditions and ALUC review requirements could subject housing projects to delay and hinder Redwood City's efforts to meet its RHNA objectives. He questioned whether the issues could be addressed through subsequent zoning ordinance amendments.

Melissa Andrikopoulus, C/CAG Counsel, explained that the proposed action on the Housing Element would not affect the requirement that Redwood City submit individual projects located within AIA B for an ALUC consistency analysis. This is required until Redwood City submits its overall General Plan and Zoning Ordinance to the ALUC for a consistency determination. Once these documents are deemed consistent then review is much more streamlined; project by project review is no longer needed, only changes to land use policies documents (general plan, zoning ordinance, specific plan, etc.) would be subject to ALUC review.

Rich Newman commented that the language in the Public Safety Element policy noted by the Chair should be firmer, specifically noting that there needs to be a clear commitment to impose conditions that overflight notices be recorded so future residents have clear advanced notice of potential airport impacts.

Sean Charpentier responded that the action before the ALUC is not the entirety of the Redwood City General Plan and Zoning, but rather a focused General Plan Update focused on the Housing Element and related elements that support the Housing Element. No action would have any potential to weaken the existing policies of the San Carlos ALUCP, including the overflight notification requirements.

Sue Exline, Redwood City Planning Director, requested that the ALUC consider alternatives to recommending any changes to the Housing Element, suggesting the ALUC concerns could be addressed in forthcoming zoning amendments that the ALUC will review that are needed to implement pieces of the Housing Element. She noted that the State Housing and Community Development Department (HCD) has approved Redwood City's Housing Element as drafted and that changes to the document are problematic for that reason.

Sean Charpentier expressed his understanding and support for all the local jurisdictions in their efforts to secure HCD's approval of their housing elements within this constrained timeframe but reiterated that the recommended language change is needed to ensure Redwood City's Housing Element is consistent with the safety policies of the San Carlos ALUCP. He further noted that without the change there would be a potential concern that the Housing Element and any subsequent zoning text would be inconsistent.

Motion: Member Ortiz moved, and Member Hamilton seconded, approval of the staff recommendation. Motion carried (8-1-0) by the following roll call vote: AYE - Members Ortiz, Sullivan, Cahalan, Hamilton, Nicolas, Ford, Branscomb and Chair O'Connell. NO – Member Sturken. ABSTAIN – none.

8. Election of ALUC Officers for Calendar Year 2023

Chair O'Connell called for nominations for ALUC Chair.

Member Ortiz nominated Terry O'Connell for ALUC Chair, and Member Ford seconded the nomination.

Chair O'Connell called for nominations for ALUC Vice Chair.

Chair O'Connell nominated Member Ortiz for ALUC Vice Chair, and Member Ford seconded the nomination.

Motion: To appoint Terry O'Connell for ALUC Chair and Member Ortiz as Vice-chair for 2023. Motion carried (9-0-0) by the following roll call vote: AYE - Members Ortiz, Sullivan, Cahalan, Sturken, Hamilton, Nicolas, Ford, Branscomb and Chair O'Connell. NO – none. ABSTAIN – none.

9. Review and Approval of Meeting Calendar for 2023

Sean Charpentier, C/CAG Executive Director, gave a general overview of the proposed calendar for the coming year. He also noted that in-person meetings would return in March, and it is proposed that the Committee meet at the Burlingame Community Center due to the central location along the Peninsula.

Chair O'Connell reminded the Committee that the meeting start time had been moved from 4 to 4:30 during the pandemic, but on returning to in-person there may be conflicts with other meetings. She suggested the members be polled to determine a preference and/or conflicts. Member Ford also requested that consideration be given for holding the meetings at the San Carlos Airport, and Chair O'Connor recommended that also be reflected in the poll.

Several members noted a strong preference to be able to meet remotely. Mr. Charpentier noted that C/CAG is advocating for modifications to the Brown Act to allow fully advisory boards to meet remotely and would keep the ALUC advised of the outcome. However, until that time the Committee is bound by existing requirements to have an in-person quorum once the State of Emergency is lifted.

Motion: Vice Chair Ortiz moved, and member Ford seconded, approval of the 2023 ALUC Meeting Calendar. Motion carried (9-0-0) by the following roll call vote: AYE - Members Sullivan, Cahalan, Sturken, Hamilton, Nicolas, Ford, Branscomb, Vice Chair Ortiz and Chair O'Connell. NO – none. ABSTAIN – none.

10. Member Comments/Announcements

Chair O'Connell introduced and welcomed the three new members to the ALUC, Angelina Cahalan, Christopher Sturken and Christopher Yakabe.

11. Items from Staff

None

12. Adjournment

The meeting was adjourned at 6:05 pm.

2023 C/CAG Airport Land Use Committee Attendance Report

Name	Agency	Jan					
Terry O'Connell	City of Brisbane	X					
Ricardo Ortiz	City of Burlingame	X					
Pamela DiGiovanni	City of Daly City						
Patrick Sullivan	City of Foster City	X ^{arrived} 5:00					
Robert Brownstone	City of Half Moon Bay						
Angelina Cahalan	City of Millbrae	X					
Christopher Sturken	City of Redwood City	X					
Tom Hamilton	City of San Bruno	X					
Adam Rak	City of San Carlos						
Warren Slocum	County of San Mateo & Aviation Rep.						
Flor Nicolas	City of South San Francisco	X					
Carol Ford	Aviation Representative	X					
Christopher Yakabe	Half Moon Bay Airport Pilots Assn	Y ^{arrived} 4:45					

X – Committee Member Attended

Y – Designated Alternate Attended

Staff and guests in attendance for the January 26, 2022, meeting: Sean Charpentier, C/CAG Executive Director & Melissa Andrikopoulos, C/CAG Counsel; Chris Jones & Patrick Hickman, ESA Airports; Sue Exline, Redwood City staff; Gretchen Kelly, San Carlos Airport Director; Rich Newman.

C/CAG AGENDA REPORT

Date: February 23, 2023

To: Airport Land Use Committee

From: Susy Kalkin

Subject: San Carlos Airport Land Use Compatibility Plan Consistency Review – Proposed 56-unit townhome development with related General Plan and Zoning Amendments for property located at 505 E. Bayshore Road, Redwood City.

(For further information or response to questions, contact Susy Kalkin at kkalkin@smcgov.org)

RECOMMENDATION

That the Airport Land Use Committee (ALUC) recommend to the C/CAG Board of Directors, that the C/CAG Board, acting as the Airport Land Use Commission, determine that the proposed 56-unit townhome development with related General Plan and Zoning Amendments for property located at 505 E. Bayshore Road, Redwood City, 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 Carlos Airport (San Carlos ALUCP), subject to the following condition:

- The City of Redwood City shall require that the project sponsor comply with the Overflight Notification Requirements outlined in Overflight Policy 2 of the San Carlos ALUCP, as amended in October 2022. Final project approval shall include a condition to incorporate a recorded ‘Overflight Notification’ on each residential parcel as a condition of approval in order to provide a permanent form of overflight notification to all future property owners. (An example for the Overflight Notification to be used to fulfill this condition is included in the San Carlos ALUCP, Appendix E, Exhibit E-4.)

BACKGROUND

Redwood City is processing an application for a redevelopment of a property at 505 E. Bayshore Rd, currently occupied by Alan Steel & Supply Co., at the gateway to the Bair Island area of Redwood City. The proposal includes demolition of existing site improvements and construction of 56 townhomes. The new structures would be three stories of wood-framed structure on top of an at-grade concrete foundation.

The current General Plan land use designation (Commercial Regional) and Zoning (General Commercial) do not permit residential development, so the application includes a request for a General Plan Amendment to Mixed Use – Waterfront (MU-WF) land use, and rezoning to Mixed-Use Waterfront (MUW), which allow for both residential and commercial development.

The project falls within Airport Influence Area (AIA) B, the Project Referral Area for San Carlos Airport and is subject to ALUC review pursuant to California Public Utilities Code (PUC) Section 21676(b). Accordingly, Redwood City staff has referred the subject project to C/CAG, acting as the San Mateo County Airport Land Use Commission, for a determination of consistency with the San Carlos ALUCP.

DISCUSSION

I. ALUCP Consistency Evaluation

Four sets of airport/land use compatibility policies in the San Carlos ALUCP relate to the proposed Zoning and General Plan Amendment: (a) noise compatibility policies and criteria, (b) safety policies and criteria, (c) airspace protection policies and (d) overflight compatibility. The following sections address each issue.

(a) Noise Policy Consistency

The 60 dB CNEL (Community Noise Equivalent Level) aircraft noise contour defines the threshold for airport noise impacts established in the San Carlos ALUCP. All land uses located outside this contour are deemed consistent with the noise policies of the ALUCP.

As shown on San Carlos ALUCP Exhibit 4-2, **Attachment 2**, the subject property lies outside the bounds of the 60 dB CNEL contour and, therefore, the Project is consistent with the San Carlos ALUCP noise policies and criteria.

(b) Safety Policy Consistency

Runway Safety Zones - The San Carlos ALUCP includes six sets of safety zones and related land use compatibility policies and criteria. As shown on San Carlos ALUCP Exhibit 4-3, **Attachment 3**, the project site is located within Safety Zone 6. Per San Carlos ALUCP Safety Policy 2, new residential development within Safety Zone 6 is compatible and is not restricted for safety reasons.

(c) Airspace Protection Policy Consistency

The San Carlos 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 Carlos Airport.

In order to be deemed consistent with the ALUCP, the maximum height of a new building must be the lower of (1) the height of the controlling airspace protection surface shown on Exhibit 4-4, “ by the FAA in an aeronautical study prepared pursuant to the filing of Form 7460-1.

As proposed, the townhomes would be 36 ft – 9 in. tall to the roof ridge. With a ground elevation of approximately 12 ft. – 7 in., the overall height would be 39 ft. – 4 in. above mean sea level (AMSL). As shown on San Carlos ALUCP Exhibit 4-4, **Attachment 4**, the Part 77 Airspace Protection Surface lies at approximately 205 ft AMSL, so the proposed project would well below this surface, in compliance with the Airspace Protection policies of the ALUCP. In addition, as shown on San Carlos, the proposed project is well below the FAA notification heights depicted on ALUCP Exhibit 4-4a, **Attachment 5**.

(d) Overflight Compatibility Consistency

The San Carlos ALUCP contains two policies regarding overflight compatibility which are generally “buyer awareness” measures focused on informing prospective buyers and/or tenants of property within the vicinity of an airport about the airport’s impact on the property. Overflight Policy 1 – *Real Estate Transfer Disclosure*, requires that a notice of potential for overflights be included among the disclosures made during real estate transactions. Overflight Policy 2 – *Overflight Notification Zone 2* requires that all new residential development projects, other than additions and accessory dwelling units (ADUs), within Overflight Notification Zone 2 (AIA B) incorporate a recorded overflight notification requirement as a condition of approval.

The Project Area is located within both the Airport Influence Area (AIA) A & B boundaries for San Carlos Airport, so is subject to the requirements of both Overflight Policies. As indicated in the Application Materials, the applicant is aware of the need to provide “Notice of Airport in Vicinity” to future residents, consistent with Overflight Policy 1. However, compliance with Overflight Policy 2 is not addressed. Accordingly, the following condition is recommended to address this requirement:

- The City of Redwood City shall require that the project sponsor comply with the Overflight Notification Requirements outlined in Overflight Policy 2 of the San Carlos ALUCP, as amended in October 2022. Final project approval shall include a condition to incorporate a recorded ‘Overflight Notification’ on each residential parcel as a condition of approval in order to provide a permanent form of overflight notification to all future property owners. (An example for the Overflight Notification to be used to fulfill this condition is included in the San Carlos ALUCP, Appendix E, Exhibit E-4.)

ATTACHMENTS

1. ALUCP application, together with related project description and exhibits.
2. San Carlos ALUCP Exh. 4-2 – Future Conditions (2035) Aircraft Noise Contours
3. San Carlos ALUCP Exh. 4-3 – Safety Zones.
4. San Carlos ALUCP Exh. 4-4 – Airspace Protection Surfaces
5. San Carlos ALUCP Exh. 4-4b – FAA Notification Reqs.



APPLICATION FOR LAND USE CONSISTENCY DETERMINATION
San Mateo County Airport Land Use Commission
C/CAG ALUC

APPLICANT INFORMATION

Agency: City of Redwood City

Project Name: 505 E. Bayshore Road

Address: 505 E. Bayshore Road

APN: 052-520-010

City: Redwood City

State: CA

ZIP Code: 94063

Staff Contact: Curtis Banks

Phone:

Email: cbanks@redwoodcity.org

PROJECT DESCRIPTION

Proposal to construct 56 for-sale townhomes, including 8 Below Market Rate ('BMR') units at the moderate income level. Units would consist of two-, three-, and four-bedroom townhome units, ranging from 1,200 square feet ('sf') to 1,700 sf of livable space. Each home includes a 2-car garage. The buildings consist of three stories of wood framed structure on top of an at-grade concrete foundations. The proposal includes a General Plan Amendment to Mixed Use-Waterfront Neighborhood (MU-WF) and rezoning to Mixed-Use Waterfront (MUW), which allows for both residential and commercial development.

REQUIRED PROJECT INFORMATION

For General Plan, Specific Plan or Zoning Amendments and Development Projects:

A copy of the relevant amended sections, maps, etc., together with a detailed description of the proposed changes, sufficient to provide the following:

1. Adequate information to establish the relationship of the project to the three areas of Airport Land Use compatibility concern (ex. a summary of the planning documents and/or project development materials describing how ALUCP compatibility issues are addressed):
 - a) Noise: Location of project/plan area in relation to the noise contours identified in the applicable ALUCP.
 - Identify any relevant citations/discussion included in the project/plan addressing compliance with ALUCP noise policies.
 - b) Safety: Location of project/plan area in relation to the safety zones identified in the applicable ALUCP.
 - Include any relevant citations/discussion included in the project/plan addressing compliance with ALUCP safety policies.
 - c) Airspace Protection:
 - Include relevant citations/discussion of allowable heights in relation to the protected airspace/proximity to airport, as well as addressment of any land uses or design features that may cause visual, electronic, navigational, or wildlife hazards, particularly bird strike hazards.

- If applicable, identify how property owners are advised of the need to submit Form 7460-1, *Notice of Proposed /Construction or Alteration* with the FAA.

2. Real Estate Disclosure requirements related to airport proximity
3. Any related environmental documentation (electronic copy preferred)
4. Other documentation as may be required (ex. related staff reports, etc.)

Additional information For Development Projects:

1. 25 sets of scaled plans, no larger than 11" x 17"
2. Latitude and longitude of development site
3. Building heights relative to mean sea level (MSL)

ALUCP Plans can be accessed at <http://ccag.ca.gov/plansreportslibrary/airport-land-use/>

Please contact C/CAG staff at 650 599-1467 with any questions.

<i>For C/CAG Staff Use Only</i>
<i>Date Application Received</i>
<i>Date Application Deemed Complete</i>
<i>Tentative Hearing Dates:</i>
- <i>Airport Land Use Committee</i>
- <i>C/CAG ALUC</i>



505 E. BAYSHORE ROAD - SITE PLAN NEIGHBORHOOD CONTEXT IN REDWOOD CITY, CA

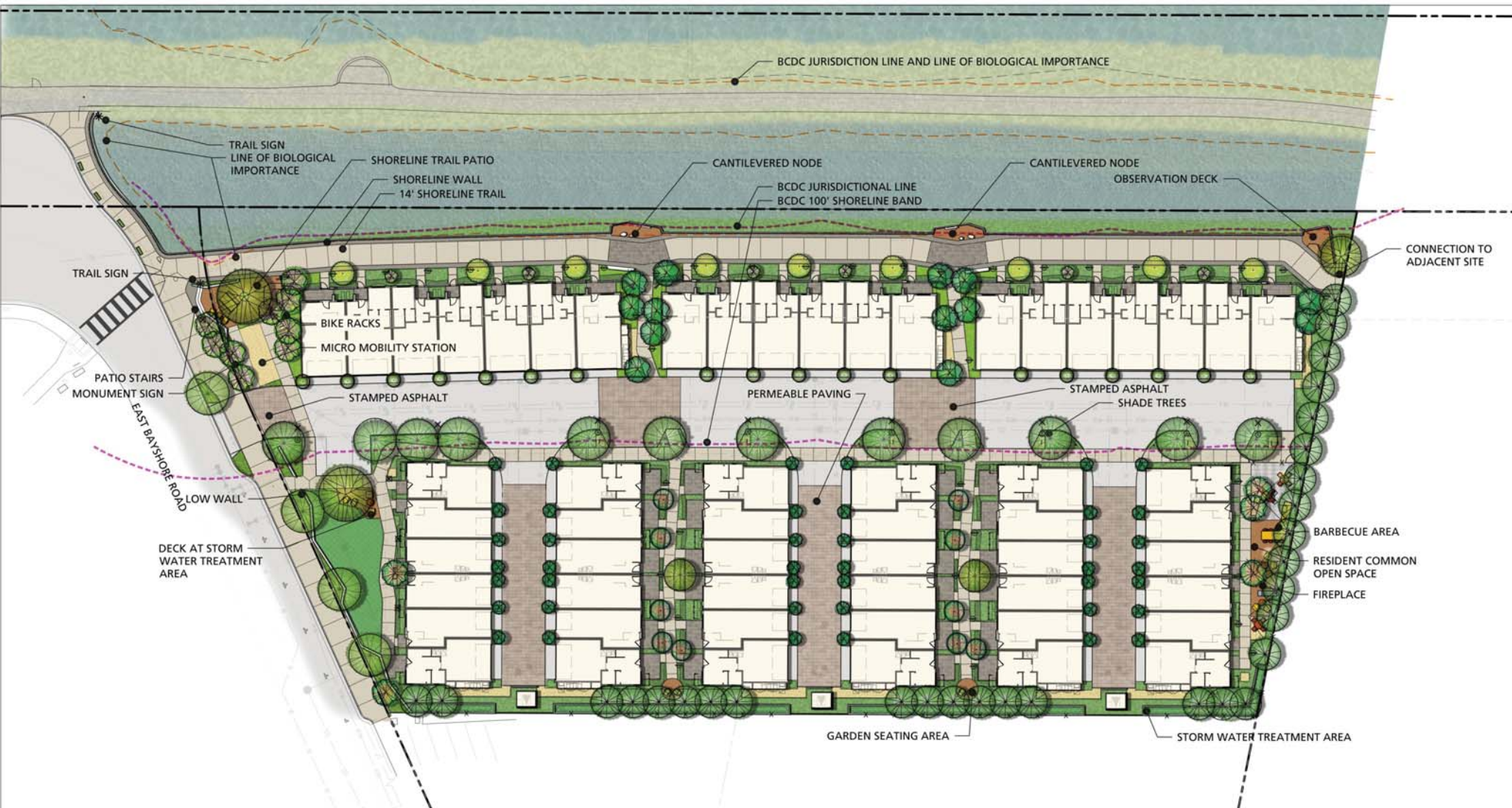
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PROJECT NO. 446.016 | JANUARY 6, 2023

SHEET A1.1





505 E. BAYSHORE ROAD -
IN REDWOOD CITY, CA

SCHEMATIC LANDSCAPE PLAN

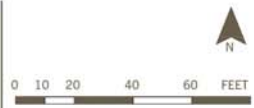
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PROJECT NO. P_2018_349 | January 26, 2022

SHEET L1.01

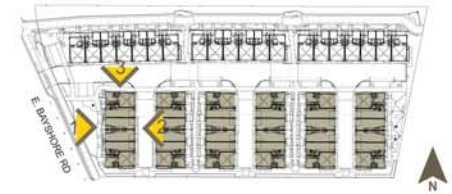
THE
Guzzardo
Partnership, INC.
Landscape Architects / Land Planners
Plot 9, The Embarcadero, Suite 115
San Francisco, CA 94111 | www.ggp-inc.com





MATERIAL LIST

- 1 FIBERGLASS DOOR
- 2 VINYL WINDOWS
- 3 3 COAT STUCCO W/MTL REVEALS
- 4 DECORATIVE METAL AWNING
- 5 LAP SIDING
- 6 COMPOSITE SHINGLE ROOFING
- 7 METAL GUARDRAIL
- 8 SMOOTH CEMENTITIOUS PANEL/TRIM
- 9 STONE VENEER
- 10 CEMENTITIOUS VERTICAL SIDING
- 11 ALUMINIUM GARAGE DOOR
- 12 METAL TRELLIS



SHEET A5.0

505 E. BAYSHORE ROAD - ELEVATIONS
IN REDWOOD CITY, CA

DAHLIN GROUP ARCHITECTURE | PLANNING

WWW.DAHLINGROUP.COM

PROJECT NO. 446.016 | JANUARY 6, 2023

6 UNIT
ROWTOWN 1

DAHLIN

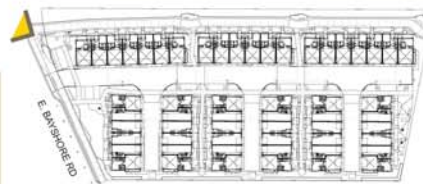




505 E. BAYSHORE ROAD - RENDERINGS: BAYSHORE ENTRY
IN REDWOOD CITY, CA

DAHLIN GROUP ARCHITECTURE | PLANNING

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PROJECT NO. 446.016 | JANUARY 6, 2023

SHEET A3.0



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

AGENCY NAME: City of Redwood City
PROJECT NAME: 505 E. Bayshore Road
APN: 052-520-010
GENERAL PLAN: Commercial Regional (MU-WF Proposed)
ZONING: General Commercial (MUW Proposed)

PROPERTY AND PROJECT DESCRIPTION

The property currently is home to the Alan Steel & Supply company and comprises several corrugated metal warehouse buildings as well as several outdoor storage facilities. The remainder of the site is a vacant dirt lot. The project is located right at the gateway to the Bair Island area of Redwood City at the transition of Whipple Ave into Bayshore Road on the East side of Highway 101. The property is adjacent to the San Francisco Bay, bordering an existing drainage channel that separates the site from the BCDC Bay Trail and PG&E's property. The property is also adjacent to the Toyota 101 Dealership and the former Century Park 12 movie theater (now a proposed mixed-use "Syufy" development site).

The applicant proposes to construct 56 townhomes, including 8 below market rate units at the moderate-income level. Units would consist of two-, three-, and four-bedroom townhome units, ranging from between 1,200 square feet ("sf") to 1,700 sf of livable space. Each home includes, at minimum, a 2-car garage. The residential buildings consist of three stories of wood-framed structure on top of an at-grade concrete foundation. The architecture will be contemporary in style and includes porches and stoops as well as roof decks on several floor plans. Units facing the bay front are divided into three buildings. The other six buildings are located on individual drive aisles oriented perpendicular to the drainage channel. Pedestrian access is provided within the community, leading to the Bay Trail and to East Bayshore Road. The new community includes a private amenity area for residents at the east end of the site. This area also includes a BBQ, fire feature and tables with seating.

General Plan and Zoning - The current GP land use is Commercial Regional, which does not permit residential development. The developer requests a General Plan Amendment to Mixed Use – Water Front (MU-WF) land use. A General Plan Amendment initiation was reviewed and approved by the City Council as part of the Gatekeeper process. The current zoning is General Commercial (CG), which does not permit residential. The developer requests rezoning to Mixed-Use Waterfront (MUW), which allows for both residential and commercial development. The proposed General Plan and Zoning are consistent with the designation of other residential and mixed-use developments in the area and is the same General

Please see the enclosed **505 E. Bayshore – Airport Land Use Consistency Analysis** for an analysis of the project relative to ALUC requirements.

505 E. Bayshore Project - Airport Land Use Consistency Analysis

Below is our summary of the Project's consistency with the San Carlos Airport ALUCP. First, we note that the [Draft EIR](#) describes the Project's consistency as follows (at pdf p. 144):

Impact HAZ-5: The project would not be located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport. **The project would not result in a safety hazard or excessive noise for people residing or working in the project area. (Less than Significant Impact)**

The project site is located within San Carlos Airport Influence Area B and is subject to formal ALUC/C/CAG review to ensure development is consistent with aviation safety requirements. These requirements include conformance with regulations concerning land uses, noise exposure, and airspace protection.

The site is located within the San Carlos Airport's Safety Zone 6, which represents the Airport's Traffic Pattern Zone, an elliptical area that includes the majority of regular air traffic patterns and pattern entry routes.⁶⁵ Per the San Carlos Airport ALUCP, new residential and commercial development is compatible within this area.

Residential land uses are considered conditionally compatible in areas exposed to noise levels between CNEL 60-64. Areas that would be exposed to less than 60 dB CNEL are considered outside the San Carlos Airport noise impact area. As the proposed development is outside the 60 dB CNEL noise contour, people residing or working in the project area would not be exposed to excessive noise. Lastly, the proposed residential structures would be 38 feet tall at their highest point, well under the maximum allowable building height permitted by the ALUCP. The project would not result in a safety hazard or excessive noise for people residing or working in the project area. **(Less than Significant Impact)**

Our understanding of the Project is as follows (DEIR pdf p. 25) - this informed the below analysis:

2.2 PROJECT DESCRIPTION

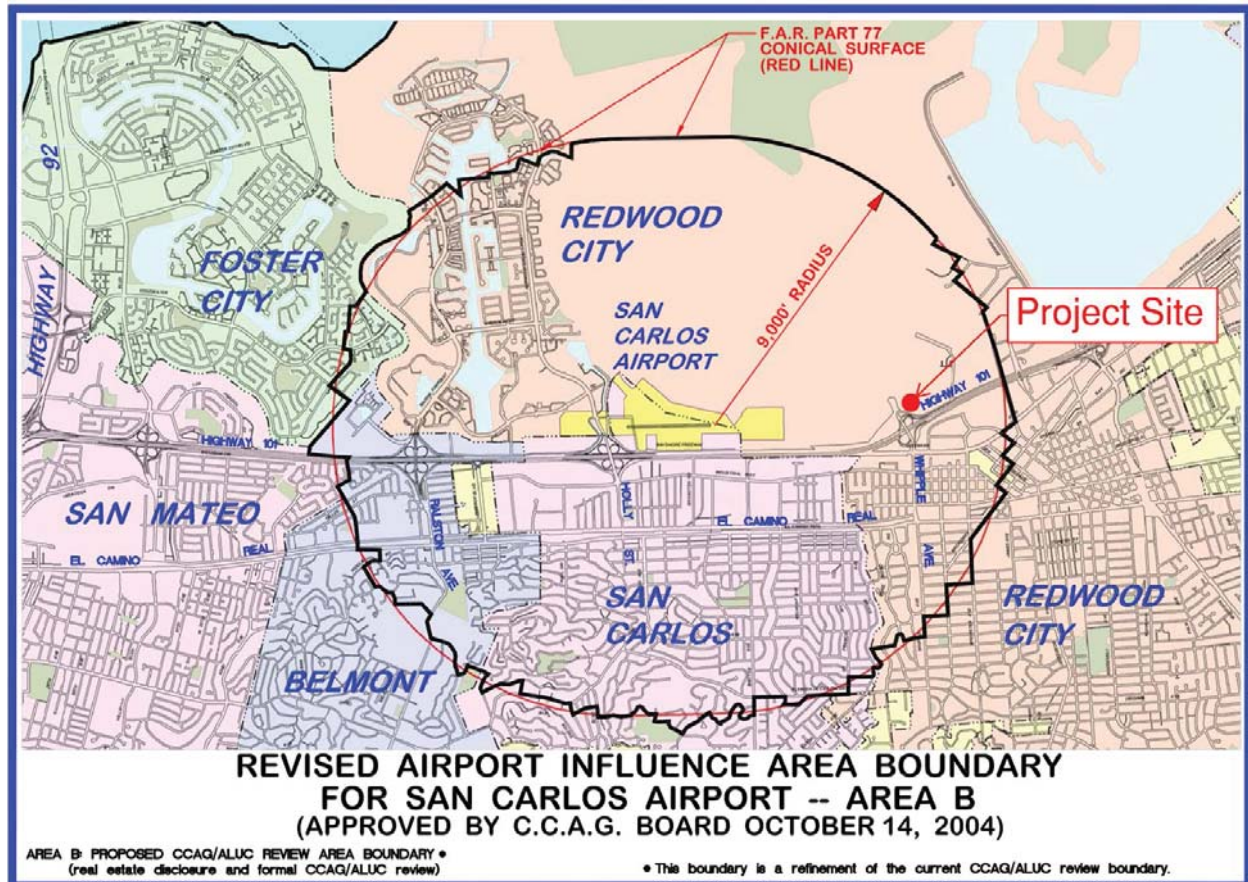
2.2.1 Proposed Development

The project proposes to demolish the existing development on the site to construct 56 townhouses, of which 51 would be base density units and five would be bonus density units. Eight of the units would be sold below market rate at a price affordable to a moderate income household (80 percent to 120 percent of the area median income). The townhouses would consist of two-, three-, and four-bedroom units, ranging from roughly 1,200 square feet to roughly 1,700 square feet in size. The units would be divided between nine buildings which would be three-story wood-framed structures on top of at-grade concrete foundations. In total, the buildings would provide 89,674 square feet of gross floor area. The buildings would reach maximum heights of 38 feet and would be setback at least 29 feet from the northern property line, 10 feet from the eastern property line, and 11 feet from the southern and western property lines. The project proposes 28,714 square feet of common open space, including an amenity area for residents on the eastern portion of the site. The proposed site plan is shown on Figure 2.0-4. Building elevations for the proposed project are shown on Figure 2.0-5.

Summary of Project Consistency

1) Airport Influence Area B – Real Estate Disclosures:

The Project site is located in the San Carlos Airport's Airport Influence Area B. (Final Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport ("[ALUCP](#)"), Exhibit 4-7). See the red circle for the Project Site.



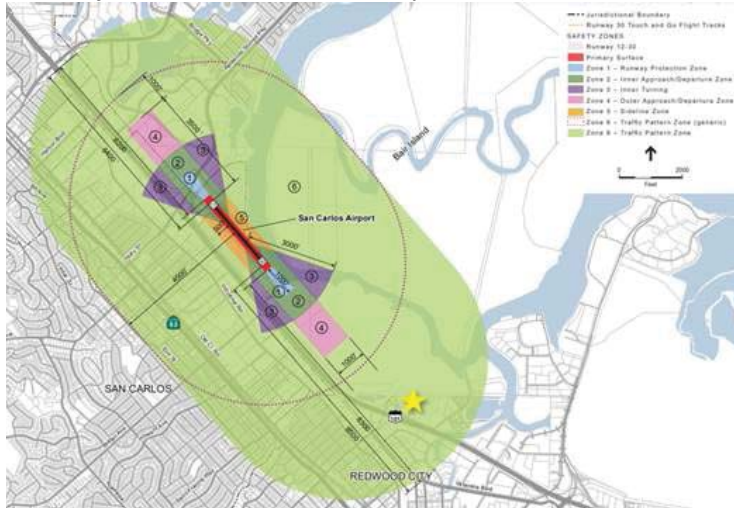
Notification of the Project's location will need to be given to future residents, in the following form (ALUCP page 4-38):

NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an 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.

2) Safety:

The Project Site is located in Safety Zone 6 (ALUCP, Exhibit 4-3). See yellow star for Project Site.

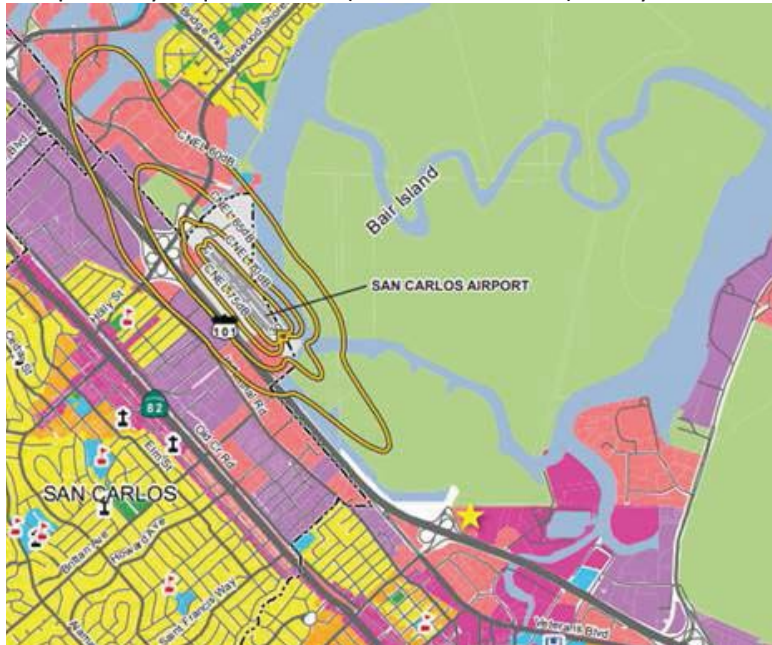


New residential development is compatible within this area. We therefore conclude that the Project's entirely residential use would be compatible.

- ALUCP, at 4-16:
 - e. In Safety Zone 6, new residential development is compatible and is not restricted for safety reasons. Other compatibility policies (e.g., noise and airspace protection) may apply.

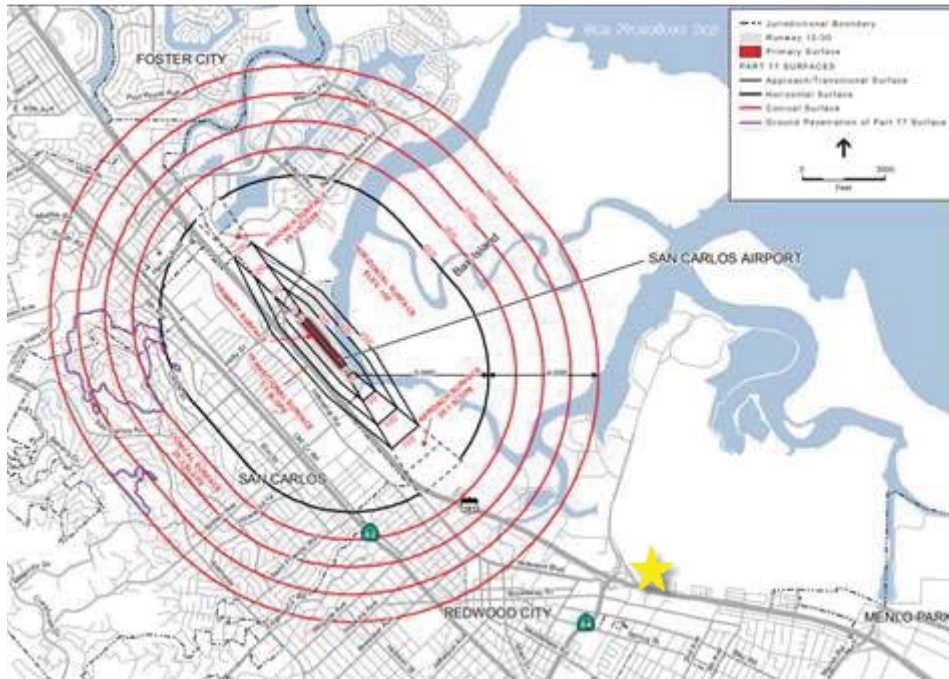
3) Noise:

The Project Site is outside of the airport's noise contours and is therefore not subject to any noise compatibility requirements. (ALUCP Exhibit 4-2). See yellow star for Project Site.



4) Height/Airspace Protection Surfaces:

The FAA establishes review policies and height limits in certain areas, in order to avoid obstructions to air navigation. A maximum building height of 355 vertical feet is permitted at the Project Site per Part 77 Airspace Protection Surfaces. (ALUCP Exhibit 4-4). See yellow star for Project Site.



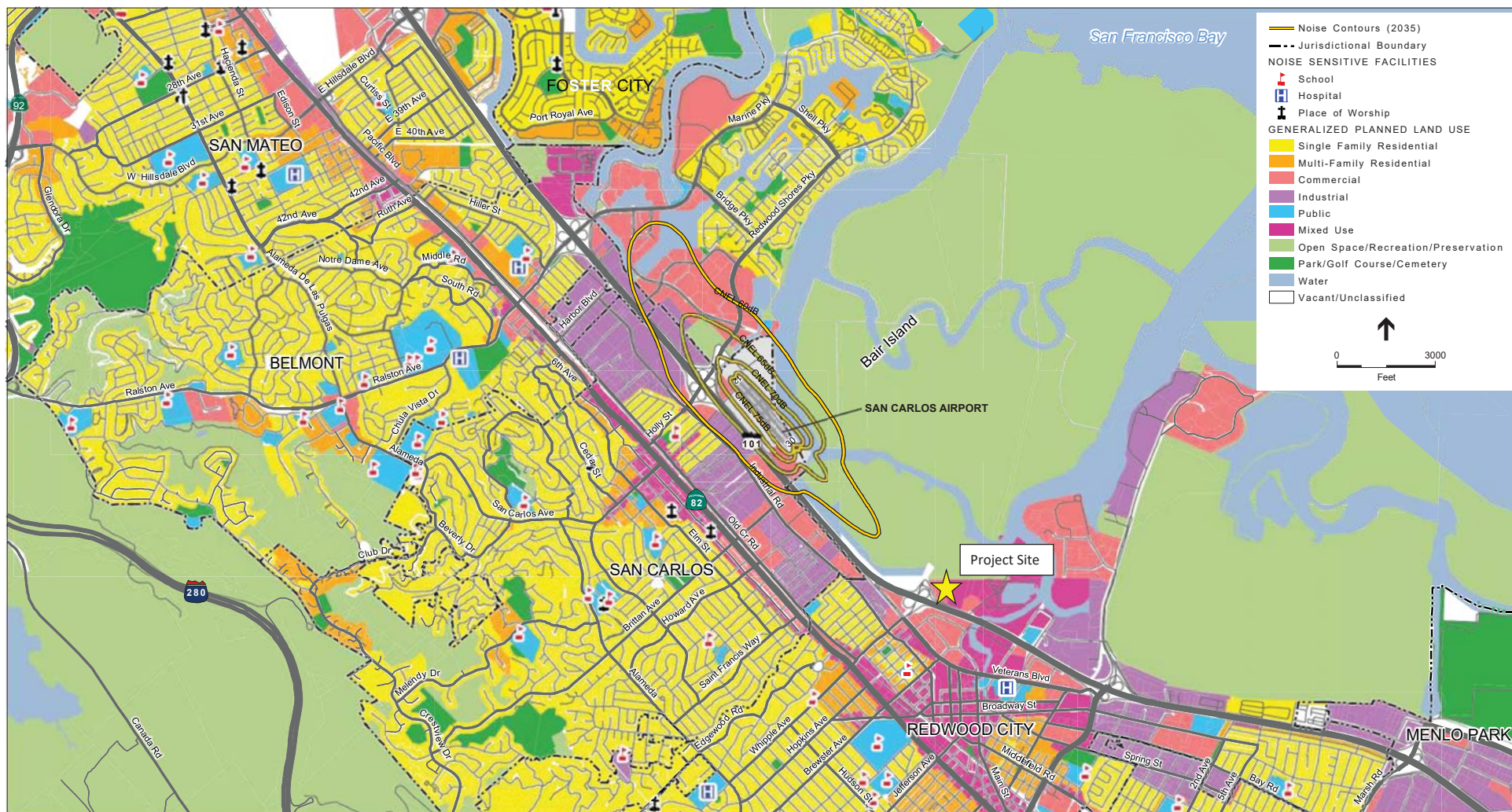
Buildings that exceed 200 feet are required to inform the FAA 30 days prior to the start of construction. (ALUCP Exhibit 4-4a). We understand the Project buildings would be well below these heights and would, therefore, not be subject to further height-related review or notification requirements.

5) Avigation Easement:

The location of the Project site and the Project's proposed uses do not appear to meet the criteria in the ALUCP that would trigger a requirement to grant an avigation easement. When considering whether to require an avigation easement, the ALUC considers whether a Project requires a legislative policy action (this Project does involve a General Plan Amendment and a Rezoning. However, none of the other triggers are met - they include proposed development within the 60 dB contour that would involve conditionally compatible uses (as described above the Project Site is not in this area); any policy actions that would allow development above the FAA height limits (also inapplicable here); and land use policy actions that would cause unusual visual, electronic, navigational, or wildlife hazards to aircrafts (none would be involved here). (ALUCP, page 4-43).

6) Hazardous Uses:

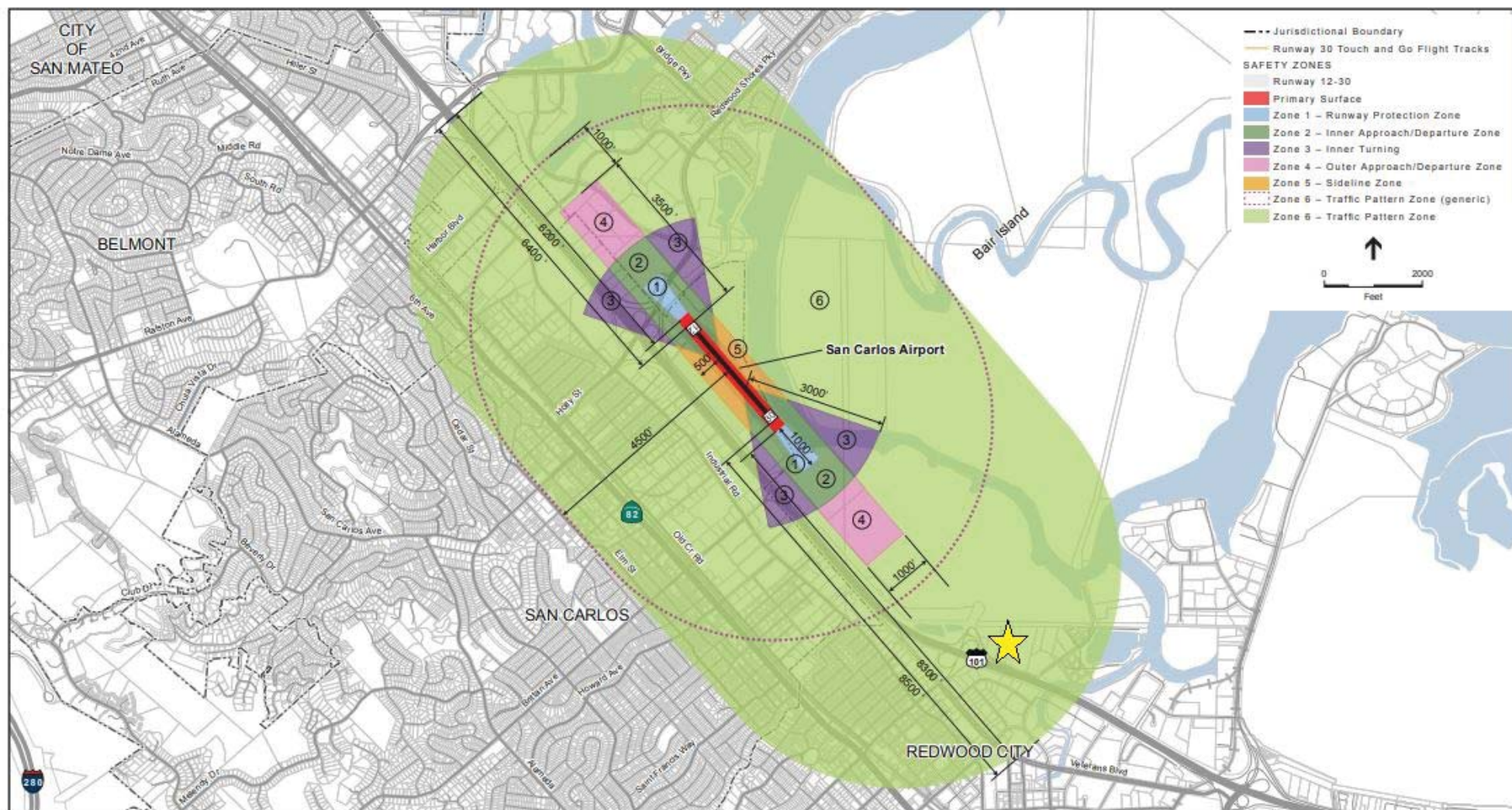
The Project does not consist of any of the hazardous uses that the ALUCP regulates with regard to permitted type and location. (ALUCP, page 4-22).



SOURCE: Belmont, 1982; San Mateo County, 1986; Foster City, 1993; Menlo Park, 1994; San Carlos, 2009; City of San Mateo, 2010; Redwood City, 2010; ESRI, 2014; ESA Airports, 2015

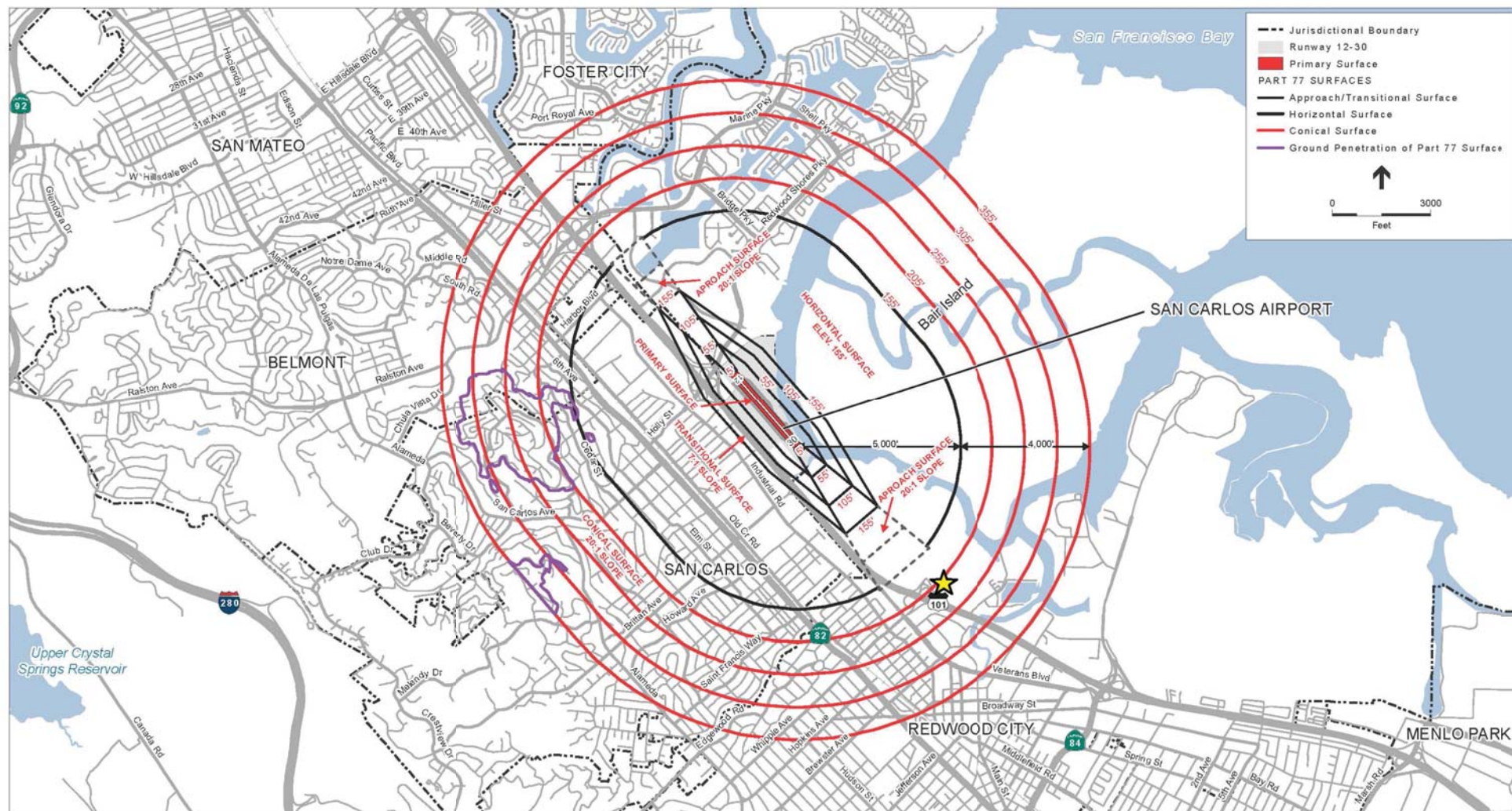
San Carlos Airport ALUCP . 130753

Exhibit 4-2
Future Conditions (2035) Aircraft Noise Contours



SOURCE: ESRI, 2014; ESA Airports, 2014

San Carlos Airport ALUCP - 130753
Exhibit 4-3
 San Carlos Airport Safety Zones



SOURCE: ESRI, 2014; San Mateo County Planning and Building Department, 2014; ESA Airports, 2014

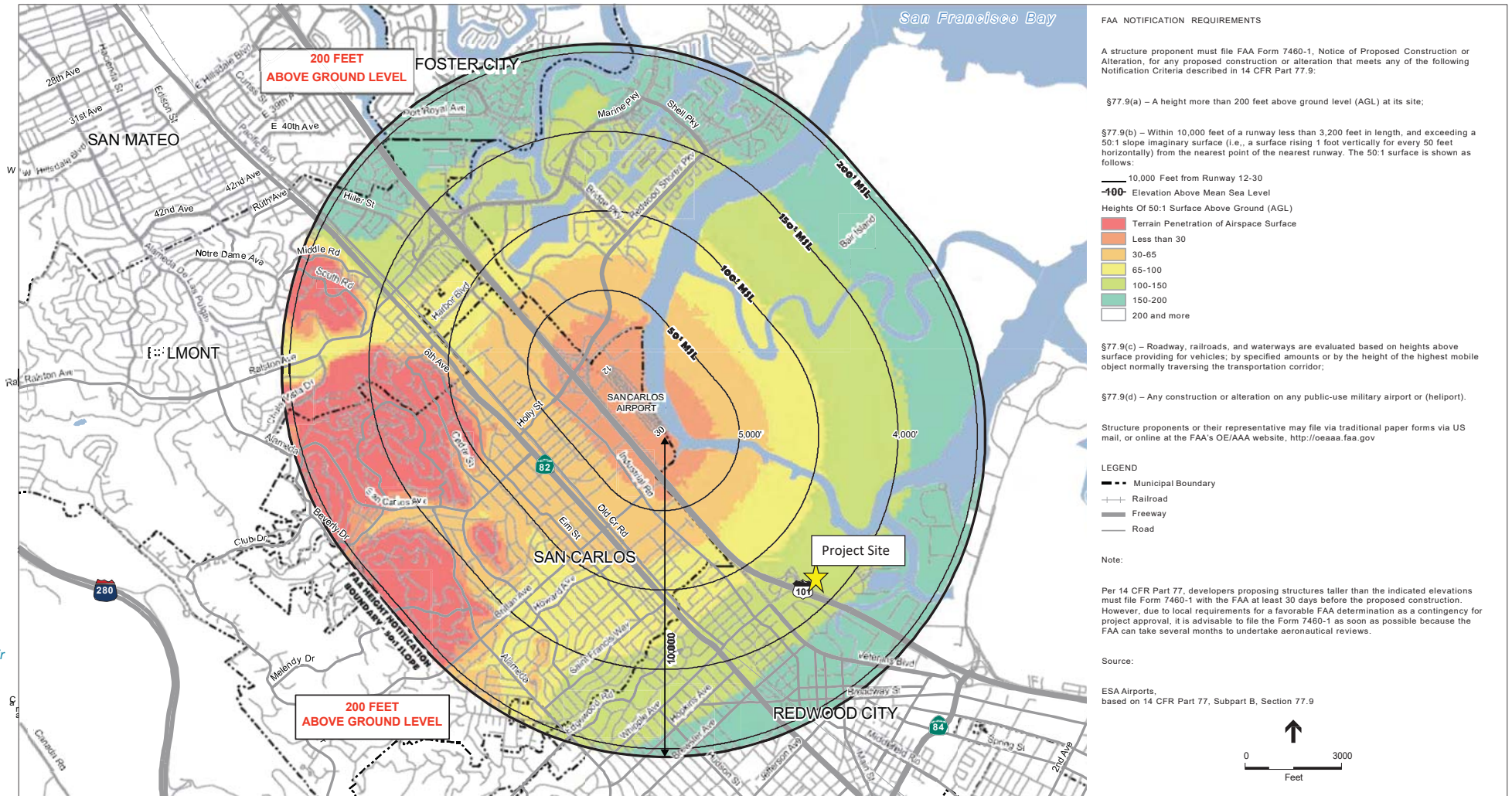
NOTE 1: All elevations on this exhibit are expressed in feet above mean sea level (MSL). The elevation of San Carlos Airport is 5 feet MSL.

NOTE 2: Locations where the ground/terrain penetrates the FAR Part 77 airspace surfaces are approximate and were developed using ground elevation contours provided by the San Mateo County Planning and Building Department, 2014.

San Carlos Airport ALUP. 130753

Exhibit 4-4

San Carlos Airport Part 77 Airspace Protection Surfaces



SOURCE: USGS, 1999-2013; ESRI, 2014; San Mateo County Planning and Building Department, 2014; ESA Airports, 2014

San Carlos Airport ALUCP . 130753

Exhibit 4-4a
FAA Notification Form 7460-1 Filing Requirements

C/CAG AGENDA REPORT

Date: February 23, 2023

To: Airport Land Use Committee

From: Susy Kalkin

Subject: San Carlos Airport Land Use Compatibility Plan Consistency Review – Amendments to the City of Redwood City’s Downtown Precise Plan (DTPP) and General Plan to increase the maximum allowable development caps for office and residential use, allow Research & Development use in the Downtown General and Transit Districts, and modify other development standards, guidelines and policies.

(For further information or response to questions, contact Susy Kalkin at kkalkin@smcgov.org)

RECOMMENDATION

That the Airport Land Use Committee (ALUC) recommend to the C/CAG Board of Directors, that the C/CAG Board, acting as the Airport Land Use Commission, determine that proposed amendments to the City of Redwood City’s Downtown Precise Plan (DTPP) and General Plan to increase the maximum allowable development cap for office use, and modify certain DTPP development standards are consistent with the applicable airport/land use policies and criteria contained in the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport (San Carlos ALUCP).

BACKGROUND/PROJECT DESCRIPTION

The City of Redwood City proposes amendments to its General Plan and Downtown Precise Plan (DTPP) to revise certain development standards, guidelines and policies, including, permitted or conditionally permitted land uses, streets and circulation, building placement, minimum building height and massing, parking, historical resources and open space. The full text of Downtown Precise Plan Amendments is included as **Attachment 6**. This consistency review will focus on the amendments (“Amendments”) that bear a relationship to the Airport Land Use Compatibility Criteria, including the following:

- Proposed increase in the maximum allowable development cap for office development to add 80,000 square feet to the existing cap of 574,667 sf, and environmental review to accommodate an additional 830 residential units in the DTPP area.
- Modification to allow R&D, Lab use in the Downtown General and Transit Districts.

While all of Redwood City falls within Airport Influence Area A (AIA A) a portion of the DTPP also lies within AIA B, the Project referral area. California Public Utilities Code (PUC) Section 21676(b) states that a local agency General Plan, Zoning Ordinance and/or any affected specific plan must be consistent with the applicable airport/land use criteria in the relevant adopted Airport Land Use Compatibility Plan (ALUCP). Accordingly, the City of Redwood City has referred the subject

amendments to C/CAG, acting as the San Mateo County Airport Land Use Commission, for a determination of consistency with the San Carlos ALUCP.

DISCUSSION

I. ALUCP Consistency Evaluation

Four sets of airport/land use compatibility policies in the San Carlos ALUCP relate to the proposed Zoning and General Plan Amendment: (a) noise compatibility policies and criteria, (b) safety policies and criteria, and (c) airspace protection policies. The following sections address each issue.

(a) Noise Policy Consistency Analysis

Pursuant to Noise Policy 1 of the San Carlos ALUCP, the projected 60dB CNEL contour defines the noise impact area for the San Carlos Airport. All land uses located outside this contour are deemed consistent with the noise compatibility policies of the ALUCP. As shown on San Carlos ALUCP Exhibit 4-2, Future Aircraft Noise Contours, **Attachment 2**, the Project Area is located well outside of the 60dB CNEL noise contour, and the Amendments are therefore consistent with the noise compatibility policies of the San Carlos ALUCP.

(b) Safety Policy Consistency Analysis

Runway Safety Zones - The San Carlos ALUCP includes six sets of safety zones and related land use compatibility policies and criteria. As shown on San Carlos ALUCP Exhibit 4-3, Safety Zones, **Attachment 3**, a very small portion of the DTPP Area lies within Safety Zone 6, the Traffic Pattern Zone. The Amendments address only residential, office and research and development uses, and in accordance with Safety Compatibility Criteria Table 4-4 and Policy 2e of the San Carlos Airport ALUCP, residential, office and R&D development are compatible and are not restricted for safety reasons within this Zone. Accordingly, the Amendments are consistent with the Safety Compatibility policies of the ALUCP.

(c) Airspace Protection Policy Consistency Analysis

The San Carlos 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 Carlos Airport.

Per Airspace Protection Policy 5, in order to be deemed consistent with the ALUCP, the maximum height of a new structure must be the lower of 1) the height of the controlling airspace protection surface shown on Exhibit 4-4; or 2) the maximum height determined to not be a “hazard to air navigation” by the FAA in an aeronautical study prepared pursuant to filing of FAA Form 7460-1.

While it is noted that no height increases are included in the Amendments, the overall Project Area is located beneath the outer reaches of the FAR Part 77 airspace protection surfaces for San Carlos

Airport (see Attachment 4) where the airspace protection surface is at approximately 305' or more above mean sea level. The maximum height permitted in the Project area is 136 feet, with an allowance for an additional 10 feet for roof top projections, for an overall maximum of 146 ft., which would be well below Part 77 airspace surfaces.

Per ALUCP Exhibit 4-4a, (Attachment 5), FAA notification would be required for a structure exceeding 150-200 feet, so the maximum height of 146 ft for the Plan area would be below this threshold. As an additional factor, it is noted that the DTPP currently includes language acknowledging the potential role of the FAA in development review, as follows:

“The northwestern part of the Downtown Precise Plan is also within Airport Influence Area B. The configuration of Airport Influence Area B is based on federal airspace protection parameters for San Carlos Airport. Proposed development located within the Area B portion of the DTPP area is subject to Federal Aviation Administration (FAA) review. The review consists of an aeronautical study conducted by FAA staff to determine if the maximum height, building materials, and other features of the proposed development will create any airspace impacts/hazards to aircraft in flight, including affects on aircraft navigation and communications. The findings of the FAA aeronautical study should be considered by the City as part of its review and action on the proposed development.”

The existing policies and procedures in the DTPP address the Airspace Protection policies of the San Carlos ALUCP.

(d) Overflight Policy Compatibility

Overflight Policy 1 – Real Estate Transfer Disclosure

The Plan Area includes properties that are located within both the Airport Influence Area (AIA) A & B boundaries for San Carlos Airport. Within an AIA, the real estate disclosure requirements of state law apply. The law requires a statement to be included in the property transfer documents that (1) indicates the subject property is located within an airport influence area (AIA) boundary and (2) that the property may be subject to certain impacts from airport/aircraft operations. The statement reads as follows:

“Notice of Airport in Vicinity

This property is presently located in the vicinity of an airport, within what is known as an 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, 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 if they are acceptable to you.”

Redwood City’s planning documents currently address these requirements, so future projects will be required to comply.

C/CAG AGENDA REPORT

Airport Land Use Committee

RE: Consistency Review – Redwood City, DTPP Amendments – Development Caps

Date: February 23, 2023

Page 4

Overflight Policy 2 – Overflight Notification Zone 2

In October 2022, amendments to Overflight Policy 2 were adopted which require new residential projects (besides ADUs and residential additions) within the designated Overflight Notification Zone 2 (which covers the geography of AIA B) to record an Overflight Notification as a condition of approval. Redwood City has incorporated this requirement into the DTPP, so it will be implemented during review of future projects.

ATTACHMENTS

1. ALUCP application
2. Exh. 4-2 - San Carlos Airport ALUCP - Future Conditions (2035) Aircraft Noise Contours
3. Exh. 4-3 San Carlos Airport Safety Zones.
4. Exh 4-4 - Part 77 Airspace Protection Surfaces
5. Exh 4-4a – FAA Notification Filing Reqs

The following attachment is available to download on the C/CAG website (See February 2023 “Additional Agenda Materials”) at: <https://ccag.ca.gov/committees/airport-land-use-committee/>

6. DTPP Plan Wide Draft Amendments



APPLICATION FOR LAND USE CONSISTENCY DETERMINATION
San Mateo County Airport Land Use Commission
C/CAG ALUC

APPLICANT INFORMATION

Agency: **City of Redwood City**

Project Name: **Downtown Precise Plan (DTPP) Plan-Wide Amendments**

Address: **DTPP Boundaries - 183 acres**

APN: **DTPP Boundaries - 183 acres**

City: **Redwood City**

State: **CA**

ZIP Code: **94063**

Staff Contact: **William Chui**

Phone: **(650) 780-5916**

Email: **wchui@redwoodcity.org**

PROJECT DESCRIPTION

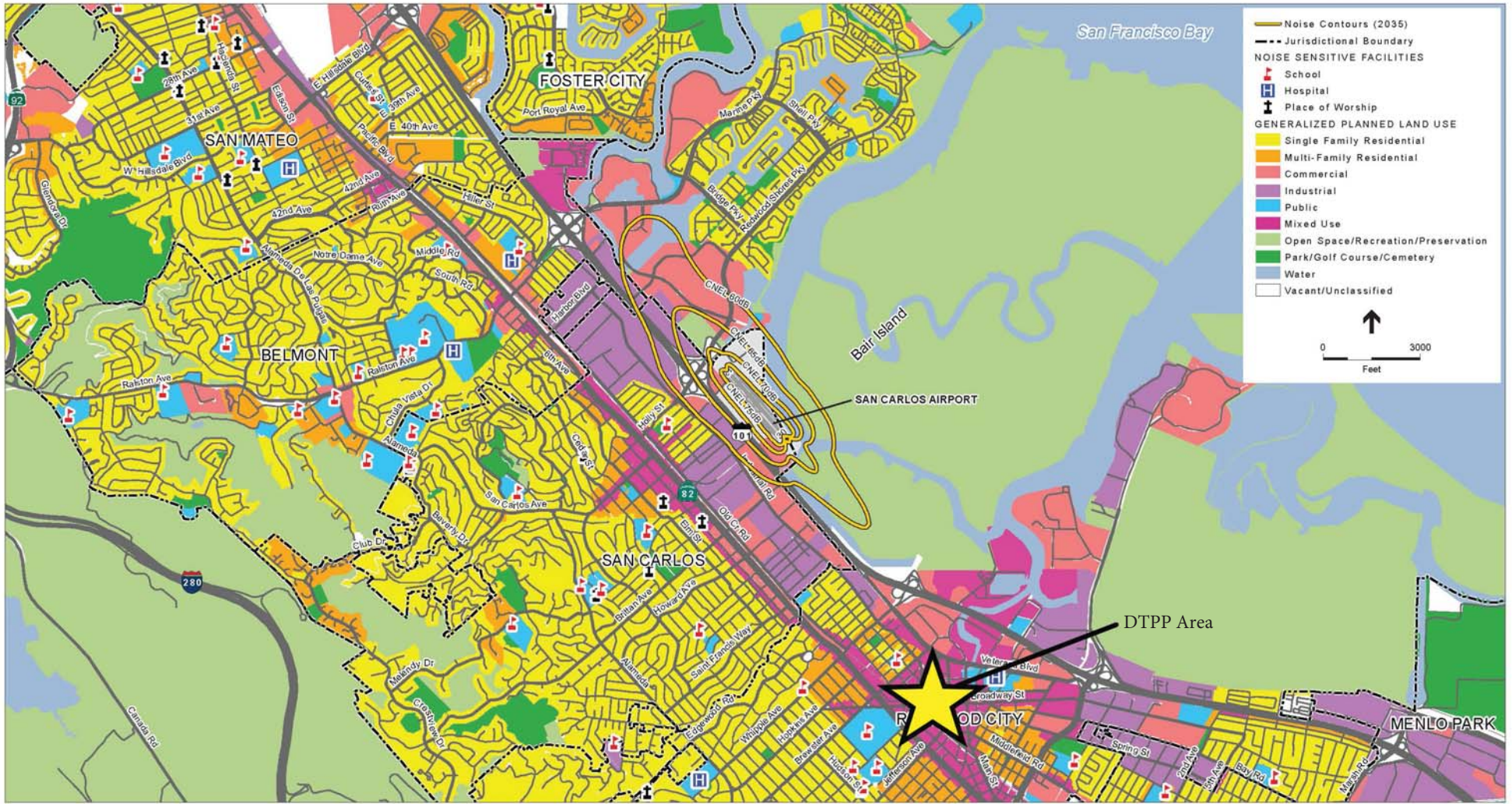
Proposed amendments to the DTPP and General Plan revising certain development standards, guidelines, and policies and various clean up items and associated environmental analysis studying the addition of potential future office and residential development capacity in the DTPP associated with the Gatekeeper projects located in the DTPP. No changes are proposed for maximum height.

REQUIRED PROJECT INFORMATION

For General Plan, Specific Plan or Zoning Amendments and Development Projects:

A copy of the relevant amended sections, maps, etc., together with a detailed description of the proposed changes, sufficient to provide the following:

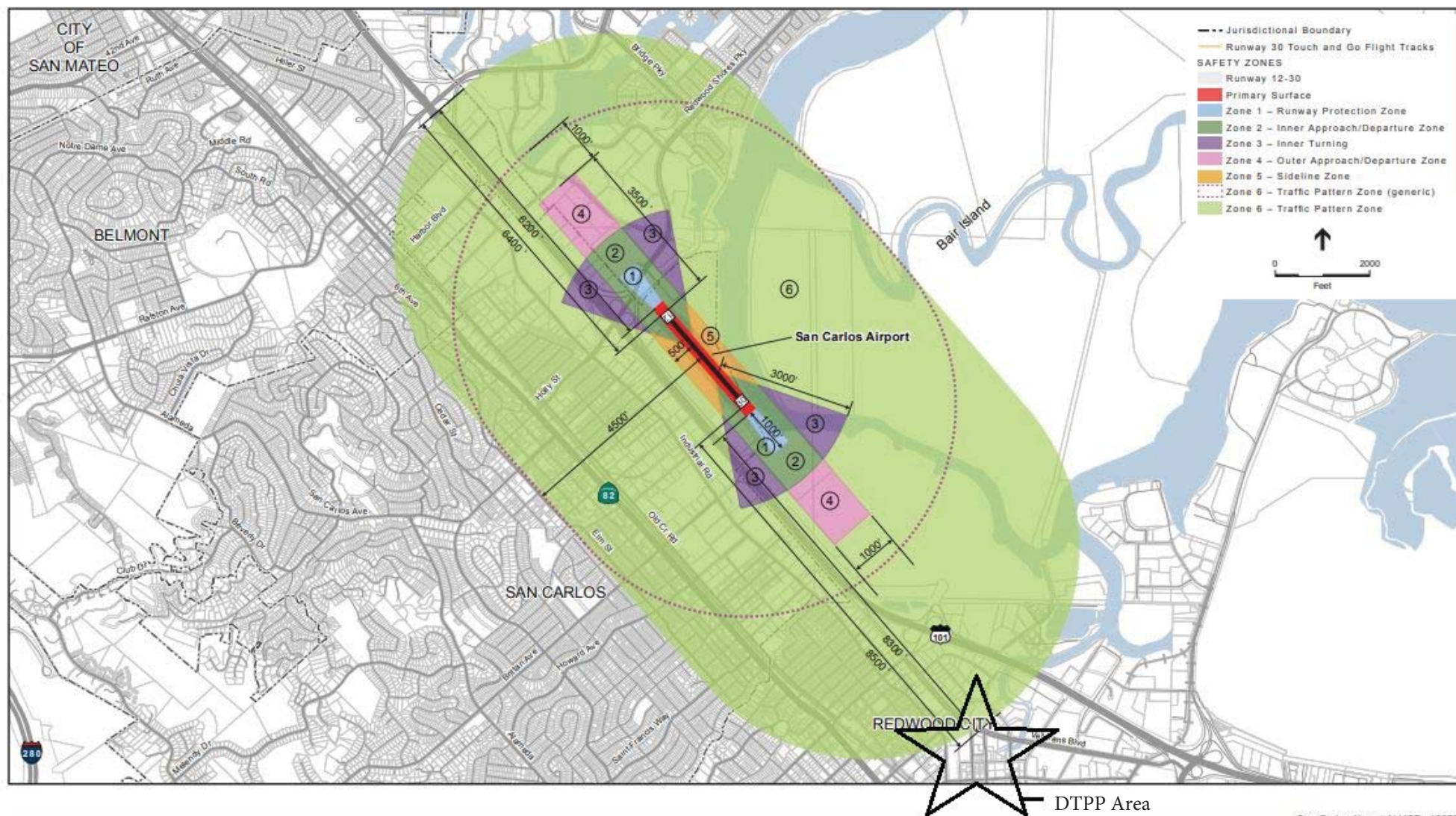
1. Adequate information to establish the relationship of the project to the three areas of Airport Land Use compatibility concern (ex. a summary of the planning documents and/or project development materials describing how ALUCP compatibility issues are addressed):
 - a) Noise: Location of project/plan area in relation to the noise contours identified in the applicable ALUCP.
 - Identify any relevant citations/discussion included in the project/plan addressing compliance with ALUCP noise policies.
 - b) Safety: Location of project/plan area in relation to the safety zones identified in the applicable ALUCP.
 - Include any relevant citations/discussion included in the project/plan addressing compliance with ALUCP safety policies.
 - c) Airspace Protection:
 - Include relevant citations/discussion of allowable heights in relation to the protected airspace/proximity to airport, as well as addressment of any land uses or design features that may cause visual, electronic, navigational, or wildlife hazards, particularly bird strike hazards.



SOURCE: Belmont, 1982; San Mateo County, 1996; Foster City, 1993; Menlo Park, 1994; San Carlos, 2009; City of San Mateo, 2010; Redwood City, 2010; ESRI, 2014; ESA Airports, 2015

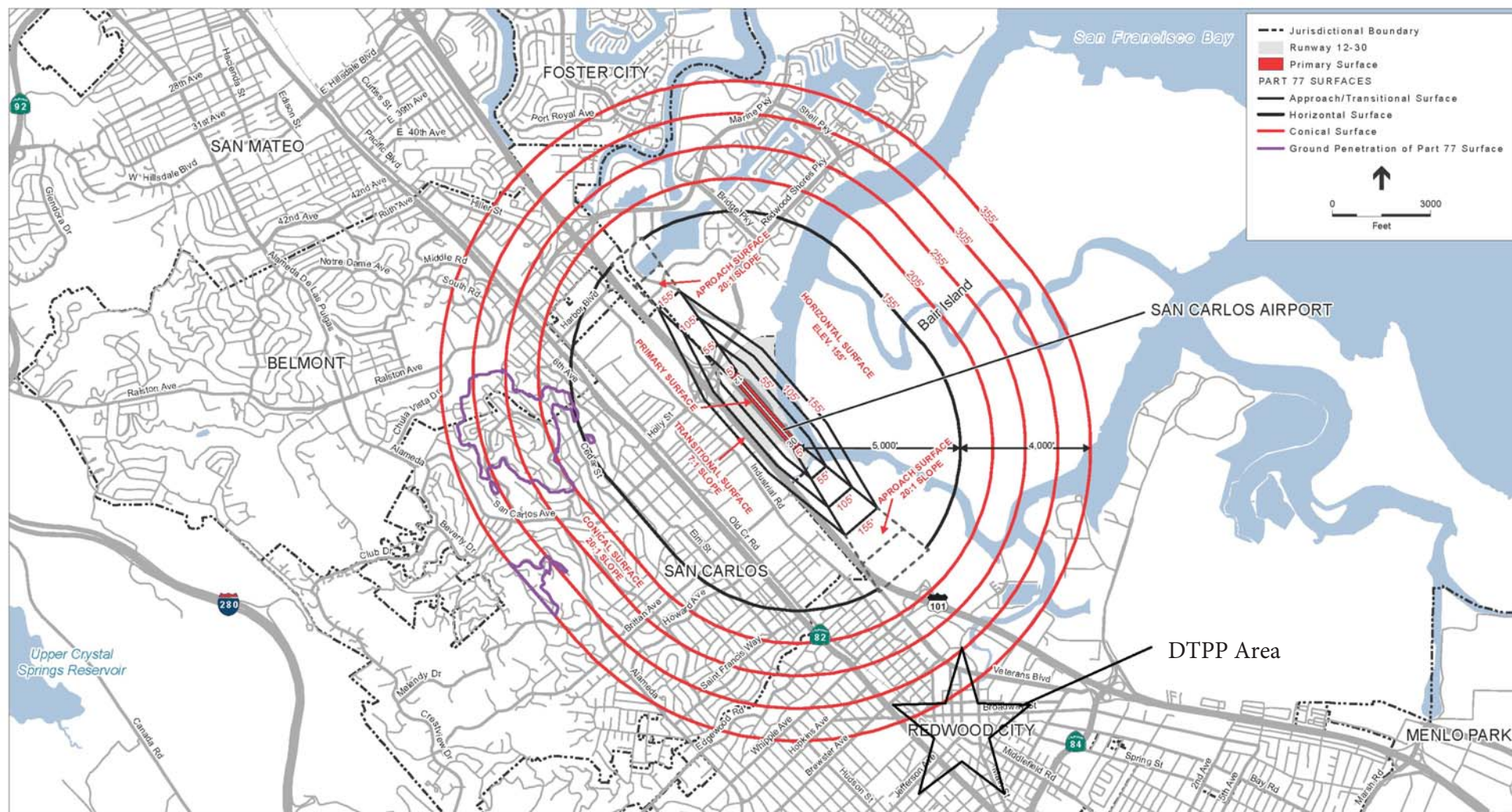
San Carlos Airport ALUCP, 130753

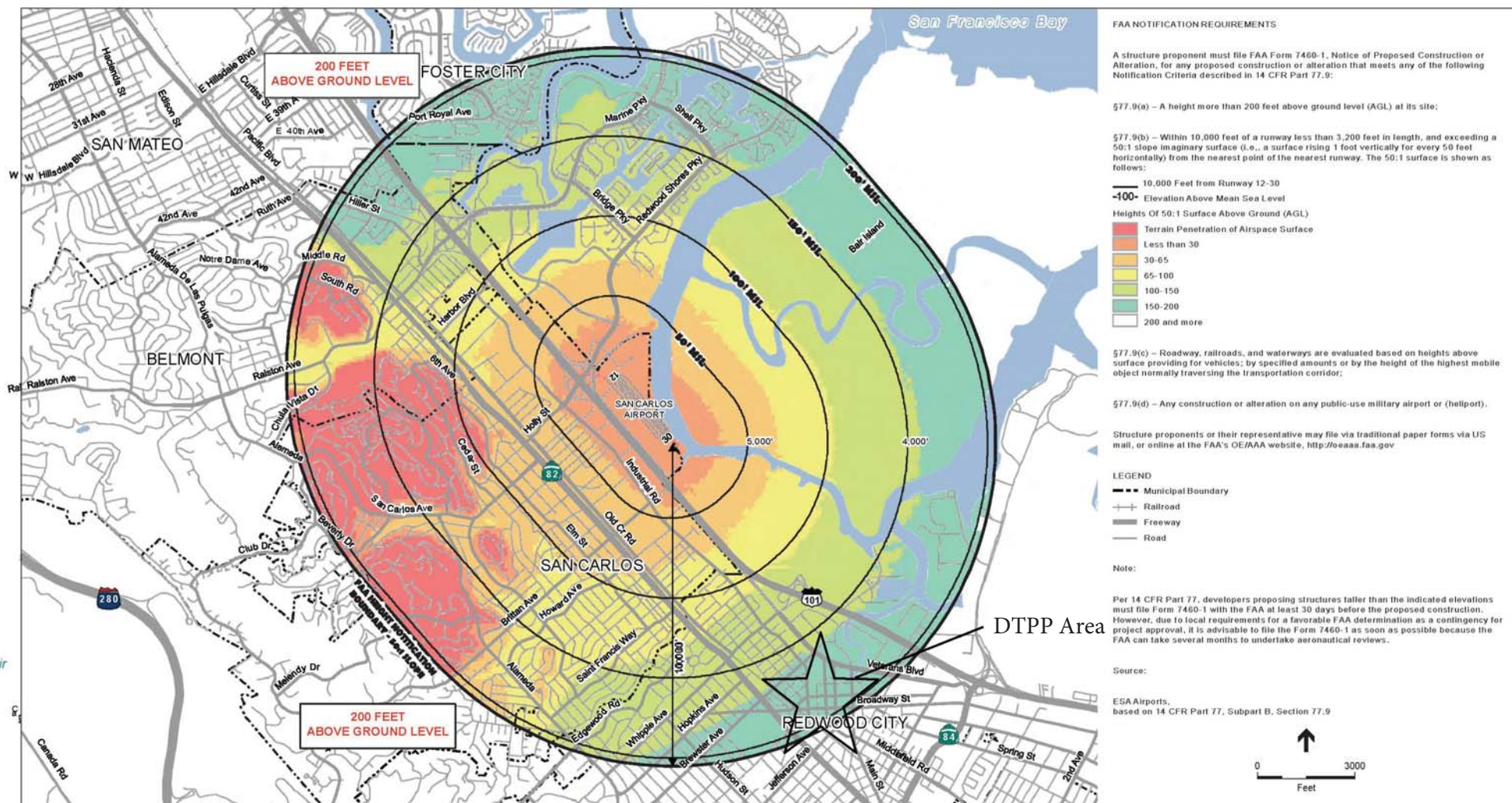
Exhibit 4-2
Future Conditions (2035) Aircraft Noise Contours



SOURCE: ESRI, 2014; ESA Airports, 2014

San Carlos Airport ALUCP - 130753
Exhibit 4-3
 San Carlos Airport Safety Zones





SOURCE: USGS, 1999-2013; ESRI, 2014; San Mateo County Planning and Building Department, 2014; ESA Airports, 2014

San Carlos Airport ALUCP - 130753

Exhibit 4-4a
FAA Notification Form 7460-1 Filing Requirements

C/CAG AGENDA REPORT

Date: February 23, 2023

To: Airport Land Use Committee

From: Susy Kalkin

Subject: San Francisco International Airport Land Use Compatibility Plan Consistency Review – City of Millbrae Draft 2023-2031 Housing Element

(For further information or response to questions, contact Susy Kalkin – kkalkin@smcgov.org)

RECOMMENDATION

That the C/CAG Airport Land Use Committee (ALUC) recommend to the C/CAG Board of Directors, that the C/CAG Board, acting as the Airport Land Use Commission, determine that the City of Millbrae Draft 2023-2031 Housing Element Update (Draft Housing Element) is consistent with the policies of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (SFO ALUCP), subject to the following conditions (~~strikeout~~ for deletions, underline for insertions):

- Prior to adoption, the City of Millbrae shall incorporate the following revisions into the draft 2023-2031 Housing Element:
 - **Program HIP-29. Airport Development Restrictions**
The City shall ~~confirm~~ confer with C/CAG's Airport Land Use Commission (ALUC) to ensure that all general plan, specific plan and zoning changes that affect real property comply with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport pursuant to legal requirements prior to finalizing any ~~zone~~ such changes within the City.
 - **Program HIP-45. Update the MSASP and DECRSP to Comply with Residential Care Facilities Requirements**
The City will review and update the City's Zoning Ordinance (including within the MSASP and DECRSP) to allow residential care facilities by right in accordance with California Health and Safety Code, Section 1500. Specifically, City shall amend the Zoning Ordinance to explicitly permit residential care facilities by-right in zones R-1LL, R-1, R-2, and R-3, to comply with state law, except in areas where this conflicts with the Safety Policies of the SFO Airport Land Use Compatibility Plan.
 - **Section 3.3.4.11 San Francisco Airport Land Use Compatibility Plan:**
 - p. 3-31: Change July of 2012 to November of 2012.
 - pp. 3-31 and 32: Revise as follows: "This map was prepared to illustrate the critical aeronautical surfaces, which include those established in accordance with FAA Order 8260.38, Terminal Instrument Procedures (TERPS), and One Engine Inoperative (OEI) departures from ~~28L (to the west through San Bruno Gap)~~ Runways 19L and 19R (to the southeast). The exhibits depict the lowest elevations from the combination of the OEI procedure surface and all TERPS surfaces. The surfaces are defined with Required

Obstacle Clearance (ROC) criteria to ensure safe separation of aircraft using the procedures from the underlying obstacles. ~~Any proposed structures penetrating these surfaces are likely to receive Determinations of Hazard (DOH) from the FAA through the 7460-1 aeronautical study process.~~ These surfaces indicate the maximum height at which structures can be considered compatible with Airport operations (Figure 3-6).”

- p. 3-32: Add the following statement to the end of the paragraph: “Note that the contour labels in Figure 3-6 show elevations above mean sea level (MSL), as defined by the origin of the North American Vertical Datum of 1988 (NAVD88). Heights above the existing ground level are shown for informational purposes only as the MSL NAVD88 elevations are the controlling surfaces regardless of ground level. New facilities proposed in this area must also receive a Determination of No Hazard from the Federal Aviation Administration (FAA). This is a parallel process to the local Airport Land Use Compatibility determination. Receipt of a Determination of No Hazard does not imply compatibility with the Airport Land Use Compatibility Plan.”
- p. 3-33 and 3-34, Revise section with updated status of the determination of consistency of the draft General Plan and Specific Plan with the ALUCP, as reference is to a final decision *expected* in October 2022.
- Include language consistent with the SFO ALUCP indicating that the entire City is within Airport Influence Area (AIA) A, *Real Estate Disclosure Area*, and AIA B, *Policy/Project Referral Area* and therefore, all proposed land use policy actions – including new general plans, specific plans, zoning ordinances, plan amendments and re-zonings, and land development proposals – shall be reviewed by the ALUC.
- Include language noting that portions of the City are located within the Noise Compatibility Zones defined by the ALUCP. As such, proposed land uses within the Airport noise compatibility zones shall be evaluated according to the noise/land use compatibility criteria provided in Table IV-1 of the ALUCP. The criteria identify the maximum acceptable airport noise levels, described in terms of Community Noise Equivalent Level (CNEL), for the indicated land uses.
- Include language noting that portions of the City are located within Safety Compatibility Zones 1, 2, 3 and 4 as defined by the ALUCP. The land use compatibility criteria for safety are set forth in Table IV-2 of the ALUCP and identify uses that are incompatible and uses that should be avoided in each zone.

BACKGROUND

The City of Millbrae has referred its Draft Housing Element 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 ALUCP. The Draft Housing Element is subject to Airport Land Use Committee / Board review, pursuant to California Public Utilities Code (PUC) Section 21676(b), since the entire community is located within Airport Influence Area B (AIA B), the Project Referral Area, for San Francisco International Airport.

The Draft Housing Element identifies goals, policies, and programs to address existing and projected housing needs and includes a list of housing opportunity sites. The Regional Housing Needs Allocation (RHNA) is the share of the Regional Housing Needs Determination assigned to each jurisdiction by the Association of Bay Area Governments (ABAG). In December 2021, ABAG adopted a Final RHNA Methodology, which was approved by the California Department of Housing

and Community Development in January 2022. The proposed RHNA for the Millbrae for this planning cycle is 2,199 units.

DISCUSSION

I. SFO ALUCP Consistency Evaluation

Four airport / land use compatibility factors are addressed in the SFO ALUCP that relate to the proposed general plan housing element amendment. These include policies for: (a) airport influence area, (b) noise compatibility, (c) safety compatibility, and (d) airspace compatibility. The following sections address each factor.

(a) Airport Influence Area (AIA)

The AIA for SFO includes two parts: Area A and Area B. Area A (which encompasses all of San Mateo County) is the area in which the real estate disclosure requirements of state law apply. Area B, the Policy/Project Referral Area, is the area where local jurisdictions must submit new and/or amended land use policies (general plans, specific plans, zoning ordinances, etc.) for an ALUC determination of compatibility with the ALUCP.

The draft Housing Element contains a general policy that requires compliance with the SFO ALUCP, as well as an implementing program measure that addresses ALUC referrals. To improve clarity, minor modifications are proposed to the program language as indicated below (~~strikeout~~ for deletions, underline for insertions):

Policy H3.17: Airport Development Restrictions. Ensure that new development is consistent with all airport/land use compatibility criteria under the Comprehensive Land Use Plan for San Francisco International Airport.

Program HIP-29. Airport Development Restrictions

The City shall ~~confirm~~ confer with C/CAG's Airport Land Use Commission (ALUC) to ensure that all general plan, specific plan and zoning changes that affect real property comply with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport pursuant to legal requirements prior to finalizing any ~~zone~~ such changes within the City.

Subject to the recommended modifications, the Housing Element would comply with the Airport Influence Area Policies of the SFO ALUCP.

(b) Noise Compatibility

The CNEL 65 dB aircraft noise contour defines the threshold for airport noise impacts established in the SFO ALUCP. In accordance with SFO Noise Policy NP-1, SFO ALUCP Exhibit IV-5, **Attachment 2**, depicts the noise compatibility zones within which the noise compatibility policies of the ALUCP apply. None of the Housing Opportunity Sites, included in **Attachment 1**, is located

within the 65 dB aircraft noise contour, so the sites are consistent with the SFO ALUCP Noise Policies.

(c) Safety Compatibility

The SFO ALUCP includes five safety zones and related land use compatibility policies and criteria. Eight housing opportunity sites, Sites 17-23, are located within Safety Zone 2 (Inner Approach/Departure Zone) and three housing opportunity sites, Sites 13, 14 and 15 are in Safety Zone 3 (Inner Turning Zone). Per SFO ALUCP Table IV-2, *Safety Compatibility Criteria*, housing is a compatible use in Safety Zone 2 and Safety Zone 3. Therefore, the Housing Opportunity Sites included in the Draft Housing Element are consistent with the SFO ALUCP safety policies.

The draft Housing Element also includes many new and/or revised policies and programs that have also been reviewed for ALUCP compatibility. Of note is a program that directs that the zoning ordinance and specific plans be amended to permit certain uses, including residential care facilities, in all residential zones. The Safety Compatibility Policies of the ALUCP identify specific land uses that are of concern in which the occupants have reduced effective mobility or would be unable to respond in emergency situations. One such use of concern is nursing homes/convalescent facilities, which is identified in SFO ALUCP Table IV-2 – Safety Compatibility Criteria - as “incompatible” in Safety Zones 2-4. To ensure the Housing Element provisions are consistent with the Safety Compatibility Criteria, the following revision to Program HIP-45 is recommended (revision shown in underlined text)

Program HIP-45. Update the MSASP and DECRSP to Comply with Residential Care Facilities Requirements

The City will review and update the City’s Zoning Ordinance (including within the MSASP and DECRSP) to allow residential care facilities by right in accordance with California Health and Safety Code, Section 1500. Specifically, City shall amend the Zoning Ordinance to explicitly permit residential care facilities by-right in zones R-1LL, R-1, R-2, and R-3, to comply with state law, except in areas where this conflicts with the Safety Policies of the SFO Airport Land Use Compatibility Plan.

(d) Airspace Compatibility

The SFO ALUCP airspace policies establish maximum heights for the compatibility of new structures. The policies also stipulate the need for compliance with federal regulations requiring notification of the Federal Aviation Administration of certain proposed construction or alterations of structures.

Because the Draft Housing Element is a policy document and not a specific development proposal, the airspace compatibility policies of the SFO ALUCP do not directly apply. Consistency with the airspace compatibility policies would be required for future development proposals stemming from the Draft Housing Element. SFO ALUCP Airspace Policy AP-3 states that in order to be consistent, the maximum height of a structure must be the lower of (1) the height shown on the critical aeronautical surfaces map (Exhibits IV-17 & IV 18), or (2) the maximum height determined by the FAA not to be a “hazard to air navigation” by the FAA in an aeronautical study prepared pursuant to

the filing of Form 7460-1. These requirements are addressed in Millbrae’s Zoning Ordinance through the following adopted policies:

Airspace Projection Evaluation –

1. Requires applicants to file Form 7460-1, Notice of Proposed Construction or Alteration, with the FAA for any proposed new structure and/or alterations to existing structures that would exceed the FAA notification heights consistent with SFO ALUCP Policy AP-1.
2. Restricts maximum building heights to the maximum height limits permissible under FAA regulations and the SFO ALUCP Critical Aeronautical Surfaces requirements, consistent with SFO ALUCP Policy AP-3.
3. Other Flight Hazards – Consistent with SFO ALUCP Policy AP-4, for projects located with AIA B, calls for evaluation of land use characteristics to assure they are not hazards to air navigation, including sources of glare; distracting lights; sources of dust, smoke, steam, electric or electronic interference; wildlife attractants (especially flocks of birds), etc.

Adherence to these policies will ensure that future development envisioned in the Housing Element will be consistent with the Airspace Protection policies of the SFO ALUCP.

Comment Letters

A comment letter was received from San Francisco International Airport planning staff, **Attachment 4**, which identifies several recommended revisions to the Housing Constraints section of the draft Housing Element (Section 3.3.4.11) to address ALUCP consistency. These have been incorporated into recommended conditions. The comments are generally focused on correcting some technical details and identifying that, in addition to the airspace protection provisions, future projects will also be held accountable to criteria contained in the Airport Influence Area, Noise and Safety Policies of the ALUCP.

ATTACHMENTS

1. Application Materials including Housing Opportunity Sites
2. SFO ALUCP Exhibit IV-5 –Noise Compatibility Zones
3. SFO ALUCP Exhibit IV-9 –Safety Compatibility Zones
4. SFO Planning Staff Comment letter dated February 13, 2023

The following attachment is available to download on the C/CAG website (See February 2023 “Additional Agenda Materials”) at: <https://ccag.ca.gov/committees/airport-land-use-committee/>

5. City of Millbrae Draft 2023-2031 Housing Element



APPLICATION FOR LAND USE CONSISTENCY DETERMINATION
San Mateo County Airport Land Use Commission
C/CAG ALUC

APPLICANT INFORMATION

Agency: City of Millbrae

Project Name: City of Millbrae Zoning Code and Zoning Map Update

Address: 621 Magnolia Avenue

APN: Citywide

City: Millbrae

State: California

ZIP Code: 94030

Staff Contact: Nestor Guevara

Phone: 650-259-2335

Email: nguevara@ci.millbrae.ca.us

PROJECT DESCRIPTION

The project consists of the City of Millbrae's 6th Cycle Draft Housing Element Update.

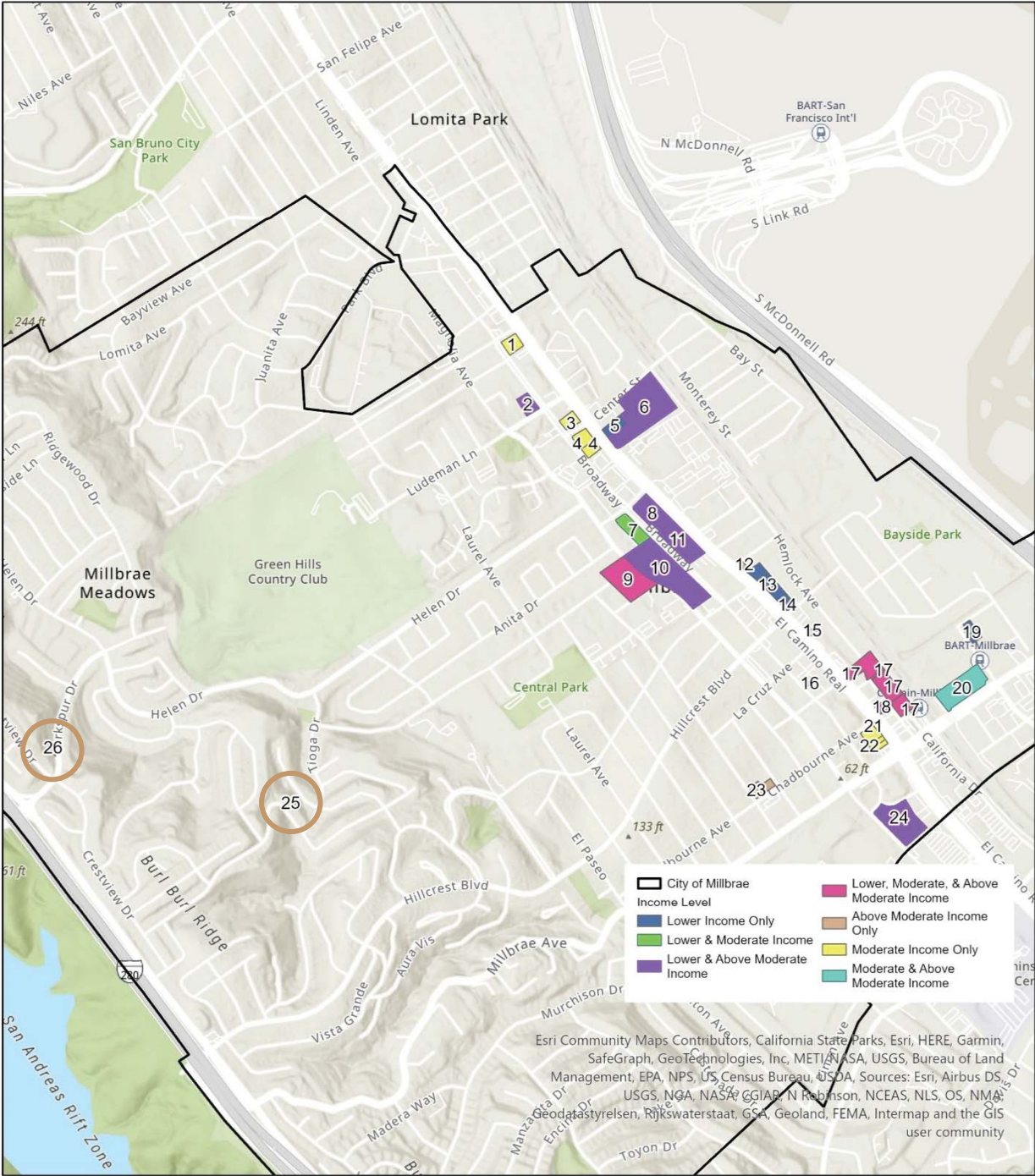
REQUIRED PROJECT INFORMATION

For General Plan, Specific Plan or Zoning Amendments and Development Projects:

A copy of the relevant amended sections, maps, etc., together with a detailed description of the proposed changes, sufficient to provide the following:

1. Adequate information to establish the relationship of the project to the three areas of Airport Land Use compatibility concern (ex. a summary of the planning documents and/or project development materials describing how ALUCP compatibility issues are addressed):
 - a) Noise: Location of project/plan area in relation to the noise contours identified in the applicable ALUCP.
 - Identify any relevant citations/discussion included in the project/plan addressing compliance with ALUCP noise policies.
 - b) Safety: Location of project/plan area in relation to the safety zones identified in the applicable ALUCP.
 - Include any relevant citations/discussion included in the project/plan addressing compliance with ALUCP safety policies.
 - c) Airspace Protection:
 - Include relevant citations/discussion of allowable heights in relation to the protected airspace/proximity to airport, as well as addressment of any land uses or design features that may cause visual, electronic, navigational, or wildlife hazards, particularly bird strike hazards.

Figure 7-4. Site Inventory Income Levels



Source: City of Millbrae



0 0.15 0.3
Miles

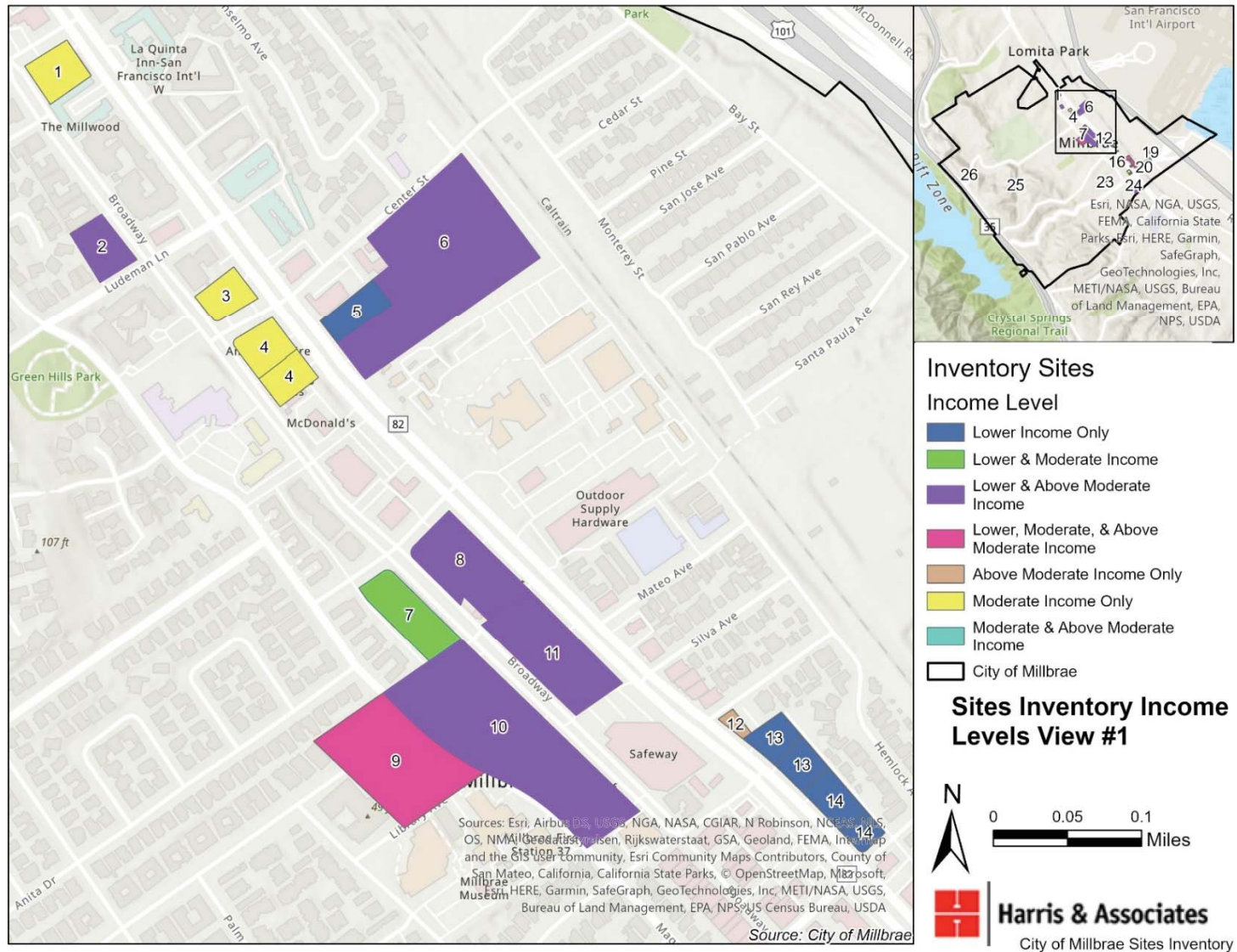
Sites Inventory Income Levels

City of Millbrae Sites Inventory

2023-2031 Housing Element

Chapter 7. Adequate Site Inventory Analysis and Methodology

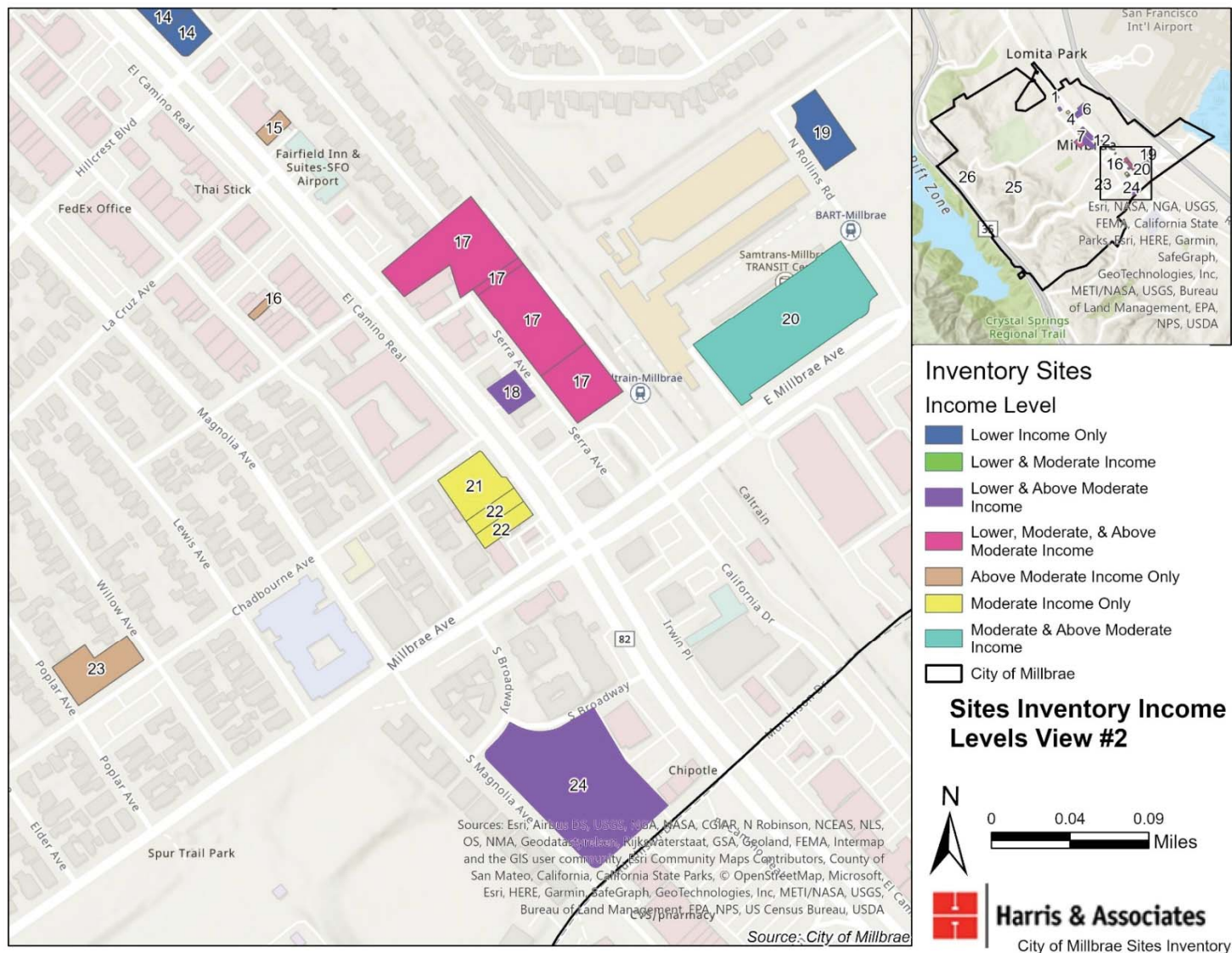
Figure 7-5. Site Inventory Income Levels View #1



2023–2031 Housing Element

Chapter 7. Adequate Site Inventory Analysis and Methodology

Figure 7-6. Site Inventory Income Levels View #2



2023–2031 Housing Element

Chapter 7. Adequate Site Inventory Analysis and Methodology

Figure 7-7. Site Inventory Income Levels View #3



2023–2031 Housing Element

Chapter 7. Adequate Site Inventory Analysis and Methodology

Table 7-8. Specific Plan Area Sites (Necessary Steps for Entitlements Found in Chapter 3, Housing Constraints)

Site No.	APN	Address	Area (ac)	Existing ¹		Proposed ¹		Density Realism ²	Units					SP Area	SP Adoptn. Date ³	I:LV Ratio ⁴	Status	Dev. Agmt.
				Zoning	Max Density	Zoning	Max Density		VLI	LI	Mod.	Above Mod.	Total					
1	021-278-010	1395 El Camino Real	0.60	Commercial (C)	N/A	Residential Mixed Use (RMU)	80	100%	-	-	48	-	48	DECRSP	N/A	0.12	Opportunity	N/A
3	021-291-020	1201 El Camino Real	0.54	Commercial (C)	N/A	Residential Mixed Use (RMU)	80	100%	-	-	43	-	43	DECRSP	N/A	0.18	Opportunity	N/A
4	021-292-030, 021-292-070	1121 El Camino Real; 1125 El Camino Real	1.12	Commercial (C)	N/A	Residential Mixed Use (RMU)	80	100%	-	-	88	-	88	DECRSP	N/A	0.86	Opportunity	N/A
5	021-324-310	1150 El Camino Real	0.55	Commercial (C)	N/A	Corridor Mixed Use (CMU)	130	85%	61	-	-	-	61	DECRSP	N/A	0.24	Opportunity	N/A
6	021-324-320	1100 El Camino Real	4.35	Commercial (C)	N/A	Corridor Mixed Use (CMU)	130	66%	19	-	-	357	376	DECRSP	N/A	2.32	Approved	Affordable Housing Requirement and Regulatory Agreement
7	021-362-310	979 Broadway	1.11	Planned Development (PD)	N/A	Residential Mixed Use (RMU)	80	100%	11	-	78	-	89	DECRSP	N/A	0.82	Opportunity	N/A
8	021-364-080	959 El Camino Real	1.80	Commercial (C)	N/A	Corridor Mixed Use (CMU)	130	119%	26	-	-	252	278	DECRSP	N/A	1.95	Approved	Affordable Housing Requirement and Regulatory Agreement
9	021-420-220	West of Magnolia Ave. and Library Ave.	3.11	Planned Development (PD)	N/A	Residential Mixed Use (RMU)	80	100%	50	38	60	100	248	DECRSP	N/A	0.06	Opportunity	N/A
10	021-420-110	537 Broadway	5.63	Planned Development (PD)	N/A	Corridor Mixed Use (CMU)	130	85%	110	65	-	449	624	DECRSP	N/A	2.45	Opportunity	N/A
11	021-420-130	0	2.20	Planned Development (PD)	N/A	Corridor Mixed Use (CMU)	130	85%	80	40	-	124	244	DECRSP	N/A	0.05	Opportunity	N/A
12	021-314-100	480 El Camino Real	0.12	Commercial (C)	N/A	Corridor Mixed Use (CMU)	130	58%	-	-	-	9	9	DECRSP	N/A	0.00	Approved	N/A
13	024-123-190, 024-123-200	450 El Camino Real; 460 El Camino Real	0.88	Commercial (C)	N/A	Corridor Mixed Use (CMU)	130	85%	85	12	-	-	97	DECRSP	N/A	0.04	Opportunity	N/A
14	024-123-130, 024-123-140	400 El Camino Real; 420 El Camino Real	0.84	Commercial (C)	N/A	Corridor Mixed Use (CMU)	130	85%	92	-	-	-	92	DECRSP	N/A	0.44	Opportunity	N/A

2023–2031 Housing Element

Chapter 7. Adequate Site Inventory Analysis and Methodology

Table 7-8 (Continued)

Site No.	APN	Address	Area (ac)	Existing ¹		Proposed ¹		Density Realism ²	Units					SP Area	SP Adoptn. Date ³	I:LV Ratio ⁴	Status	Dev. Agmt.
				Zoning	Max Density	Zoning	Max Density		VLI	LI	Mod.	Above Mod.	Total					
15	024-154-240	300 El Camino Real	0.12	Commercial (C)	N/A	Corridor Mixed Use (CMU)	130	93%	-	-	-	14	14	DECRSP	N/A	4.93	In Review	N/A
16	024-152-180	230 Broadway	0.05	Downtown Improvement Area (DIA)	N/A	Downtown Mixed Use (DMU)	50	200%	-	-	-	5	5	DECRSP	N/A	0.33	In Review	N/A
17	024-154-460, 024-337-010, 024-337-080, 024-337-090	150 Serra Ave.	3.60	Transit Oriented Development (TOD)	80	Same as Existing	80	169%	-	49	24	415	488	MSASP	11/24/98	0.25	Approved	Development Agreement
18	024-335-150	130-140 El Camino Real	0.23	Transit Oriented Development (TOD)	80	Same as Existing	80	164%	-	3	-	27	30	MSASP	11/24/98	0.21	In Review	Affordable Housing Requirement and Regulatory Agreement
19	024-181-080	300 Millbrae, Bldg. 6A	0.54	Transit Oriented Development (TOD)	80	Same as Existing	80	183%	24	55	-	-	79	MSASP	11/24/98	0.00	Approved	Affordable Housing Requirement and Regulatory Agreement
20	024-180-350	300 Millbrae, Bldg. 5B	2.68	Transit Oriented Development (TOD)	80	Same as Existing	80	149%	-	-	20	300	320	MSASP	11/24/98	0.67	Approved	Affordable Housing Requirement and Regulatory Agreement
21	024-334-150	39 El Camino Real	0.57	Residential Mixed Use (RMU)	60	Same as Existing	60	100%	-	-	34	-	34	MSASP	11/24/98	0.50	Opportunity	N/A
22	024-334-020, 024-334-030	15 El Camino Real; 9 El Camino Real	0.61	Residential Mixed Use (RMU)	60	Same as Existing	60	100%	-	-	36	-	36	MSASP	11/24/98	0.39	Opportunity	N/A
24	024-344-090	95 Murchison Dr.	3.10	Commercial (C)	N/A	Corridor Mixed Use (CMU)	130	85%	80	45	-	219	344	DECRSP	N/A	0.79	Opportunity	N/A
TOTAL									638	307	431	2,271	3,647					

¹ The City expects to adopt the Downtown and El Camino Real Specific Plan (DECRSP) as part of the 2040 General Plan by the end of 2022. The DECRSP will rezone parcels within its specific plan area to allow for increased densities. The City is using the proposed zoning and densities for purposes of this analysis and showing existing zoning for background, as allowed by HCD during a meeting with staff on July 29, 2022. See Section 7.3.4.2 of this Sites Inventory chapter for more information.

² For pending and entitled developments (Sites 6, 8, 12, and 15-20), "Density Realism" is based on the proposed development. For other sites, "Density Realism" is an assumption based on realized density of recent and proposed developments.

³ Neither of the specific plans have an expiration date. However, the MSASP does envision three phases of development with the final phase concluding in 2035.

⁴ The Improvement to Land Value Ratio represents a comparison of a parcel's improvement value to the land value. Typically, a low ratio would indicate a low improvement value in comparison to the value of the land, which can point to a need for development of improvement.

Source: City of Millbrae.

2023–2031 Housing Element

Chapter 7. Adequate Site Inventory Analysis and Methodology

Table 7-1. Summary of Sites Capacity

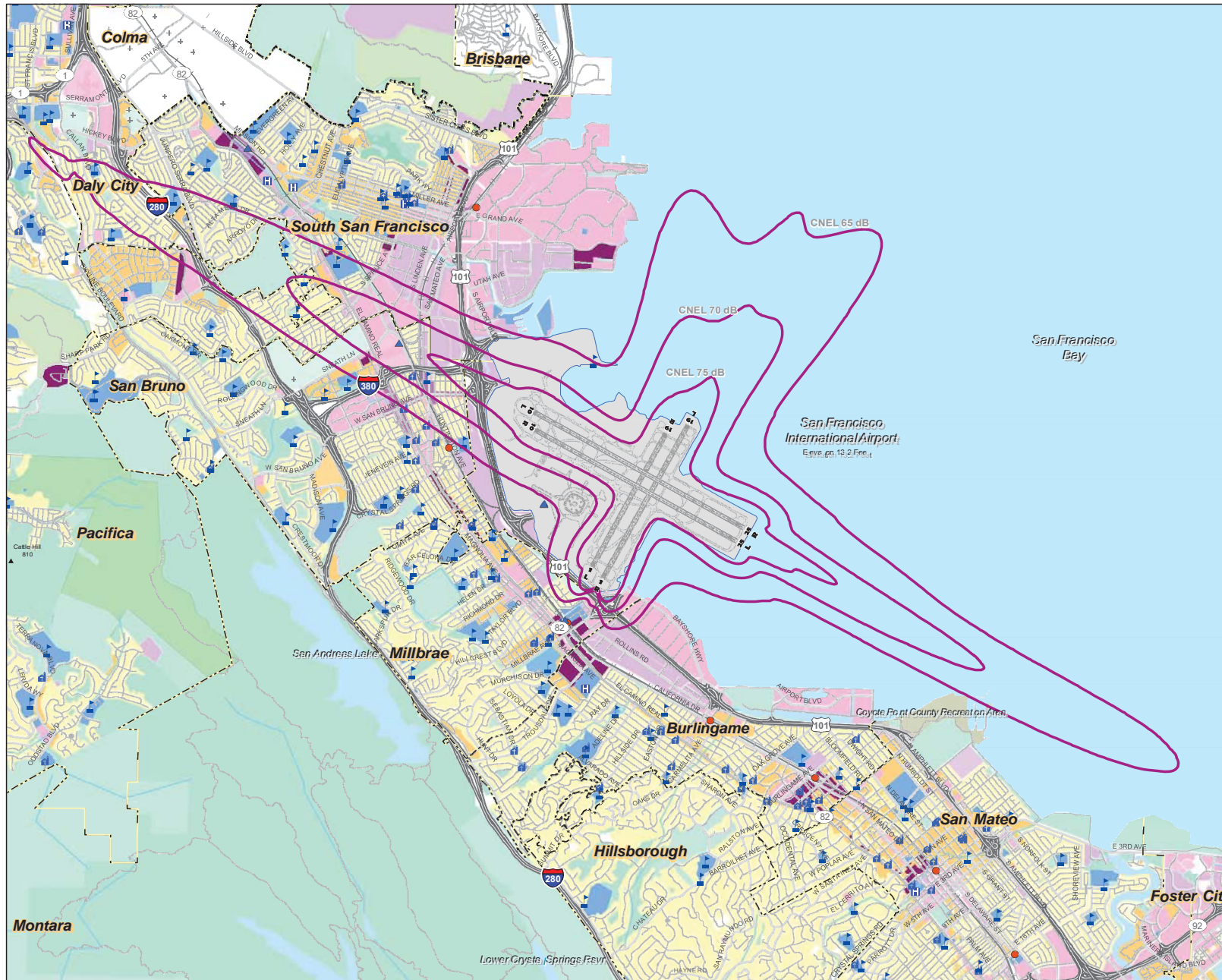
Proposed ¹		Existing ¹		# of Sites	Total Area (ac)	Net Units	Units		
Zoning	Max Density	Zoning	Max Density				Lower	Mod.	Above Mod.
Vacant				2	0.20	2	0	0	2
Single Family Residential (R-1)	9	Same as Proposed	9	2	0.20	2	0	0	2
Non-Vacant				24	35.64	3,747	994	431	2,322
Commercial (C)	N/A	Same as Proposed	N/A	1	0.67	99	49	0	50
Corridor Mixed Use (CMU)	130	Commercial (C)	N/A	8	11.75	1,271	420	0	851
Corridor Mixed Use (CMU)	130	Planned Development (PD)	N/A	2	7.83	868	295	0	573
Downtown Mixed Use (DMU)	50	Downtown Improvement Area (DIA)	N/A	1	0.05	5	0	0	5
Residential Mixed Use (RMU)	80	Commercial (C)	N/A	3	2.26	179	0	179	0
Residential Mixed Use (RMU)	80	Planned Development (PD)	N/A	2	4.22	337	99	138	100
Residential Mixed Use (RMU)	60	Same as Proposed	60	2	1.18	70	0	70	0
Single Family Residential (R-1)	9	Same as Proposed	9	1	0.63	1	0	0	1
Transit Oriented Development (TOD)	80	Same as Proposed	80	4	7.05	917	131	44	742
ADU Potential						112	68	33	11
TOTAL				26	35.85	3,861	1,062	464	2,335

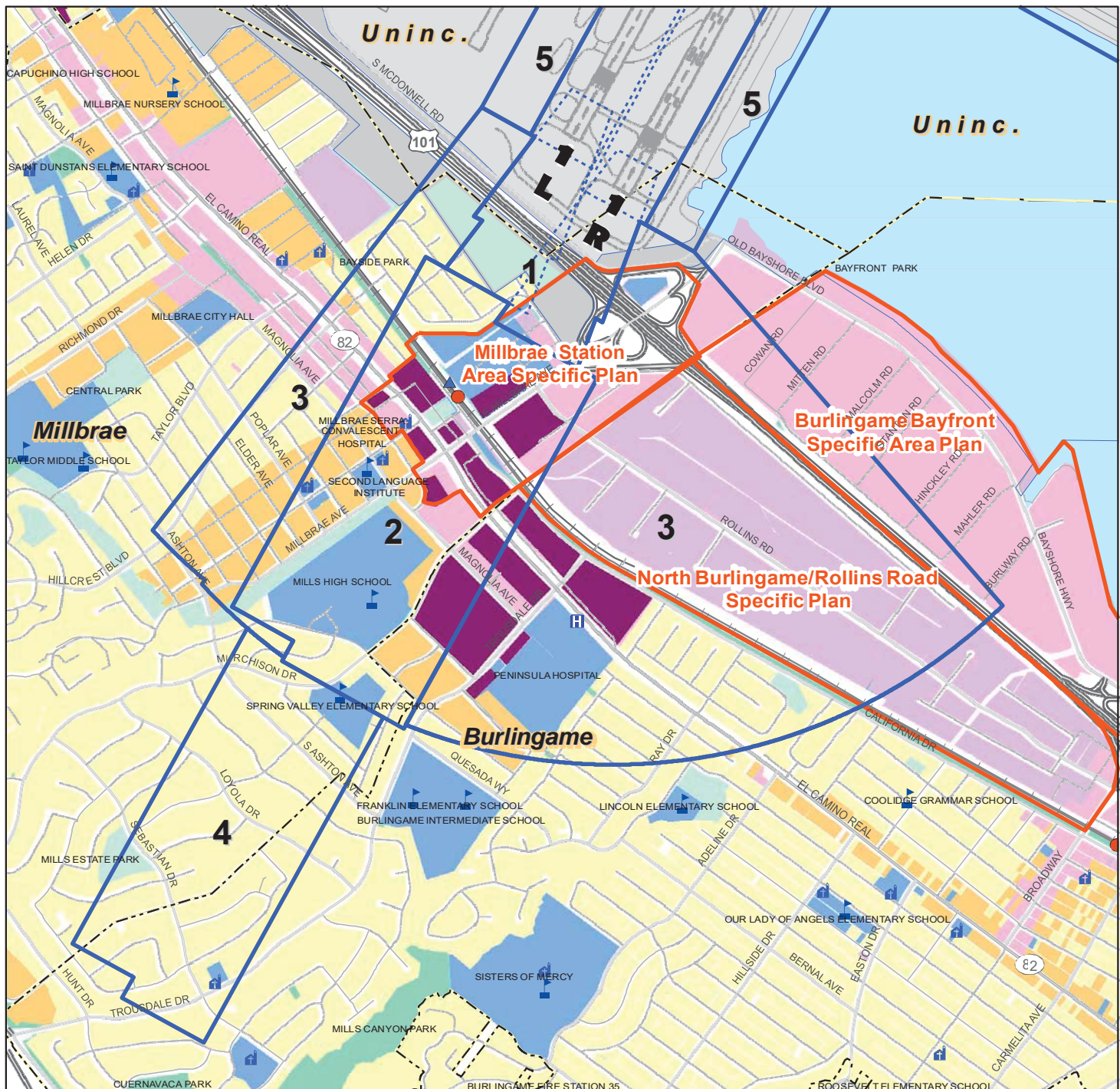
¹ The City expects to adopt the Downtown and El Camino Real Specific Plan (DECRSP) as part of the 2040 General Plan by the end of 2022. The DECRSP will rezone parcels within its specific plan area to allow for increased densities. The City is using the proposed zoning and densities for purposes of this analysis and showing existing zoning for background, as allowed by HCD during a meeting with staff on July 29, 2022. See Section 7.3.4.2 of this Sites Inventory chapter for more information.

Source: City of Millbrae.

7.2 Capacity Determination

Table 7-2, Capacity Determination, summarizes the City's determination that there is sufficient capacity to accommodate the City's RHNA by income and categorizes credits and sites by zoning, representing land suitable and available for residential development, as defined in California Government Code, Sections 65583.1 and 65583.2(a). A description of the methodology used to determine the capacity of sites is presented later in this Chapter.





LEGEND

Safety Compatibility Zones

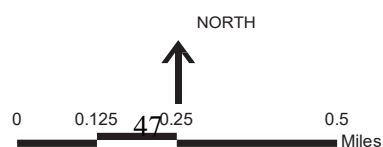
- 1 - Runway Protection Zone-Object Free Area
- 2 - Inner Approach/Departure Zone
- 3 - Inner Turning Zone
- 4 - Outer Approach/Departure Zone
- 5 - Sideline Zones
- Internal boundaries of ALP-defined areas
- Specific Plan Area
- Airport Property
- ▲ BART Station
- CALTRAIN Station
- 🏫 School
- 🕌 Place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

Planned Land Use Per General Plans

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

Sources:

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





San Francisco International Airport

February 13, 2023

TRANSMITTED VIA E-MAIL**kkalkin@smcgov.org**

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

Subject: Land Use Consistency Determination for the City of Millbrae 6th Cycle Housing Element Update, City of Millbrae

Thank you for notifying San Francisco International Airport (SFO or the Airport) of the City of Millbrae's (City) Application for Land Use Consistency Determination for its Draft 2023-2031 Housing Element (October 2022) (the Proposed Project) and the Airport Land Use Commission's (ALUC) pending land use consistency determination for the Proposed Project. We appreciate this opportunity to provide comments to the ALUC in evaluating potential land use compatibility issues for the Proposed Project.

The Housing Element is a state-mandated component of the City's General Plan and establishes goals, policies, and programs to help address the City's current and future housing needs. It is the City's blueprint for housing-related decisions and sets an action plan for how to meet housing goals over the coming years. The City's 6th Cycle Housing Element Update covers the eight-year planning period from 2023-2031.

The Airport has reviewed the City's Draft 2023-2031 Housing Element and has the following recommended revisions and comments focused on ensuring consistency with the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport* (SFO ALUCP).

- **Section 3.3.4.10 Height Limits (p. 3-29):** Revise to include the underlined text: "It should be noted that the City's height limits may be able to be exceeded either through density bonus or in exchange for community benefits that are provided to the City, except in cases where the additional height would conflict with the ALUCP."
- **Figure 3-4 Millbrae Station Area Specific Plan Height Limits (p. 3-30):** The note states "Height is measured using the height above exterior finished grade level per the definition of page 5.8..." but page 5.8 does not exist.
- **Section 3.3.4.11 San Francisco Airport Land Use Compatibility Plan:**
 - p. 3-31: Change July of 2012 to November of 2012.
 - pp. 3-31 and 32: Revise as follows: "This map was prepared to illustrate the critical aeronautical surfaces, which include those established in accordance with FAA Order 8260.38, Terminal Instrument Procedures (TERPS), and One Engine Inoperative (OEI) departures from ~~28L (to the west through San Bruno Gap)~~ Runways 19L and 19R (to the southeast). The exhibits depict the lowest elevations from the combination of the OEI procedure surface and all TERPS surfaces. The surfaces are defined with Required Obstacle

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Clearance (ROC) criteria to ensure safe separation of aircraft using the procedures from the underlying obstacles. ~~Any proposed structures penetrating these surfaces are likely to receive Determinations of Hazard (DOH) from the FAA through the 7460-1 aeronautical study process.~~ These surfaces indicate the maximum height at which structures can be considered compatible with Airport operations (Figure 3-6)."

- p. 3-32: Add the following statement to the end of the paragraph: "Note that the contour labels in Figure 3-6 show elevations above mean sea level (MSL), as defined by the origin of the North American Vertical Datum of 1988 (NAVD88). Heights above the existing ground level are shown for informational purposes only as the MSL NAVD88 elevations are the controlling surfaces regardless of ground level. New facilities proposed in this area must also receive a Determination of No Hazard from the Federal Aviation Administration (FAA). This is a parallel process to the local Airport Land Use Compatibility determination. Receipt of a Determination of No Hazard does not imply compatibility with the Airport Land Use Compatibility Plan."
- p. 3-33 and 3-34, Revise section with updated status of the determination of consistency of the draft General Plan and Specific Plan with the ALUCP, as reference is to a final decision *expected* in October 2022.
- Include language consistent with the SFO ALUCP indicating that the entire City is within Airport Influence Area (AIA) A, *Real Estate Disclosure Area*, and AIA B, *Policy/Project Referral Area* and therefore, all proposed land use policy actions – including new general plans, specific plans, zoning ordinances, plan amendments and re-zonings, and land development proposals – shall be reviewed by the ALUC.
- Include language noting that portions of the City are located within the Noise Compatibility Zones defined by the ALUCP. As such, proposed land uses within the Airport noise compatibility zones shall be evaluated according to the noise/land use compatibility criteria provided in Table IV-1 of the ALUCP. The criteria identify the maximum acceptable airport noise levels, described in terms of Community Noise Equivalent Level (CNEL), for the indicated land uses.
- Include language noting that portions of the City are located within Safety Compatibility Zones 1, 2, 3 and 4 as defined by the ALUCP. The land use compatibility criteria for safety are set forth in Table IV-2 of the ALUCP and identify uses that are incompatible and uses that should be avoided in each zone.

* * *

Susy Kalkin
February 13, 2023
Page 3 of 3

The Airport appreciates your consideration of these comments for inclusion in the ALUC's Land Use Consistency Determination for the Proposed Project. If I can be of assistance, please do not hesitate to contact me at (650) 821-6678 or at nupur.sinha@flysfso.com.

Sincerely,

DocuSigned by:

Nupur Sinha

7D552AE8A4CE485...

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

cc: Sean Charpentier, C/CAG
Audrey Park, SFO

C/CAG AGENDA REPORT

DATE: February 23, 2023

TO: Airport Land Use Committee

FROM: Susy Kalkin

SUBJECT: Review and Approval of ALUC Meeting Time and Location - 2023

RECOMMENDATION

Staff recommends that the C/CAG Airport Land Use Committee (ALUC) approve a meeting start time of 4:30 PM, with in-person meetings to be held at the Burlingame Community Center, 850 Burlingame Avenue.

BACKGROUND/ DISCUSSION

At the January ALUC meeting, the Committee approved the 2023 meeting calendar (4th Thursday, January thru October) but requested that members be polled to determine the preferred location and meeting time. Staff sent out a poll and received responses from 10 Committee members, as follows:

Meeting time:	Meeting Location:	
4:00 PM – 2	Burlingame Com. Ctr. –	7
4:30 PM – 8	San Carlos Airport –	3

As a result, it is recommended that the ALUC approve a meeting start time of 4:30 PM, with in-person meetings to be held at the Burlingame Community Center, 850 Burlingame Avenue.

C/CAG AGENDA REPORT

Date: February 23, 2023

To: Airport Land Use Committee

From: Sean Charpentier, Executive Director

Subject: AB 2449 and Hybrid ALUC Committee Meetings

(For further information, contact Sean Charpentier at scharpentier@smcgov.org)

RECOMMENDATION

That the Airport Land Use Committee accept this report regarding AB 2449 and hybrid ALUC Committee meetings.

BACKGROUND

In response to the COVID-19 pandemic, the Governor issued a number of Executive Orders that adjusted the rules for online meetings of Brown Act bodies, and the Legislature followed up with adoption of AB 361. Under these authorities, a meeting can be conducted online under streamlined procedures for remote participation under AB 361 as long as a state-declared emergency remained in effect and the local agency finds that requiring participants to attend in person would present imminent risks to public health and safety.

On September 13, 2022, Governor Newsom signed AB 2449 into law. The bill authorizes a member of a legislative body to participate remotely for “just cause,” or allows the legislative body to consider and take action on a request from a member to participate remotely in a meeting due to “emergency circumstances.” The new law goes into effect on January 1, 2023, and will remain in effect until January 1, 2026.

In addition, Governor Newsom announced that the COVID-19 State of Emergency will end on February 28, 2023. As a result, Brown Act bodies will no longer be able to conduct remote meetings under the provisions of AB 361 after February 28, 2023, unless the State of Emergency is unexpectedly extended or renewed.

DISCUSSION

Starting January 1, 2023, AB 2449 will allow a member of a Brown Act body (for C/CAG, this includes the C/CAG Board of Directors and C/CAG standing committees, including the ALUC) to participate remotely under the streamlined teleconference procedures in either of the following two circumstances:

1. The member unilaterally notifies the legislative body at the earliest opportunity possible, including at the start of a regular meeting, of the member’s need to participate remotely for “**just cause**,” including a general description of the circumstances relating to their need to appear remotely at the given meeting.

“**Just cause**” means any of the following: (a.) A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate

remotely; (b.) A contagious illness that prevents a member from attending in person; (c.) A need related to a physical or mental disability not otherwise accommodated; (d.) Travel while on official business of the legislative body or another state or local agency. This method may not be used by any member of the legislative body for more than two meetings per calendar year.

2. The member requests the legislative body to allow them to participate in a particular meeting remotely due to “**emergency circumstances**” and the legislative body takes action to approve the request.

“**Emergency circumstances**” means a physical or family medical emergency that prevents a member from attending in person. The legislative body shall request a 20 word general description of the circumstances relating to their need to appear remotely at the given meeting. The request can be made by the member and acted upon by the legislative body at the beginning of the meeting to which the request applies. The prohibition on taking action on items not appearing on the timely-posted agenda is suspended for purposes of approving a request.

Both provisions require that at least **a quorum of the Board or the committee be physically present in the same room** where the public may attend and give comment, and also permit remote public participation, including public comment.

AB 2449 limits the number of times a member may participate remotely to no more than three consecutive months or 20 percent of the regular meetings for the local agency within a calendar year, or more than two meetings if the legislative body regularly meets fewer than 10 times per calendar year. The ALUC has 10 regular meetings per year, thus **the maximum times a Committee member may participate remotely is limited to two meetings per year.**

With the anticipated end of the COVID-19 State of Emergency on February 28, 2023, AB 2449 will be the only alternative to the traditional, pre-covid Brown Act teleconference procedures, which require any members participating remotely to post an agenda and allow members of the public to attend at all remote location(s).

Hybrid Meetings

C/CAG staff are preparing to return to in-person meetings beginning in March 2023. Before the pandemic, C/CAG Board meetings and Committee meetings were not televised or streamed online. For the C/CAG Committees, staff are planning to use “OWL” technology to facilitate the streaming and remote participation for the public and to comply with AB 2449.

Next Steps

C/CAG is also pursuing legislative solutions that would provide more flexibility for remote meetings, and has submitted the attached letter to the San Mateo County State delegation requesting remote meeting flexibility for regional or Countywide organizations with appointed Board members, and Committees that are solely advisory and do not make binding decisions.

ATTACHMENT

1. Correspondence – Brown Act Amendment Request



**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*

January 30, 2023

C/CAG Legislative Delegation
State Capital
Sacramento, CA
Transmitted via Electronic Mail

RE: Brown Act Amendment Request

Dear C/CAG Legislative Delegation Members:

On behalf of the City/County Association of Governments of San Mateo County, I write to respectfully ask that you please consider sponsoring a limited extension to the permissions granted in AB 361 (Rivas) [Chapter 165, Statutes of 2021) for the remote convening of legislative bodies. We are requesting the Legislature consider a bill that would allow the following to continue to meet remotely without having to follow the specific quorum, location notification, and accessibility requirements required by the Brown Act and/or AB 2449 (Rubio) [Chapter 285, Statutes of 2022]:

1. Advisory bodies that can take no action or establish policy on behalf of a local elected body.
2. Countywide or regional multi-jurisdictional organizations whose members are appointed rather than directly elected.

C/CAG, as you may know, employs several advisory committees to help guide its work, such as the Congestion Management Program Technical Advisory Committee and the Bicycle and Pedestrian Advisory Committee, which consist of local elected officials, city government employees, and members of the public, most of whom work outside jobs unrelated to the effort they put in for C/CAG to better San Mateo County. We believe this proposal will result in a much-needed cost-savings to local agencies without jeopardizing public participation.

C/CAG has one Board of Directors and nine standing advisory committees with a total of 146 seats or members from all points in the County. In the past, many members would travel significant distances to attend meetings. Prior to the current remote meeting flexibility, C/CAG Committee members that live on the Coast would have to drive across the Santa Cruz Mountains or members would have to drive the length of the County during commute hours for a 30-minute committee meeting.

Notably, allowing remote meeting flexibility for advisory bodies would further our goals to reduce trips, vehicle miles traveled, and greenhouse gas emissions. It will provide additional flexibility for these non-decision-making advisory bodies to continue to meet remotely while maintaining agenda notification requirements. Virtual public access will enable C/CAG and other local agencies to incentivize

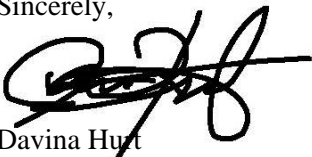
participation from well-qualified, interested individuals while allowing participating individuals to maintain unrelated commitments relating to work, school, and their families.

For these reasons, C/CAG respectfully asks that you please consider authoring this proposal and support these efforts during the 2023-34 Legislative Session.

In addition, many of our member agencies are requesting amendments to AB 2449 to improve the ability to provide flexibility in certain cases. We have also attached a representative letter from the City of San Carlos requesting remote meeting flexibility, which we are also supportive of for optimal public meeting participation.

Thank you for your consideration. Please contact Sean Charpentier, C/CAG Executive Director at scharpentier@smcgov.org if you have any questions.

Sincerely,



Davina Hunt
C/CAG Chair



Dear Assemblymember Rubio:

Thank you for your leadership in the State Assembly on critical issues ranging from pre-school education and safe drinking water, to continuous medical care for children under the age of five and transparency and flexibility in public meetings. We appreciate your inclusive approach to addressing the needs of all Californians and empowering communities to come together to create positive change for all.

We are writing to request that Assembly Bill ("AB") 2449 be amended to allow city councils, their standing committees, and regional boards more flexibility to establish their own teleconference requirements related to quorums, just cause and emergency requirements, and limitations on the number of remote meetings members may attend.

In March 2020, the Governor issued Executive Order N-90-20, giving local agencies more flexibility to deploy teleconferencing, and it was a monumental success. It protected the health and safety of civil servants and the public, while effectively and efficiently conducting the public's business.

Teleconferencing during the pandemic increased public participation, reduced single occupancy vehicle trips and travel costs, and decreased greenhouse gas (GHG) emissions.

We believe there are several unintended consequences of AB 2449 and respectfully request that the following requirements be considered for amendment:

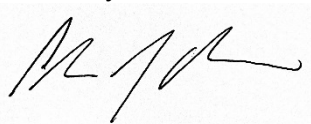
- 1. Just cause travel.** Local city councils and their standing committees are often comprised of individuals with full-time occupations. AB 2449's "just cause" requirement unfairly allows travel while on business "of the legislative body or another state or local agency," but not travel related to an individual's occupation. This raises an equity concern that participation in local and regional government would be limited to officials at a certain socioeconomic level. Travel for a member's occupation should be allowed under "just cause."
- 2. Cap on number of remote meetings allowed.** The limitation on the number of meetings that may be attended remotely appears arbitrary. The State could consider mandating a "floor" for in-person meetings, i.e. at least two meetings per year must be in person, and allow regional boards and standing committees maximum flexibility in determining the "ceiling" or "cap" on the number of remote meetings permissible. To contrast, local officials serve in the communities in which they live and the return to in-person meetings for local jurisdictions is not an issue. Nonetheless, local jurisdictions and their constituents are best suited to decide whether to host in-person or virtual meetings and to decide the limitations of those meetings.

3. **Quorum.** Requiring a quorum at a single physical location for regional boards and their subcommittees, and mandating that members of these bodies travel long distances to attend in-person meetings, contradicts the State's efforts to curb GHG emissions and seems arbitrary and particularly burdensome when regional boards are comprised of a geographically diverse membership of cities and counties. Regional boards, as well as standing committees of a city council should be allowed to stay 100% remote, with the option of deciding as a body, how many meetings should be attended in-person versus remote.
4. **Webcasting technology.** Unlike local city councils, regional boards meet in a variety of locations that often are not equipped with webcasting technology to enable hybrid meetings. Under AB 2449 regional boards will need to pivot from online meetings to in-person meetings.
5. **Disclosure.** The requirement to publicly disclose any individual in the room over the age of 18 is a privacy violation. For example, if a member is under the care of an at-home nurse, this should not need to be shared publicly.

We have serious concerns regarding AB 2449's measures to limit remote teleconferencing to a handful of emergency or restrictive just cause approvals. Without amendment, these measures will result in unnecessarily long travel times to meetings, suppressed attendance, and difficulty reaching quorum, which will in turn negatively impact the governing body's productive work.

We respectfully request that AB 2449 be amended to provide more flexibility to regional agencies and local governing bodies. The Brown Act ensures that officials and their constituents can have open and transparent meetings, which we now know can occur using modern technology. As representatives of local governments and regional boards, we believe in the benefit of increased access in our communities. We look forward to collaborating with you to promote greater flexibility and participation in the decision making process by incorporating the changes we have proposed. Thank you for your time and consideration of this important matter that impacts all of us.

Sincerely,



Adam Rak, Mayor, City of San Carlos
Sara McDowell, Councilmember, City of San Carlos

cc: Senator Josh Becker
Assemblymember Diane Papan