

## **RESOLUTION 22-64**

**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 THE 180 EL CAMINO REAL, SOUTH SAN FRANCISCO “PREFERRED SITE PLAN”, COMPRISED OF THREE LIFE SCIENCE/RESEARCH AND DEVELOPMENT (R&D) BUILDINGS, A 7-LEVEL PARKING STRUCTURE, AND A MULTI-FAMILY RESIDENTIAL BUILDING, IS NOT CONSISTENT WITH THE 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**, 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); and

**WHEREAS**, the 180 El Camino Real Preferred Site Plan (Project), comprised of a mix of residential and life science/R&D uses, is located within Airport Influence Area B of San Francisco International Airport (SFO), the area subject to formal C/CAG/ALUC review; and

**WHEREAS**, the City of South San Francisco has referred the Project to the C/CAG Board, acting as the San Mateo County Airport Land Use Commission, for a determination of consistency with the SFO ALUCP; and

**WHEREAS**, three sets of airport/land use compatibility policies and criteria in the SFO ALUCP relate to the Project: (a) noise compatibility policies and criteria; (b) safety policies and criteria; and (c) airspace protection policies, as discussed below:

(a) Noise Policy Consistency Analysis - In accordance with SFO ALUCP Policy NP-1 Noise Compatibility Zones, Exhibit IV-5 identifies the noise compatibility zones for the purposes of the SFO ALUCP, with greater detail shown on Exhibit IV-6. As depicted in these exhibits the project site is located almost entirely within the 70-75 dB CNEL contour. Pursuant to SFO ALUCP Table IV-1, Noise/Land Use Compatibility Criteria, multi-family residential use is identified as “Not Compatible” within that contour, unless at the time of adoption of the SFO ALUCP (2012) the site had been zoned exclusively for residential use, which is not the case with the subject development site. “Not Compatible” is further clarified in SFO ALUCP Noise Policy NP-2 to mean “that the proposed land use is incompatible with aircraft noise at the indicated CNEL level”, regardless of proposed mitigation. Accordingly, the Project is determined to be Not Compatible, and therefore not consistent with the Noise Policies of the SFO ALUCP.

(b) Safety Policy Consistency Analysis - The SFO ALUCP includes five sets of safety zones and related land use compatibility policies and criteria. As shown on SFO ALUCP

Exhibit IV-8, much of the Project site, including the three R&D structures, are located within Safety Zone 4, the outer Approach/Departure Zone (OADZ). The residential structure is not located within a safety zone.

Per the SFO ALUCP, the safety compatibility criteria are established in Table IV-2. Within Safety Zone 4, residential use is not restricted. Hazardous Uses, such as biosafety level 2 uses (which encompasses the life sciences/R&D use) are determined to be “not incompatible” but are classified as uses that should be “avoided unless no feasible alternative is available”. In addition, the safety compatibility criteria state that where such use is allowed, habitable structures need to be provided with at least 50% more exits than required by codes.

(c) **Airspace Protection Consistency Analysis –**

1. **Structures** - Pursuant to the SFO ALUCP, airspace protection compatibility of proposed land uses within its AIA is evaluated in accordance with the following criteria: (1) 14 Code of Federal Regulations Part 77 (FAR Part 77), “Safe, Efficient Use and Preservation of the Navigable Airspace”, which establishes the standards for determining obstructions to air navigation; and (2) FAA notification surfaces.

In order to be deemed consistent with the ALUCP, the maximum height of a new building must be the lower of (a) the height shown on the critical aeronautical surfaces map or (b) 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.

As depicted on Exhibit IV-17 of the SFO ALUCP, the critical aeronautical surfaces above the Project are at an elevation of between approximately 159 and 168 feet above mean sea level MSL. The estimated maximum elevations of the highest buildings, which range from 159’-10” to 160’-1”, including rooftop appurtenances), would be below the critical aeronautical surfaces, but by a small margin, estimated at 1-2 feet.

In accordance with SFO ALUCP Exhibit IV-11, the project site is located within an area that requires filing FAA Form 7460-1, Notice of Proposed Construction or Alteration, for structures of the heights proposed in the application.

2. **Other Flight Hazards** - Within AIA B, certain land use characteristics are recognized as hazards to air navigation and, per SFO ALUCP Policy AP-4, need to be evaluated to ensure compatibility with FAA rules and regulations. South San Francisco Municipal Code Section 20.300.010 includes performance standards to ensure that development does not create an aircraft hazard.

**WHEREAS**, the Project site is located within Airport Influence Area (AIA) A for San Francisco International Airport, where the real estate disclosure requirements of state law apply. Neither South San Francisco’s Municipal Code nor the project application materials address this requirement; and

**WHEREAS**, at its June 23, 2022 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 Project is not consistent with the Comprehensive Airport Land Use

Compatibility Plan for the Environs of San Francisco International Airport, specifically with the Noise Compatibility Policies; 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 Project is determined not 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.

**PASSED, APPROVED, AND ADOPTED, THIS 14<sup>TH</sup> DAY OF JULY 2022.**

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*Davina Hurt, Chair*