

C/CAG

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AIRPORT LAND USE COMMITTEE (ALUC) AGENDA

Date: Thursday, March 28, 2024	Join by Zoom Webinar: https://us02web.zoom.us/j/81335481228?pwd=eEQ2cmI4VzUrRHk0Nk4ybKZ4cWtDUT09
Time: 4:30 p.m.	Webinar ID: 813 3548 1228
Location: Burlingame Community Center 850 Burlingame Avenue Burlingame, CA	Passcode: 839437
	Join by Phone: (669) 900-6833

HYBRID MEETING - IN-PERSON AND BY VIDEOCONFERENCE

This meeting of the Airport Land Use Committee will be held in person and by teleconference pursuant to Government Code Section 54953(e). Members of the public will be able to participate in the meeting remotely via the Zoom platform or in person at the location above. For information regarding how to participate in the meeting, either in person or remotely, please refer to the instructions at the end of the agenda.

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- | | | |
|-----------------------------------------------------------|----------------------------------------|--------|
| 1. Call to Order/Roll Call | Action
(O'Connell) | |
| 2. Public Comment on Items not on the Agenda | Limited to 2
minutes per
speaker | |
| 3. Approval of Minutes for the February 22, 2024 meeting. | Action
(O'Connell) | Page 1 |

- | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|---------|
| 4. San Francisco International Airport Comprehensive Airport Land Use Compatibility Plan Consistency Review – Proposed amendments to the Millbrae Downtown & El Camino Real Specific Plan and Zoning Map to extend the “Commercial Preference Area” overlay to encompass additional parcels along the El Camino Real frontage and allow increased heights up to 100 feet for residential mixed-use developments in this overlay area for parcels zoned “Residential Focused Mixed Use”. | Action
(Kalkin) | Page 6 |
| 5. San Carlos Airport and San Francisco International Airport Land Use Compatibility Plan Consistency Review – Proposed amendments to the Foster City General Plan, Zoning Map and Zoning text, including addition of Airport Land Use Compatibility Plan consistency criteria. | Action
(Kalkin) | Page 29 |
| 6. Member Comments/Announcements | Information | |
| 7. Items from Staff | Information | |
| 8. Adjournment – <i>Next regular meeting – Apr. 25, 2024</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.

ADA Requests: 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.

PUBLIC PARTICIPATION DURING HYBRID MEETINGS: During hybrid meetings of the ALUC, members of the public may address the Committee as follows:

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.

In Person Participation

1. Persons wishing to speak should fill out a speaker's slip provided in the meeting room. If you have anything that you wish distributed to the Committee and included in the official record, please hand it to the C/CAG staff who will distribute the information to the Committee members.
2. Public comment is limited to two minutes per speaker.

Remote Participation

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. If calling in via phone, press *9 to raise your hand and when called upon press *6 to unmute.
5. When called, please limit your remarks to the two-minute time limit.

Airport Land Use Committee (ALUC)
Meeting Minutes
February 22, 2024

1. Call to Order/Roll Call

Chair O’Connell called the meeting to order at 4:47 pm. (Delay due to technical issues.) The attendance sheet is attached.

2. Public Comment on items not on the Agenda – None

3. Minutes of the August 24, 2023 Meeting

Motion: Member Sturken moved, and Member Nicolas seconded, approval of the August 24, 2023, minutes. Motion carried (8-0-0) by the following voice vote: AYE - Members DiGiovanni, Sullivan, Cahalan, Sturken, Hamilton, Nicolas, Ford, and Chair O’Connell. NO – none. ABSTAIN – none.

4. San Francisco International Airport Comprehensive Airport Land Use Compatibility Plan Consistency Review – An amendment to the Millbrae General Plan to modify allowable uses within the General Commercial Land Use Designation to add life science and related biotechnology-type uses, including Biosafety Levels 1, 2 or 3, on properties located east of US 101 within Safety Compatibility Zone 3.

Susy Kalkin, C/CAG staff, presented the staff report.

Chair O’Connell reminded the Committee that its role is limited to making a determination as to whether the proposal is consistent with the adopted policies in the ALUCP and noted that there are processes that a city can follow to overturn an ALUC determination if they so choose.

Member Ford noted her support for statements in the comment letter from SFO that biosafety uses are not suitable near the ends of the runways.

Member Sturken questioned whether a tenant had been identified for the site and, if so, whether they would be a Biosafety level 3 use. Staff noted that this is a general plan amendment that would allow for the establishment of such a use, rather than a specific development proposal.

Staff reiterated the request was to allow Biosafety levels 2 and 3 in Safety Zone 3, noting that the ALUCP clearly identifies that Biosafety level 3 within Safety Zone 3 is inconsistent with the Safety policies of the ALUCP, and that Biosafety level 2 is listed as a use that should be avoided within this zone unless a determination is made that there is no feasible alternative.

Motion: Member Ford moved, and Member Sullivan seconded, approval of the staff recommendation. Motion carried (8-0-0) by the following voice vote: AYE - Members

DiGiovanni, Sullivan, Cahalan, Sturken, Hamilton, Nicolas, Ford, and Chair O'Connell. NO – none. ABSTAIN – none.

5. San Francisco International Airport Land Use Compatibility Plan Consistency Review – Proposed General Plan and Zoning Amendments related to four potential housing sites identified in the San Bruno Draft 2023-2031 Housing Element situated in or adjacent to the Tanforan Shopping Center in San Bruno.

Susy Kalkin, C/CAG staff, presented the staff report.

Member Hamilton requested clarification about how Site 4 could potentially exceed the height requirements of the ALUCP, but the others would not, noting they are adjacent. Staff responded that she had utilized SFO's online iALP tool to make the measurements, but noted all final building heights would be subject to future confirmation that they would be consistent with the maximums allowed in the ALUCP.

Member Sturken noted that the staff report indicates that regardless of the exterior noise, the indoor area would still need to be insulated to 45 dB. Staff clarified that the ALUCP noise policy states that residential use within the CNEL 70 dB+ contour is incompatible, regardless of mitigation.

Member Cahalan commented that there is a lot of existing residential development in San Bruno within the 70 dB noise contour and questioned whether it simply predated the current noise policies. Member Hamilton confirmed that housing developments within the 70 dB contour, and even the 75 dB contour, exist and predate the ALUCP requirements and noted residents routinely open windows and walk dogs without incident. Chair O'Connell added that many of these homes have been insulated through the airport sponsored Noise Insulation program, and the airport has reached out again to some of these areas since some of the materials have failed over time.

Member Sturken noted that these sites are identified in the Housing Element and are located close to transit, and that they could contribute 1,000+ units toward addressing the state's housing shortage.

Member Hamilton reiterated that the question before the Committee is not whether this is or is not a good place to put housing, but whether the proposal is consistent with the policies of the ALUCP, and it is not.

Member Ford commented that she had recently attended a meeting of Airport Managers and they had discussed the Tanforan site specifically, with particular emphasis on safety concerns in the event of an accident due to its location directly beneath a primary runway, although she acknowledged the proposal is compatible with the safety policies of the ALUCP.

Member Sturken had concern with the ALUC's role being so limited, noting that he felt it was wrong to throw the issue back to the cities, creating delays for project approvals and liability issues for the cities. Member Ford responded that the ALUC's job is to try and make safer neighborhoods by coordinating planning efforts with the airport rather than facilitating overrides of the ALUCP policies. It was generally acknowledged that this situation has come

about largely due to the state’s imposition of an excessive RHNA allocation to this site, without consideration of the existing airport noise impacts.

Motion: Member Cahalan moved, and Member DiGiovanni seconded, approval of the staff recommendation. Motion carried (6-2-0) by the following voice vote: AYE - Members DiGiovanni, Cahalan, Hamilton, Nicolas, Ford, and Chair O’Connell. NO – Members Sullivan and Sturken. ABSTAIN – none.

6. Election of ALUC Officers for Calendar Year 2024

Chair O’Connell called for nominations for ALUC Chair for 2024.

Member DiGiovanni nominated Terry O’Connell for ALUC Chair, and Member Hamilton seconded the nomination. Motion carried (8-0-0) by the following voice vote: AYE - Members DiGiovanni, Sullivan, Cahalan, Sturken, Hamilton, Nicolas, Ford, and Chair O’Connell. NO – none. ABSTAIN – none.

Chair O’Connell called for nominations for ALUC Vice Chair for 2024.

Member Hamilton nominated Member Sturken for ALUC Vice Chair, and Chair O’Connell seconded the nomination. Motion carried (8-0-0) by the following voice vote: AYE - Members DiGiovanni, Sullivan, Cahalan, Sturken, Hamilton, Nicolas, Ford, and Chair O’Connell. NO – none. ABSTAIN – none.

7. Review and Approval of Meeting Calendar for 2024

Chair O’Connell moved, and Member DiGiovanni seconded, approval of the meeting calendar for 2024. Motion carried (8-0-0) by the following voice vote: AYE - Members DiGiovanni, Sullivan, Cahalan, Sturken, Hamilton, Nicolas, Ford, and Chair O’Connell. NO – none. ABSTAIN – none.

8. Member Comments/Announcements

Member Hamilton thanked his colleagues who voted no on principal on the finding of inconsistency related to San Bruno’s General Plan and Zoning proposal, but noted he voted yes in acknowledgement that it is inconsistent with the ALUCP.

9. Items from Staff

C/CAG Executive Director Charpentier noted there was a raised hand from the public.

Auros Harman, commented that there were no directions provided on how a caller could raise a hand, so he was unable to raise his hand earlier to speak on the San Bruno matter. He noted that was a resident of the east side of San Bruno, beneath the noise contour. He commented that the rules don’t make much sense given the major housing crisis in the Bay Area, noting that housing should be permitted in the area so long as it is insulated to meet the interior noise levels. He recommended that the noise policies be changed to reflect this. He also objected to height restrictions that exceed the FAA requirements. Chair O’Connell

thanked him for his comments and invited him to participate in the future when the ALUCP is updated.

Executive Director Charpentier apologized for the technical delays at the beginning of the meeting.

As follow-up to earlier discussion, Mr. Charpentier noted that for the next RHNA cycle, C/CAG will be advocating that HCD exclude sites within the CNEL 70 dB contour from their calculations of available housing sites, since they conflict with both locally adopted ALUCPs and with State guidelines.

10. Adjournment

The meeting was adjourned at 5:30 pm.

DRAFT

2024 C/CAG Airport Land Use Committee Attendance Report

Name	Agency	Feb								
Terry O'Connell	City of Brisbane	X								
Ricardo Ortiz	City of Burlingame									
Pamela DiGiovanni	City of Daly City	X								
Patrick Sullivan	City of Foster City	X								
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								
Pranita Venkatesh	City of San Carlos									
Ray Mueller	County of San Mateo & Aviation Rep.									
Flor Nicolas	City of South San Francisco	X								
Carol Ford	Aviation Rep.	X								
Chistopher Yakabe	Half Moon Bay Pilots Assn.									

X - Committee Member Attended

Y - Designated Alternate Attended

Staff and guests in attendance for the February 22, 2024, meeting: Susy Kalkin, Sean Charpentier, C/CAG staff; Melissa Andrikopolus, SM County Attorney; Darcy Smith and Michael Smith, San Bruno staff; Nestor Guevara and Roscoe Mata, Millbrae staff; Tiffany Martinez, Caltrans Div. of Aeronautics; Tamsen Plume and Auros Harman

C/CAG AGENDA REPORT

Date: March 28, 2024

To: Airport Land Use Committee

From: Susy Kalkin

Subject: San Francisco International Airport Comprehensive Airport Land Use Compatibility Plan Consistency Review – Proposed amendments to the Millbrae Downtown & El Camino Real Specific Plan and Zoning Map to extend the “Commercial Preference Area” overlay to encompass additional parcels along the El Camino Real frontage and allow increased heights up to 100 feet for residential mixed-use developments in this overlay area for parcels zoned “Residential Focused Mixed Use”.

(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 proposed amendments to the Millbrae Downtown & El Camino Real Specific Plan and Zoning Map to extend the “Commercial Preference Area” overlay to encompass additional parcels along the El Camino Real frontage and allow increased heights up to 100 feet for residential mixed-use developments in this overlay area for parcels zoned “Residential Focused Mixed Use” 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 Francisco International Airport (SFO ALUCP).

BACKGROUND/PROJECT DESCRIPTION

In the summer of 2022, the ALUC reviewed the Millbrae 2040 General Plan Update and the Millbrae Downtown and El Camino Real Specific Plan (DT&ECR Specific Plan) for consistency with the SFO ALUCP, and both documents were found to be conditionally consistent. Later in 2022 the ALUC reviewed an update to Millbrae’s Zoning Code and Zoning Map to incorporate new development standards and regulations to implement the General Plan vision, to codify the Specific Plan, and to establish new regulations to ensure ALUCP consistency for all new development, which was also determined to be conditionally consistent with the ALUCP.

Millbrae now proposes amendments to the DT&ECR Specific Plan related to its “Commercial Preference Area” overlay zone to extend the area further northward to encompass additional parcels along El Camino Real, north of Meadow Glen Avenue. As depicted and described in the application materials, **Attachment 1**, the Commercial Preference Area overlay is intended to encourage commercial and residential mixed-use developments along the El Camino Real transit corridor. It does not impact the types of uses allowed, but allows for more intensive uses as the heights would be allowed to extend to 100 feet maximum on parcels zoned “Residential Focused Mixed Use” and no floor area ratio (FAR) standards would apply.

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Airport Land Use Committee

RE: Consistency Review – Millbrae DT & ECR Specific Plan Amend

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The entire community of Millbrae is located within Airport Influence Area B (AIA B), the “Project Referral” area, for San Francisco International Airport. California Government Code Section 65302.3 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). In accordance with these requirements, the City of Millbrae 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 SFO ALUCP.

DISCUSSION

ALUCP Consistency Evaluation

Three airport/land use compatibility factors are addressed in the SFO ALUCP that relate to the proposed Specific Plan and Zoning Amendments. These include policies for: (a) noise compatibility, (b) safety compatibility, and (c) airspace compatibility. The following sections address each factor:

(a) Aircraft Noise Impacts

The Community Noise Equivalent Level (CNEL) 65 dB aircraft noise contour defines the threshold for aircraft noise impacts established in the SFO ALUCP. All land uses located outside this contour are deemed consistent with the noise policies of the SFO ALUCP.

As shown on **Attachment 2** (SFO ALUCP Exh. IV-6) the extended “Commercial Preference Area” overlay is located outside of the 65 dB CNEL contour, and therefore the Project is consistent with the SFO ALUCP noise policies and criteria.

(b) Safety Compatibility

The SFO ALUCP includes five safety zones and related land use compatibility policies and criteria. As shown on **Attachment 3**, the extended “Commercial Preference Area” overlay is not impacted by any Safety Zones, and therefore the Project is consistent with the SFO ALUCP Safety Compatibility policies and criteria.

(c) Airspace Protection

In order to be deemed consistent with the ALUCP, the maximum height of a new building must be the lower of (1) the height shown on the critical aeronautical surfaces map; or (2) the maximum height determined not to be a “hazard to air navigation” by the FAA in an aeronautical study prepared pursuant to the filing of Form 7460-1.

The proposed amendments would allow an increase in building heights, up to 100 ft. maximum, for residential mixed-use projects on parcels zoned “Residential Focused Mixed Use” that are included in the Commercial Preference Area overlay. As noted in the comment letter from the SFO Planning and

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Environmental Affairs Director, **Attachment 4**, such heights could potentially exceed critical aeronautical surfaces in some locations. They note additionally that while Figure 5.2, the Building Height Exhibit, notes that “all heights must be compatible with the SFO ALUCP, they advocate that more specific language, shown below, be added throughout the zoning ordinance:

Maximum building heights also may not exceed the critical aeronautical surfaces defined in the Comprehensive Airport Land Use Compatibility Plan for the Environs of the San Francisco International Airport. These heights are measured above mean sea level as defined by the zero-foot origin of the North American Vertical Datum of 1988 and include all architectural parapets, machine rooms, and other appurtenances.

It is noted that the DT & ECR Specific Plan contains Appendix D, “Airport Land Use Compatibility Plan Consistency”, **Attachment 5**, that addresses in detail all of the policies and criteria of the SFO ALUCP, as noted below, and includes the specific language identified above, as does the Millbrae Zoning Ordinance, **Attachment 6**:

- A. Airport Real Estate Disclosure Notices – Requires all applicable projects to comply with the real estate disclosure requirements outlined in SFO ALUCP Policy IP-1.
- B. Airport Noise Evaluation and Mitigation – Requires evaluation of potential noise impacts of projects located within the CNEL 65 dB contour, as mapped in the ALUCP, and mitigation to achieve CNEL 45 dB interior or lower, consistent with SFO ALUCP Policies NP 2 & NP 3.
- C. Avigation Easement – Requires grant of an avigation easement to the City/County of San Francisco as a condition of developing any land use considered to be conditionally compatible per the SFO ALUCP Table IV-I, consistent with SFO ALUCP Noise Policy NP-3.
- D. Safety Compatibility Evaluation – Requires that all uses comply with the Safety Compatibility Policies of the ALUCP, consistent with SFO ALUCP Safety Policy SP 1 & 2.
- E. 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.

Both the Specific Plan and Zoning Ordinance have previously been determined by the ALUC to be consistent with the SFO ALUCP. Therefore, it is recommended that the proposed amendments, as presently drafted, be determined to be consistent with the SFO ALUCP.

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Airport Land Use Committee

RE: Consistency Review – Millbrae DT & ECR Specific Plan Amend

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ATTACHMENTS

1. ALUCP application & related materials
2. SFO ALUCP Exhibit IV-6 – Noise Compatibility Zones
3. SFO ALUCP Exhibit IV-9 – Safety Compatibility Zones
4. Comment letter from SFO Planning and Environmental Affairs dated March 20, 2024
 - a. Letter attachments are available on the C/CAG website (see “Additional Agenda Materials”) at: <https://ccag.ca.gov/committees/airport-land-use-committee/>
5. Millbrae DT & ECR Specific Plan Appendix D, Airport Land Use Compatibility Consistency
6. Millbrae Zoning Code Article XVI, Airport Land Use Compatibility Consistency



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

APPLICANT INFORMATION

Agency: City of Millbrae

Project Name: Amendments to the Millbrae Downtown and El Camino Real Specific Plan and the City's Zoning Map

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 amendments Figure 5.1 Land Use Designations of the Downtown and El Camino Real Specific Plan to extend the Commercial Preference Area overlay north of Meadow Glen Avenue for Commercial Mixed Use zoned and Residential Focused Mixed Use zoned parcels and related text amendments, an amendment to allow maximum height up to 100' for Residential Focused Mixed Use zoned parcels within the Commercial Preference Area Overlay, and a amendment to the Millbrae Zoning Map to be consistent with the Specific Plan map.

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>

LAND USE REGULATIONS

The regulations and standards in this section ensure that future development is compatible with the existing scale and character of adjacent development and are contributing to overall placemaking. While the development standards regulate the form and intensity of future development, there is flexibility in the corresponding land uses to provide the ability to respond to changing market demands.

LAND USE DESIGNATIONS

The following land use designations allow for a wide variety of uses to create mixed use districts within the Plan Area. They describe the appropriate mix of uses to achieve the intended character in each district. The Land Use designations along with development standards will be the primary tool for regulating the form and character of future development. The Specific Plan proposes five land use designations.

COMMERCIAL PREFERENCE AREA OVERLAY

Purpose

The Commercial Preference Area Overlay encourages and maintains commercial uses and residential mixed-use development along the El Camino Real transit corridor.

- Development in the Commercial Preference Area Overlay is not subject to the maximum floor area ratio requirements of the underlying zoning.
- Transit oriented commercial and residential mixed-use projects with community-serving active ground floor commercial uses facing El Camino Real are required.

DOWNTOWN MIXED USE (DMU)

Purpose

The purpose of the Downtown Mixed-use designation is to maintain the existing economic base of the downtown while enhancing

vibrancy of the downtown district by encouraging diversity of businesses and longer hours of activity.

Key characteristics of the Downtown Mixed-use designation are described below:

- Active ground floor uses, predominantly retail as well as non-retail uses such as banks, fitness uses, eating and drinking establishments, personal service uses, gallery space, entertainment or community gathering space may be allowed.
- Vertical mixed-use development with residential and office uses on upper floors to encourage increased customer base for the restaurant and retail businesses as well as after-hours activity that residential uses bring.
- Building Heights: Maximum building heights allowed range from 55' on parcels fronting Broadway Avenue; and maximum of 85' on parcels fronting El Camino Real.

- Minimum ground floor height of 14' from finished floor to finished ceiling.

CORRIDOR MIXED USE (CMU)

Purpose

The purpose of this designation is to create opportunity for higher intensity development along El Camino Real corridor on parcels of varying sizes. The Corridor mixed use will take advantage of proximity to the inter-modal stations and multi-modal complete street that El Camino Real is envisioned to be by allowing a mix of uses along the corridor.

Key characteristics of the Corridor Mixed-use designation are described below:

- Vertical mixed-use development will include residential, office, hotel, meeting rooms, small convention facility, lifestyle stores, specialty large format retail, entertainment, and cultural facility.
- The Commercial Preference Area Overlay in the Corridor Mixed Use (CMU) designation indicates

parcels where commercial use is required either (1) if currently developed with commercial space to retain the same square footage of commercial space if redeveloped or (2) if vacant or occupied by non-commercial uses, the majority of the square footage in the new development project must be commercial. This serves to take advantage of the larger parcel sizes and to complement uses in the downtown. Hotels are strongly encouraged, with the tallest heights of 125' on these sites.

- All new development in the Commercial Preference Area **Overlay in the Corridor Mixed Use (CMU) designation** shall comply with the following requirements: (1) if currently developed with commercial space to retain the same square footage of commercial space if redeveloped or (2) if vacant or occupied by non-commercial uses, the majority of the square footage in the new development project must be commercial.
- Ground floor should have uses such as restaurants, cafes, retail, small offices, maker spaces, grocery stores, entrance lobbies, galleries, fitness centers, and community centers that contribute to a lively street environment.

- Building Heights: Maximum building heights allowed range from 65' fronting Broadway Avenue and the railroad; 85' fronting El Camino Real and 125' on larger parcels such as 900 to 1100 El Camino Real.
- Minimum ground floor height of 14' from finished floor to finished ceiling.

RESIDENTIAL FOCUSED MIXED USE (RFMU)

Purpose

The Residential Focused Mixed-Use designation focuses on medium to high-density multi-family residential use to allow a variety of multi-family residential typology such as town homes, stacked flats, senior housing, live-work units, co-living, etc. with high quality shared amenities. This designation allows commercial uses on the ground floor to create opportunity for neighborhood scale and local businesses, and to provide space for community-serving uses.

Key characteristics of the Residential Mixed-use designation are described below:

- Vertical mixed-use development is encouraged with residential on upper floors while allowing for non-residential uses on the ground floor.

- **The Commercial Preference Overlay in the Residential Focused Mixed Use (RFMU) designation indicates parcels where residential mixed-use with ground floor commercial facing El Camino Real is required. If currently developed with commercial space, the same square footage must be retained if redeveloped. Residential mixed-use development in the overlay area is granted additional building height up to 100'. Development in the overlay is not subject to the maximum 2.5 floor area ratio requirement.**

- Ground floor may include uses such as cafes, neighborhood serving retail, community gathering space, galleries, professional offices, co-working spaces, small meeting rooms, community kitchens, maker spaces, service-oriented businesses, and residential stoops that contribute to a lively street environment.
- Building Heights: Maximum building heights allowed, range from 55' on parcels adjacent to existing single-family neighborhoods to 85' along El Camino Real.

- Minimum ground floor height of 15' from finished floor to finished ceiling for non-residential uses.

NEIGHBORHOOD COMMERCIAL MIXED USE (NCMU)

Purpose

The Neighborhood Commercial Mixed-use designation intends to strengthen the neighborhood-serving function of the Neighborhood Anchor district by concentrating small offices for service-oriented businesses, retail, restaurants, live-work units and some residential use on the upper floors.

Key characteristics of the Neighborhood Commercial Mixed-use designation are described below:

- Vertical mixed-use development with small offices, live-work units, or residential use on upper floors
- Ground floor may include uses such as cafes, neighborhood serving retail, community gathering space, galleries, co-working spaces, maker spaces, service-oriented businesses, commercial kitchens.
- Building Heights: Maximum building height allowed is 55'

TABLE 5.3 LAND USE DESIGNATION SUMMARY WITH ALLOWED HEIGHT AND INTENSITY

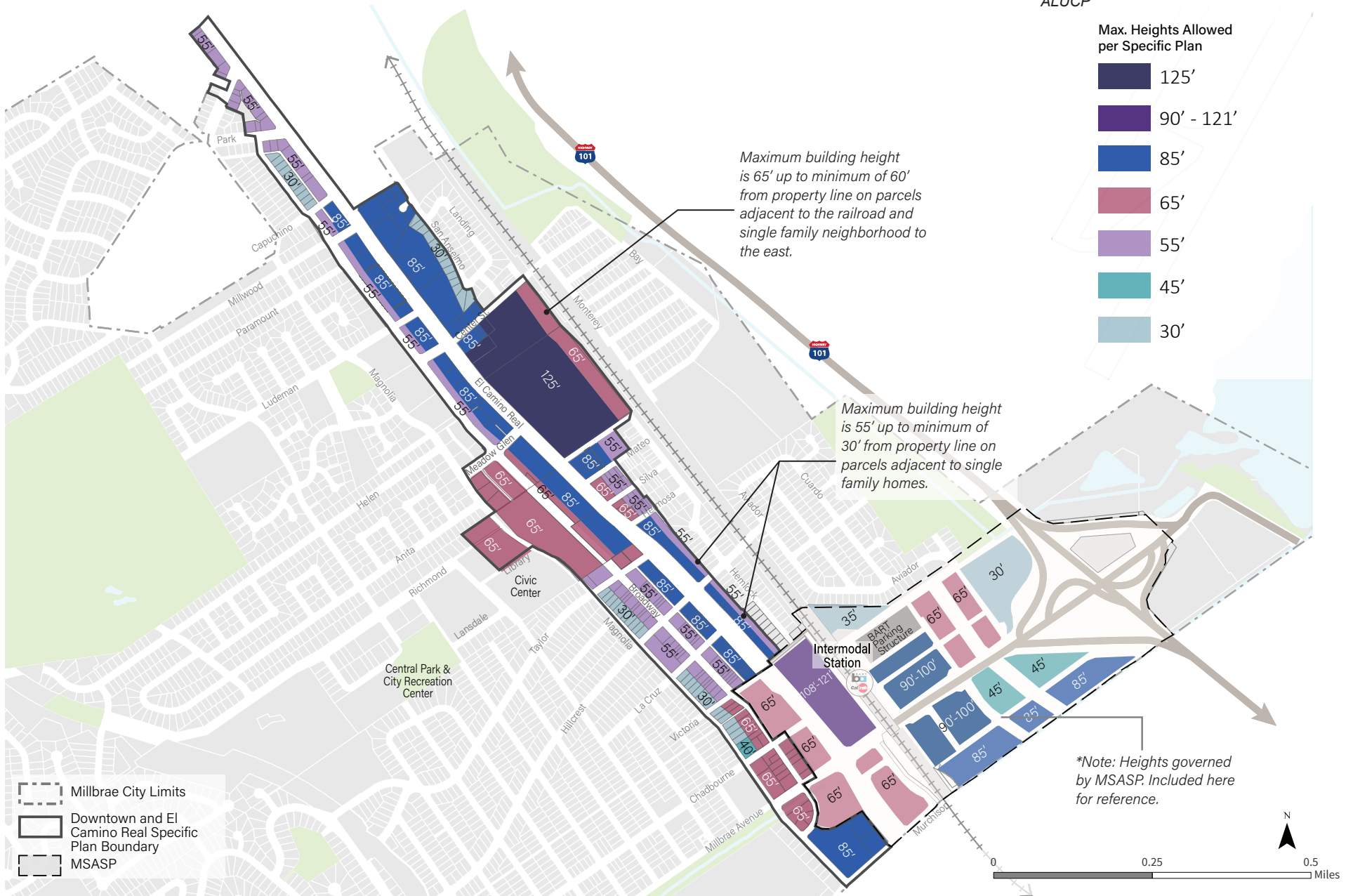
LAND USE DESIGNATION	PURPOSE	MAXIMUM F.A.R.	PERMITTED DENSITY RANGE
Downtown Mixed Use (DMU)	<ul style="list-style-type: none"> Maintain the existing economic base of the downtown while enhancing vibrancy of the downtown district by encouraging diversity of businesses and longer hours of activity. 	3.5	<ul style="list-style-type: none"> 25 to 50 Du/Ac on parcels fronting Broadway Ave. 70 to 110 Du/Ac on parcels fronting ECR
Corridor Mixed Use (CMU)	<ul style="list-style-type: none"> Create opportunity for higher intensity development along El Camino Real corridor on parcels of varying sizes. Take advantage of proximity to the inter-modal stations and multi-modal complete street that El Camino Real is envisioned to be by allowing a mix of uses along the corridor. 	3.5	70 to 130 Du/Ac
Residential Focused Mixed Use (RFMU)	<ul style="list-style-type: none"> Focuses on medium to high-density multi-family residential use to allow of a variety of multi-family residential typology such as apartments, stacked flats, senior housing, live-work units, co-living, etc. with high quality shared amenities Allows commercial uses on the ground floor to create opportunity for neighborhood scale and local businesses, and to provide space for community serving uses. 	2.5	60 to 80 Du/Ac
Neighborhood Commercial Mixed Use (NCMU)	<ul style="list-style-type: none"> Allows small offices for service-oriented businesses, along with retail, to strengthen its neighborhood serving function, within the Neighborhood Anchor district with residential use on upper floors. 	2.5	80 Du/Ac
Residential	<ul style="list-style-type: none"> Unchanged. Defined in General Plan 2040 	Refer to General Plan and Zoning Code	Refer to General Plan and Zoning Code

Note: Maximum FAR not required in the Commercial Preference Area Overlay.

The Commercial Preference Area Overlay allows additional height limits for Residential Mixed-Use Projects.

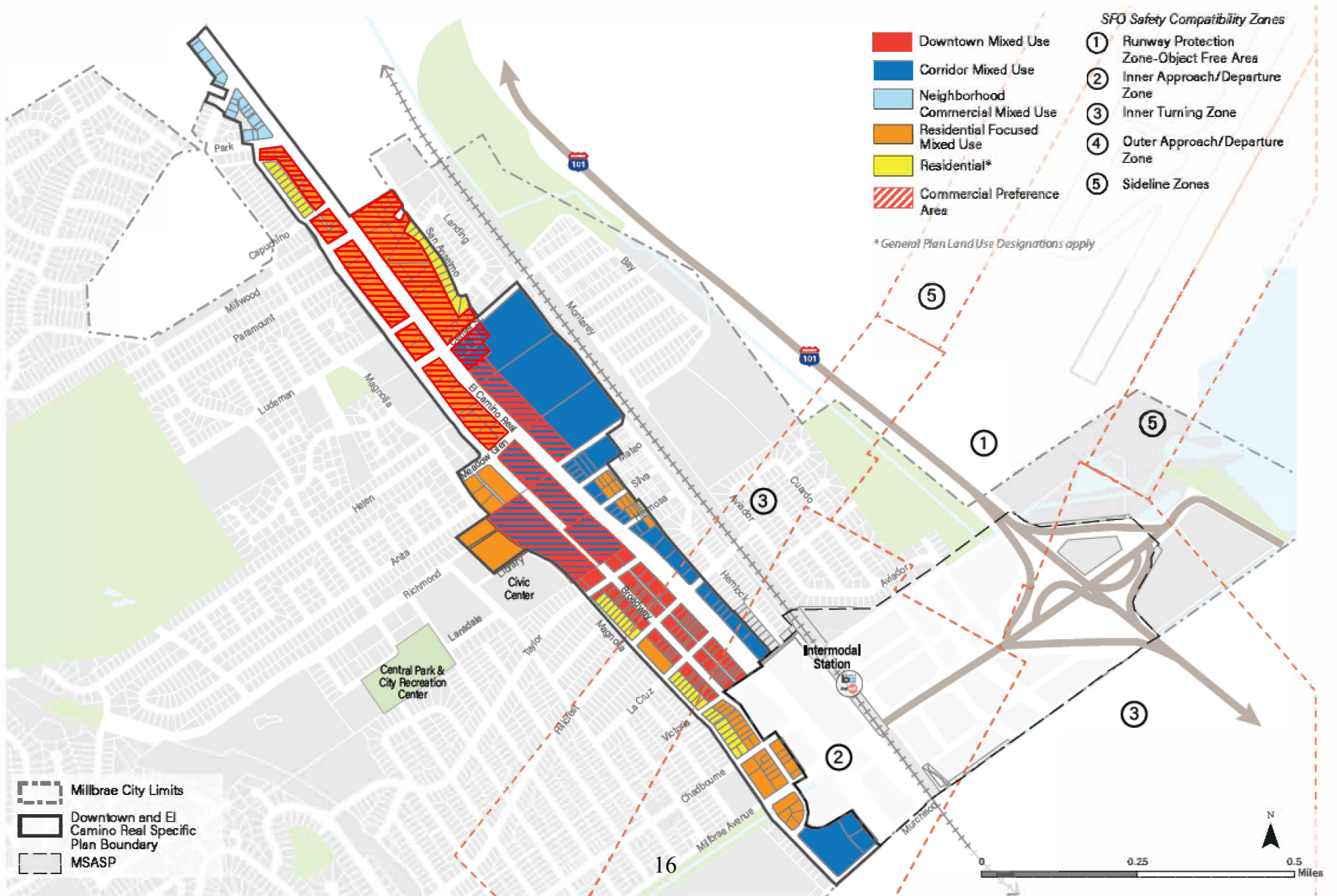
All heights must be compatible with the SFO ALUCP

FIG 5.2: BUILDING HEIGHTS



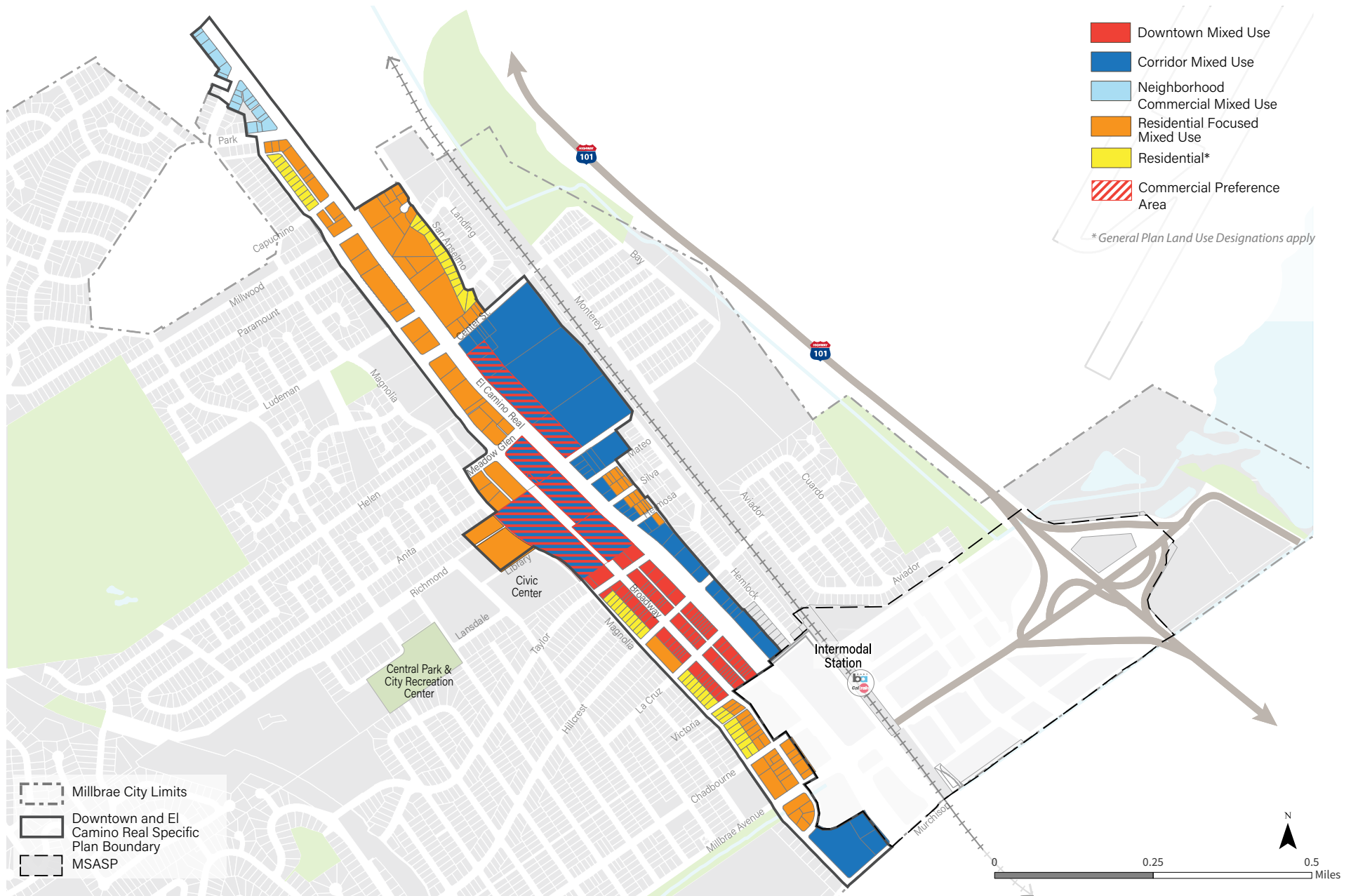
Attachment 1c

FIG 5.1: LAND USE DESIGNATIONS



Attachment 1d

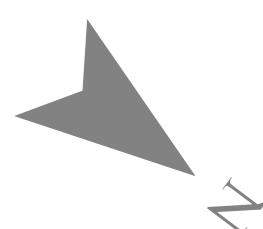
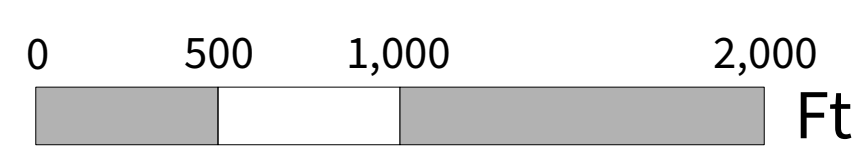
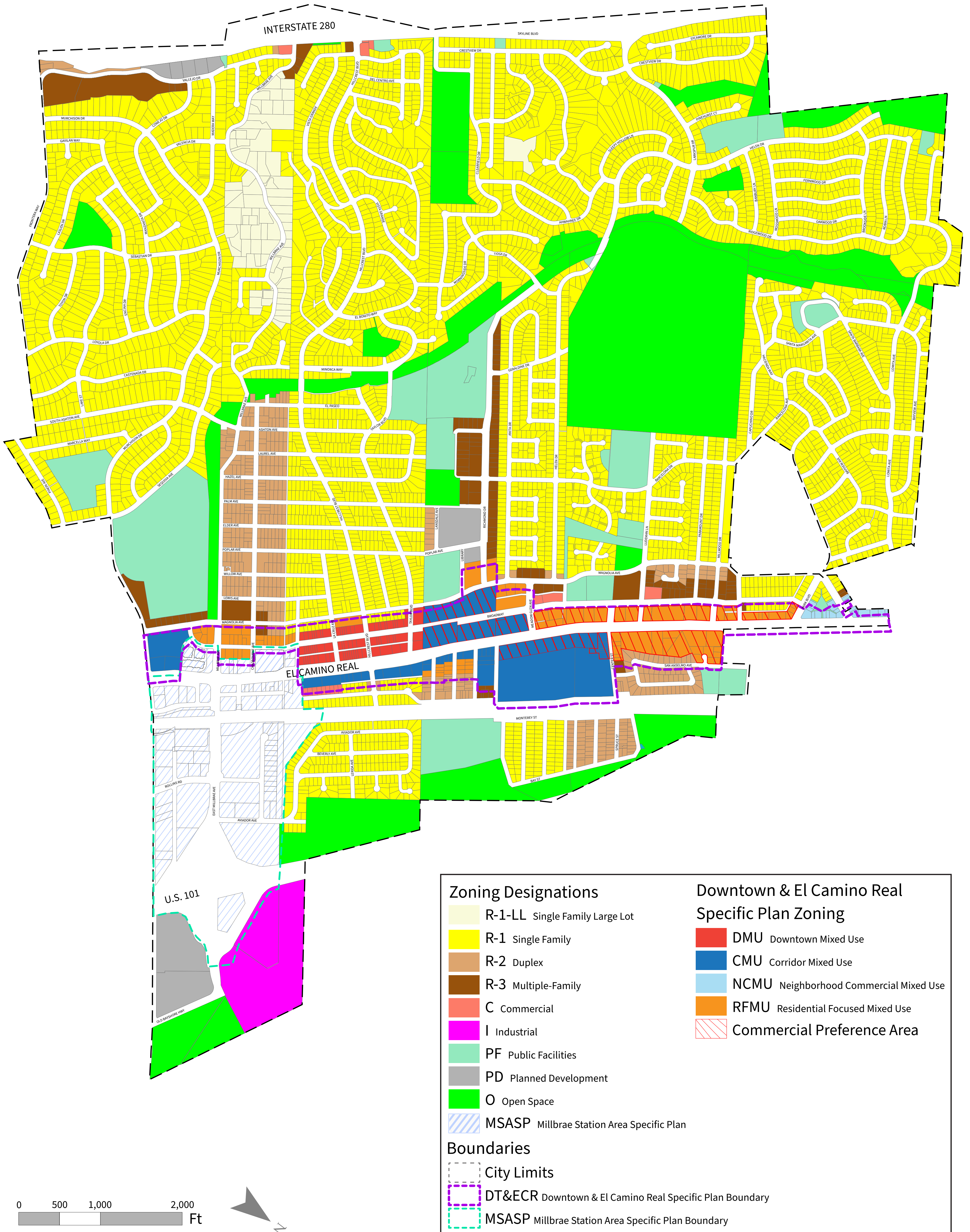
FIG 5.1: LAND USE DESIGNATIONS



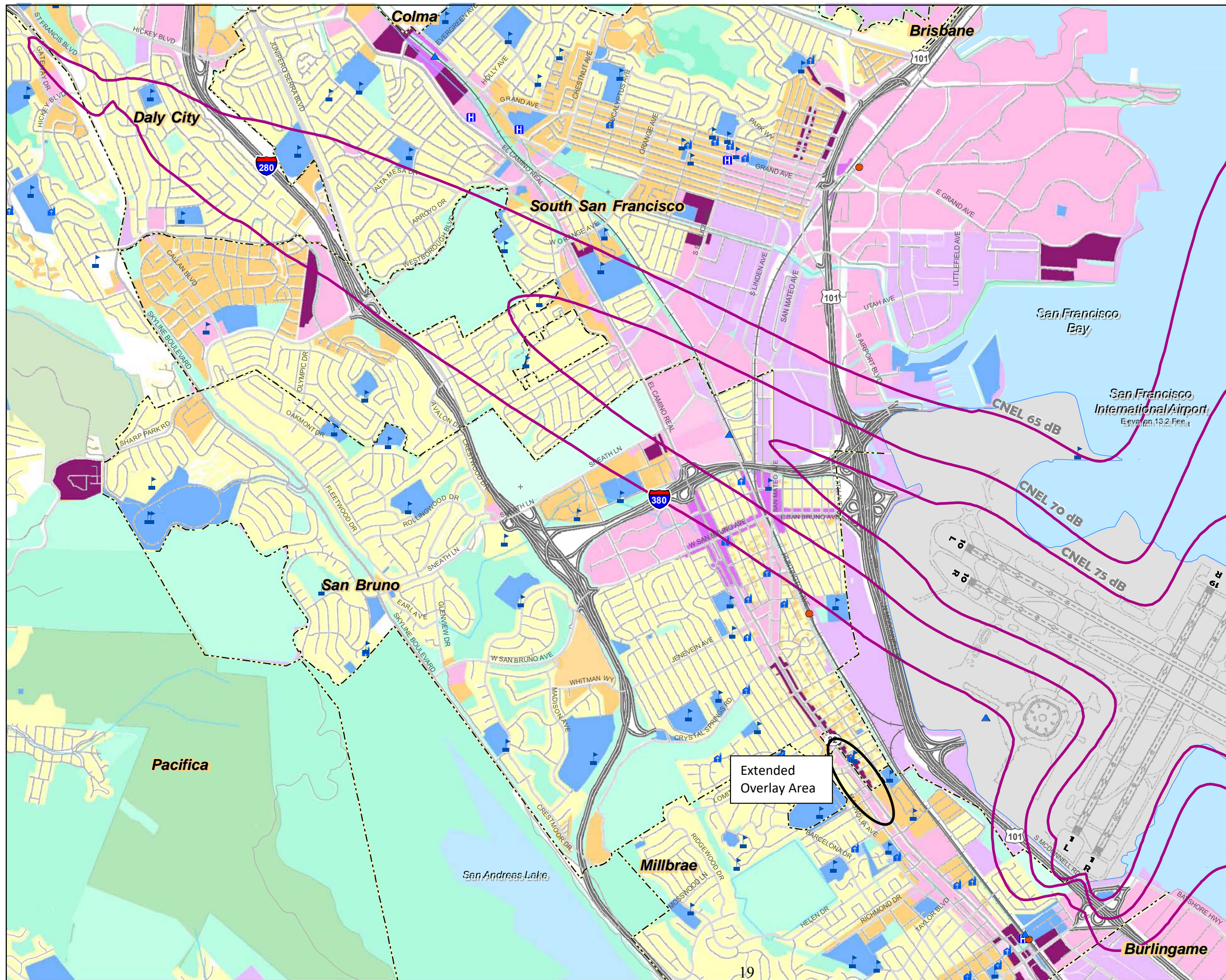


Official City of Millbrae Zoning Map

DRAFT FEBRUARY 2024



Source: City of Millbrae, 2022; Mintier Harnish, 2022.
 Map Credits: Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community



LEGEND

- CNEL Contour, 2020 Forecast
- Airport Property
- ▲ BART Station
- CALTRAIN Station
- ▤ School
- ⌘ Place of Worship
- ⌘ Hospital
- Municipal Boundary
- Railroad
- Freeway
- Road

Planned Land Use Per General Plans:

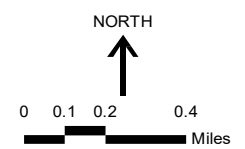
- Public
- Multi-Family Residential
- Single Family Residential
- Mixed Use
- Transit Oriented Development
- Commercial
- Industrial, Transportation, and Utilities
- Local Park, Golf Course, Cemetery
- Regional Park or Recreation Area
- Open Space
- Planned use not mapped

Sources:

Noise Contour Data:
 - Draft Environmental Assessment, Proposed Runway Safety Area Program, San Francisco International Airport. URS Corporation and BridgeNet International, June 2011

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

Local Plans:
 - Burlingame 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



Extended Overlay Area



San Francisco International Airport

March 20, 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: Comments on Proposed Amendments to the Millbrae Downtown and El Camino Real Specific Plan and the Millbrae Zoning Map

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 amendments to the Downtown and El Camino Real Specific Plan and the Zoning Map, which would expand the Commercial Preference Area (CPA) zoning overlay and increase the building height limit for parcels zoned Residential Focused Mixed Use (RFMU) that are within the expanded CPA zoning overlay. We appreciate this opportunity to coordinate with the Airport Land Use Commission (ALUC) in evaluating the proposed amendments.

As described in the City's application for the proposed amendments, the CPA zoning overlay currently applies to parcels that are zoned Corridor Mixed Use (CMU) on the west side of El Camino Real between Taylor Boulevard and Meadow Glen Avenue and on the east side of El Camino Real between Mateo Avenue and Center Street. In addition, the building height limit for the RFMU zoning designation ranges from 55 to 85 feet. The proposed amendments would expand the CPA zoning overlay northward on the west side of El Camino Real from Meadow Glen Avenue to Park Boulevard and on the east side of El Camino Real from Center Street to San Juan Avenue. Within the expanded CPA zoning overlay, the building height limit for residential mixed-use development projects would increase to 100 feet for all parcels under the RFMU zoning designation. The proposed amendments would also update the City's Zoning Map to be consistent with the changes to the Downtown and El Camino Real Specific Plan (see **Attachment A**).

SFO ALUCP AIRPORT INFLUENCE AREAS

The area being rezoned is within two Airport Influence Areas (AIAs): Area A – Real Estate Disclosure Area (all of San Mateo County) and Area B – Policy/Project Referral Area (a smaller subarea in the northern part of San Mateo County), as defined by the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport* (SFO ALUCP). Within Area A, the real estate disclosure requirements of state law apply (see **Attachment B**). A property owner offering a property for sale or lease must disclose the presence of planned or existing airports within two miles of the property. Within Area B, the Board of Directors of the City/County Association of Governments of San Mateo County, acting as the designated ALUC, shall review proposed land use policy actions, including new general plans, specific plans, zoning ordinances, plan amendments and rezonings, and land development proposals (see attachment). The real estate disclosure requirements in Area A also apply in Area B.

SFO ALUCP POLICIES

The area being rezoned is outside of the 65 decibel Community Noise Equivalent Level contour and all safety compatibility zones. Therefore, the proposed amendments would not appear to be inconsistent with the Noise and Safety Compatibility Policies adopted in the SFO ALUCP. While not germane to ALUCP

AIRPORT COMMISSION CITY AND COUNTY OF SAN FRANCISCO

LONDON N. BREED
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JANE NATOLI

JOSE F. ALMANZA

MARK BUELL

IVAR C. SATERO
AIRPORT DIRECTOR

Susy Kalkin, ALUC
March 20, 2024
Page 2 of 3

compatibility, the Airport notes that the area is subject to low-frequency noise and vibrations from nearby aviation activities and advises potential developers to consider this factor when planning new projects.

All proposed development within the City is subject to the airspace protection policies adopted in the SFO ALUCP (see **Attachment C**). Exhibit IV-17 of the SFO ALUCP shows the elevations of critical aeronautical surfaces throughout the City in feet above mean sea level as defined from the origin of the North American Vertical Datum of 1988.

The proposed amendments include increasing the building height limit to 100 feet for residential mixed-use development projects that are under the RFMU zoning designation and within the expanded CPA zoning overlay. Depending on the specific locations of development sites, 100-foot-tall buildings could exceed the elevations of the critical aeronautical surfaces. While Figure 5.2 notes that “all heights must be compatible with the SFO ALUCP,” the Airport suggests that the same language be added to the text of the amendment. The Airport recommends that the following language (shown in double underline) be added to each zoning designation, using the CMU text as an example:

Building Heights: Maximum building heights allowed range from 65’ fronting Broadway Avenue and the railroad; 85’ fronting El Camino Real and 125’ on larger parcels such as 900 to 1100 El Camino Real. Maximum building heights also may not exceed the critical aeronautical surfaces defined in the Comprehensive Airport Land Use Compatibility Plan for the Environs of the San Francisco International Airport. These heights are measured above mean sea level as defined by the zero-foot origin of the North American Vertical Datum of 1988 and include all architectural parapets, machine rooms, and other appurtenances.

As noted previously, land development proposals that are within AIA B must be reviewed by the ALUC for consistency with the SFO ALUCP.

In addition, for projects where 14 Code of Federal Regulations (CFR) Part 77 applies, a Determination of No Hazard to Air Navigation from the Federal Aviation Administration (FAA) is required for such proposals to be considered compatible with the SFO ALUCP. Project sponsors would be required to undergo FAA airspace review as described in 14 CFR Part 77 for both (1) the permanent structures and (2) any equipment taller than the permanent structures required to construct those structures.

* * *

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@flysf.com.

Sincerely,

DocuSigned by:

Nupur Sinha

7D552AE6A4CE495...

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

Susy Kalkin, ALUC

March 20, 2024

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Attachments

Attachment A – City of Millbrae ALUC Application

Attachment B – SFO ALUCP Airport Influence Areas

Attachment C – SFO ALUCP Airspace Protection Policies

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

APPENDIX D: AIRPORT LAND USE COMPATIBILITY PLAN CONSISTENCY



This section establishes standards and requirements related to consistency with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (ALUCP). The following requirements and criteria shall be incorporated into all applicable projects.

A. Airport Real Estate Disclosure Notices

All new development is required to comply with the real estate disclosure requirements of state law (California Business and Professions Code Section 11010(b)(13)). The following statement must be included in the notice of intention to offer the property for sale or lease:

“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.”

B. Airport Noise Evaluation and Mitigation

All projects shall comply with the Noise Compatibility Policies of the ALUCP. Uses shall be reviewed per the Noise/Land Use Compatibility Criteria listed in Table IV-1 of the ALUCP. Uses listed as “conditionally compatible” shall be required to mitigate impacts to comply with the interior (CNEL 45 dB or lower, unless otherwise stated) and exterior noise standards established by the ALUCP or Millbrae General Plan, whichever is more restrictive. Unless otherwise precluded by State law, all projects shall be consistent with ALUCP Policy NP-4 Residential Uses within CNEL 70 dB Contour.

C. Avigation Easement

Any action that would either permit or result in the development or construction of a land use considered to be conditionally compatible with aircraft noise of CNEL 65 dB or greater (as mapped in the ALUCP) shall include the grant of an avigation easement to the City and County of San Francisco prior to issuance of a

building permit(s) for any proposed buildings or structures, consistent with ALUCP Policy NP-3 Grant of Avigation Easement.

D. Safety Compatibility Evaluation

All uses must comply with Safety Compatibility Policies of the ALUCP. Project applicants shall be required to evaluate potential safety issues if the property is located within any of the Safety Compatibility Zones established in ALUCP Policy SP-1 and depicted in Exhibit IV-7 of the ALUCP. All projects located within a Safety Compatibility Zone shall be required to determine if the proposed land use is compatible with the Safety Compatibility Land Use Criteria as noted in ALUCP Policy SP-2 and listed in Table IV-2 of the ALUCP.

E. Airspace Protection Evaluation

All projects shall comply with Airspace Protection Policies of the ALUCP.

Notice of Proposed Construction or Alteration

Project applicants shall be required to file Form 7460-1, Notice of Proposed

Construction or Alteration, with the Federal Aviation Administration (FAA) for any proposed new structure and/or alterations to existing structures (including ancillary antennae, mechanical equipment, and other appurtenances) that would exceed the FAA notification heights as depicted in ALUCP Exhibit IV-12. Any project that would exceed the FAA notification heights shall submit a copy of the findings of the FAA’s aeronautical study, or evidence demonstrating exemption from having to file FAA Form 7460-1, as part of the development permit application. Temporary cranes or other equipment used to construct or modify a structure which are taller than the structure itself must be submitted as separate Form 7460-1 cases.

Maximum Compatible Building Height

No structure may exceed the lower of either 1) the maximum height determined by the FAA to not be a hazard to air navigation, or 2) the height shown on the SFO ALUCP Critical Aeronautical Surfaces map. Building heights must receive a Determination of No Hazard from the FAA. For avoidance of doubt, the lower of the two heights identified by

the ALUCP and the FAA shall be the controlling maximum height.

The Critical Aeronautical Surfaces and FAA analysis use elevations above the origin of the North American Vertical Datum of 1988 rather than height above ground level; and for purposes of airspace evaluation, the terms "above mean sea level (AMSL) and "above the NAVD88 origin" should be considered synonymous. If a proposed project changes the ground elevation of the site, the maximum height of the building would change accordingly.

Other Flight Hazards

Within Airport Influence Area (AIA) B, certain land use characteristics are recognized as hazards to air navigation and, per ALUCP Policy AP-4, need to be evaluated to ensure compatibility with FAA rules and regulations. These characteristics include the following:

- a. Sources of glare, such as highly reflective buildings, building features, or blight lights including search lights, or laser displays, which would interfere with the vision of pilots in command of an aircraft in flight.
- b. Distracting lights that could be mistaken for airport identification lightings, runway edge lighting, runway end

identification lighting, or runway approach lighting.

- c. Sources of dust, smoke, water vapor, or steam that may impair the visibility of a pilot in command of an aircraft in flight.
- d. Sources of electrical/electronic interference with aircraft communications/navigation equipment.
- e. Land uses that, as a regular byproduct of their operations, produce thermal plumes with the potential to rise high enough and at sufficient velocities to interfere with the control of aircraft in flight. Upward velocities of 4.3 meters (14.1 feet) per second at altitudes above 200 feet above the ground shall be considered as potentially interfering with the control of aircraft in flight.
- f. Any use that creates an increased attraction for wildlife, particularly large flocks of birds, that is inconsistent with FAA rules and regulations, including but not limited to FAA Order 5200.5A, Waste Disposal Site On or Near Airports and FAA Advisory Circular 150/5200-33B, Hazardous Wildlife Attractants On or Near Airports and any

successor or replacement orders or advisory circulars.

Millbrae Zoning Code - excerpts

Article XVI. Airport Land Use Compatibility Plan Consistency

Prior legislation: Ord. 726.

10.05.1600 Application.

This section establishes standards and requirements related to consistency with the comprehensive airport land use compatibility plan for the environs of San Francisco International Airport (ALUCP). The following requirements and criteria shall be incorporated into all applicable projects:

A. Airport Real Estate Disclosure Notices. All new development is required to comply with the real estate disclosure requirements of state law (California Business and Professions Code Section [11010\(b\)\(13\)](#)). The following statement must be included in the notice of intention to offer the property for sale or lease:

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.

B. Airport Noise Evaluation and Mitigation. All projects shall comply with the noise compatibility policies of the ALUCP. Uses shall be reviewed per the noise/land use compatibility criteria listed in Table IV-1 of the ALUCP. Uses listed as “conditionally compatible” shall be required to mitigate impacts to comply with the interior (CNEL 45 dB or lower, unless otherwise stated) and exterior noise standards established by the ALUCP or Millbrae general plan, whichever is more restrictive. Unless otherwise precluded by state law, all projects shall be consistent with ALUCP Policy NP-4, Residential Uses Within CNEL 70 dB Contour.

C. Avigation Easement. Any action that would either permit or result in the development or construction of a land use considered to be conditionally compatible with aircraft noise of CNEL 65 dB or greater (as mapped in the ALUCP) shall include the grant of an avigation easement to the city and county of San Francisco prior to issuance of a building permit(s) for any proposed buildings or structures, consistent with ALUCP Policy NP-3, Grant of Avigation Easement.

D. Safety Compatibility Evaluation. All uses must comply with safety compatibility policies of the ALUCP. Project applicants shall be required to evaluate potential safety issues if the property is located within any of the safety compatibility zones established in ALUCP Policy SP-1 and depicted in Exhibit IV-7 of the ALUCP.

All projects located within a safety compatibility zone shall be required to determine if the proposed land use is compatible with the safety compatibility land use criteria as noted in ALUCP Policy SP-2 and listed in Table IV-2 of the ALUCP.

E. Airspace Protection Evaluation. All projects shall comply with airspace protection policies of the ALUCP.

1. Notice of Proposed Construction or Alteration. Project applicants shall be required to file Form 7460-1, Notice of Proposed Construction or Alteration, with the Federal Aviation Administration (FAA) for any proposed new structure and/or alterations to existing structures (including ancillary antennas, mechanical equipment, and other appurtenances) that would exceed the FAA notification heights as depicted in ALUCP Exhibit IV-12. Any project that would exceed the FAA notification heights shall submit a copy of the findings of the FAA's aeronautical study, or evidence demonstrating exemption from having to file FAA Form 7460-1, as part of the development permit application. Temporary cranes or other equipment used to construct or modify a structure which are taller than the structure itself must be submitted as separate Form 7460-1 cases.

2. Maximum Compatible Building Height. No structure may exceed the lower of either (a) the maximum height determined by the FAA to not be a hazard to air navigation, or (b) the height shown on the SFO ALUCP Critical Aeronautical Surfaces map. Building heights must receive a determination of no hazard from the FAA.

For avoidance of doubt, the lower of the two heights identified by the ALUCP and the FAA shall be the controlling maximum height.

The critical aeronautical surfaces and FAA analysis use elevations above the origin of the North American Vertical Datum of 1988 rather than height above ground level; and for purposes of airspace evaluation, the terms "above mean sea level (AMSL)" and "above the NAVD88 origin" should be considered synonymous. If a proposed project changes the ground elevation of the site, the maximum height of the building would change accordingly.

3. Other Flight Hazards. Within Airport Influence Area (AIA) B, certain land use characteristics are recognized as hazards to air navigation and, per ALUCP Policy AP-4, need to be evaluated to ensure compatibility with FAA rules and regulations. These characteristics include the following:

- a. Sources of glare, such as highly reflective buildings, building features, or bright lights including search lights, or laser displays, which would interfere with the vision of pilots in command of an aircraft in flight.
- b. Distracting lights that could be mistaken for airport identification lightings, runway edge lighting, runway end identification lighting, or runway approach lighting.
- c. Sources of dust, smoke, water vapor, or steam that may impair the visibility of a pilot in command of an aircraft in flight.
- d. Sources of electrical/electronic interference with aircraft communications/navigation equipment.
- e. Land uses that, as a regular byproduct of their operations, produce thermal plumes with the potential to rise high enough and at sufficient velocities to interfere with the control of aircraft in flight. Upward velocities of 4.3 meters (14.1 feet) per second at altitudes above two hundred feet above the ground shall be considered as potentially interfering with the control of aircraft in flight.

f. Any use that creates an increased attraction for wildlife, particularly large flocks of birds, that is inconsistent with FAA rules and regulations, including but not limited to FAA rules and regulations, including but not limited to FAA Order 5200.5A, Waste Disposal Site on or Near Airports, and FAA Advisory Circular 150/5200-33B, Hazardous Wildlife Attractants on or Near Airports, and any successor or replacement orders or advisory circulars. (Ord. 800, § 14).

C/CAG AGENDA REPORT

Date: March 28, 2024

To: Airport Land Use Committee

From: Susy Kalkin

Subject: San Carlos Airport and San Francisco International Airport Land Use Compatibility Plan Consistency Review – Proposed amendments to the Foster City General Plan, Zoning Map and Zoning text, including addition of Airport Land Use Compatibility Plan consistency criteria.

(For further information please contact Susy Kalkin at 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 San Mateo County Airport Land Use Commission, determine that the proposed amendments to the Foster City General Plan, Zoning Map and Zoning text, including addition of Airport Land Use Compatibility Plan consistency criteria, are consistent with the applicable airport/land use policies and criteria contained in both the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport (San Carlos ALUCP) and the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (SFO ALUCP).

BACKGROUND/PROJECT DESCRIPTION

As shown on **Attachment 1**, Foster City is located within Airport Influence Area B (AIA B) for both the San Carlos and San Francisco International Airports.

Last year, Foster City forwarded its Housing and Safety Elements to the ALUC for a determination of consistency with the ALUCPs. Both documents were determined to be consistent with the applicable ALUCP policies, as all relevant policies are addressed in the documents. However, to improve implementation it was recommended that the City's Zoning Ordinance be updated to address the ALUCP criteria with respect to Overflight Notification and Airspace protection requirements.

As part of the implementation of the Housing Element, Foster City has prepared a number of updates to its General Plan, Zoning Ordinance and Map, which have been referred to the ALUC for a consistency determination pursuant to California Public Utilities Code (PUC) Section 21676(b), **Attachment 2**. Most of the amendments address definitions and/or development standards that do not impact noise sensitive uses, maximum structure heights or uses within safety compatibility zones, and so are not relevant for ALUC compatibility consideration. Additionally, the one proposed land use designation/rezoning is for a site that is not located within AIA B of either SFO or San Carlos Airport, so is outside of the purview of the ALUC. However, the proposal also includes

CCAG AGENDA REPORT

Airport Land Use Committee

RE: Consistency Review – Foster City GP & Zoning Amendments

Date: March 28, 2024

Page 2

a new zoning section to reflect Airport Land Use Compatibility criteria, which is the focus of this ALUC determination.

DISCUSSION

I. ALUCP Consistency Evaluation

Foster City is not impacted by the defined noise impact areas or safety zones of either San Carlos Airport or SFO. Therefore, the consistency review will focus on (a) airport influence area/overflight notification, and (b) airspace protection. The following sections address each factor.

(a) Airport Influence Area/Overflight Notification Policies

Both the SFO and San Carlos ALUCPs contain policies, IP-2 (SFO ALUCP) and Overflight Policy 1 (San Carlos ALUCP) that reflect the real estate disclosure requirements of state law which apply in their respective Airport Influence Areas (AIA A). In addition, the San Carlos ALUCP includes Overflight Policy 2 – *Overflight Notification Zone 2*, which 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.

Foster City’s proposal includes a new zoning code section entitled, “Airport Land Use Compatibility Plan Consistency”, **Attachment 2a**, that directly addresses these requirements, ensuring that future projects will be required to comply. Therefore, the proposed Amendments are determined to be consistent with the Airport Influence Area and Overflight Notification policies of both the San Carlos and SFO ALUCPs.

(b) Airspace Protection

The San Carlos and SFO ALUCPs 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. Both ALUCPs include Airspace Protection Policies that address the following:

- Require jurisdictions to notify sponsors of proposed projects to file Form 7460-1 with the Federal Aviation Administration (FAA) for any proposed project that may exceed the FAA notification heights, and to require a local jurisdiction to consider FAA determination study findings as part of its review and decision on a proposed project.
- Require project sponsors to comply with the findings of FAA aeronautical studies with respect to any recommended alteration in building design, height, and marking and lighting to be consistent with the ALUCP.

CCAG AGENDA REPORT

Airport Land Use Committee

RE: Consistency Review – Foster City GP & Zoning Amendments

Date: March 28, 2024

Page 3

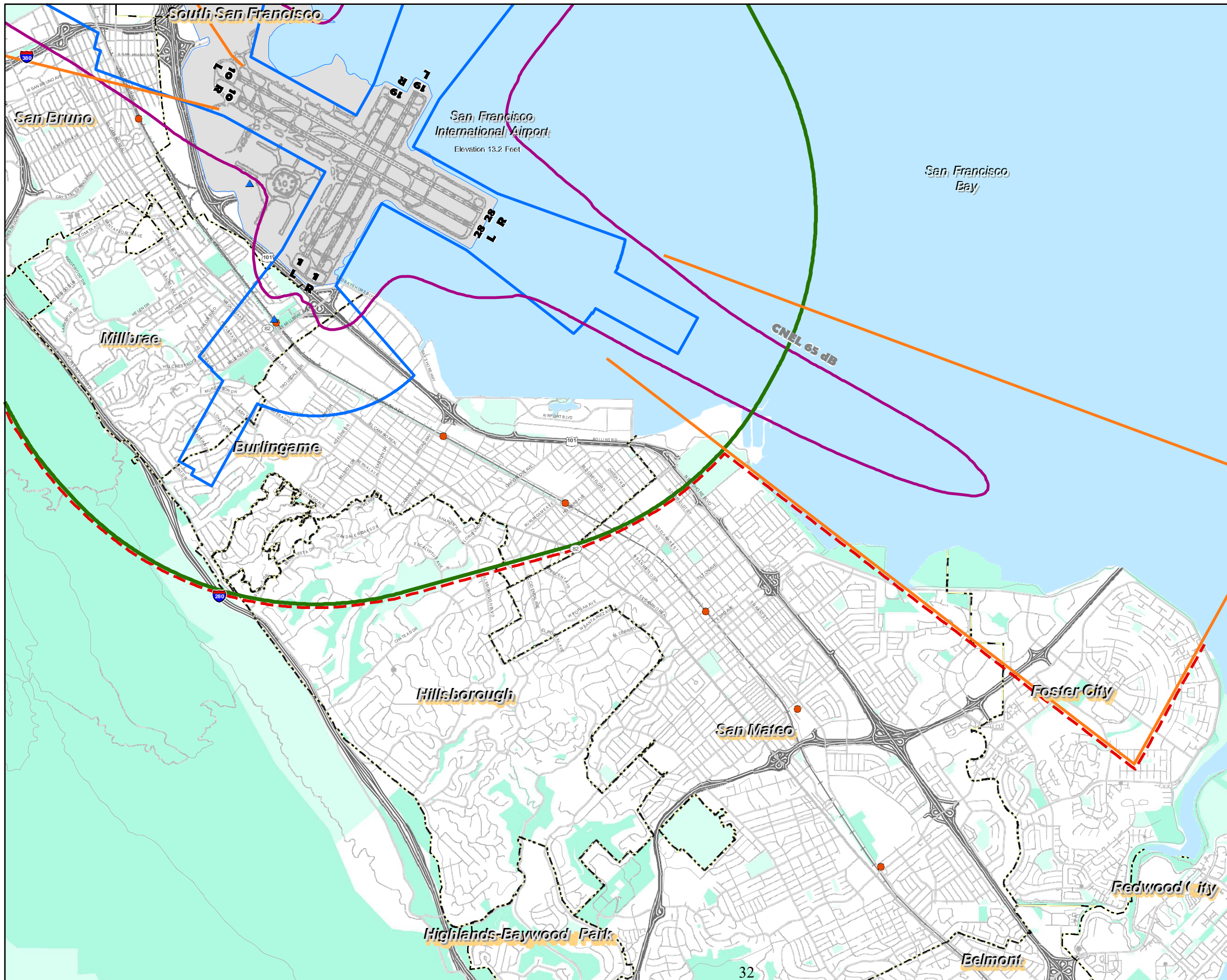
- Require proposed projects to undergo review for compatibility with “other flight hazards” as outlined in the policy, including but not limited to, sources of glare, dust, smoke, electrical interference, etc.

In addition, the SFO ALUCP includes a policy that requires proposed projects within its AIA to also comply with structure height provisions outlined the Critical Aeronautical Surfaces map for SFO (SFO ALUCP Exhibit IV-18).

Foster City’s proposed zoning section, “Airport Land Use Compatibility Plan Consistency”, **Attachment 2a**, incorporates all of these requirements, ensuring that future projects will be required to comply. Therefore, the proposed Amendments are determined to be consistent with the Airspace Protection policies of both the San Carlos and SFO ALUCPs.

ATTACHMENTS

1. SFO and San Carlos Airport Influence Area B Exhibits (AIA B)
2. Application Materials
 - a. Proposed language - 17.68.120 Airport Land Use Compatibility Plan Consistency



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

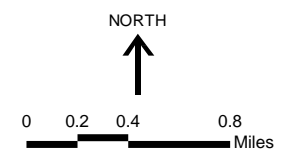
Sources:

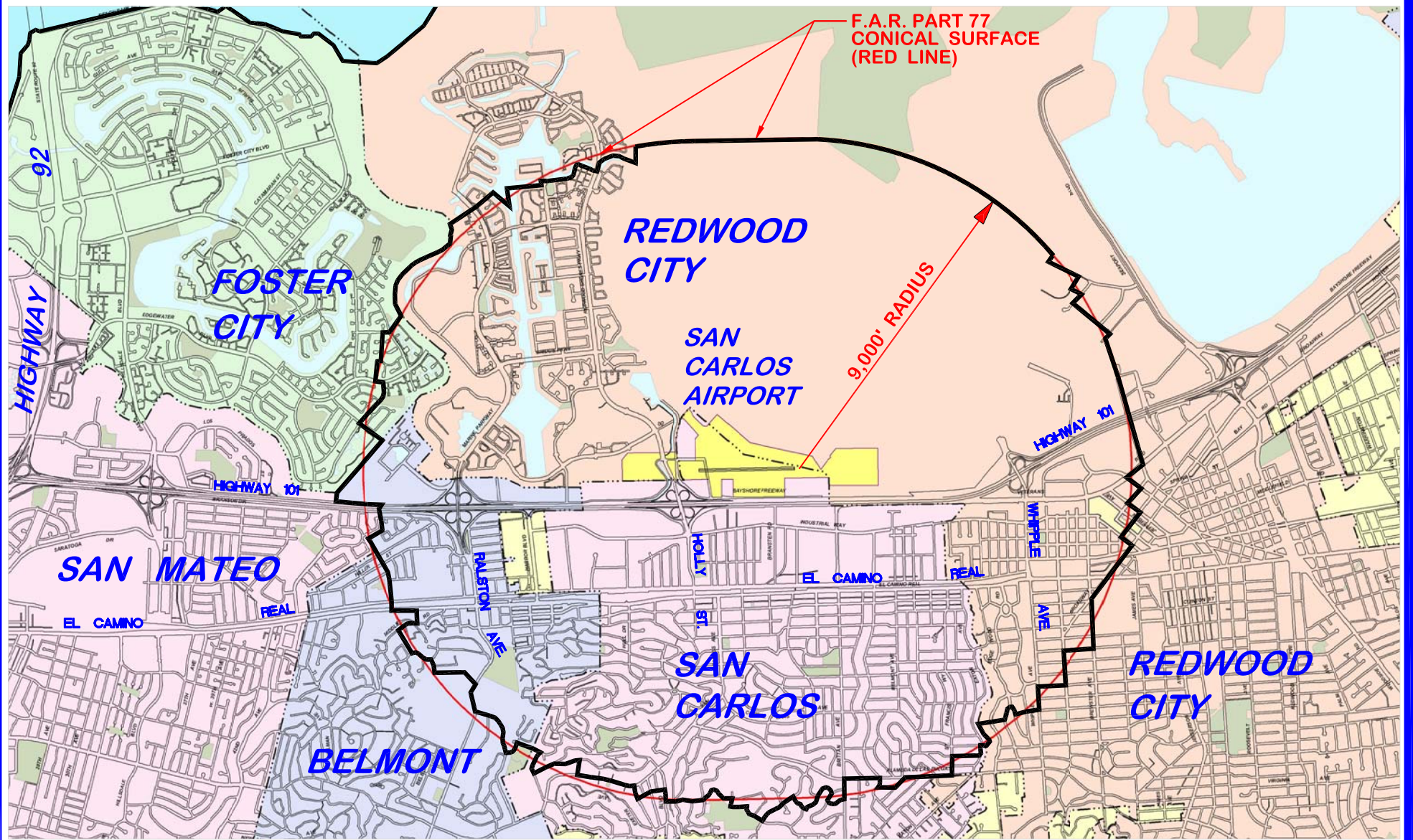
100:1 FAA Notification Zone: Ricondo & Associates, Inc. and Jacobs Consultancy, based on 14 CFR Part 77, Subpart B, Section 77.9.

Outer Boundary of TERPS Approach and OEI Departure Surfaces: San Francisco International Airport, Jacobs Consultancy, and Planning Technology Inc., 2009

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

Noise Contour: URS Corporation and BridgeNet International. Draft Environmental Assessment, San Francisco International Airport Proposed Runway Safety Area Program, June 2011





**REVISED AIRPORT INFLUENCE AREA BOUNDARY
FOR SAN CARLOS AIRPORT -- AREA B
(APPROVED BY C.C.A.G. BOARD OCTOBER 14, 2004)**

AREA B: PROPOSED CCAQ/ALUC REVIEW AREA BOUNDARY •
(real estate disclosure and formal CCAQ/ALUC review)

• This boundary is a refinement of the current CCAQ/ALUC review boundary.



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

APPLICANT INFORMATION

Agency: City of Foster City

Project Name: Housing Element Revisions and Related General Plan and Zoning Amendments

Address: Citywide and 1059 Shell Blvd.

APN: citywide and APN 094-473-030

City: Foster City

State: CA

ZIP Code: 94404

Staff Contact: Sofia Mangalam

Phone: 650-286-3239

Email: smangalam@fostercity.org

PROJECT DESCRIPTION

Adoption of Housing Element Revisions; Beach Park Elementary School General Plan Amendment to "School" and Zoning Map Amendment to

"PF Public Facilities; Zoning Text Amendment to add a new Section 17.68.120 Airport Overflight Notification

See attached public hearing notice.

Housing Element Revisions are available at: <https://engagefostercity.org/housing-element>

See attached for text of proposed Section 17.68.120

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>

Attachments to ALUC Application by Foster City, 2/26/2024

1. Public Hearing Notice for 3/20/24:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission and City Council of the City of Foster City will hold a JOINT PUBLIC HEARING at a JOINT SPECIAL MEETING on **Wednesday, March 20, 2024, at 6:30 p.m.** to hear and consider public input on the following:

- **General Plan Amendments:**
 - Consider adoption of a General Plan Amendment consisting of minor revisions to the 2023-31 Housing Element including Policies and Programs to Affirmatively Further Fair Housing as conditionally approved by the California Department of Housing and Community Development (HCD) and finding that the revisions are within the scope of the Final Environmental Impact Report certified for the Housing Element Update and Safety Element Update (SCH 2022010509), available on the City's website at: <https://engagefostercity.org/housing-element>. (GP2024-0001).
 - Consider adoption of an amendment to the Land Use and Circulation Element of the General Plan to amend the Land Use Map designation for Beach Park Elementary School at 1058 Shell Boulevard (APN 094-473-030) from Neighborhood Commercial to School and finding that this action is exempt under the "common sense" exception (14 Cal. Code Regs. Section 15061(b)(3)) because it can be seen with certainty that there is no possibility that this action may have a significant effect on the environment (GP2024-0002).
- **Zoning Map Amendment:**
 - Consider adoption of amendment to the Foster City Zoning Map to change the zoning designation at Beach Park Elementary School at 1058 Shell Boulevard (APN 094-473-030) from C-1/PD Neighborhood Commercial/Planned Development to PF Public Facilities and finding that this action is exempt under the "common sense" exception (14 Cal. Code Regs. Section 15061(b)(3)) because it can be seen with certainty that there is no possibility that this action may have a significant effect on the environment (RZ2024-0002).
- **Zoning Text Amendments (RZ2024-0001):** Consider adoption of Amendments to Title 17, Zoning, of the Foster City Municipal Code and finding that the revisions are within the scope of the Final Environmental Impact Report certified for the Housing Element Update and Safety Element Update (SCH 2022010509), including:
 - Amend Chapter 17.04 Definitions to amend the definition for Residential Care Facility to eliminate the required 300' spacing between care facilities; amend the definition of Emergency Shelter to eliminate the limit on length of occupancy; add definitions of School and Religious Institution.
 - Amend Chapter 17.32 PF Public Facilities to allow housing developments in compliance with State Law and up to four (4) accessory dwelling units (ADUs) and/or junior accessory dwelling units (JADUs) per lot.
 - Amend Chapter 17.55 Replacement Units for consistency with State law.

- Amend Chapter 17.62 Off-Street Parking Regulations to establish a 2-stall maximum parking spaces per multi-family unit and allow shared parking agreements in compliance with State law.
- Amend Chapter 17.68 Performance Standards to add a new section in compliance with Airport Land Use Commission requirements for overflight notification.
- Amend Chapter 17.78 Accessory Dwelling Units to eliminate the owner-occupant requirement for consistency with State law.
- Amend Chapter 17.82 Emergency Shelters, Low-Barrier Navigation Centers, and Supportive Housing to eliminate the length of stay limitation.
- Amend Chapter 17.84 Reasonable Accommodation for consistency with State law.

California Environmental Quality Act (CEQA):

Final Environmental Impact Report (EIR), SCH# 2022010509.

The City of Foster City, as the Lead Agency, has prepared an Environmental Impact Report (EIR) for the Housing Element and Safety Element Update pursuant to the California Environmental Quality Act (CEQA) (Pub. Res. Code § 21000 et seq.; 14 Cal. Code Regs. §15000 et seq. [“State CEQA Guidelines”]) to evaluate the environmental effects associated with the proposed project. The proposed actions included in this notice, except for the General Plan and Zoning Map change related to Beach Park Elementary School, are within the scope of the Final EIR for the Housing Element and Safety Element Update. The Final EIR was certified on April 22, 2023. All files can be downloaded from the Foster City website engagefostercity.org/housing-element.

Hearing Information:

SAID HEARING will be held as a hybrid meeting in-person and by teleconference/video conference, subject to appropriate regulations. The meeting address is 620 Foster City Boulevard, Foster City, CA 94404. Final meeting location(s) and teleconference/video conference information will be listed on the published agenda.

The public may participate by submitting comments via email to publiccomment@fostercity.org or by providing live verbal public comment by joining the meeting via teleconference and/or video conference, or in person. Instructions on how to join the meeting are included in the top portion of the agenda posted at: www.fostercity.org/agendasandminutes.

Any attendee wishing special accommodations at the meeting should contact the Communications/City Clerk Department, at (650) 286-3250, or send an electronic mail request to clerk@fostercity.org at least 48 hours in advance of the meeting per the Americans with Disabilities Act.

THE PUBLIC IS INVITED TO ATTEND.

EXHIBIT E

**SECTION 17.68.120 OF CHAPTER 17.68
GENERAL PERFORMANCE STANDARDS**

A new Section 17.68.120 of Chapter 17.68 is hereby added to read as follows:

“17.68.120 Airport Land Use Compatibility Plan Consistency.

This section establishes standards and requirements related to consistency with both the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (SFO ALUCP) and the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport (San Carlos ALUCP) established by the San Mateo County Airport Land Use Commission (ALUC). The following requirements and criteria shall be incorporated into all applicable projects.

A. Overflight Notification.

1. Airport Real Estate Disclosure Notices. All new development is required to comply with the real estate disclosure requirements of state law (California Business and Professions Code Section 11010(b)(13). The following statement must be included in the notice of intention to offer the property for sale or lease:

“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. New Residential Development. All new residential development projects, other than additions and accessory dwelling units (ADUs), within the Overflight Notification Zone 2 as determined by the San Carlos ALUCP shall incorporate a recorded overflight notification requirement as a condition of approval to provide a permanent form of overflight notification to all future property owners. A Sample Overflight Notification is provided in the San Carlos ALUCP (Exhibit E-4) and this statement or similar shall be utilized this purpose. Such notice shall be notarized and recorded by the county of San Mateo.

B. Airspace Protection Evaluation. Foster City lies within the Airport Influence Area of both the SFO ALUCP and the San Carlos ALUCP. The ALUCPs identify airspace

protection policies to protect the navigable airspace around the airport for the safe and efficient operation of aircraft in flight that are applicable to Foster City.

1. Notice of Proposed Construction or Alteration. Project applicants shall be required to file Form 7460-1, Notice of Proposed Construction or Alteration, with the Federal Aviation Administration (FAA) for any proposed new structure and/or alterations to existing structures (including ancillary antennae, mechanical equipment, and other appurtenances) that would exceed a height of 200 feet above ground level, or exceed the FAA notification heights as depicted in San Carlos ALUCP Exhibit 4-4a. Any project that would exceed the FAA notification heights shall submit a copy of the findings of the FAA's aeronautical study, or evidence demonstrating exemption from having to file FAA Form 7460-1, as part of the development permit application.
2. Maximum Compatible Building Height. Building heights, including related roof-mounted equipment, stair/elevator towers, antennae, exhaust stacks, and other appurtenances, shall not the maximum height limits permissible under either FAA regulations or the Critical Aeronautical Surfaces identified in SFO ALUCP Exhibit IV-18. For avoidance of doubt, the lower of the two heights identified by the ALUCP and the FAA shall be the controlling maximum height.
3. Other Flight Hazards. Within Airport Influence Area (AIA) B, certain land use characteristics are recognized as hazards to air navigation and need to be evaluated to ensure compatibility with FAA rules and regulations. These characteristics include the following:
 - a. Sources of glare, such as highly reflective buildings, building features, or blight lights including search lights, or laser displays, which would interfere with the vision of pilots in command of an aircraft in flight.
 - b. Distracting lights that could be mistaken for airport identification lightings, runway edge lighting, runway end identification lighting, or runway approach lighting.
 - c. Sources of dust, smoke, water vapor, or steam that may impair the visibility of a pilot in command of and aircraft in flight.
 - d. Sources of electrical/electronic interference with aircraft communications/navigation equipment.
 - e. Any use that creates an increased attraction for wildlife, particularly large flocks of birds, that is inconsistent with FAA rules and regulations, including

but not limited to FAA Order 5200.5A, Waste Disposal Site On or Near Airports and FAA Advisory Circular 150/5200-33B, Hazardous Wildlife Attractants On or Near Airports and any successor or replacement orders or advisory circulars.”