

- 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

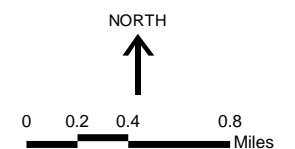
Sources:

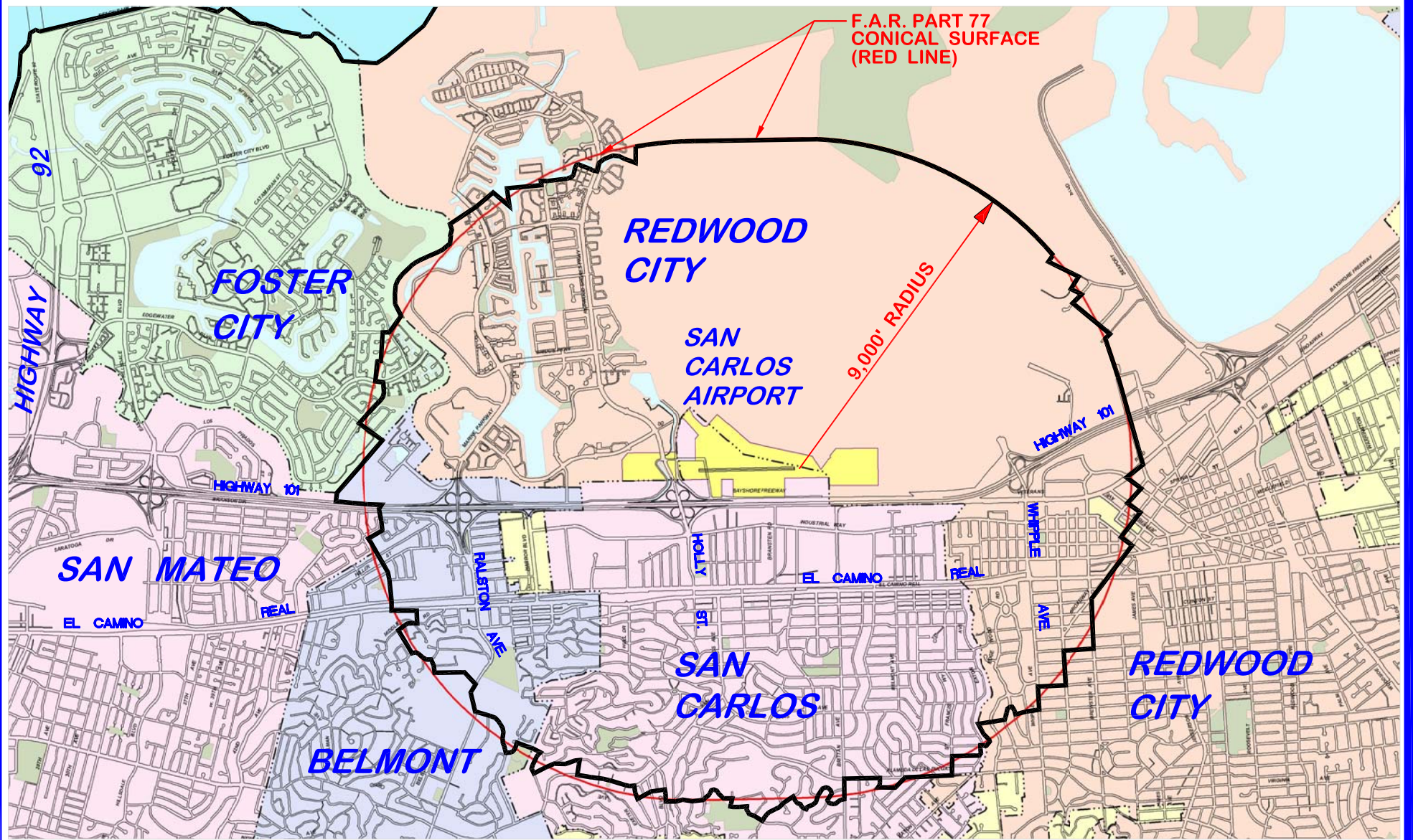
100:1 FAA Notification Zone: Ricondo & Associates, Inc. and Jacobs Consultancy, based on 14 CFR Part 77, Subpart B, Section 77.9.

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.”