



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

APPLICANT INFORMATION

Agency: City of Millbrae, Community Development Department

Project Name: General Plan Amendment

Address: 621 Magnolia Avenue

APN:

City: Millbrae

State: CA

ZIP Code: 94030

Staff Contact: Angelica Gonzalez

Phone: (650) 259-2307

Email: agonzalez@ci.millbrae.ca.us

PROJECT DESCRIPTION

General Plan amendment to include clarifying language to allow life sciences, laboratory, technology, biotechnology or research and development.

See Attachment 1 for additional information.

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:

See Attachment 1 for General Plan Section and Land Use Map

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. See Attachment 1
 - 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. See Attachment 1
 - 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. See Attachment 1

2. Real Estate Disclosure requirements related to airport proximity

NA

3. Any related environmental documentation (electronic copy preferred)

NA

4. Other documentation as may be required (ex. related staff reports, etc.)

NA

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>

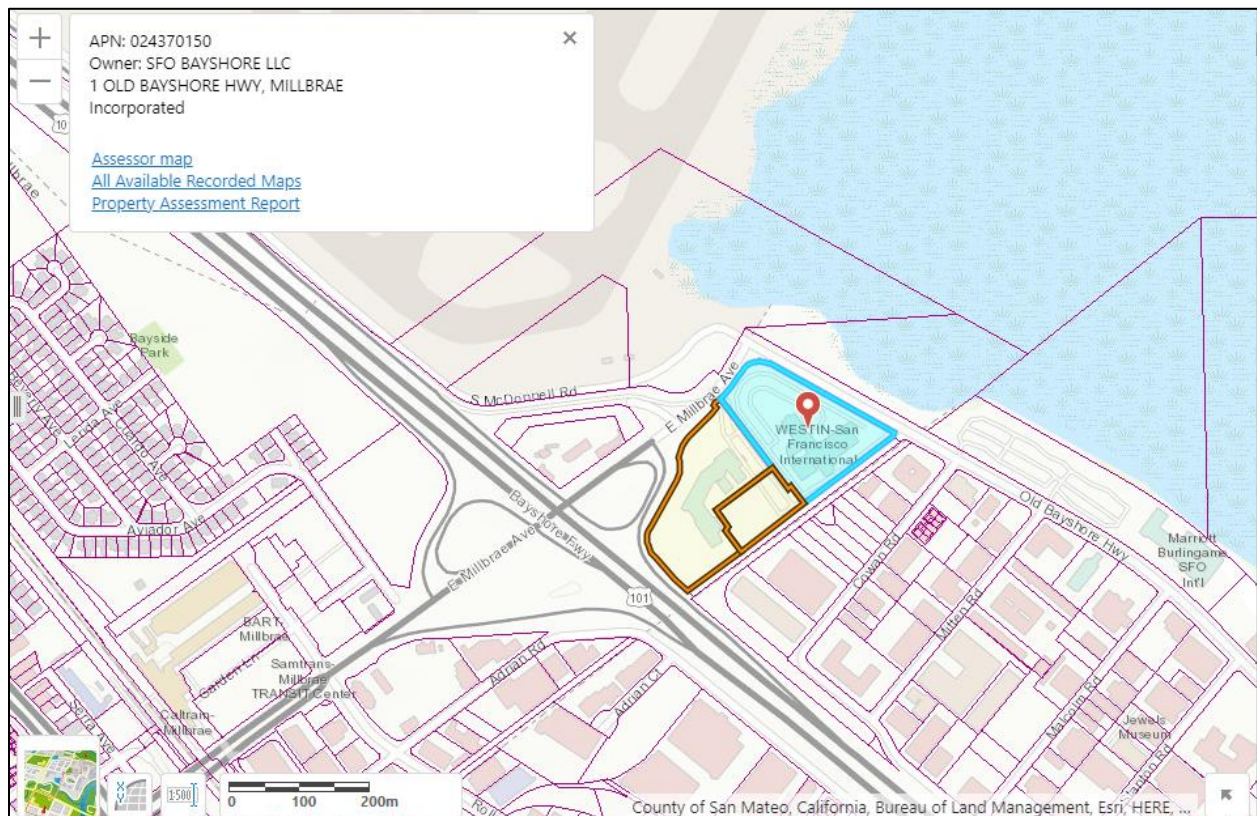
January 4, 2023

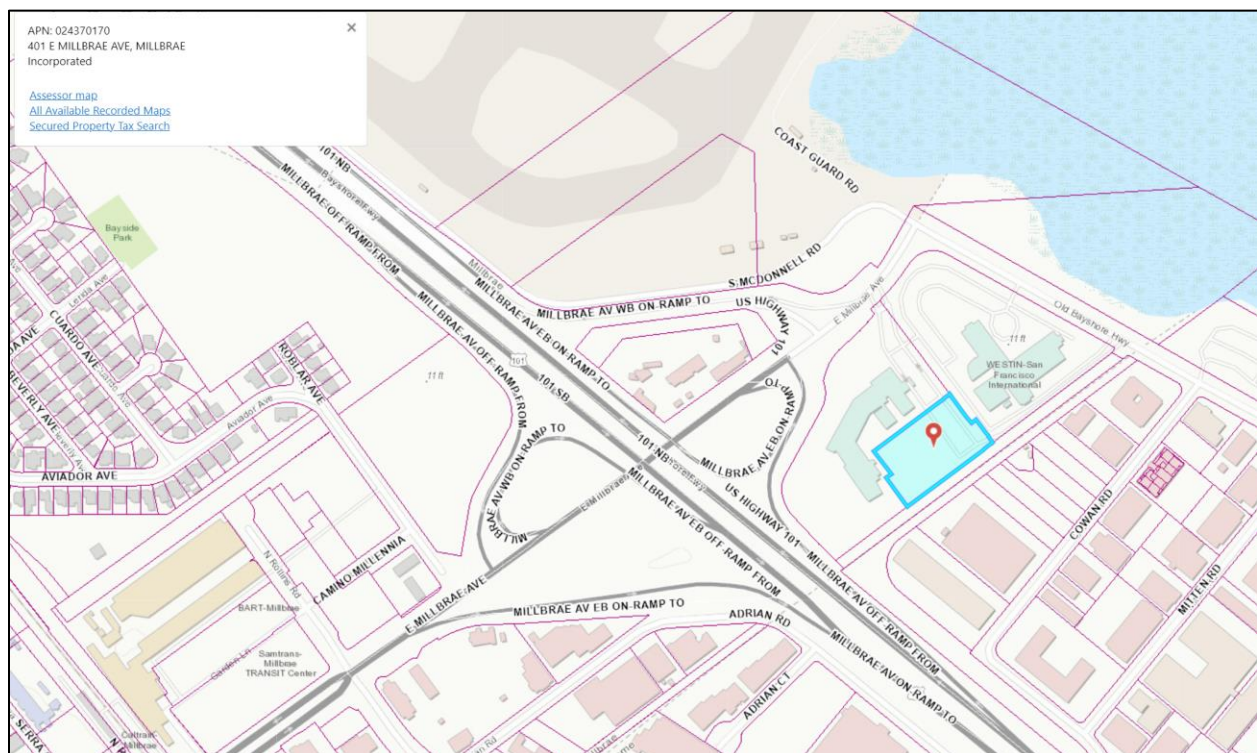
Land Use Consistency Determination: 2040 General Plan Policy Document Amendment

Project Description:

The application is for a Land Use Consistency Determination for a General Plan amendment to include clarifying language for uses allowed as office for properties in the City of Millbrae located in the general commercial land use classification and located east of U.S. 101. The uses supported in the general commercial categories will include life sciences, laboratory, technology, biotechnology, or research and development uses located east of U.S. 101. Laboratory use will be limited to Biosafety Levels 1 and 2, or may include Level 3 subject to review and approval of a Conditional Use Permit.

Properties Impacted: The properties impacted by this General Plan amendment include three parcels located at 1 Old Bayshore and 401 E Millbrae. Maps are included below for reference.





1.a) Noise

The southern half of the site lies within the 65 dB CNEL noise contour, while the northern half lies within the 70 dB CNEL noise contour. Residential uses (except

transient residential uses, like hotels) are not compatible with placement within the 70 dB CNEL contour, while other types of housing would be conditionally compatible in the 65 dB CNEL only. Most other uses would either be compatible or conditionally compatible, except for some public or institutional uses within the 70 dB CNEL contour, which are not compatible.

1.b) Safety

The Aloft/Thunderbolt parcel (024-370-110) lies within Safety Zone 3. Incompatible uses within this zone include Biosafety Level 3 and 4 facilities, children's schools and large child day care centers, hospitals, nursing homes, stadiums, and arenas. Other hazardous uses are compatible but not recommended.

1c) Height (Elevation)

Permissible elevations within these parcels are controlled by two distinct surfaces. The northern half is controlled by a transitional surface, which is a sloped surface increasing in elevation at a slope of 7:1 as it gets farther from the nearest runway (Runway 1R/19L). That surface limits elevations to as low as 130' above mean sea level (AMSL, as measured from the 0' origin of the North American Vertical Datum of 1988) along Millbrae Ave. until it reaches 163.2' AMSL, where it tops out. The remainder of the site is controlled by a horizontal surface at that 163.2' AMSL elevation.

The ground elevation in this area appears to range from about 8-10' AMSL, so the maximum permissible building heights would be 8-10' lower than the elevations described above. However, I understand that some nearby developers have been setting their ground floors even higher to account for the FEMA floodplain, so the actual permissible building heights may be slightly lower after accounting for a taller ground floor.

Existing General Plan Language, Table LU-1: Land Use Designations, Page 2-7

General Commercial: This designation provides for a full range of retail commercial uses including apparel and accessory stores, food stores, banks, personal and professional services, hospitals, offices, large format retail stores, and eating and drinking establishments. Other uses may include multi-family residential, hotels and outdoor sales.

Redlined General Plan Language

PROPOSED (REDLINED)

This designation provides for a full range of commercial uses including apparel and accessory stores, food stores, banks, personal and professional services, hospitals, offices including life sciences, laboratory, technology, biotechnology, or research and development uses, large format retail stores, and eating and drinking establishments. Other uses may include multi-family residential, hotels and outdoor sales. Life sciences, laboratory, technology, biotechnology, or research and development uses in the General Commercial classification are limited to properties located east of U.S. 101 and may contain Biosafety Levels 1, 2, or 3 only. Any use containing Biosafety Levels 2 or 3 is subject to review and approval of a Conditional Use Permit.

PROPOSED (NO MARKUPS)

General Commercial: This designation provides for a full range of commercial uses including apparel and accessory stores, food stores, banks, personal and professional services, hospitals, offices including life sciences, laboratory, technology, biotechnology, or research and development uses, large format retail stores, and eating and drinking establishments. Other uses may include multi-family residential, hotels and outdoor sales. Life sciences, laboratory, technology, biotechnology, or research and development uses in the General Commercial classification are limited to properties located east of U.S. 101 and may contain Biosafety Levels 1, 2, or 3 only. Any use containing Biosafety Levels 2 or 3 is subject to review and approval of a Conditional Use Permit.

General Plan, Page 2-7, General Commercial Section, Existing

Table LU-1: Land Use Designations	Density/Intensity Range
<p>the MSASP. The Millbrae Station Area Specific Plan designation provides for a wide variety of uses including residential, retail, hotels, employment center/light industrial, public facilities, and mixed uses.</p>	<p>other development standards.</p>
<p>Downtown and El Camino Real Specific Plan</p> <p>The Downtown and El Camino Real Specific Plan designation applies to all parcels in the Downtown and El Camino Real Specific Plan boundary outside of the Station Area and is intended to provide housing and community- and visitor-serving uses. Details on the precise mix of uses and building intensity and other standards are contained in the Downtown and El Camino Real Specific Plan. The Downtown and El Camino Real Specific Plan designation provides for a wide variety of uses including residential, retail, hotels, offices, public facilities, and mixed use.</p>	<p>The Downtown and El Camino Real Specific Plan (DT&ECR SP) contains the building FARs, residential densities and other standards.</p>
<p>General Commercial</p> <p>This designation provides for a full range of retail commercial uses including apparel and accessory stores, food stores, banks, personal and professional services, hospitals, offices, large format retail stores, and eating and drinking establishments. Other uses may include multi-family residential, hotels and outdoor sales.</p>	<p>Maximum 3.0</p>
<p>Industrial This designation provides for a wide range of industrial, manufacturing, research and development, warehousing, and automotive uses.</p>	<p>Maximum FAR 1.5</p>
<p>Public / Institutional/Utility Facilities</p> <p>This designation provides for uses that are public, quasi-public, or privately-owned but community serving in nature, including government or public agency offices/operations/corporation yards, public and private schools, childcare centers, and community centers. Other uses may include facilities owned and/or operated by public utilities to serve the public with electricity, gas, water, and communications, as well as service-commercial uses.</p>	<p>N/A</p>
<p>Parks, Recreation and Open Space</p> <p>This designation provides for public and private parks, public and private recreational uses including golf courses, open spaces, and areas that can be programmed for recreational uses.</p>	<p>N/A</p>

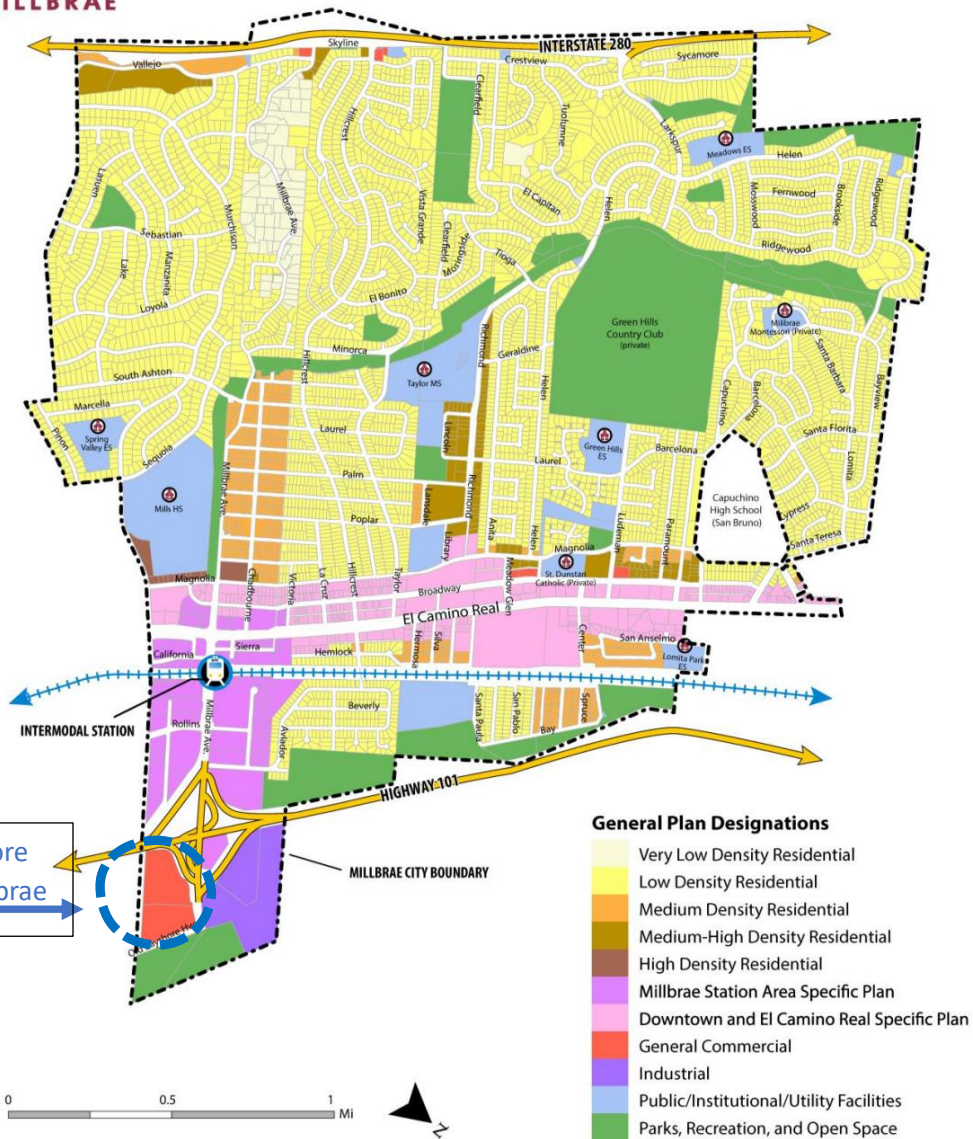
General Plan, Page 2-7, General Commercial Section, Proposed with Markups

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<p>General Commercial</p> <p>This designation provides for a full range of <u>retail</u>-commercial uses including apparel and accessory stores, food stores, banks, personal and professional services, hospitals, offices <u>including life sciences, laboratory, technology, biotechnology, or research and development uses</u>, large format retail stores, and eating and drinking establishments. Other uses may include multi-family residential, hotels and outdoor sales. <u>Life sciences, laboratory, technology, biotechnology, or research and development uses in the General Commercial classification are limited to properties located east of U.S. 101 and may contain Biosafety Levels 1, 2, or 3 only. Any use containing Biosafety Levels 2 or 3 is subject to review and approval of a Conditional Use Permit.</u></p>	<p>Maximum <u>FAR</u> 3.0</p>
<p>Industrial This designation provides for a wide range of industrial, manufacturing, research and development, warehousing, and automotive uses.</p>	<p>Maximum FAR 1.5</p>
<p>Public / Institutional/Utility Facilities</p> <p>This designation provides for uses that are public, quasi-public, or privately-owned but community serving in nature, including government or public agency offices/operations/corporation yards, public and private schools, childcare centers, and community centers. Other uses may include facilities owned and/or operated by public utilities to serve the public with electricity, gas, water, and communications, as well as service-commercial uses.</p>	<p>N/A</p>

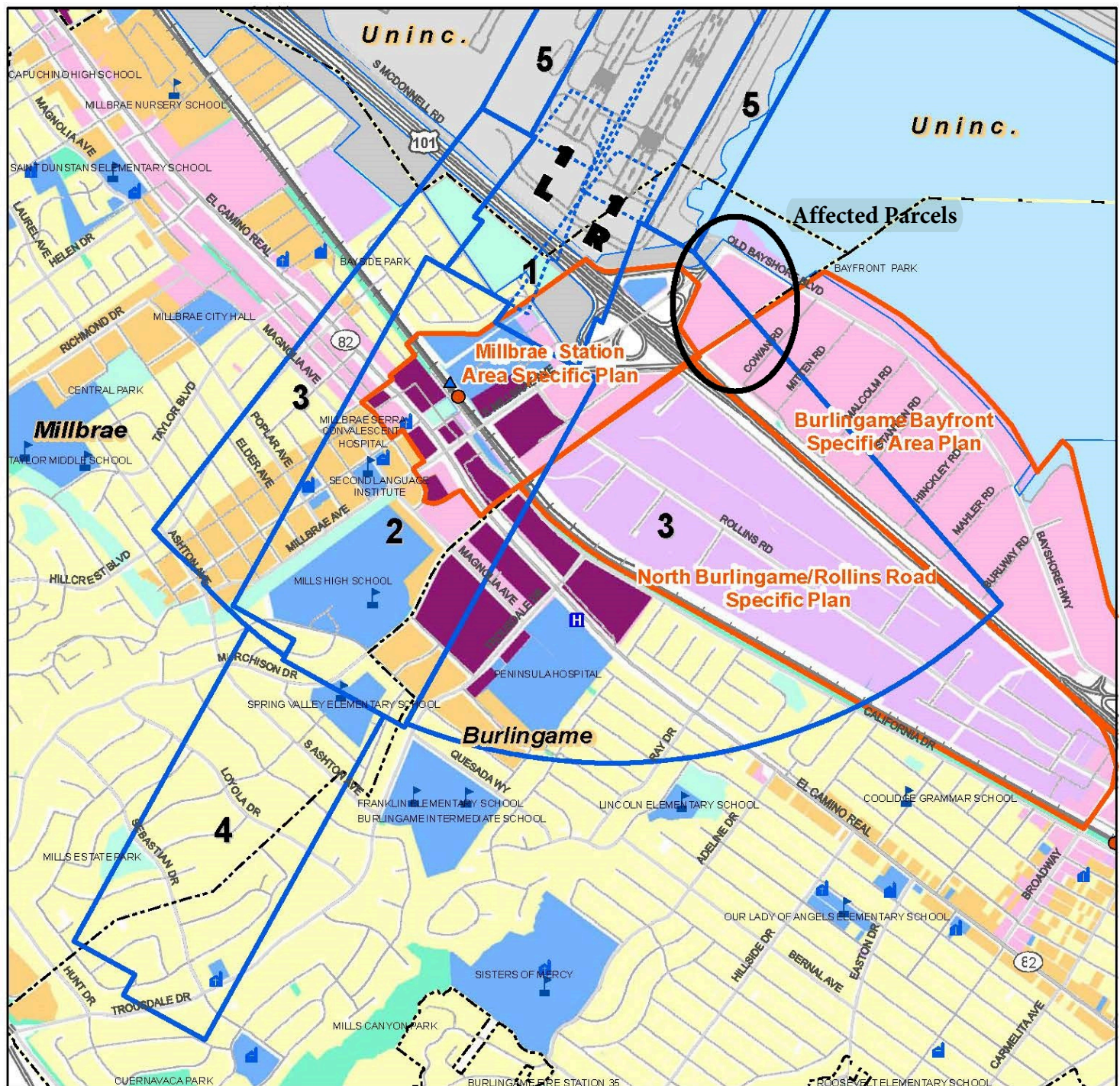
Figure 2-1 Figure LU-1 Land Use Diagram



**Figure LU-1:
Land Use Diagram**



Source: City of Millbrae, 2017; Mintier Harnish, 2018. Map Date: November 2022.



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

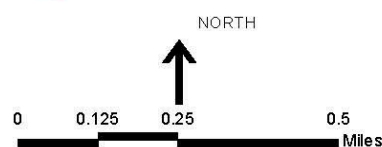


Exhibit IV-9
SAFETY COMPATIBILITY ZONES
IN THE CITIES OF BURLINGAME AND MILLBRAE
 Comprehensive Airport Land Use Plan
 for the Environs of San Francisco International Airport

C/CAG

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

Table IV-2 (1 of 2) Safety Compatibility Criteria

ZONE	LAND USE CRITERIA	
	INCOMPATIBLE ^{1/}	AVOID ^{1/}
Zone 1: Runway Protection Zone and Object Free Area (RPZ-OFA)		
	All new structures ^{3/} Places of assembly not in structures Hazardous uses ^{2/} Critical public utilities ^{2/}	Nonresidential uses except very low intensity uses ^{4/} in the “controlled activity area.” ^{2/}
Zone 2: Inner Approach/Departure Zone (IADZ)		
	Children’s schools ^{2/} Large child day care centers and noncommercial employer-sponsored centers ancillary to a place of business ^{2/} Hospitals, nursing homes Hazardous uses ^{2/} Critical public utilities ^{2/} Theaters, meeting halls, places of assembly seating more than 300 people Stadiums, arenas	---
Zone 3: Inner Turning Zone (ITZ)		
	Biosafety Level 3 and 4 facilities ^{2/} Children’s schools ^{2/} Large child day care centers ^{2/} Hospitals, nursing homes Stadiums, arenas	Hazardous uses other than Biosafety Level 3 and 4 facilities ^{2/} Critical public utilities ^{2/}
Zone 4: Outer Approach/Departure Zone (OADZ)		
	Biosafety Level 3 and 4 facilities ^{2/} Children’s schools ^{2/} Large child day care centers ^{2/} Hospitals, nursing homes Stadiums, arenas	Hazardous uses other than Biosafety Level 3 and 4 facilities ^{2/} Critical public utilities ^{2/}
Zone 5: Sideline Zone (SZ)		
	Children’s schools ^{2/} Large child day care facilities and noncommercial employer-sponsored centers ancillary to a place of business Hospitals, nursing homes Hazardous uses ^{2/} Critical public utilities ^{2/} Stadiums, arenas	---

Table IV-2 (2 of 2) Safety Compatibility Criteria

Notes:

1/	<p><i>Avoid:</i> Use is not fully compatible and should not be permitted unless no feasible alternative is available. Where use is allowed, habitable structures shall be provided with at least 50 percent more exits than required by applicable codes. Where the 50-percent factor results in a fraction, the number of additional exits shall be rounded to the next highest whole number.</p> <p><i>Incompatible</i> Use is not compatible in the indicated zones and cannot be permitted.</p>
2/	<p>Definitions</p> <ul style="list-style-type: none">o <i>Biosafety Level 3 and 4 facilities:</i> Medical and biological research facilities involving the storage and processing of extremely toxic or infectious agents. See Policy SP-3 for additional detail.o <i>Children’s schools:</i> Public and private schools serving preschool through grade 12, excluding commercial services.o <i>Controlled Activity Area:</i> The lateral edges of the RPZ, outside the Runway Safety Area (RSA) and the extension of the RSA, which extends to the outer edge of the RPZ. See FAA Advisory Circular 150/5300-13, Airport Design, Section 212a.(1)(b).o <i>Critical public utilities:</i> Facilities that, if disabled by an aircraft accident, could lead to public safety or health emergencies. They include the following: electrical power generation plants, electrical substations, wastewater treatment plants, and public water treatment facilities.o <i>Hazardous uses:</i> Uses involving the manufacture, storage, or processing of flammable, explosive ,or toxic materials that would substantially aggravate the consequences of an aircraft accident. See Policy SP-3 for additional detail.o <i>Large child day care centers:</i> Commercial facilities defined in accordance with Health and Safety Code, Section 1596.70, et seq., and licensed to serve 15 or more children. Family day care homes and noncommercial employer-sponsored facilities ancillary to place of business are allowed.
3/	<p>Structures serving specific aeronautical functions are allowed, in compliance with applicable FAA design standards.</p>
4/	<p>Examples include parking lots and outdoor equipment storage.</p>

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

ZONE 2 -- INNER APPROACH/DEPARTURE ZONE (IADZ)

In Zone 2, the IADZ, a variety of uses that involve hazardous materials, critical public utilities, theaters, meeting halls, places of assembly seating more than 300 people, stadiums, arenas, and those accommodating potentially vulnerable populations – such as children’s schools, child day care facilities, hospitals, and nursing homes – are incompatible.

ZONE 3 -- INNER TURNING ZONE (ITZ)

The compatibility criteria in Zone 3, the ITZ, are somewhat less restrictive than in Zone 2. This is because the area is subject to less accident risk by virtue of the lower density of overflights in this area. In Zone 3, stadiums, arenas, and uses accommodating potentially vulnerable populations are incompatible. Hazardous uses and critical public utilities are not incompatible in Zone 3, but are classified as uses to be avoided. This means that they should not be permitted unless no feasible alternative is available.

ZONE 4 - OUTER APPROACH/DEPARTURE ZONE (OADZ)

The compatibility criteria in Zone 4,the OADZ, are the same as in Zone 3.

ZONE 5 – SIDELINE ZONE (SZ)

The compatibility criteria in Zone 5 are the same as those in Zone 2.

SP-3 HAZARDOUS USES

Hazardous uses, facilities involving the manufacture, processing, or storage of hazardous materials, can pose serious risks to the public in case of aircraft accidents. Hazardous materials of particular concern in this ALUCP, and which are covered by the safety compatibility criteria in Table IV-2, are the following:

- A. Aboveground fuel storage** — This includes storage tanks with capacities greater than 10,000 gallons of any substance containing at least 5 percent petroleum.¹¹ Project sponsors must provide evidence of compliance with all applicable regulations prior to the issuance of development permits.
- B. Facilities where toxic substances are manufactured, processed or stored** — Proposed land use projects involving the manufacture or storage of toxic substances may be allowed if the amounts of the substances do not exceed the threshold planning quantities for hazardous and extremely hazardous substances specified by the EPA.¹²
- C. Explosives and fireworks manufacturing and storage** — Proposed land use projects involving the manufacture or storage of explosive materials may be allowed in safety zones only in compliance with the applicable regulations of the California Division of Occupational Safety and Health (Section 5252, Table EX-1). Project sponsors must provide evidence of compliance with applicable state regulations prior to the issuance of any development permits.¹³
- D. Medical and biological research facilities handling highly toxic or infectious agents** — These facilities are classified by “Biosafety Levels.”¹⁴ Biosafety Level I does not involve hazardous materials and is not subject to the restrictions on hazardous uses in Table IV-2. Definitions of the other three biosafety levels are quoted from *Biosafety in Microbiological and Biomedical Laboratories*, below.¹⁵
 - a. Biosafety Level 2 practices, equipment, and facility design and construction are applicable to clinical, diagnostic, teaching, and other laboratories in which work is done with the broad spectrum of indigenous moderate-risk agents that are present in the community

¹¹ State of California, California Health and Safety Code, Section 25270 (*Aboveground Petroleum Storage Act*).

¹² Title 40 Code of Federal Regulations Part 355, Subpart D, Appendices A & B.

¹³ California Code of Regulations, Title 8, Subchapter 7 *General Industry Safety Orders*, Group 18 *Explosives and Pyrotechnics*, Article 114 *Storage of Explosives*.

¹⁴ *Biosafety in Microbiological and Biomedical Laboratories*, 5th Edition, 2009, published by the U.S. Department of Health and Human Services in concert with the Public Health Service, Centers for Disease Control and Prevention, and National Institutes of Health, or any successor publication.

¹⁵ *Biosafety in Microbiological and Biomedical Laboratories*, 5th Edition, 2009, published by the U.S. Department of Health and Human Services in concert with the Public Health Service, Centers for Disease Control and Prevention, and National Institutes of Health, pp. 25-26.

and associated with human disease of varying severity.

- b. Biosafety Level 3 practices, safety equipment, and facility design and construction are applicable to clinical, diagnostic, teaching, research, or production facilities in which work is done with indigenous or exotic agents with a potential for respiratory transmission, and which may cause serious and potentially lethal infection.
- c. Biosafety Level 4 practices, safety equipment, and facility design and construction are applicable for work with dangerous and exotic agents that pose a high individual risk of life-threatening disease, which may be transmitted via the aerosol route and for which there is no available vaccine or therapy.

4.5 Airspace Protection

The compatibility of proposed land uses with respect to airspace protection shall be evaluated in accordance with the policies set forth in this section. These policies are established with a twofold purpose:

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

4.5.1 FEDERAL REGULATIONS REGARDING TALL STRUCTURES

14 Code of Federal Regulations (CFR) Part 77, *Safe, Efficient Use and Preservation of the Navigable Airspace*, governs the FAA's review of proposed construction exceeding certain height limits, defines airspace obstruction criteria, and provides for FAA aeronautical studies of proposed construction. **Appendix F** describes the FAA airspace review process and the extent of FAA authority related to airspace protection.

4.5.2 PART 77, SUBPART B, NOTIFICATION PROCESS

Federal regulations require any person proposing to build a new structure or alter an existing structure with a height that would exceed the elevations described in CFR Part 77, Subpart B, Section 77.9, to prepare an FAA Form 7460-1, *Notice of Proposed Construction or Alteration*, and submit the notice to the FAA. The regulations apply to buildings and other structures or portions of structures, such as mechanical equipment, flag poles, and other projections that may exceed the aforementioned elevations.



San Francisco International Airport

February 1, 2024

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

TRANSMITTED VIA EMAIL

kkalkin@smcgov.org

Subject: San Francisco International Airport's Objection to the City of Millbrae's Proposed Amendment to the Millbrae General Plan

Dear Susy:

Thank you for the opportunity for San Francisco International Airport (SFO or the Airport) to comment on the City of Millbrae's (City) proposed amendment to the Millbrae General Plan, which would expand the types of office uses that are allowed under the General Commercial land use designation. We appreciate this opportunity to coordinate with the Airport Land Use Commission (ALUC) in evaluating the proposed amendment.

As described in the City's application for the proposed amendment, land uses that are currently allowed under the General Commercial land use designation include retail commercial uses such as "apparel and accessory stores, food stores, banks, personal and professional services, hospitals, offices, large-format retail stores, and eating and drinking establishments." The proposed amendment would expand the types of office uses that would be allowed under the General Commercial land use designation. Specifically, the definition of office use would be amended to include life science, laboratory, technology, biotechnology, or research and development uses. These land uses would be allowed on properties in an area east of U.S. Highway 101 and south of Millbrae Avenue (Assessor's Parcel Numbers 024-370-150, 024-370-160, and 024-370-170). These land uses would be limited to Biosafety Level 1, 2, or 3 facilities, and Biosafety Level 2 and 3 facilities would require approval of a Conditional Use Permit by the Millbrae Planning Commission.

The area east of U.S. Highway 101 and south of Millbrae Avenue is within Safety Zone 3: Inner Turning Zone, as shown on Exhibits IV-7 and IV-9 of the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport* (SFO ALUCP). Safety Compatibility Policy SP-2 of the SFO ALUCP specifically prohibits Biosafety 3 facilities within Safety Zone 3 and recommends that Biosafety Level 2 facilities be avoided within Safety Zone 3 unless no feasible alternative is available (see **Attachment A**). Furthermore, the *California Airport Land Use Planning Handbook*, published by the Caltrans Division of Aeronautics, provides policy guidance for implementation of the ALUCP and notes that "manufacturing, storage, or use of hazardous materials may warrant special consideration depending upon the specific materials and quantities. The concern is whether an aircraft accident could cause an explosion or release of toxic materials, thus posing dangers to the nearby population ... Specifically, locations where the manufacturing or bulk storage of hazardous materials should be avoided include safety zones one through five."¹ The proposed amendment is not consistent with Safety Compatibility Policy SP-2 or the *California Airport Land Use Planning Handbook* and is not supported by evidence demonstrating that allowing Biosafety Level 2 and 3 facilities within Safety Zone 3 would not pose an unacceptable risk to public safety.

¹ Caltrans Division of Aeronautics, *California Airport Land Use Planning Handbook*, October 2011, p. 4-30.

Susy Kalkin, ALUC
February 1, 2024
Page 2 of 2

The proposed amendment to allow Biosafety Level 2 and 3 facilities within Safety Zone 3 is inconsistent with the SFO ALUCP and poses an unreasonable public safety hazard by exposing residents and businesses in Millbrae to greater potential harm in the event of an aircraft accident. The Airport recommends that the ALUC determine that the proposed amendment is incompatible with the SFO ALUCP. Should the ALUC determine that the proposed amendment is incompatible with the SFO ALUCP, the City may choose to override the ALUC determination by holding a public hearing on the override action, making specific findings that the proposed local action is consistent with the purposes of the state airport land use commission statutes, and the City Council approves of the override action by a two-thirds majority vote.² If the City were to override an ALUC determination of incompatibility for the proposed amendment, the Airport would be immune from liability for damages resulting directly or indirectly from allowing Biosafety Level 2 and 3 facilities in Safety Zone 3 under state law.³

The Airport does not object to Biosafety Level 2 and 3 facilities in areas that specifically cater to and provide appropriate containment for that type of research. However, such facilities are not suitable near the ends of runways and should be sited farther away from the areas near the Airport that have been identified by empirical research as posing an unacceptable risk to public safety. The City should carefully consider the health, safety, and well-being of its citizens in the event of an aircraft accident in Safety Zone 3.

* * *

The Airport appreciates your consideration of these comments. If I can be of assistance, please do not hesitate to contact me at (650) 821-6678 or at nupur.sinha@flysfo.com.

Sincerely,

DocuSigned by:
Nupur Sinha
7D552AE6A4CE495...

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

Attachment

SFO ALUCP Safety Compatibility Policies

cc: Tom Williams, City of Millbrae, City Manager
Audrey Park, SFO, Environmental Affairs Manager
Chris DiPrima, SFO, Acting Airport Planning Manager

² Cal. Pub. Util. Code § 21676(b).

³ Cal. Pub. Util. Code § 21678.

NP-4.3 Residential Subdivisions and Lot Splits are Incompatible within CNEL 70 dB Contour

The subdivision of land and the splitting of lots to enable the construction of additional housing within the CNEL 70 dB contour shall be incompatible and inconsistent with this ALUCP.

NP-4.4 Residential Rezonings are Incompatible Within CNEL 70 dB Contour

The rezoning of land for residential use within the CNEL 70 dB contour shall be considered incompatible and inconsistent with this ALUCP.

4.4 Safety Compatibility Policies

The safety compatibility policies are established with a twofold purpose:

1. To protect the public health, safety, and welfare by minimizing the public's exposure to the risk associated with potential aircraft accidents in the Airport vicinity.
2. To protect the public interest in providing for the orderly development of SFO by preventing the creation of new safety problems in the Airport environs.

Compared to noise, safety is a much more difficult concern to address in airport/land use compatibility policies. A major reason is that safety policies address uncertain events that may occasionally occur with aircraft operations, whereas noise policies deal with known, more or less predictable, events that occur with every aircraft operation.

Because aircraft accidents happen infrequently, and the time, place, and consequences of their occurrence cannot be accurately predicted, the concept of risk is central to the assessment of safety compatibility. In terms of airport/land use compatibility planning, two questions must be addressed to determine the relative degree of risk posed by potential aircraft accidents in various locations:

- Accident Frequency – Where and when do aircraft accidents typically occur in the vicinity of an airport?
- Accident Severity – What aircraft and land use characteristics contribute to the consequences of an accident when one occurs?

The overall objective of safety compatibility guidelines is to minimize the risks associated with potential aircraft accidents. There are two components to this objective:

- Safety of Persons on the Ground – The most fundamental safety compatibility component is to provide for the safety of people and property on the ground in the event of an aircraft accident near an airport.
- Safety of Aircraft Occupants – The other safety compatibility component is to enhance the chances of survival of the occupants of an aircraft involved in an accident that occurs beyond the runway environment.

The Caltrans *Airport Land Use Planning Handbook* provides guidance on the delineation of safety zones and the application of land use policies in those zones.⁵ The safety zones at SFO are based on the *Handbook* guidance, with adjustments to reflect the specific operating characteristics of the Airport. The safety compatibility policy framework is also based on *Handbook* guidance. The safety compatibility policies of this ALUCP were designed to work in tandem with the airspace protection policies, described in Section 4.5. The land use compatibility standards established in Table IV-2 restrict the development of land uses that could pose particular hazards to the public or to vulnerable populations in case of an aircraft accident.⁶ The maximum building height limits established under the airspace protection policies in Section 4.5 are set at the lowest elevation of the combined airspace surfaces at SFO, including Part 77 airport obstruction surfaces, TERPS obstacle clearance surfaces, and one-engine inoperative clearance surfaces. The airspace surfaces are generally lowest immediately off the runway ends in the safety zones. This maximum height restriction effectively limits the maximum density of residential uses and the intensity of nonresidential uses.⁷

The following safety compatibility policies (SP) shall apply to the ALUCP.

SP-1 SAFETY COMPATIBILITY ZONES

Exhibit IV-7 depicts the safety compatibility zones in the vicinity of SFO. Five zones are established, as follows:

- **Zone 1 -- Runway Protection Zone and Object Free Area (RPZ-OFA):** Zone 1 includes the RPZ and the OFA, areas defined according to FAA airport design criteria.⁸ The RPZ is a trapezoid-shaped area off each runway end, with the dimensions based on the runway approach visibility minimums and the type of aircraft using the runway. The OFA is a rectangular area centered on each runway within which objects, other than those serving a specific aeronautical purpose, are to be prohibited. Zone 1 is an area of relatively high accident risk that FAA encourages airport proprietors to own and keep free of objects, structures, and incompatible uses, including places of assembly (housing, churches, schools, shopping centers, hospitals, and the like), fuel storage, and wildlife attractants.
- **Zone 2 -- Inner Approach/Departure Zone (IADZ):** Zone 2, the IADZ, is designated along the extended centerline of each runway beginning at the outer edge of the RPZ. It is an area of secondary accident risk that tends to be overflown by most aircraft arrivals and departures off each runway end.
- **Zone 3 -- Inner Turning Zone (ITZ):** Zone 3, the ITZ, lies alongside the RPZ and IADZ. It is an area overflown by aircraft making turns at low altitude immediately after takeoff. It tends

⁵ California Department of Transportation, Division of Aeronautics, *California Airport Land Use Planning Handbook*, October 2011, pp. 3-11 – 3-28, 4-13 – 4-34, and Appendices E and F.

⁶ For purposes of this ALUCP, vulnerable populations are those with effective limited mobility, including hospital and nursing home patients and children in schools and day care centers.

⁷ The Caltrans *Handbook* measures residential density in dwelling units per acre and nonresidential intensity in people (occupants) per acre. The rationale for the definition of safety zones and policies is discussed in greater detail in **Appendix E** of this ALUCP.

⁸ FAA Advisory Circular 150/5300-13, *Airport Design*, Section 211 and 307.

to be subject to lower accident risk than the IADZ.

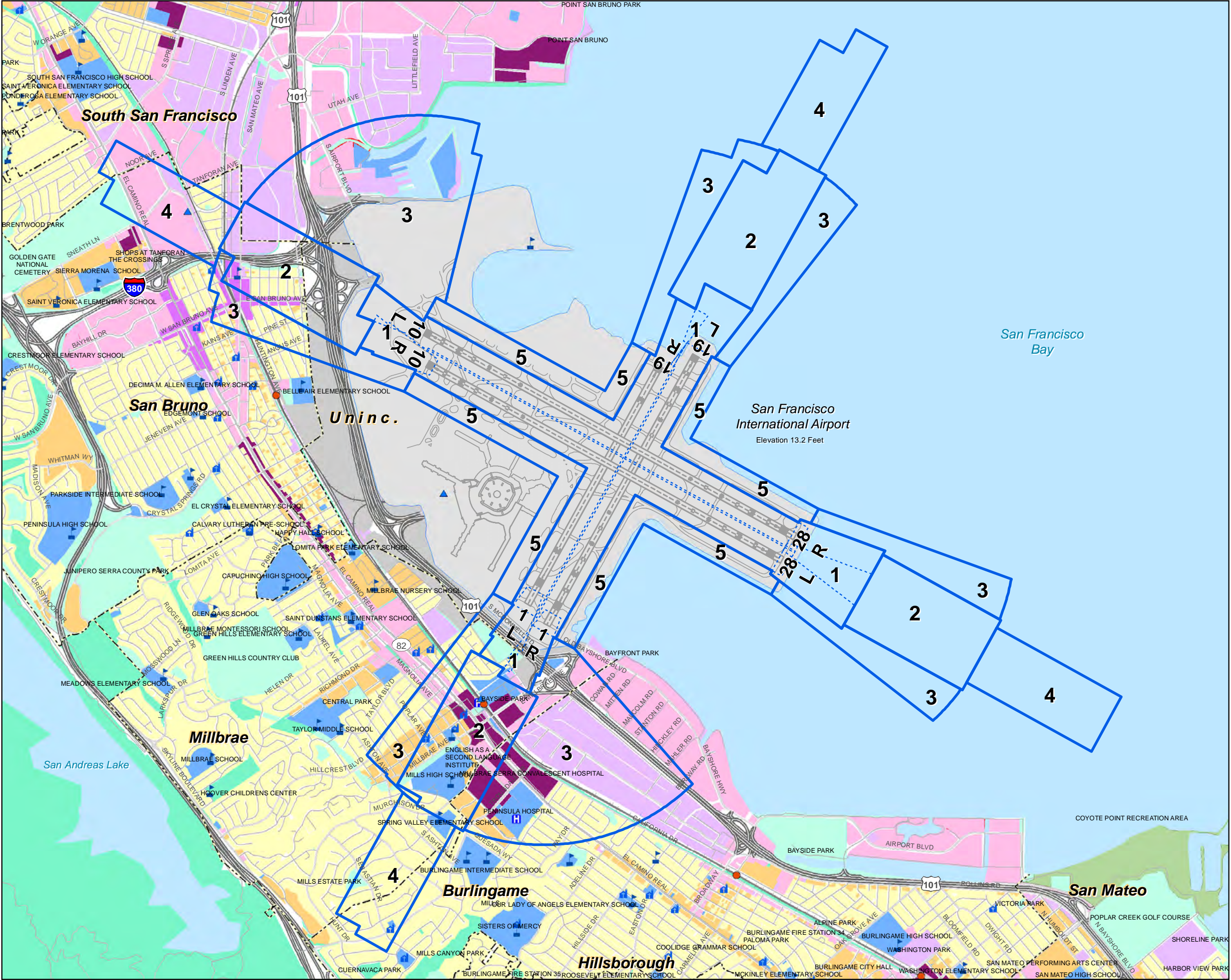
- **Zone 4 -- Outer Approach/Departure Zone (OADZ):** Zone 4, the OADZ, extends along the extended runway centerline immediately beyond the IADZ. It is subject to overflights of aircraft on approach and straight-out departures. At SFO, the OADZ off the west end of Runways 10R-28L and 10L-28R is overflown by a high proportion of departures using Runways 28L and 28R, especially long-haul departures by heavy, wide-body aircraft.
- **Zone 5 – Sideline Zone (SZ):** Zone 5, the SZ, is a rectangular area centered on each runway centerline with a width of 2,000 feet and a length extending 200 feet beyond each runway end. This area is subject to accident risks associated with aircraft losing directional control on takeoff or after landing. At SFO, the SZ is entirely on Airport property.

Exhibit IV-8 presents a close-up view of the safety zones off the west end of Runways 10L-28R and 10R-28L. The RPZs have the following dimensions: 500-foot inner width, 1,010-foot outer width, and 1,700-foot length.

Zone 2 (the IADZ) off each runway extends 4,300 feet beyond the RPZ, with the lateral boundaries extending 750 feet on either side of the extended runway centerline. Zone 4, (the OADZ) extends 4,000 feet beyond Zone 2, with the lateral boundaries extending 500 feet either side of the extended runway centerline.

Zone 3, (the ITZ) extends 6,000 feet from the inner edge of the RPZ on both sides of Zone 2. On the north side, the shape of Zone 3 is designed to capture the area overflown by departures turning right on standard instrument departure routes.⁹ The eastern boundary follows a radial 75 degrees northeast of the extended runway centerline.

⁹ Three published instrument departures at SFO require aircraft using Runways 28L and 28R to turn right immediately after takeoff – the Quiet Two, the Rebas, and the Shoreline One departures. <http://www.airnav.com/airport/KSFO>, accessed February 20, 2012.



LEGEND

Safety Compatibility Zones

- 1 - Runway Protection Zone-Object Free Area
- 2 - Inner Approach/Departure Zone
- 3 - Inner Turning Zone
- 4 - Outer Approach/Departure Zone
- 5 - Sideline Zone

Internal boundaries of ALP-defined areas

Airport Property

- BART Station
- CALTRAIN Station
- School
- Place of Worship
- Hospital

Municipal Boundary

Railroad

Freeway

Road

Planned Land Use Per General Plans:

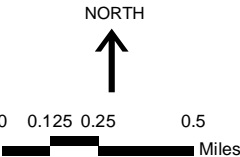
- Public
- Multi-Family Residential
- Single Family Residential
- Mixed Use
- Transit Oriented Development
- Commercial
- Industrial, Transportation, and Utilities
- Local Park, Golf Course, Cemetery
- Regional Park or Recreation Area
- Open Space
- Planned use not mapped

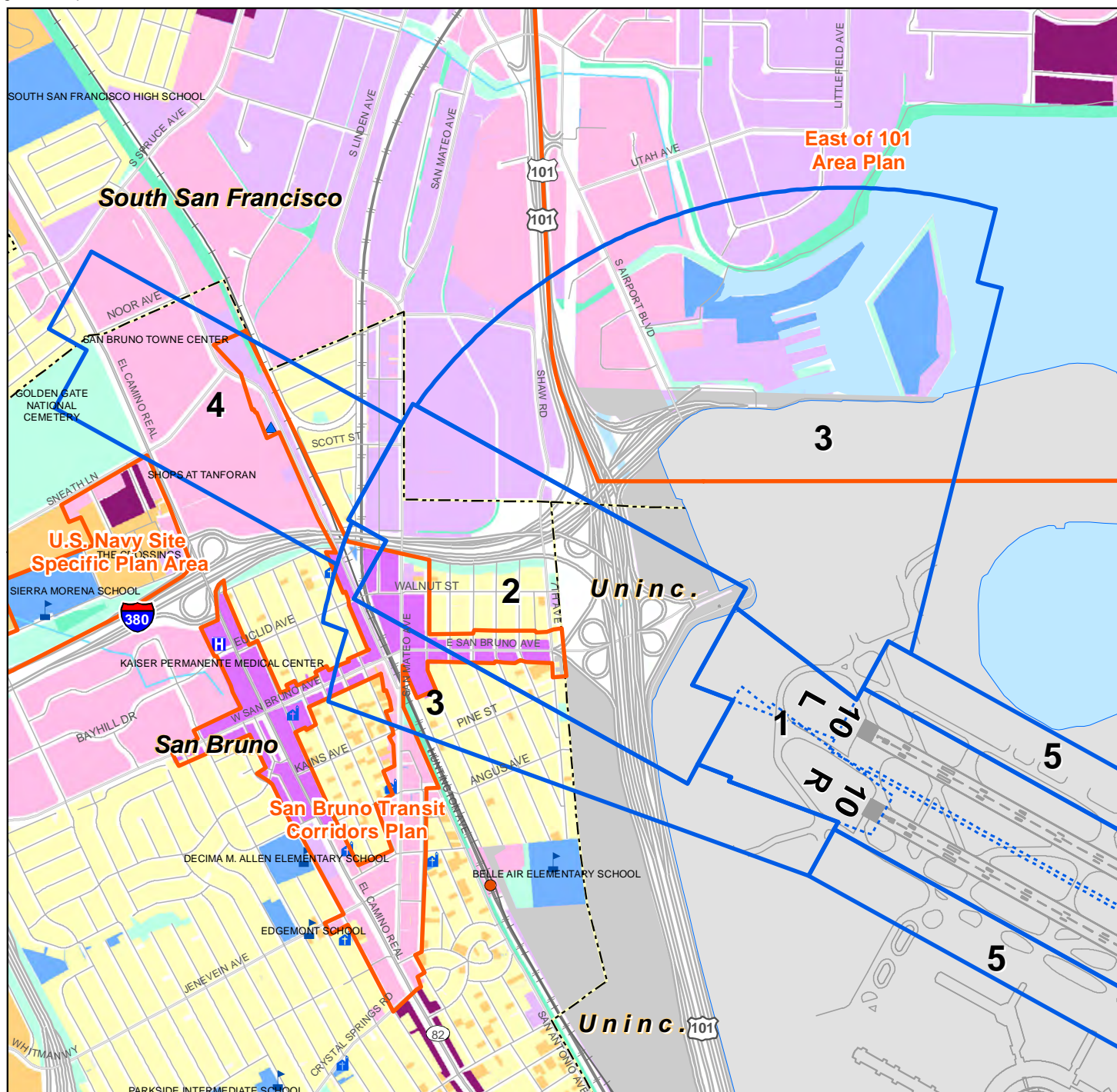
Sources:

Safety Compatibility Zones:
- Jacobs Consultancy Team, 2009; Ricondo & Associates, Inc., 2011

County Base Maps:
- San Mateo County Planning & Building Department, 2007















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





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

Exhibit IV-8

SAFETY COMPATIBILITY ZONES IN THE CITIES OF SOUTH SAN FRANCISCO AND SAN BRUNO

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

C/CAG

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

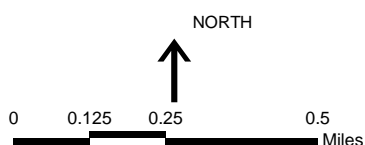


Exhibit IV-9 depicts the safety zones off the south end of Runways 1L-19R and 1R-19L. In Zone 1, the RPZs have a 500-foot inner width, 1,010-foot outer width and 1,700-foot length. Zone 2 (the IADZ) extends 4,300 feet from the outer edge of the RPZ and is 1,500 feet wide, centered on the extended runway centerline. Zone 3 (the ITZ) extends 6,000 feet from the inner edge of each RPZ. On the east side, Zone 3 is fanned 70 degrees east of the extended runway centerline. This reflects the left departure turns made by nearly all aircraft taking off on Runways 19L and 19R and 19R.¹⁰ Zone 4, the OADZ, extends 4,000 feet beyond the end of Zone 2.

SP-2 SAFETY COMPATIBILITY LAND USE CRITERIA

The land use compatibility criteria for safety are established in **Table IV-2**. The safety compatibility criteria are generally based on the guidelines provided in the *California Airport Land Use Planning Handbook*, although modifications have been made in recognition of the intense level of existing development in the airport vicinity. See Appendix E for a discussion of the factors that were considered in establishing the safety compatibility policies.

The criteria include two categories – uses that are incompatible and uses that should be avoided in the respective zones.

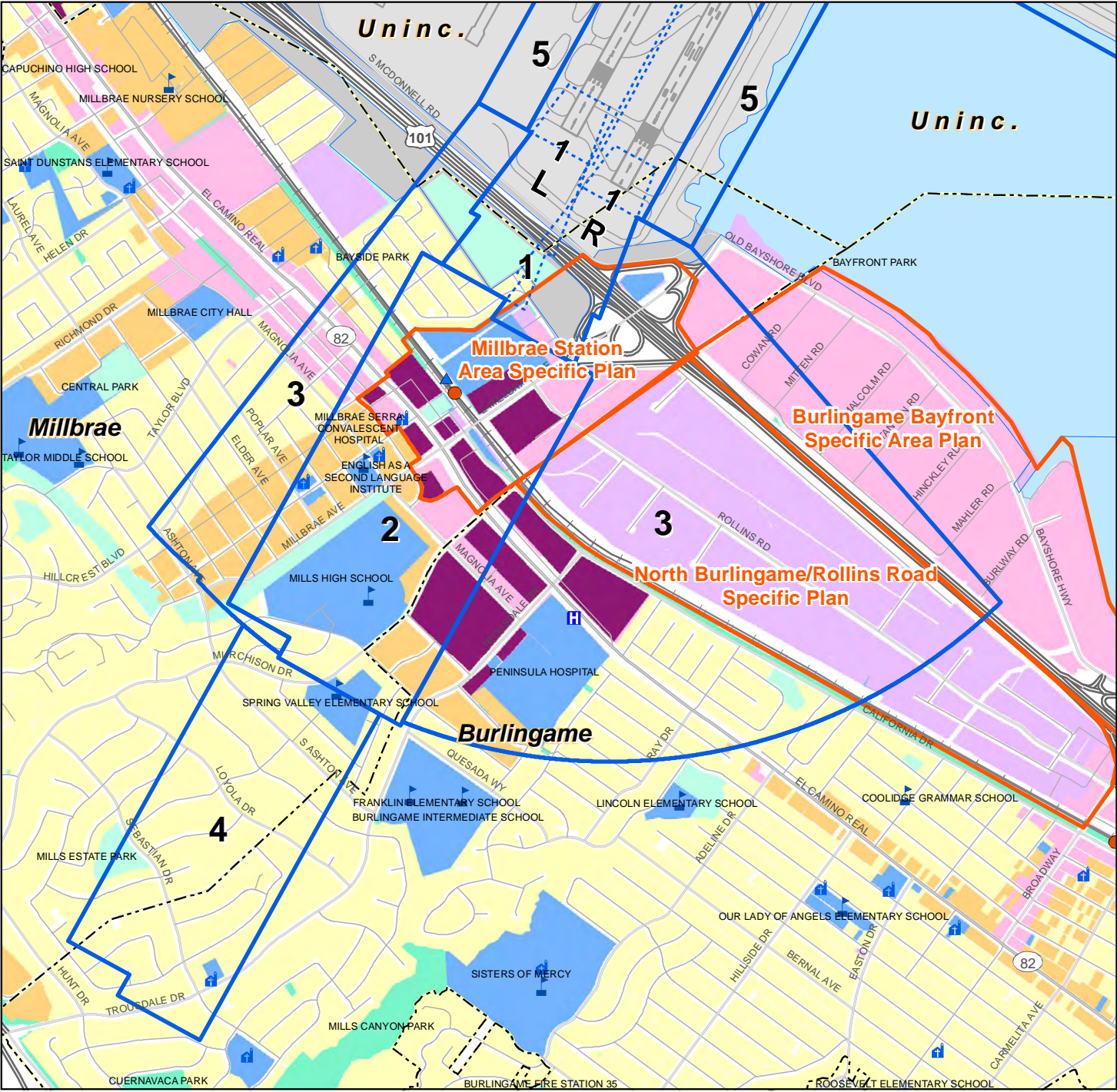
- Incompatible Uses – uses that are incompatible within the safety zone.
- Uses to be Avoided – uses that should not be allowed in the safety zone unless no feasible alternative is available, as determined by the land use agency with permitting authority. Where these uses are allowed, habitable structures shall be provided with at least 50 percent more exits than required by applicable codes. If the 50 percent calculation results in a fraction, the fractional number shall be rounded up to the next whole number.

ZONE I – RUNWAY PROTECTION ZONE AND OBJECT FREE AREA (RPZ-OFA)

Zone I is the zone where the accident risk is highest. At SFO, the RPZs for Runways 10R and 10L are on Airport property or on public highway right-of-way. Most of the RPZs for Runways 1L and 1R are on Airport property or public right-of-way. Part of the RPZs lie in Bayside Park and small areas extend onto private property. All of the OFAs (Object Free Areas) are on Airport property.

The compatibility criteria presented in Table IV-2 declare that all new structures in Zone I are incompatible. All but very low intensity nonresidential uses, at the outer edges of the RPZs, are to be avoided. Examples of potentially acceptable nonresidential uses include parking lots and outdoor equipment storage.

¹⁰ All published instrument departure procedures for Runways 19L and 19R require aircraft to turn left immediately after takeoff. <http://www.airnav.com/airport/KSFO>, accessed February 20, 2012.



LEGEND

Safety Compatibility Zones

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

Planned Land Use Per General Plans

- Public
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- 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

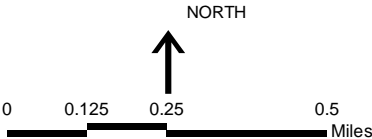


Table IV-2 (1 of 2) Safety Compatibility Criteria

ZONE	LAND USE CRITERIA	
	INCOMPATIBLE ^{1/}	AVOID ^{1/}
Zone 1: Runway Protection Zone and Object Free Area (RPZ-OFA)		
	All new structures ^{3/} Places of assembly not in structures Hazardous uses ^{2/} Critical public utilities ^{2/}	Nonresidential uses except very low intensity uses ^{4/} in the “controlled activity area.” ^{2/}
Zone 2: Inner Approach/Departure Zone (IADZ)		
	Children’s schools ^{2/} Large child day care centers and noncommercial employer-sponsored centers ancillary to a place of business ^{2/} Hospitals, nursing homes Hazardous uses ^{2/} Critical public utilities ^{2/} Theaters, meeting halls, places of assembly seating more than 300 people Stadiums, arenas	---
Zone 3: Inner Turning Zone (ITZ)		
	Biosafety Level 3 and 4 facilities ^{2/} Children’s schools ^{2/} Large child day care centers ^{2/} Hospitals, nursing homes Stadiums, arenas	Hazardous uses other than Biosafety Level 3 and 4 facilities ^{2/} Critical public utilities ^{2/}
Zone 4: Outer Approach/Departure Zone (OADZ)		
	Biosafety Level 3 and 4 facilities ^{2/} Children’s schools ^{2/} Large child day care centers ^{2/} Hospitals, nursing homes Stadiums, arenas	Hazardous uses other than Biosafety Level 3 and 4 facilities ^{2/} Critical public utilities ^{2/}
Zone 5: Sideline Zone (SZ)		
	Children’s schools ^{2/} Large child day care facilities and noncommercial employer-sponsored centers ancillary to a place of business Hospitals, nursing homes Hazardous uses ^{2/} Critical public utilities ^{2/} Stadiums, arenas	---

Table IV-2 (2 of 2) Safety Compatibility Criteria

Notes:

1/

Avoid: Use is not fully compatible and should not be permitted unless no feasible alternative is available. Where use is allowed, habitable structures shall be provided with at least 50 percent more exits than required by applicable codes. Where the 50-percent factor results in a fraction, the number of additional exits shall be rounded to the next highest whole number.

Incompatible Use is not compatible in the indicated zones and cannot be permitted.

2/

Definitions

- Biosafety Level 3 and 4 facilities:* Medical and biological research facilities involving the storage and processing of extremely toxic or infectious agents. See Policy SP-3 for additional detail.
- Children’s schools:* Public and private schools serving preschool through grade 12, excluding commercial services.
- Controlled Activity Area:* The lateral edges of the RPZ, outside the Runway Safety Area (RSA) and the extension of the RSA, which extends to the outer edge of the RPZ. See FAA Advisory Circular 150/5300-13, Airport Design, Section 212a.(1)(b).
- Critical public utilities:* Facilities that, if disabled by an aircraft accident, could lead to public safety or health emergencies. They include the following: electrical power generation plants, electrical substations, wastewater treatment plants, and public water treatment facilities.
- Hazardous uses:* Uses involving the manufacture, storage, or processing of flammable, explosive ,or toxic materials that would substantially aggravate the consequences of an aircraft accident. See Policy SP-3 for additional detail.
- Large child day care centers:* Commercial facilities defined in accordance with Health and Safety Code, Section 1596.70, et seq., and licensed to serve 15 or more children. Family day care homes and noncommercial employer-sponsored facilities ancillary to place of business are allowed.

3/

Structures serving specific aeronautical functions are allowed, in compliance with applicable FAA design standards.

4/

Examples include parking lots and outdoor equipment storage.

SOURCE:

Ricondo & Associates, Inc., June 2012.

PREPARED BY:

Ricondo & Associates, Inc., June 2012.

ZONE 2 -- INNER APPROACH/DEPARTURE ZONE (IADZ)

In Zone 2, the IADZ, a variety of uses that involve hazardous materials, critical public utilities, theaters, meeting halls, places of assembly seating more than 300 people, stadiums, arenas, and those accommodating potentially vulnerable populations – such as children’s schools, child day care facilities, hospitals, and nursing homes – are incompatible.

ZONE 3 -- INNER TURNING ZONE (ITZ)

The compatibility criteria in Zone 3, the ITZ, are somewhat less restrictive than in Zone 2. This is because the area is subject to less accident risk by virtue of the lower density of overflights in this area. In Zone 3, stadiums, arenas, and uses accommodating potentially vulnerable populations are incompatible. Hazardous uses and critical public utilities are not incompatible in Zone 3, but are classified as uses to be avoided. This means that they should not be permitted unless no feasible alternative is available.

ZONE 4 - OUTER APPROACH/DEPARTURE ZONE (OADZ)

The compatibility criteria in Zone 4,the OADZ, are the same as in Zone 3.

ZONE 5 – SIDELINE ZONE (SZ)

The compatibility criteria in Zone 5 are the same as those in Zone 2.

SP-3 HAZARDOUS USES

Hazardous uses, facilities involving the manufacture, processing, or storage of hazardous materials, can pose serious risks to the public in case of aircraft accidents. Hazardous materials of particular concern in this ALUCP, and which are covered by the safety compatibility criteria in Table IV-2, are the following:

- A. Aboveground fuel storage** — This includes storage tanks with capacities greater than 10,000 gallons of any substance containing at least 5 percent petroleum.¹¹ Project sponsors must provide evidence of compliance with all applicable regulations prior to the issuance of development permits.
- B. Facilities where toxic substances are manufactured, processed or stored** — Proposed land use projects involving the manufacture or storage of toxic substances may be allowed if the amounts of the substances do not exceed the threshold planning quantities for hazardous and extremely hazardous substances specified by the EPA.¹²
- C. Explosives and fireworks manufacturing and storage** — Proposed land use projects involving the manufacture or storage of explosive materials may be allowed in safety zones only in compliance with the applicable regulations of the California Division of Occupational Safety and Health (Section 5252, Table EX-1). Project sponsors must provide evidence of compliance with applicable state regulations prior to the issuance of any development permits.¹³
- D. Medical and biological research facilities handling highly toxic or infectious agents** — These facilities are classified by “Biosafety Levels.”¹⁴ Biosafety Level I does not involve hazardous materials and is not subject to the restrictions on hazardous uses in Table IV-2. Definitions of the other three biosafety levels are quoted from *Biosafety in Microbiological and Biomedical Laboratories*, below.¹⁵
 - a. Biosafety Level 2 practices, equipment, and facility design and construction are applicable to clinical, diagnostic, teaching, and other laboratories in which work is done with the broad spectrum of indigenous moderate-risk agents that are present in the community

¹¹ State of California, California Health and Safety Code, Section 25270 (*Aboveground Petroleum Storage Act*).

¹² Title 40 Code of Federal Regulations Part 355, Subpart D, Appendices A & B.

¹³ California Code of Regulations, Title 8, Subchapter 7 *General Industry Safety Orders*, Group 18 *Explosives and Pyrotechnics*, Article 114 *Storage of Explosives*.

¹⁴ *Biosafety in Microbiological and Biomedical Laboratories*, 5th Edition, 2009, published by the U.S. Department of Health and Human Services in concert with the Public Health Service, Centers for Disease Control and Prevention, and National Institutes of Health, or any successor publication.

¹⁵ *Biosafety in Microbiological and Biomedical Laboratories*, 5th Edition, 2009, published by the U.S. Department of Health and Human Services in concert with the Public Health Service, Centers for Disease Control and Prevention, and National Institutes of Health, pp. 25-26.

and associated with human disease of varying severity.

- b. Biosafety Level 3 practices, safety equipment, and facility design and construction are applicable to clinical, diagnostic, teaching, research, or production facilities in which work is done with indigenous or exotic agents with a potential for respiratory transmission, and which may cause serious and potentially lethal infection.
- c. Biosafety Level 4 practices, safety equipment, and facility design and construction are applicable for work with dangerous and exotic agents that pose a high individual risk of life-threatening disease, which may be transmitted via the aerosol route and for which there is no available vaccine or therapy.

4.5 Airspace Protection

The compatibility of proposed land uses with respect to airspace protection shall be evaluated in accordance with the policies set forth in this section. These policies are established with a twofold purpose:

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

4.5.1 FEDERAL REGULATIONS REGARDING TALL STRUCTURES

14 Code of Federal Regulations (CFR) Part 77, *Safe, Efficient Use and Preservation of the Navigable Airspace*, governs the FAA's review of proposed construction exceeding certain height limits, defines airspace obstruction criteria, and provides for FAA aeronautical studies of proposed construction. **Appendix F** describes the FAA airspace review process and the extent of FAA authority related to airspace protection.

4.5.2 PART 77, SUBPART B, NOTIFICATION PROCESS

Federal regulations require any person proposing to build a new structure or alter an existing structure with a height that would exceed the elevations described in CFR Part 77, Subpart B, Section 77.9, to prepare an FAA Form 7460-1, *Notice of Proposed Construction or Alteration*, and submit the notice to the FAA. The regulations apply to buildings and other structures or portions of structures, such as mechanical equipment, flag poles, and other projections that may exceed the aforementioned elevations.