

RESOLUTION 24-11

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY, ACTING AS THE SAN MATEO COUNTY AIRPORT LAND USE COMMISSION, DETERMINING THAT PROPOSED GENERAL PLAN AND ZONING AMENDMENTS RELATED TO FOUR POTENTIAL HOUSING SITES IDENTIFIED IN THE SAN BRUNO DRAFT 2023-2031 HOUSING ELEMENT SITUATED WITHIN OR ADJACENT TO THE TANFORAN SHOPPING CENTER IN SAN BRUNO ARE INCONSISTENT WITH NOISE COMPATIBILITY POLICIES OF THE COMPREHENSIVE AIRPORT LAND USE COMPATIBILITY PLAN FOR THE ENVIRONS OF SAN FRANCISCO INTERNATIONAL AIRPORT.

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

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

WHEREAS, in November 2022, the City of San Bruno referred its Draft 2023-2032 Housing Element Update to the C/CAG, acting as the Airport Land Use Commission (ALUC), for a determination of consistency with the relevant airport/land use compatibility criteria in the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport* (SFO ALUCP); and

WHEREAS, due to inclusion of housing opportunity sites within the CNEL 70 dB noise contour, in conflict with SFO ALUCP noise compatibility policies, the ALUC adopted Resolution 22-96, determining the Draft Housing Element to be incompatible with the SFO ALUCP; and

WHEREAS, San Bruno has now proposed amendments to change the general plan and zoning designations on four sites located within or adjacent to the Tanforan Shopping Center to accommodate the number of housing units identified in the draft Housing Element, and has referred the proposal to the ALUC for a determination of consistency with the SFO ALUCP; and

WHEREAS, three airport/land use compatibility factors are addressed in the SFO ALUCP that relate to the proposed general plan housing element amendment. These include policies for: (a) noise compatibility, (b) safety compatibility, and (c) airspace compatibility, as discussed below:

- a. Noise Compatibility - The four sites identified in the proposed amendments for redesignation/rezoning to allow for residential use lie wholly within the CNEL 70 dB aircraft noise contour. As outlined in SFO ALUCP Table IV-1 - Noise/Land Use Compatibility Criteria, with a limited exception, residential land use is deemed “not compatible” in the CNEL 70-75 dB noise exposure contour range. [The exception applies to existing lots of record zoned for residential use as of the effective date of the SFO ALUCP (November 8, 2012), which does not apply to the subject proposal.] In addition, SFO ALUCP Policy NP-4.4 states: “The rezoning of land for residential use within the CNEL 70 dB contour shall be considered incompatible and inconsistent with this ALUCP.”

The proposed amendments are therefore incompatible and inconsistent with the SFO ALUCP noise compatibility policies.

- b. Safety Compatibility - The SFO ALUCP includes safety zones and related land use compatibility policies and criteria. Sites 1 and 2, are located within Safety Zone 4 (Outer Approach / Departure Zone) and Sites 3 and 4 are not located within a Safety Zone. Per SFO ALUCP Table IV-2, *Safety Compatibility Criteria*, housing is a compatible use in Safety Zone 4. Therefore, the proposed amendments are consistent with the SFO ALUCP safety policies
- c. Airspace Compatibility - The SFO ALUCP airspace policies establish maximum heights for the compatibility of new structures, the need for compliance with federal regulations requiring notification of the Federal Aviation Administration (FAA) of certain proposed construction or alterations of structures, and address other incompatible site characteristics, especially as they pertain to building materials or features that reflect and create bright lights or glare or which may attract wildlife (ex. large flocks of birds), which can pose serious safety hazard to pilots and aircraft.

The elevations of the critical aeronautical surfaces at the subject development sites range from approximately 125 to 145 feet above mean sea level (AMSL). Utilizing SFO's online airspace tool it appears the allowable heights on the sites would not exceed the critical aeronautical surfaces. Additionally, per SFO ALUCP Exhibit IV-11, development projects on any of these sites would require the filing of Form 7460-1 with the FAA and subsequent issuance of a Determination of No Hazard to Air Navigation. Also, since San Bruno has not yet brought its General Plan and Zoning Ordinance into consistency with the SFO ALUCP, in accordance with SFO ALUCP Policy GP-10.1, the city is required to submit all proposed development and land use policy actions that affect property within AIA B to the ALUC for a consistency determination before issuing any permits, which will ensure that future projects will comply with applicable Airspace Protection policies.

WHEREAS, at its February 22, 2024 meeting, based on the factors listed above, the Airport Land Use Committee recommended that the C/CAG Board of Directors, acting as the Airport Land Use Commission, determine that the proposed amendments be found inconsistent with the noise compatibility policies of the SFO ALUCP; and,

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the City/County Association of Governments for San Mateo County, acting as the San Mateo County Airport Land Use Commission, that the proposed General Plan and Zoning Amendments related to four potential housing sites identified in the San Bruno Draft 2023-2031 Housing Element, situated within or adjacent to the Tanforan Shopping Center in San Bruno, are inconsistent with Noise Compatibility Policies of the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport*.

PASSED, APPROVED, AND ADOPTED, THIS 14TH DAY OF MARCH 2024.



Davina Hurt, Chair