

A P P E N D I X L

C/CAG ALUCP CONSISTENCY
DETERMINATION



C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

Atherton • Belmont • Brisbane • Burlingame • Colma • Daly City • East Palo Alto • Foster City • Half Moon Bay • Hillsborough • Menlo Park
Millbrae • Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County • South San Francisco • Woodside

AIRPORT LAND USE COMMITTEE (ALUC)

Revised AGENDA

REVISED Zoom login info

Date: Thursday, September 28, 2023	Join by Zoom Webinar: https://us02web.zoom.us/j/81335481228?pwd=eEQ2cmI4VzUrRHk0Nk4ybkZ4cWtDUT09
Time: 4:30 p.m.	
Location: Burlingame Community Center 850 Burlingame Avenue Burlingame, CA	Webinar ID: 813 3548 1228 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 August 24, 2023 meeting. | Action
(O'Connell) | Page 1 |
| 4. San Francisco International Airport Comprehensive Airport Land Use Compatibility Plan Consistency Review – Proposed 155-unit single family residential development, public open space and recreation facilities at 300 Piedmont Avenue, San Bruno. | Action
(Kalkin) | Page 5 |

- | | | |
|---|--------------------|---------|
| 5. San Carlos Airport Land Use Compatibility Plan Consistency Review – Proposed 6-story, 188 room hotel at 501 Industrial Road, San Carlos, including associated rezoning. | Action
(Kalkin) | Page 23 |
| 6. San Francisco International Airport Comprehensive Airport Land Use Compatibility Plan Consistency Review – Comprehensive update of the Burlingame Zoning Ordinance. | Action
(Kalkin) | Page 41 |
| 7. San Carlos Airport Land Use Compatibility Plan Consistency Review – Draft San Carlos Zoning Ordinance Update. | Action
(Kalkin) | Page 60 |
| 8. San Francisco International Airport Comprehensive Airport Land Use Compatibility Plan Consistency Review – Amendments to the Millbrae Station Area Specific Plan to allow for uses classified as “Biotechnology Level 2” within portions of the Transit Oriented Development Zone north of the paseo connecting the Millbrae transit station and Rollins Road, south of the BART parking garage, east of Millbrae transit station, and west of Rollins Road, which are located within Safety Compatibility Zone 2. | Action
(Kalkin) | Page 76 |
| 9. Member Comments/Announcements | Information | |
| 10. Items from Staff | Information | |
| 11. Adjournment – <i>Next regular meeting – Oct. 26, 2023</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 .

* * * * *

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.
5. When called, please limit your remarks to the two-minute time limit.

Airport Land Use Committee (ALUC)
Meeting Minutes
August 24, 2023

1. Call to Order/Roll Call

As neither the Chair nor Vice-Chair was in attendance, Member Hamilton called the meeting to order at 4:41 pm. The attendance sheet is attached.

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

3. Minutes of the May 25, 2023 meeting and acceptance of the meeting record for June 22, 2023

Motion: Member Sturken moved, and Member Nicolas seconded, approval of the May 25, 2023 meeting and acceptance of the meeting record for June 22, 2023. Motion carried (7-0-0) by the following voice vote: AYE – Members DiGiovanni, Sullivan, Cahalan, Sturken, Hamilton, Nicolas and Ford. NO – none. ABSTAIN – none.

4. San Carlos Airport Land Use Compatibility Plan Consistency Review – Proposed 5-story, 103-unit apartment building at 608 Harbor Blvd., Belmont.

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

Motion: Member Sturken 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 Vice-Chair Ortiz. NO – none. ABSTAIN – none.

5. San Carlos Airport and San Francisco International Airport Land Use Compatibility Plan Consistency Review – Belmont General Plan Housing Element 2023-2031.

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

Motion: Member Nicolas moved, and Member DiGiovanni 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 Vice-Chair Ortiz. NO – none. ABSTAIN – none.

6. San Francisco International Airport Land Use Compatibility Plan Consistency Review – Proposed 10-story, 341-unit, multi-family residential development at 840 San Bruno Avenue, San Bruno.

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

Vice-chair Ortiz noted that a letter had been submitted by SFO staff and asked that staff clarify their concerns. Staff noted that the comment letter did not raise any significant concerns but did note that the project must submit Form 7460-1 to the FAA for a hazard determination and also that the project sponsor should be mindful of the requirements to avoid incompatible site design characteristics including reflective building materials and bright lights.

Motion: Member DiGiovanni moved, and Member Sturken 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 Vice-Chair Ortiz. NO – none. ABSTAIN – none.

7. San Francisco International Airport Land Use Compatibility Plan Consistency Review – Draft Lindenville Specific Plan, South San Francisco.

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

Motion: Vice-Chair Ortiz moved, and Member Sturken 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 Vice-Chair Ortiz. NO – none. ABSTAIN – none.

8. Considerations for the update of Airport Land Use Compatibility Plans (ALUCPs) – Discussion only.

Susy Kalkin, C/CAG staff, presented the staff report, noting that staff does not recommend updating the ALUCPs at this time due to the factors noted in the staff report, including the pending update of the Caltrans Div. of Aeronautics California Airport Land Use Planning Handbook, the lack of reliable data due to the continued recovery of the travel sector post Covid-19, and the lack of a funding source. She further noted that staff recommended pursuing a minor amendment to the San Carlos ALUCP focused on providing guidance on how to evaluate conditional childcare uses in safety zone 6, as no clear guidance currently exists.

Member Cahalan asked whether the unclear language only pertains to the San Carlos ALUCP or whether it extends to all three ALUCP documents. Staff noted that the language in the SFO ALUCP regarding childcare use was not ambiguous, but noted that staff would review the Half Moon Bay ALUCP and determine whether there was a similar issue.

Member Cahalan questioned whether a focused update to the SFO ALUCP could be considered. She noted that Millbrae had recently updated its General Plan and Station Area Specific Plan and had needed to adopt overrides as part of that effort. She wondered if the ALUCP could be reviewed to address those areas of inconsistency. Staff responded that this type of amendment would be a larger effort than the minor amendments we have undertaken, or are proposing, which have focused on addressing unclear policy language rather than developing new policies.

Executive Director Charpentier further noted that since adoption of the ALUCPs there have been four overrides, two related to residential use in the noise impact area (South San Francisco and San Bruno), and two related to biosafety use in Safety Zone 2 (Millbrae), and that these situations involve instances where there are clearly defined policies in the ALUCP that are in line with the guidance provided in the Caltrans Handbook. Conversely, the concern about conditional childcare use in the San Carlos ALUCP is the lack of appropriate guidance/evaluation criteria in the document.

There was general agreement among Committee Members that update of the ALUCPs should wait until the update to the Caltrans Handbook is complete. Additionally, it was recommended that staff begin to explore potential funding sources.

Tiffany Martinez, Caltrans Airport Planner, introduced herself, noting she was recently assigned to the Bay Area region. She commended the ALUC on its desire to keep the County's ALUCPs up to date and noted that San Mateo County's plans are among the most current in the state. She provided some additional information regarding the Handbook update, including that there is no clear schedule at this point, though they are doing background research and stakeholder outreach, with the expectation that the update will kick-off after the beginning of the year. She also supported the Committee's recommendation to wait for the Handbook update before beginning the ALUCP update process.

9. Member Comments/Announcements

None

10. Items from Staff

None

11. Adjournment

The meeting was adjourned at 5:53 pm.

2023 C/CAG Airport Land Use Committee Attendance Report

Name	Agency	Jan	Feb	Mar		Apr	May	June	August		
				In-person	AB2449						
Terry O'Connell	City of Brisbane	X	X			X	X	X			
Ricardo Ortiz	City of Burlingame	X	X						X ^{arrived 4:50}		
Pamela DiGiovanni	City of Daly City		X	X		X	X		X		
Patrick Sullivan	City of Foster City	X ^{arrived 5:00}	X	X		X	X	X	X		
Robert Brownstone	City of Half Moon Bay										
Angelina Cahalan	City of Millbrae	X	X	X		X	X	X	X		
Christopher Sturken	City of Redwood City	X	X	X		X		X	X		
Tom Hamilton	City of San Bruno	X	X	X		Y ^{arrived 4:50}	X	X	X		
Adam Rak/ Pranita Venkatesh ¹	City of San Carlos			X ^{arrived 5:10}		X	X				
Warren Slocum	County of San Mateo & Aviation Rep.										
Flor Nicolas	City of South San Francisco	X	X			X		X ²	X		
Carol Ford	Aviation Rep.	X			X	X	X		X		
Chistopher Yakabe	Half Moon Bay Pilots Assn.	Y ^{arrived 4:45}	X	Y		Y	X	X			

No quorum

¹ Pranita Venkatesh appointed 2/27/2023

² Member Nicolas attended remotely but, due to a lack of a quorum at the meeting site, did not invoke AB2449

X - Committee Member Attended

Y - Designated Alternate Attended

Staff and guests in attendance for the August 24, 2023, meeting: Susy Kalkin and Sean Charpentier, C/CAG staff; Carlos de Melo and Diana Elrod, Belmont staff; Matt Neubaumer, San Bruno staff; Billy Gross, South San Francisco staff; Tiffany Martinez, Caltrans Div. of Aeronautics

C/CAG AGENDA REPORT

Date: September 28, 2023

To: Airport Land Use Committee

From: Susy Kalkin

Subject: San Francisco International Airport Comprehensive Airport Land Use Compatibility Plan Consistency Review – Proposed 155-unit single family residential development, public open space and recreation facilities at 300 Piedmont Avenue, San Bruno.

(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 project, comprised of a 155-unit single family residential development, public open space and recreation facilities at 300 Piedmont Avenue, San Bruno, is 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), subject to the following conditions:

- *Prior to issuance of a building permit, the project sponsor shall file Form 7460-1 with the FAA and provide to the City of San Bruno an FAA “Determination of No Hazard”.*
- *The City of San Bruno shall require that lighting for the proposed multi-use soccer field be downward-facing and designed to minimize visual hazards to pilots.*
- *The City of San Bruno shall require that the project sponsor comply with the real estate disclosure requirements outlined in Policy IP-1 of the SFO ALUCP, which apply to sale or lease of property located within the AIA.*

BACKGROUND

The proposed project (“Project”) consists of demolishing the former Crestmoor High School facilities and constructing a 155-lot single family subdivision on approximately 12.3 acres of the 40.2-acre site. The Project also includes approximately 18 acres of publicly accessible open space, including a 6-acre portion that would be developed as a multi-use soccer field with permanent lighting.

The Project is located within Airport Influence Area B (AIA B), the “Project Referral” area, for San Francisco International Airport. California Public Utilities Code (PUC) Section 21676(b) requires 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). Additionally, PUC Section 21676.5(a), requires that until a local agency has brought its land use plans into compliance with the ALUCP, that it submit all proposed development and land use policy actions that affect property within AIA B to the ALUC for a consistency determination. In accordance with these requirements, San Bruno has referred the subject development project 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

The SFO ALUCP contains policies and criteria to address four issues: (a) aircraft noise; (b) safety; (c) airspace protection; and (d) overflight notification. The following sections describe the degree to which the Project is compatible with each.

(a) Aircraft Noise

The 65 dB CNEL (Community Noise Equivalent Level) aircraft noise contour defines the threshold for airport 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**, the subject property lies outside the bounds of the 65dB CNEL contour, and therefore the Project is consistent with the SFO ALUCP noise policies and criteria.

(b) Safety

The SFO ALUCP includes five safety zones and related land use compatibility policies and criteria. As shown on **Attachment 3**, the Project site is located outside of the safety zones established in the SFO ALUCP, and therefore the safety policies and criteria do not apply to the Project.

(c) Airspace Protection

Structure Heights

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.

As proposed, the new homes would be approximately 27 feet tall, and the light standards proposed for the athletic fields would be approximately 80 feet tall. The ground elevation at the site is approximately 433 feet above mean sea level (AMSL), so maximum Project heights would be approximately 513 feet AMSL. As indicated on **Attachment 4**, the critical airspace above the site lies at approximately 860 feet AMSL, so the Project would be more than 300 feet below this surface. However, as shown on **Attachment 5**, the Project is located in an area that requires FAA notification

C/CAG AGENDA REPORT

Airport Land Use Committee

RE: Consistency Review – 300 Piedmont Ave., San Bruno

Date: September 28, 2023

Page 3

for all new construction (structures under 35 feet tall). The application materials recognize the requirement that the project submit Form 7460-1 for an FAA hazard determination, but it is included as a condition to ensure compliance:

- *Prior to issuance of a building permit, the project sponsor shall file Form 7460-1 with the FAA and provide to the City of San Bruno an FAA “Determination of No Hazard”.*

Other Flight Hazards

Within AIA B, certain land use characteristics are recognized as hazards to air navigation and, per Airspace Protection Policy AP-4, need to be evaluated to ensure compatibility with FAA rules and regulations. As noted in the comment letter provided by SFO Planning staff, **Attachment 6**, the Project includes a multi-use soccer field that would include permanent lighting. Further, they note that the site is subject to overflights by arriving and departing aircraft and caution that bright lights can be a visual hazard to pilots. Accordingly, the following condition is proposed:

- *The City of San Bruno shall require that lighting for the proposed multi-use soccer field be downward-facing and designed to minimize visual hazards to pilots.*

(d) Overflight Notification

The Project site is located within the Airport Influence Area (AIA) of SFO, the real estate disclosure area. Pursuant to Policy IP-1, notification is required, prior to sale or lease of property located within the AIA, of the proximity of the airport and that therefore the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations.

As this disclosure requirement is not currently included in San Bruno’s Municipal Code, the following condition is proposed:

- *The City of San Bruno shall require that the project sponsor comply with the real estate disclosure requirements outlined in Policy IP-1 of the SFO ALUCP, which apply to sale or lease of property located within the AIA.*

ATTACHMENTS

1. ALUCP application, together with related project description and plan set excerpts
2. SFO ALUCP Exh. IV-6 – Noise Compatibility Zones
3. SFO ALUCP Exh. IV-2 –AIA B w/Safety Compatibility Zones
4. SFO ALUCP Exh. IV-17 – Critical Aeronautical Surfaces - NW
5. SFO ALUCP Exh. IV-12 – FAA Notification Filing Reqs.- South Side
6. Comment Letter from SFO Planning dated Aug. 10, 2023



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

APPLICANT INFORMATION

Agency: City of San Bruno

Project Name: Crestmoor

Address: 300 Piedmont Avenue

APN: 019-170-020

City: San Bruno

State: CA

ZIP Code: 94066

Staff Contact: Michael Smith

Phone: 650-616-7062

Email: msmith@sanbruno.ca.gov

PROJECT DESCRIPTION

SummerHill Homes (project sponsor) proposes to develop an approximately 40.2-acre site into a new 155-lot single-family, detached-home community with associated open space and infrastructure located at 300 Piedmont Avenue (project site) in the City of San Bruno. The City also proposes to construct new recreational amenities on a portion of the project site. The Crestmoor, 300 Piedmont Avenue Project (project) would also demolish the former Crestmoor High School and other existing structures on the project site. The project would include 24 acres for the residential development, 12.32 acres of publicly accessible open space, and 6 acres for the recreational amenities. The project site currently contains the former Crestmoor High School, constructed in 1962, as well as playing fields, parking lots, a storage lot, school district maintenance facilities, and unimproved sloping wooded open space.

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. *Per Exhibit IV-6, Noise Compatibility Zones, the project site is located well outside the CNEL noise contours of the SFO Airport. Therefore, the project is not subject to the noise compatibility land use criteria of the ALUCP.*
 - b) Safety: Location of project/plan area in relation to the safety zones identified in the applicable ALUCP. *Per Exhibit IV-7, Safety Compatibility Zones, the project site is located well outside the Safety Compatibility Zones of the ALUCP. Because the project site does not fall within any of the Safety Compatibility Zones, it is not subject to the safety compatibility policies and land use criteria of the ALUCP.*
 - c) Airspace Protection: *The subject property is located approximately two miles west of San Francisco International Airport with a ground elevation of approximately 433' above MSL. The single-family homes in the project would be approximately 27' in height above ground level (AGL) and the field lighting, the tallest object proposed at the fields, would be approximately 80' AGL. FAA Notification Form 7460-1 is required and will be submitted separately.*

2. Real Estate Disclosure requirements related to airport proximity -*None*
3. Any related environmental documentation (electronic copy preferred) - *In process*
4. Other documentation as may be required (ex. related staff reports, etc.) - *In process*

Additional information For Development Projects:

1. Project plans - *Attached*
2. Latitude and longitude of development site - 37°36'54.3"N 122°25'40.3"W
3. Building heights relative to mean sea level (MSL) - Approximately 460' MSL for the homes and 513' MSL for the field lighting.

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>

300 PIEDMONT AVENUE

PROJECT SUBMITTAL

SAN BRUNO, CALIFORNIA



APPLICANT:

SUMMERHILL HOMES
777 S. CALIFORNIA AVENUE
PALO ALTO, CA 94304
P: 925.244.7513
SAM ROSEN
srosen@shhomes.com

JOINT TRENCH:

GIACALONE DESIGN SERVICES, INC.
5820 STONERIDGE MALL ROAD, SUITE 345
PLEASANTON, CA 94588
P: 925.467.1740
PAUL GIACALONE
paulg@dryutilitydesign.com

CIVIL ENGINEER:

CBG CIVIL ENGINEERS
2633 CAMINO RAMON, SUITE 350
SAN RAMON, CA 94583
RYAN HANSEN
rhansen@cbandg.com

ARCHITECT:

KTGY ARCHITECTURE
1814 FRANKLIN STREET, SUITE 400
OAKLAND, CA 94612
JILL WILLIAMS
jwilliams@ktgy.com

LANDSCAPE ARCHITECT:

VAN DORN ABED, LANDSCAPE ARCHITECTS, INC.
81 14TH STREET
SAN FRANCISCO, CA 94103
ZEKI ABED
zeki@vlainc.com





Front Elevation 1A
Scheme 1



Front Elevation 1B
Scheme 4



Front Elevation 1C
Scheme 7



"Artists' conception. Please refer to plans for project specifications."

SUMMERHILL HOMES
COMMUNITIES OF DISTINCTION

kitgy

cbg CARLSON, BARBEE & GIBSON, Inc.
THE ENGINEERS • ARCHITECTS • PLANNERS

VAN DORN ABED LANDSCAPE ARCHITECTS, INC.
30 W 15TH STREET, SAN FRANCISCO, CA
415 775 1100 SAN FRANCISCO, CA 94103

GIACALONE DESIGN SERVICES, INC.
1001 STRANDBEACH WALK, SUITE 100, PALMDALE, CA 93550
805.441.1100 | WWW.GIACALONEDSIGN.COM

PROJECT SUBMITTAL
300 PIEDMONT AVENUE
San Bruno, Ca. # 2021-1262

SCHEMATIC DESIGN
FEBRUARY 3, 2023

COVER SHEET
N1 PERSPECTIVE VIEW

A0.0.1



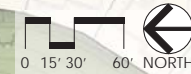
- Pedestrian path
- Fitness area with seating
- Crosswalk
- Accessible pathway
- Bioretention area, typ.
- Restroom, concession and maintenance building
- Plaza with picnic tables and seatwalls
- U6 soccer field, 15 yd x 25yd
- Storage container, typ. of 2
- U8 soccer field, 25 yd x 35 yd
- Goal storage
- Plaza with picnic tables

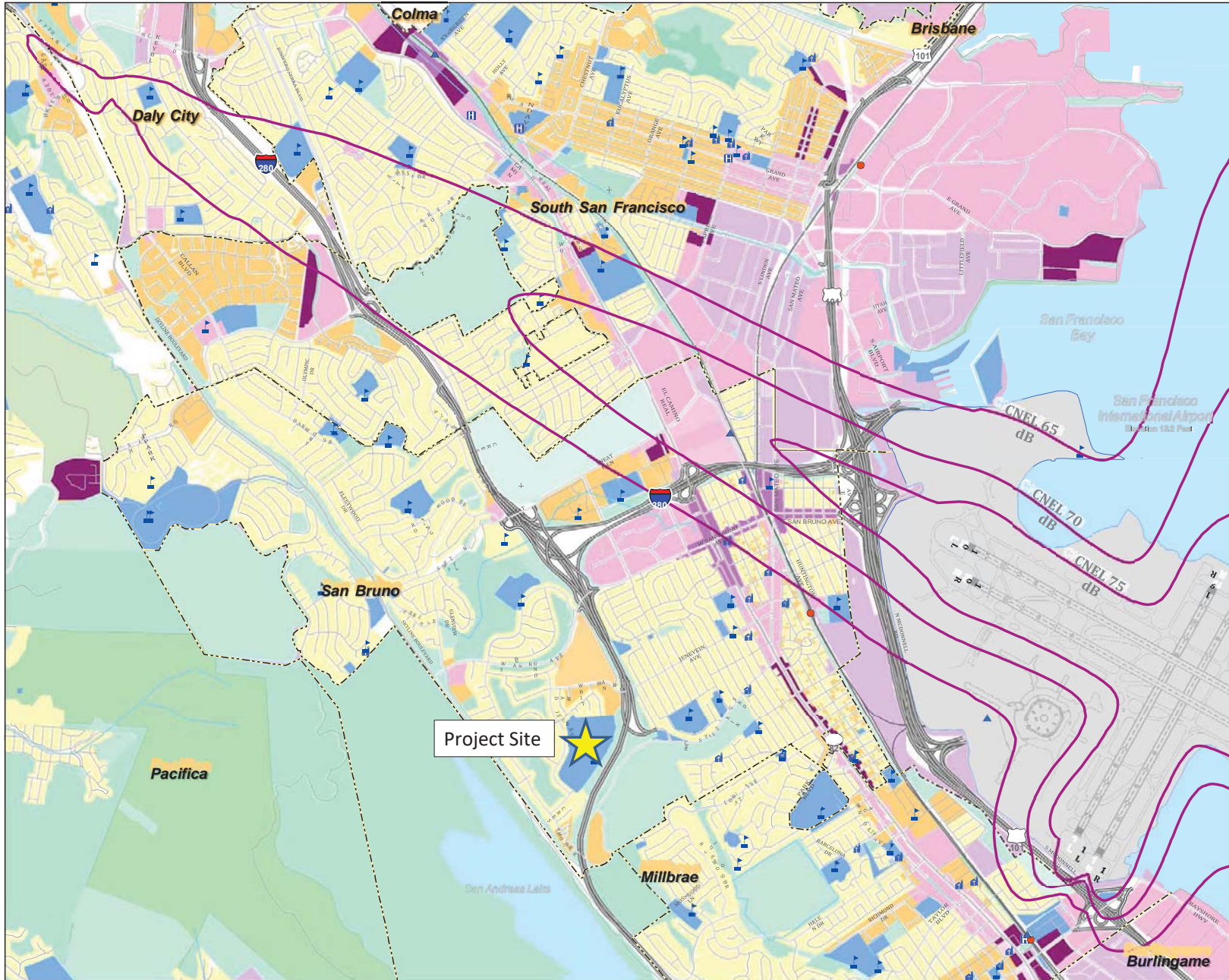
- Parking Area
- Parking lot
- Drop-off area and entrance plaza
- Entry stairs and bleacher seating on slope
- Backstop
- Little league baseball practice field
- U8 soccer field, 25 yd x 35 yd, yellow striping, typ.
- U10 soccer field, 35 yd x 60 yd, white striping
- Seatwall, typ.
- Entry stairs
- Landscape slope with seat wall
- 11v11 soccer field, 60 yd x 103 yd, white striping
- Street parking
- Bleacher seating on slope
- Perimeter walking path, 1/4 mile loop with distance markers
- U12 soccer field, 45 yd x 70 yd, yellow striping
- Project limits
- Bench seating, typ.
- Bioretention area for residential development

PROPOSED RESIDENTIAL DEVELOPMENT



DRAFT MASTER PLAN
CRESTMoor FIELDS MASTER PLAN





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

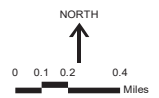
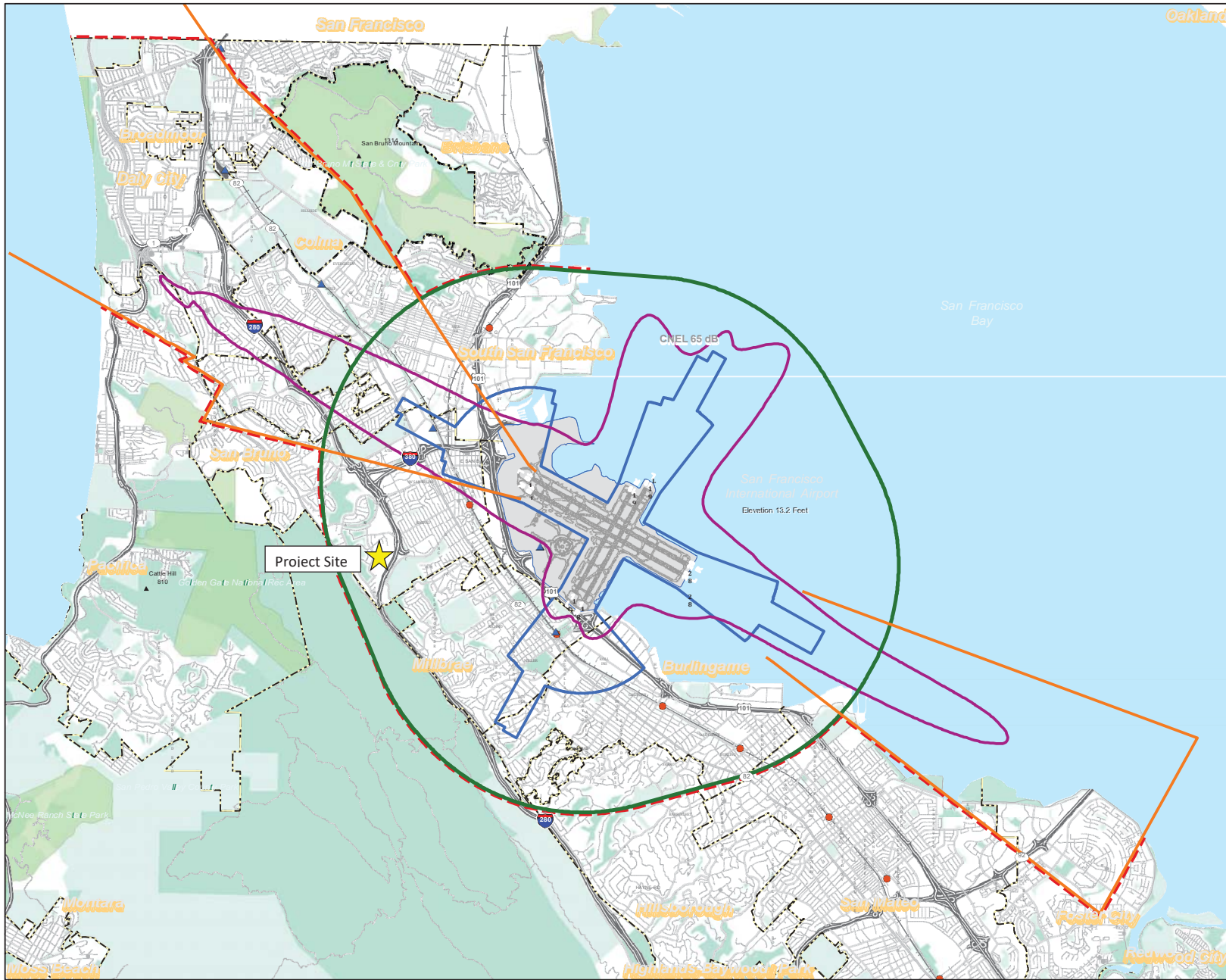


Exhibit IV-6
**NOISE COMPATIBILITY ZONES --
 DETAIL**
 Comprehensive Airport Land Use Plan
 for the Environs of San Francisco International Airport
C/CAG
 City/County Association of Governments
 of San Mateo County, California



- 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

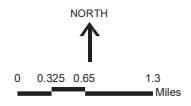
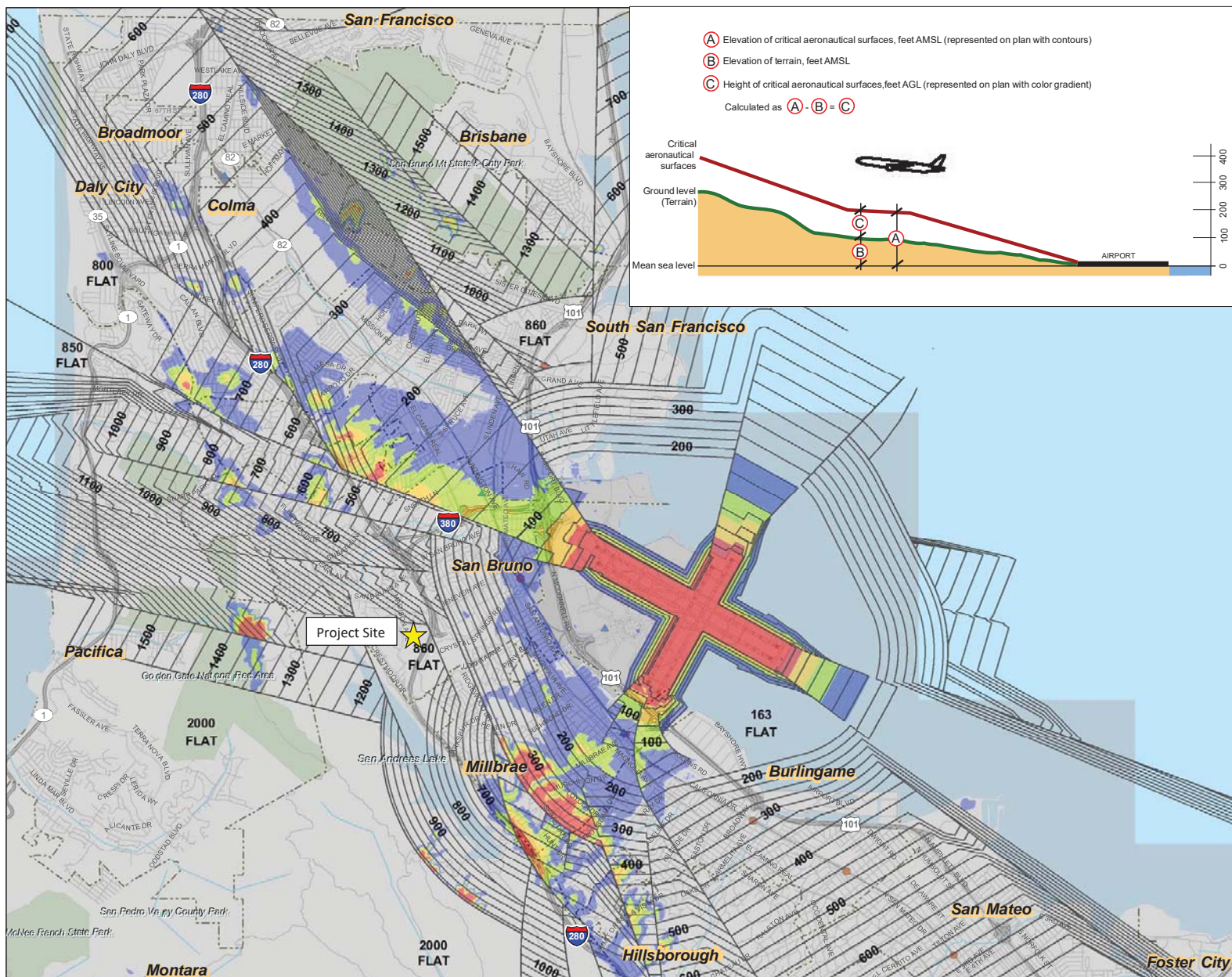


Exhibit IV-2
AIRPORT INFLUENCE AREA B --
LAND USE POLICY ACTION/PROJECT REFERRAL AREA
 Comprehensive Airport Land Use Plan
 for the Environs of San Francisco International Airport

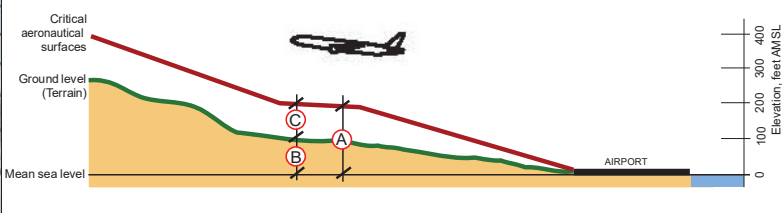
C/CAG
 City/County Association of Governments
 of San Mateo County, California



LEGEND

- (A) —100— Elevation of critical aeronautical surfaces, feet Above Mean Sea Level (AMSL), North American Vertical Datum of 1988 (NAVD88)
- (C) Height of Critical Aeronautical Surfaces, Feet Above Ground Level (AGL)
 - 35 and lower
 - 35- 65
 - 65 - 100
 - 100 - 150
 - 150 and more
- Airport Property
- ▲ BART Station
- CALTRAIN Station
- Regional Park or Recreation Area
- Municipal Boundary
- Railroad
- Freeway
- Road

(A) Elevation of critical aeronautical surfaces, feet AMSL (represented on plan with contours)
 (B) Elevation of terrain, feet AMSL
 (C) Height of critical aeronautical surfaces, feet AGL (represented on plan with color gradient)
 Calculated as $(A) - (B) = (C)$



Notes:

1. This map is intended for informational and conceptual planning purposes, generally representing the aeronautical surfaces considered most critical by San Francisco International Airport (SFO) and its constituent airlines. It does not represent actual survey data, nor should it be used as the sole source of information regarding compatibility with airspace clearance requirements in the development of data for an FAA Form 7460-1, Notice of Proposed Construction or Alteration. SFO does not certify its accuracy, information, or title to the properties contained in this plan. SFO does make any warrants of any kind, express or implied, in fact or by law, with respect to boundaries, easements, restrictions, claims, overlaps, or other encumbrances affecting such properties.
2. This map does not replace the FAA's obstruction evaluation / airport airspace analysis (OE/AAA) review process. Proposing construction at elevations and heights that are lower than the critical aeronautical surfaces shown on this map, (a) does not relieve the construction sponsor of the obligation to file an FAA Form 7460-1, and (b) does not ensure that the proposal will be acceptable to the FAA, SFO, air carriers, or other agencies or stakeholders. SFO, San Mateo County, and local authorities having jurisdiction reserve the right to re-assess, review, and seek modifications to projects that may be consistent with this critical aeronautical surfaces map but that through the FAA OE/AAA process are found to have unexpected impacts to the safety or efficiency of operations at SFO.

Sources: San Francisco International Airport, Jacobs Consultancy, and Planning Technology Inc., 2009

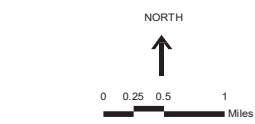
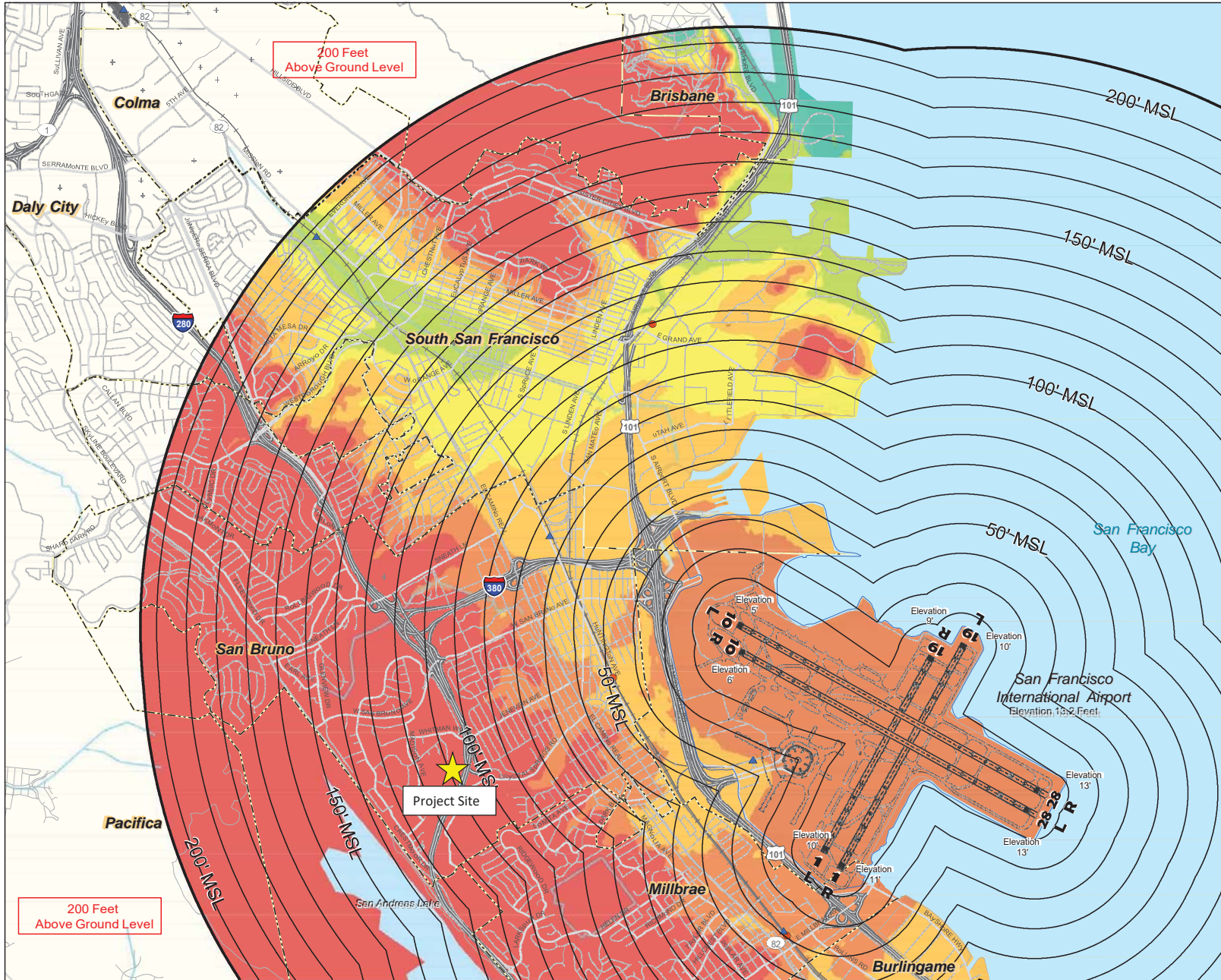


Exhibit IV-17
CRITICAL AERONAUTICAL SURFACES
 -- NORTHWEST SIDE
 Comprehensive Airport Land Use Plan
 for the Environs of San Francisco International Airport
C/CAG
 City/County Association of Governments
 of San Mateo County, California



FAA NOTIFICATION REQUIREMENTS

A structure proponent must file FAA Form 7460-1, Notice of proposed Construction or Alteration, for any proposed construction or alteration that meets any of the following Notification Criteria described in 14 CFR part 77.9:

§77.9(a) - A height more than 200 feet above ground level (AGL) at its site;

§77.9(b) - Within 20,000 feet of a runway more than 3,200 feet in length, and exceeding a 100:1 slope imaginary surface (i.e., a surface rising 1 foot vertically for every 100 feet horizontally) from the nearest point of the nearest runway. The 100:1 surface is shown as follows:

- 20,000 Feet Limit From Nearest Runway
- 100 — Elevation Above Mean Sea Level

Heights of 100:1 Surface Above Ground (AGL)

- Terrain penetrations of Airspace Surface
- Less than 30
- 30-65
- 65-100
- 100-150
- 150-200
- 200 and more

§77.9(c) - Roadways, railroads, and waterways are evaluated based on heights above surface providing for vehicles; by specified amounts or by the height of the highest mobile object normally traversing the transportation corridor;

§77.9(d) - Any construction or alteration on any public-use or military airport (or heliport).

Structure proponents or their representatives may file via traditional paper forms via US mail, or online at the FAA's e/AAA website, <http://oeaaa.faa.gov>

LEGEND

- ▲ BART Station
- CALTRAIN Station
- Municipal Boundary
- Railroad
- Freeway
- Road

Note:

per 14 CFR part 77, developers proposing structures taller than the indicated elevations must file Form 7460-1 with the FAA at least 30 days before the proposed construction. However, due to local requirements for a favorable FAA determination as a contingency for project approval, it is advisable to file the Form 7460-1 as soon as possible because the FAA can take several months to undertake aeronautical reviews.

Source:

Ricondo & Associates, Inc. and Jacobs Consultancy, based on 14 CFR part 77, Subpart B, Section 77.9.

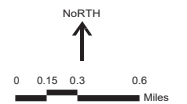


Exhibit IV-11
FAA NOTIFICATION FORM 7460-1
FILING REQUIREMENTS – NORTH SIDE
 Comprehensive Airport Land use plan
 for the Environs of San Francisco International Airport
C/CAG
 City/County Association of Governments
 of San Mateo County, California



San Francisco International Airport

August 10, 2023

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 ONLY
 kkalkin@smcgov.org

Subject: Land Use Consistency Determination for 300 Piedmont Avenue, City of San Bruno

Thank you for notifying the San Francisco International Airport (SFO or the Airport) of an Application for Land Use Consistency Determination for the 300 Piedmont Avenue Project (Proposed Project) and the Airport Land Use Commission's (ALUC) pending land use consistency determination for the Proposed Project. We appreciate this opportunity to provide comments.

According to the application materials, the Proposed Project is located at 300 Piedmont Avenue (Assessor's Parcel Number 019-170-020) on an approximately 40-acre site. Existing single-family subdivisions are to the north, west, and south, and a wooded hillside and Interstate 280 are to the east. The site is developed with buildings and facilities associated with the former Crestmoor High School, which closed in 1980.

The Proposed Project consists of demolishing the existing structures and establishing a new 155-lot single-family detached home community with associated open space and infrastructure. The Proposed Project would include approximately 18 acres of publicly accessible open space. A 6-acre portion of the open space would be developed as a multi-use soccer field with permanent lighting.

The Proposed Project site 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). 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 Airport Land Use Commission (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.

The Proposed Project site would be located outside of the 65 decibel Community Noise Equivalent Level (dB CNEL) contour and all Safety Compatibility Zones, and therefore would not appear to be inconsistent with the Noise and Safety Compatibility Policies adopted in the SFO ALUCP.

As described in Exhibit IV-17 of the SFO ALUCP (see attachment), the critical aeronautical surfaces at the Proposed Project location are at an elevation of approximately 860 feet above mean sea level (AMSL) as defined from the origin of the North American Vertical Datum of 1988 (NAVD88). The elevation of the Proposed Project site is approximately 433 feet AMSL. The maximum height of the single-family residences would be 27 feet above ground level (AGL), and maximum height of the light standards at the soccer field would be 80 feet AGL. Both of these heights would be below the height of the lowest critical aeronautical surfaces (427 feet AGL). Therefore, the Proposed Project would not appear to be inconsistent with the

AIRPORT COMMISSION CITY AND COUNTY OF SAN FRANCISCO

LONDON N. BREED
MAYORMALCOLM YEUNG
PRESIDENTEVERETT A. HEWLETT, JR.
VICE PRESIDENT

JANE NATOLI

JOSE F. ALMANZA

IVAR C. SATERO
AIRPORT DIRECTOR

*Susy Kalkin, ALUC
August 10, 2023
Page 2 of 3*

Airspace Compatibility Policies of the SFO ALUCP, subject to the issuance of a Determination of No Hazard from the Federal Aviation Administration (see below) for any proposed structures, and determinations from the City/County Association of Governments of San Mateo County as the designated Airport Land Use Commission.

This evaluation does not waive the requirement for the Proposed Project sponsor to undergo Federal Aviation Administration airspace review as described in 14 Code of Federal Regulations Part 77 for both (1) the permanent structures and (2) any equipment taller than the permanent structures required to construct those structures.

As discussed above, the Proposed Project includes a multi-use soccer field that would include permanent lighting. The Proposed Project site is subject to overflights by arriving and departing aircraft. Bright lights can be a visual hazard to pilots. Lighting for the proposed multi-use soccer field should be downward-facing to minimize visual hazards to pilots that would be incompatible with the SFO ALUCP (see Airspace Protection Policy AP-4 of the attachment).

The Airport appreciates that the City of San Bruno (City) intends to add new housing stock within its limits and outside of the 70 dB CNEL noise contour. The General Plan designation for the site is Low Density Residential, which allows a maximum density of eight units per acre. Given the size of the site (approximately 40 acres), it would be possible under existing zoning regulations to develop much denser housing at this site (up to 320 units), providing twice as many units as currently proposed. Developing only 155 units (3.9 units per acre) on this site represents a missed opportunity to provide housing in a location that is consistent with federal and State land use compatibility statutes to safeguard public health and safety, which is reflected in the Noise Compatibility Policies adopted in the SFO ALUCP.

Increasing the residential density on this site would reduce the City's Regional Housing Needs Assessment (RHNA) obligations at other sites and would alleviate development pressures at incompatible sites like the Tanforan Mall, where there would be significant environmental impacts under the California Environmental Quality Act and environmental justice issues if the City proceeds with adding housing.

In previous conversations with the City regarding Tanforan Mall, City staff shared that their community is entirely developed and that Tanforan Mall represents the only site large enough to accommodate a substantial proportion of the City's RHNA obligations. Tanforan Mall is only four acres larger than this Proposed Project site, and the portion of Tanforan which would be dedicated to housing is about eight acres compared to 22 acres at the Proposed Project site. Using even half of the assumed density for the incompatible Tanforan Mall site would yield nearly 1,400 housing units. The attached overlay figure of the Tanforan Mall plan atop the Proposed Project site demonstrates the site's scale and ability to accommodate substantially more housing development.

The Airport strongly urges the City to consider this and other compatible sites for maximum density, including via upzoning, before exploring the introduction of housing into incompatible sites.

* * *

Susy Kalkin, ALUC
August 10, 2023
Page 3 of 3

The Airport appreciates your consideration of these comments for inclusion in the ALUC's Land Use Consistency Determination for the Proposed Project. If I can be of assistance, please do not hesitate to contact me at (650) 821-6678 or at nupur.sinha@flysfso.com.

Sincerely,

DocuSigned by:
Nupur Sinha
7D552AE6A4CE495...

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

Attachments

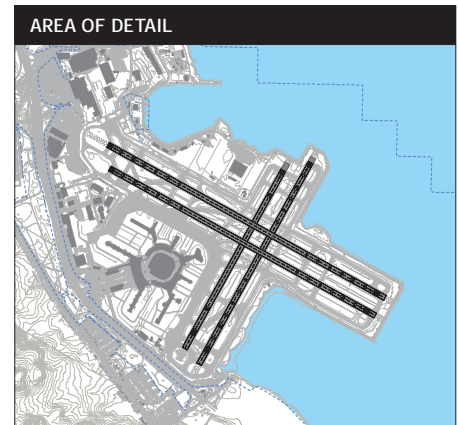
SFO ALUCP Airport Influence Areas and Airspace Protection Policies
Overlay of Tanforan Preliminary Project Application at 300 Piedmont Avenue

cc: Sean Charpentier, C/CAG
Audrey Park, SFO
Chris DiPrima, SFO
Alex D. McIntyre, City of San Bruno
Darcy Smith, City of San Bruno
Matt Neuebaumer, City of San Bruno
Matt Maloney, ABAG
Mark Shorett, ABAG
Sam Hindi, City of Foster City
Kathleen Wentworth, City of San Mateo

OVERLAY OF TANFORAN PRELIMINARY PROJECT APPLICATION AT 300 PIEDMONT AVENUE



LEGEND



SOURCES: Esri, HERE, Garmin, (c) OpenStreetMap contributors; Tanforan Preliminary Project Application, 2022; Airport Land Use Compatibility Plan for the Environs of SFO (ALUCP), 2012; SFO Bureau of Planning and Environmental Affairs, August 2023.

NOTES: Elevations are in feet above the 0' origin of the North American Vertical Datum of 1988 (NAVD88). For purposes of the ALUCP, this has the same definition as feet above mean sea level (AMSL). Figure excludes all 14 CFR Part 77 ("Part 77") surfaces. Figure is provided for informational purposes only and does not replace Federal Aviation Administration or ALUCP approval processes and documentation. Do not reproduce without permission.

FIGURE 1
 Overlay Map
 Airport Land Use Compatibility Plan
 San Francisco International Airport

C/CAG AGENDA REPORT

Date: September 28, 2023

To: Airport Land Use Committee

From: Susy Kalkin

Subject: San Carlos Airport Land Use Compatibility Plan Consistency Review – Proposed 6-story, 188 room hotel at 501 Industrial Road, San Carlos, including associated rezoning.

(For further information or response to questions, contact Susy Kalkin at kkalkin@smcgov.org)

RECOMMENDATION

That the 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 6-story, 188 room hotel, at 501 Industrial Road, San Carlos, including related rezoning, is consistent with the applicable airport/land use policies and criteria contained in the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport (San Carlos ALUCP), subject to the following conditions:

- The City of San Carlos shall require that the project sponsor comply with the real estate disclosure requirements outlined in Overflight Policy 1 of the San Carlos ALUCP.

BACKGROUND

The City of San Carlos is processing an application for development of a 2.09-acre site located at 501 Industrial Road, bounded by Holly St. and US-101. The proposal includes construction of a 188-room hotel comprised of a 6-story structure with an adjoining 3-story wing. The project also includes a request to rezone the property from Landmark Commercial (LC) to Planned Development (PD) to allow flexibility in some development standards, including building height.

The project falls within Airport Influence Area (AIA) B, the Project Referral Area for San Carlos Airport and is subject to ALUC review pursuant to California Public Utilities Code (PUC) Sections 21676(b) and 21676.5(a). Accordingly, San Carlos has referred the subject project for a determination of consistency with the San Carlos ALUCP.

DISCUSSION

I. ALUCP Consistency Evaluation

Four sets of airport/land use compatibility policies in the San Carlos ALUCP relate to the proposed project: (a) noise compatibility policies and criteria, (b) safety policies and criteria, (c) airspace protection policies and (d) overflight compatibility. The following sections address each issue.

(a) Noise Policy Consistency

The 60 dB CNEL (Community Noise Equivalent Level) aircraft noise contour defines the threshold for airport noise impacts established in the San Carlos ALUCP. All land uses located outside this contour are deemed consistent with the noise policies of the ALUCP.

As shown on San Carlos ALUCP Exhibit 4-2, **Attachment 2**, the subject property lies within the bounds of the 60 dB CNEL contour. In accordance with San Carlos ALUCP Table 4-3, Noise Compatibility Criteria, hotels are compatible within this noise contour without restriction.

(b) Safety Policy Consistency

Runway Safety Zones - The San Carlos ALUCP includes six sets of safety zones and related land use compatibility policies and criteria. As shown on San Carlos ALUCP Exhibit 4-3, **Attachment 3**, the project site is located within Safety Zone 6. Per San Carlos ALUCP Table 4-4, Safety Compatibility Criteria, hotel use is listed as compatible in this safety zone.

(c) Airspace Protection Policy Consistency

Structures Heights

In order to be deemed consistent with the ALUCP, the maximum height of a new building must be the lower or (1) the height of the controlling airspace protection surface shown on Exhibit 4-4, or 2) the maximum height determined to not be a “hazard to air navigation” by the FAA in an aeronautical study prepared pursuant to the filing of Form 7460-1.

As proposed, the proposed project would have a maximum height of 82 ft. With a ground elevation of approximately 13 feet above mean sea level (AMSL), the overall height of the project would be 95 feet AMSL. Per San Carlos Exhibit 4-4, **Attachment 4**, the airspace protection surface above the project site lies at 155’ AMSL, so the proposed project would be below this surface. Additionally, the project sponsor has received a “Determination of No Hazard to Air Navigation” from the FAA for the project, included as **Attachment 5**. Accordingly, the project is determined to be consistent with the Airspace Protection Policy 5.

Other Flight Hazards

Within AIA B, certain land use characteristics are recognized as hazards to air navigation and, per Airspace Protection Policy 6, need to be evaluated to ensure compatibility with FAA rules and regulations. These characteristics include the following:

- 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;
- Distracting lights that could be mistaken for airport identification lightings, runway edge lighting, runway end identification lighting, or runway approach lighting;

C/CAG AGENDA REPORT

Airport Land Use Committee

RE: Consistency Review – 501 Industrial Rd., San Carlos

Date: September 28, 2023

Page 3

- Sources of dust, smoke, water vapor, or steam that may impair the visibility of a pilot in command of and aircraft in flight;
- Sources of electrical/electronic interference with aircraft communications/navigation equipment;
or
- 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.

The proposed project does not include any features that would present unusual hazards to air navigation and therefore is determined to be compatible with Airspace Protection Policy 6.

(d) Overflight Compatibility Consistency

The Project Area is located within both the Airport Influence Area (AIA) A & B boundaries for San Carlos Airport. Within an AIA, the real estate disclosure requirements of state law apply. The law requires a statement to be included in the property transfer documents that (1) indicates the subject property is located within an airport influence area (AIA) boundary and (2) that the property may be subject to certain impacts from airport/aircraft operations.

As this disclosure requirement is not included in the application materials, the following condition is proposed:

- The City of San Carlos shall require that the project sponsor comply with the real estate disclosure requirements outlined in Airport Influence Area Policy 1 of the San Carlos ALUCP.

ATTACHMENTS

1. ALUCP application, together with related project description and exhibits.
2. San Carlos ALUCP Exh. 4-2 – Future Conditions (2035) Aircraft Noise Contours
3. San Carlos ALUCP Exh. 4-3 – Safety Zones.
4. San Carlos ALUCP Exh. 4-4 – Airspace Protection Surfaces
5. FAA Determination of No Hazard



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

APPLICANT INFORMATION

Agency: City of San Carlos

Project Name: 501 INDUSTRIAL ROAD, HOTEL INDIGO

Address: 501 INDUSTRIAL ROAD

APN: 046-090-410

City: SAN CARLOS

State: CA

ZIP Code: 94070

Staff Contact: Christopher Dacumos, Senior
Planner

Phone: 707-655-0370

Email: cdacumos@goodcityco.com

PROJECT DESCRIPTION

The project proposes construction of a new 188 room hotel at 501 Industrial Road at the eastern corner of Industrial Road and Holly street in San Carlos. It includes construction of a total of 118,884 square feet of commercial use (Hotel) in one building consisting of one six story section (74'-4.5" to the parapet and 81'-8.5" to the top of an architectural tower feature) and another three story connection (48' – 10.875" to the parapet). The project proposes 148 at grade parking spaces. The project proposed a rezoning from Landmark Commercial (LC) to Planned Development (PD) to allow building height (81'-8.5" to top of its architectural tower), distance of parking stalls to building face, parking reduction of 22%, distance of short-term bicycle parking from building entrance, location of parking relative to the street facing property line, and total allowable signage of 260 square feet. The site is 91,065 square feet and is currently vacant.

REQUIRED PROJECT INFORMATION **PLEASE SEE ENCLOSED SUPPLEMENTAL MATERIALS AND ATTACHMENTS**

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.

C/CAG Application for Land Use Consistency Determination:

C/CAG Application for Land Use Consistency Determination: Supplemental Information

Agency Name: City of San Carlos

Project Name: 841 Old County Road Life Science Development

PRROPERTY AND PROJECT DESCRIPTION

An application was submitted to the City of San Carlos for a hotel project at 501 Industrial Road. The subject site is a 2.09-acre lot bound by Holly Street, Industrial Road and US-101. Residential uses and two service stations are located to the west of the site across from Industrial Road, commercial properties to the north, US-101 bounds the property to the east, and commercial uses including a hotel directly adjacent to the site are to the south.

The proposed project includes construction of a total of 118,884 square feet of hotel use in one building consisting of one six story section (74'-4.5" to the parapet and 81'-8.5" to the top of an architectural tower feature) and another three-story connection (48' – 10.875" to the parapet). The project proposed involves a rezoning from Landmark Commercial (LC) to Planned Development (PD) to allow building height (81'-8.5" to top of its architectural tower), distance of parking stalls to building face, parking reduction of 22%, distance of short-term bicycle parking from building entrance, location of parking relative to the street facing property line, and total allowable signage of 260 square feet. The site is currently vacant.

The site is located within the 60dB noise contour. Additionally, the site is within safety zone 6 of the Airport Land Use Compatibility Plan for the San Carlos Airport.

The proposed project would require approval of rezoning the site to Planned Development, a Planned Development Permit, Design Review, Transportation Demand Management Plan, Development Agreement, Grading/Dirt Haul Certification, and California Environmental Quality Act (CEQA) clearance. An Environmental Impact Report is being prepared by the City.

See enclosed **Attachment** for project site plan, rendering and elevations.

As discussed below, the project is **consistent** with the noise, safety and airspace protection policies of the Airport Land Use Compatibility Plan (ALUCP) for the San Carlos Airport.

The project is located in the Landmark Commercial and complies with the underlying zoning regulations with the exception of height, signage, location of parking stalls and short-term biking from building entrance or street facing property line and as such, requests a zoning map amendment to designate Planned Development to allow such changes.

DISCUSSION OF RELATIONSHIP TO AIRPORT LAND USE COMPATIBILITY

Noise

The 501 Industrial Road – Hotel Indigo project site is located inside of the airport’s 60dB CNEL noise contour, but outside of the 65db CNEL noise contour (ALUCP Exhibit 4-2 “Future Conditions (2035) Aircraft Noise Contours map). The proposed hotel land use and related structures are considered compatible if outside of the 65 dB CNEL noise contour and is consistent with Noise Policy 1 and Noise Policy 4.

Existing Noise Levels

The project is currently vacant. The primary noise surface in the vicinity is from overhead aircraft, surface transportation (primarily from US-101) and industrial uses (City of San Carlos General Plan 2009). Existing Noise level will not be problematic in this proposed hotel project.

Safety

The California Airport Land Use Planning Handbook requires ALUCPs to include safety zones for each runway end. The San Carlos Airport ALUCP includes six safety zones and related land use compatibility criteria. The proposed project site is located inside Safety Zone 6 which allows *max residential densities* (no limit), max nonresidential intensities (no limit) and max single acre (no limit) (Safety Compatibility Criteria for San Carlos Airport are listed on Table 4-4 of the San Carlos ALUCP). Safety Zone 6 does not have limits or restrictions for medical/biological research facilities handling highly toxic or infectious agents.

Airspace Protection

The proposed building heights to the top of the architectural tower is 94’-8.5” MSL and is less than the 155’ maximum allowable height set by the Airport Land Use Commission for the San Carlos Airport. The building roof heights are proposed at 87’-4.5” MSL. Reviewing Table 4-4 Safety Compatibility Criteria, Zone 6 the project will not create height hazard obstruction, smoke, glare, electronic, wildlife attractants, or other airspace hazards. Therefore, the proposed project would be consistent with the airspace policies as established in the adopted 2016 San Carlos ALUCP.

Attachments:

- 501 Industrial Road – Hotel Indigo Project Plan Sheets:
 - Site Plan
 - Rendering
 - Elevations

PROJECT DIRECTORY

OWNER:
 CHAO WU & LYDIA WEN
 HOLLY HOTEL GROUP, LLC
 991 WEST HEDDING ST. SUITE 103
 SAN JOSE, CA 95126
 (415) 244-0892
 chaowu13@gmail.com
 lydiaw1888@gmail.com

ARCHITECT:
 ROBERT SAUVAGEAU
 RYS ARCHITECTS, INC.
 10 MONTEREY BLVD.
 SAN FRANCISCO, CA 94131
 (415) 941-8055
 bobs@rysarchitects.com

CONCEPT DESIGN ARCHITECT:
 C. Y. LEE & PARTNERS
 ARCHITECTS/PLANNERS
 DAYUAN ARCHITECTURE DESIGN
 CONSULTING (SHANGHAI) CO., LTD.
 RM901, GUBEI INTERNATIONAL
 FORTUNE CENTER I, NO.1452
 HONGQIAO RD. SHANGHAI, CHINA 200336
 TEL: 86-21-32009-5999

CIVIL:
 SAEID RAZAVI
 SMP ENGINEERS
 1534 CAROB LANE
 LOS ALTOS, CA 94024
 (650)941-8055
 srazavi@smpengineers.com

LANDSCAPE:
 TOM HOLLOWAY
 KLA, INC.
 151 N. NORLIN ST.
 SONORA, CA 95370
 (209)532-2852
 tom@kla-ca.com

INTERIOR DESIGN
 ASHLEY BRIGHT
 HBA/Hirsch Bedner Associates
 3216 NEBRASKA AVE
 SANTA MONICA, CA 90404
 (310) 829 9087
 ashley.bright@hba.com

LIGHTING:
 NICK ALBERT
 ILLUMINATE LIGHTING DESIGN
 334 BRANNAN ST.
 SAN FRANCISCO, CA 94107
 (415) 362 - 8900
 nick.albert@illuminateid.com



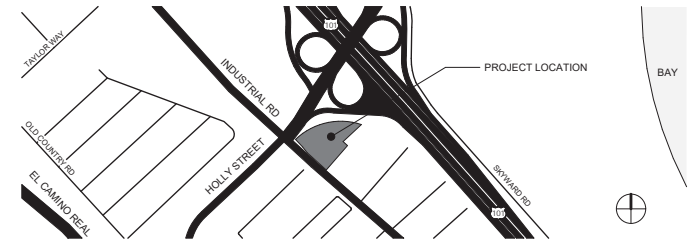
HOTEL INDIGO

AN IHG® HOTEL
 BY HOLLY HOTEL GROUP, LLC

SITE ANALYSIS

PROJECT DATA:			PROPOSED SITE AREA:					BUILDING AREA			
A.P.N.:	046-090-410		<u>AREA</u>	<u>S.F.</u>	<u>PERCENTAGE</u>		<u>LEVEL</u>	<u>GROSS</u>	<u>F.A.R.</u>		
ADDRESS:	501 INDUSTRIAL RD SAN CARLOS, CA 94070		BUILDING FOOTPRINT:	31,128	34.2%		FIRST FLOOR	31,128 S.F.	14,894 S.F.		
EXISTING ZONE:	LANDMARK COMMERCIAL / GATEWAY OVERLAY		PAVING:	27,636	30.34%		SECOND FLOOR	28,491 S.F.	28,473 S.F.		
TYPES OF OCCUPANCY:	R-1 / B / A-2 / A-3 / S-2		PARKING:	13,780	15.13%		THIRD FLOOR	24,823 S.F.	24,795 S.F.		
BUILDING TYPE:	IIIA / IA, NFPA 13 SPRINKLERED		LANDSCAPE & OPEN SPACE:	18,521	20.33%		FOURTH FLOOR	17,095 S.F.	17,095 S.F.		
PROPOSED OF USE:	SELECT-SERVICE HOTEL		TOTAL SITE AREA:	91,065 S.F.	100%		FIFTH FLOOR	17,095 S.F.	17,095 S.F.		
NO. OF STORIES:	6 LEVELS ABOVE GRADE		ROOM MIX			* INDICATES ROLL-IN SHOWER		SIXTH FLOOR	17,095 S.F.	17,095 S.F.	
PARKING DATA			LEVEL			TOTAL			TOTAL		
TYPE	REQUIRED	PROVIDED	02	03	04	05	06	TOTAL			
STANDARD	156	107	KING	28	31	18	21	18	116		
*ACC VAN	1	1	ACC. KING						1		
*MOTORCYCLE	0	7	KING BALCONY	3					3		
ACC STAND.	5	5	ACC. KING BALCONY	1					1		
CAR LIFT	0	0	DOUBLE QUEEN	3	7	16	13	13	52		
EV CHARGING	8	8	ACC. DOUBLE QUEEN	1					1		
*ACC VAN	1	1	ACC. DOUBLE QUEEN BALCONY	1					1		
*ACC STAND.	1	1	KING STUDIO	1	2				3		
*CLEAN AIR/VANPOOLEV	16	16	ACC. KING STUDIO		1				1		
REGISTRATION	2	2	ACC. KING STUDIO BALCONY	1					1		
TOTAL	190	148	QUEEN STUDIO	1	1			1	3		
EV CHARGING STATIONS PER TABLE 5.106.5.3.3 (151-200: 10 SPACES)			ACC. QUEEN STUDIO	1					1		
*ACC EV CHARGING STATIONS PER TABLE 11B-228.3.2.1 (5-25 EVCS: 1 AND 1)			ACC. PRES. SUITE		1				1		
*PARKING FOR CLEAN AIR VEHICLES PER TABLE 5.106.5.2 (151-200: 16 SPACES)			TOTAL	43	44	34	34	33	188		
*ACC PARKING PER 11B-208.2 (151-200: 6 SPACES)			FAA INFORMATION								
*MOTORCYCLE PARKING PER ZONING 18.20.050 (5% MAX: 7 SPACES)			COORDINATES CLOSEST TO NEAREST AIRPORT RUNWAY: LATITUDE: 37-30-43.71N NAD 83 LONGITUDE: 122-15-22.29W								

VICINITY MAP



DRAWING INDEX

TITLE	LANDSCAPE ARCHITECTURE	SURVEY
T1 TITLE	L0.1 PRELIMINARY LANDSCAPE PLAN	SURV 1 OF 1 PRELIMINARY ALTA/NSPS LAND TITLE SURVEY - DATA
T2 CODE ANALYSIS	L0.2 COURTYARD ENLARGEMENT PLAN	SURV 2 OF 2 PRELIMINARY ALTA/NSPS LAND TITLE SURVEY
T3 VEHICLE & PEDESTRIAN CIRCULATION DIAGRAM	L0.3 COURTYARD RENDERINGS	EXTERIOR LIGHTING
ARCHITECTURE	L0.4 COURTYARD RENDERINGS	AL 0.1 BRAVING INDEX SHEET
A1 SITE PLAN	L0.5 PRELIMINARY PLANTING PLAN	AL 0.2 EXTERIOR LIGHTING - ENTRY FACADE
A1.1 FIRE ACCESS PLAN	L0.6 PLANT IMAGES	AL 0.3 EXTERIOR LIGHTING - NORTH FACADE
A2 FIRST FLOOR PLAN	L0.7 SITE CROSS SECTIONS	AL 20.0 EXTERIOR LIGHTING GRID/NO LEVEL
A3 SECOND FLOOR PLAN	L0.8 SITE CROSS SECTIONS	AL 22.0 EXTERIOR LIGHTING LEVEL 2
A4 THIRD FLOOR PLAN	CIVIL	AL 26.0 EXTERIOR LIGHTING ROOF LEVEL
A5 TYPICAL UPPER FLOOR PLAN	C-1 COVER SHEET, NOTES	
A6 ROOF PLAN	C-2 EXISTING CONDITION PLAN / DEMOLITION PLAN	
A7 LOT COVERAGE DIAGRAM	C-3 PRELIMINARY GRADING AND DRAINAGE PLAN	
A8 AREA PLANS	C-4 COURTYARD GRADING AND DRAINAGE PLAN	
A9 EXTERIOR ELEVATIONS & SIGNAGE	C-5 CONCEPTUAL UTILITY PLAN	
A10 EXTERIOR ELEVATIONS & SIGNAGE	C-6 STORMWATER CONTROL PLAN NOTES	
A11 BUILDING SECTIONS	C-7 PRELIMINARY STORMWATER CONTROL PLAN	
A12 REINFERINGS	C-8 STORMWATER CONTROL PLAN DETAILS	
A13 REINFERINGS	C-9 CROSS SECTIONS	
A14 REINFERINGS	C-10 EROSION CONTROL PLAN	
A15 COLOR & MATERIAL BOARD	C-11 EROSION CONTROL DETAILS	
A16 PHOTO SIMULATIONS	C-12 CONSTRUCTION REST MANAGEMENT PRACTICES	



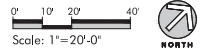
Landscape Design Concept

The landscape design concept for the Indigo is to provide an enjoyable and aesthetic space for the guests and employees that fits within the landscape character of the existing surrounding area and the requirements of the City of San Carlos for this gateway location. Plant material has been selected that performs well in the special conditions of San Carlos (Sunset Zone #17). The site perimeter has a simple planting palette that provides focus to the architecture while shielding unwanted views and buffering the surrounding parking lot from the adjacent public and private land uses. The central courtyard is the jewel of the project with paving and wall materials that reflect the architectural building materials and a varied plant palette with a variety of leaf color, form, and texture.

Storm water treatment areas are provided throughout the site to meet the treatment requirements of the City. The treatment areas are designed to be a part of the overall landscape concepts. Plant species have been selected that are approved for filtration and treatment and can withstand that the temporary inundation.

Low and medium water use hardy trees, shrubs and groundcover are proposed for the plant palette. The landscape (and associated irrigation) has been designed to be compliant with City of San Carlos Water Efficient Landscape Ordinance (WELCO) that is current at time of building permit submittal.

Special considerations have been provided in selection of plant material that respects the needs of the employees and guests as well as the adjacent existing developments. Clear and secure view corridors have been provided to ensure safety of those entering the building as well as moving around the site.



HOTEL INDIGO
 HOLLY HOTEL GROUP, LLC

Preliminary Landscape Plan

HOTEL INDIGO SAN CARLOS, CALIFORNIA

Courtyard Enlargement
 See Sheet L0.2

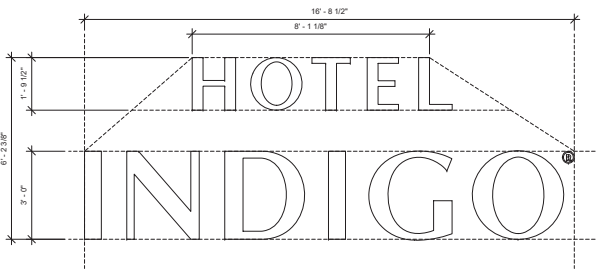
Residence Inn by Marriott

L0.1

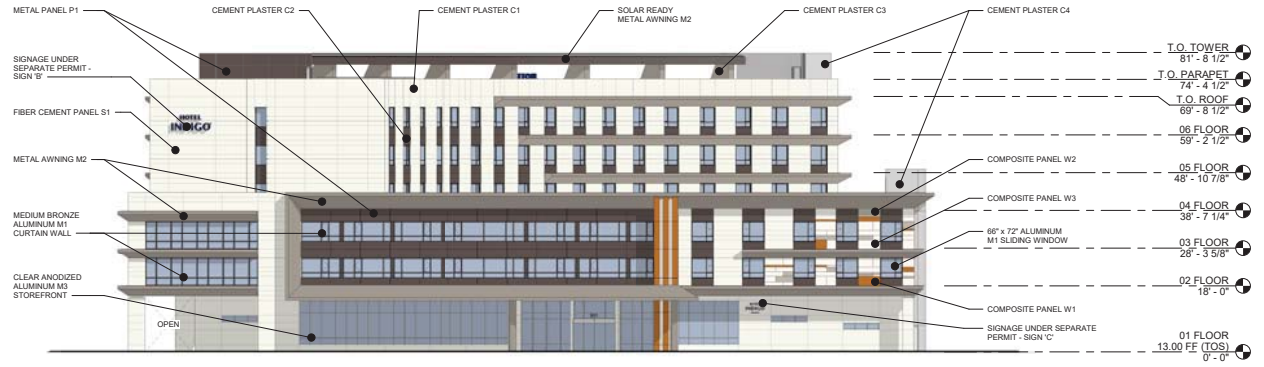
KLA LANDSCAPE ARCHITECTURE PLANNING
 KLA, INC.
 631 N. Hooper St.
 San Jose, CA 95128
 408.263.2816
 www.kla-cs.com

RYS ARCHITECTS

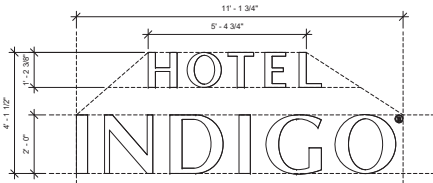
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 Planning Resubmittal 06-26-2021
 19103 - KLA 20-2222



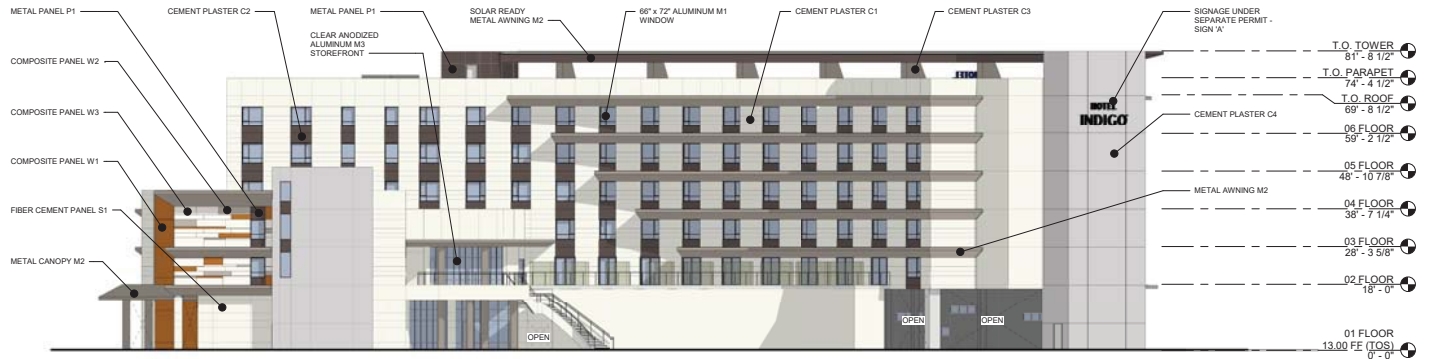
Ⓐ BUILDING SIGNAGE 90SF CONCEPT
1/2" = 1'-0"



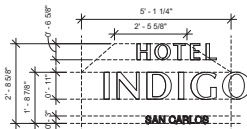
① EXTERIOR ELEVATION - WEST
1/16" = 1'-0"



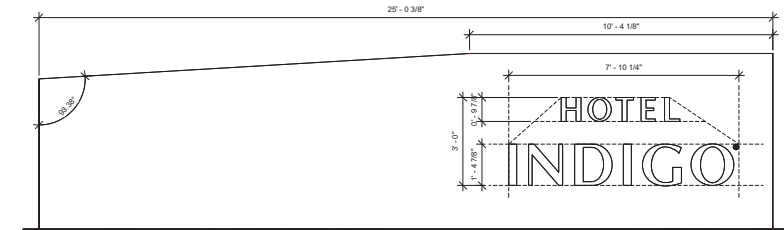
Ⓑ BUILDING SIGNAGE 40SF CONCEPT
1/2" = 1'-0"



② EXTERIOR ELEVATION - SOUTH
1/16" = 1'-0"



Ⓒ BUILDING SIGNAGE 13SF CONCEPT
1/2" = 1'-0"

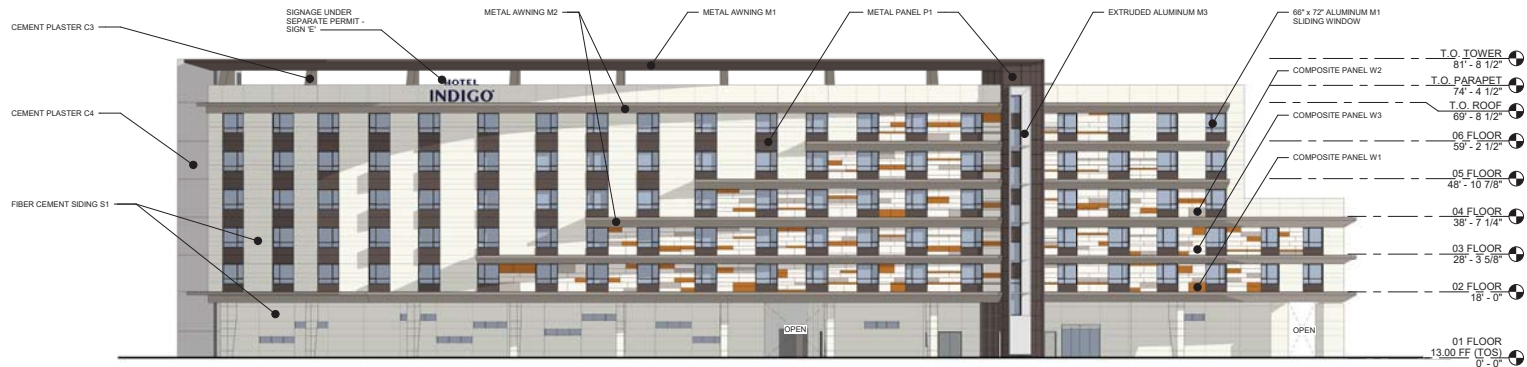


Ⓓ MONUMENT SIGN - 20SF CONCEPT
1/2" = 1'-0"

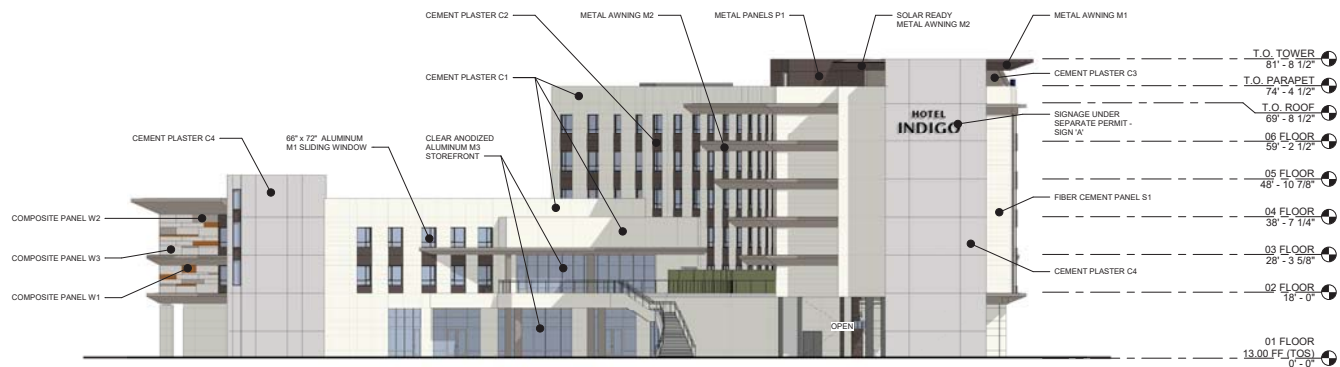
EXTERIOR ELEVATIONS & SIGNAGE



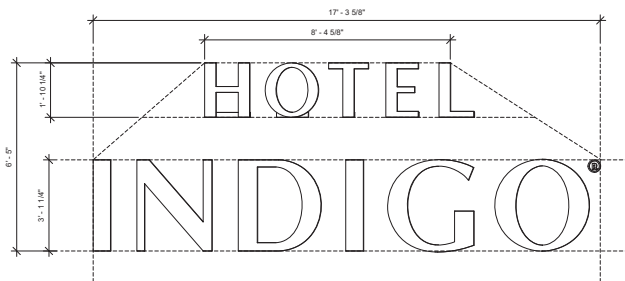
A9



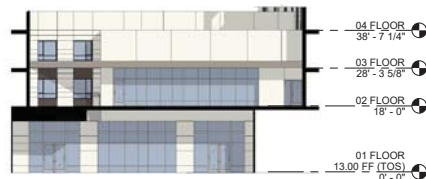
1 EXTERIOR ELEVATION - NORTH
1/16" = 1'-0"



2 EXTERIOR ELEVATION - EAST
1/16" = 1'-0"



E BUILDING SIGNAGE 97SF CONCEPT
1/2" = 1'-0"



3 COURTYARD ELEVATION A
1/16" = 1'-0"



4 COURTYARD ELEVATION B
1/16" = 1'-0"

EXTERIOR ELEVATIONS & SIGNAGE

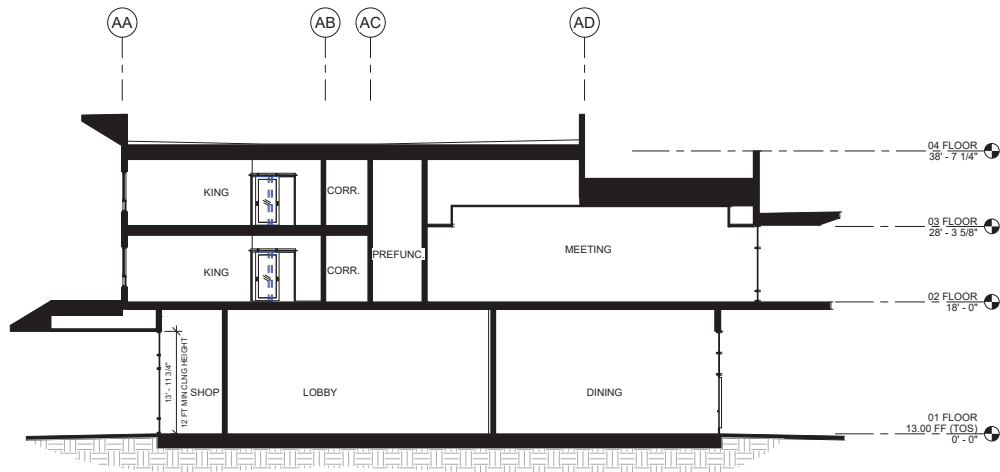
HOTEL INDIGO SAN CARLOS, CALIFORNIA



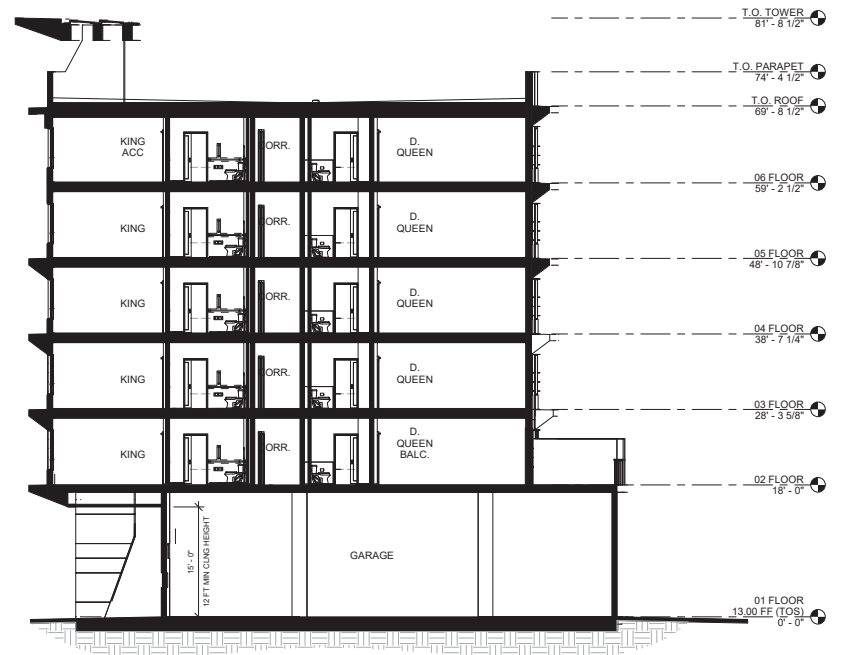
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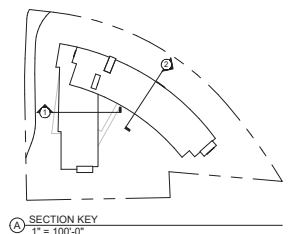
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PLANNING RESUBMITTAL 08-06-2021
PLANNING RESUBMITTAL 2 11-30-2021
FIRE DEPT. AMMS SUBMITTAL 01-20-2022
FAA SUBMITTAL 04-26-2022
CDDA/PW COMMENT RESPONSE 03-01-2022



① BUILDING SECTION A
1/8" = 1'-0"



② BUILDING SECTION B
1/8" = 1'-0"



BUILDING SECTIONS



A - Site Cross-Section

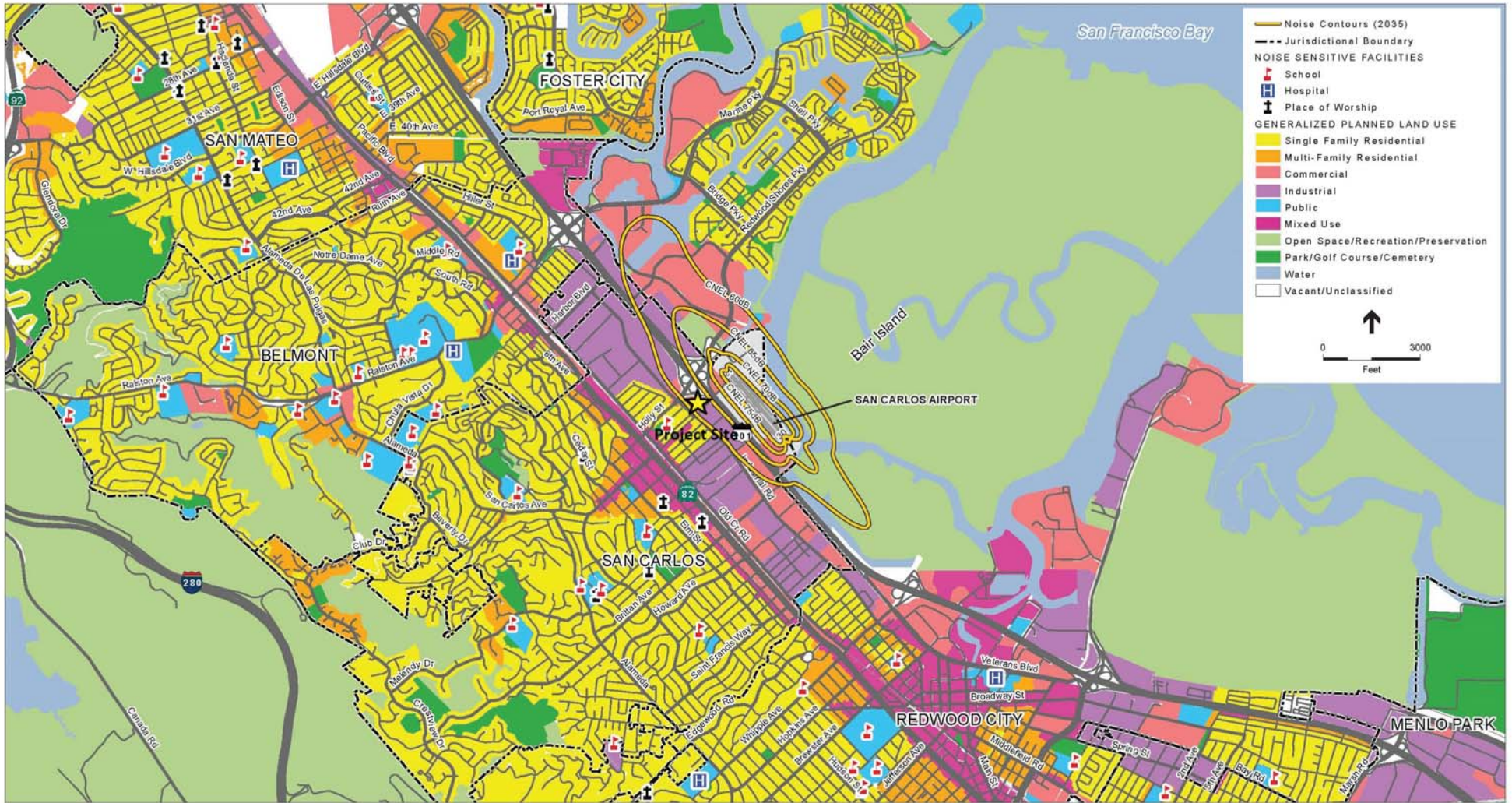
Not to scale



Not to scale

Site Cross Sections

HOTEL INDIGO SAN CARLOS, CALIFORNIA



SOURCE: Belmont, 1982; San Mateo County, 1986; Foster City, 1993; Menlo Park, 1994; San Carlos, 2009; City of San Mateo, 2010; Redwood City, 2010; ESRI, 2014; ESA Airports, 2015

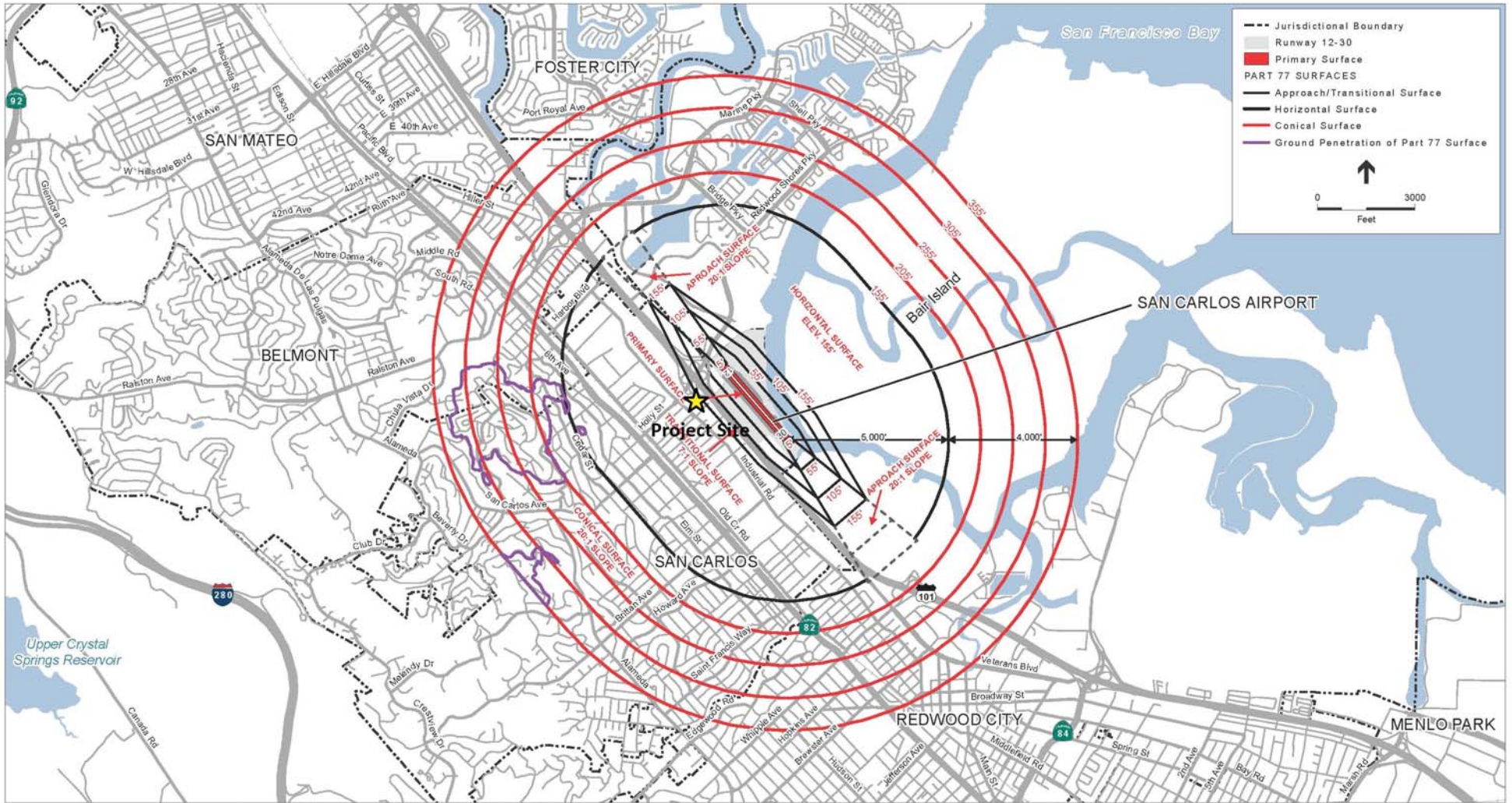
San Carlos Airport ALUCP . 130753

Exhibit 4-2
Future Conditions (2035) Aircraft Noise Contours



SOURCE: ESRI, 2014; ESA Airports, 2014

San Carlos Airport ALUCP - 130753
Exhibit 4-3
 San Carlos Airport Safety Zones



SOURCE: ESRI, 2014; San Mateo County Planning and Building Department, 2014; ESA Airports, 2014

NOTE 1: All elevations on this exhibit are expressed in feet above mean sea level (MSL). The elevation of San Carlos Airport is 5 feet MSL.

NOTE 2: Locations where the ground/terrain penetrates the FAR Part 77 airspace surfaces are approximate and were developed using ground elevation contours provided by the San Mateo County Planning and Building Department, 2014.

San Carlos Airport ALUCP . 130753

Exhibit 4-4

San Carlos Airport Part 77 Airspace Protection Surfaces



Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2023-AWP-7818-OE

Attachment 5

Issued Date: 07/10/2023

E.C. Liu
 Holly Hotel Group, LLC
 991 West Hedding St, Suite 103
 San Jose, CA 95126

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Commercial Use Building Hotel Indigo
Location:	San Carlos, CA
Latitude:	37-30-43.71N NAD 83
Longitude:	122-15-22.29W
Heights:	13 feet site elevation (SE)
	82 feet above ground level (AGL)
	95 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

This determination expires on 01/10/2025 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (424) 405-7641, or tameria.burch@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2023-AWP-7818-OE.

Signature Control No: 583245204-592852401

Tameria Burch
Technician

(DNE)

C/CAG AGENDA REPORT

Date: September 28, 2023

To: Airport Land Use Committee

From: Susy Kalkin

Subject: San Francisco International Airport Comprehensive Airport Land Use Compatibility Plan Consistency Review – Comprehensive update of the Burlingame Zoning Ordinance.

(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 Burlingame Zoning Ordinance update is 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), subject to the following conditions:

Prior to adoption, the Burlingame Zoning Ordinance shall be amended to incorporate the following revisions:

- Revise Chapter 25.24, as outlined in **Attachment 2**.
- Amend Section 25.12.020 (D) and 25.14.020 (D) as follows, and add to Chapters 25.10.020 and 25.18.020 (additions in underline – deletions in ~~strikeout~~):

Airport Land Use Compatibility. Uses must comply with all applicable Noise, Safety, and Airspace Protection Compatibility Policies SP-1 through SP-3 of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (ALUCP) ~~including Noise/Land Use Compatibility and Safety Compatibility Criteria listed in Tables IV-1 and IV-2. See Chapter 25.24 Comprehensive Airport Land Use Compatibility Plan Consistency. Some uses listed in Table 25.14-1 (Mixed Use Zoning Districts Use Regulations) may be incompatible in safety zones. Refer to ALUCP Exhibit IV-9 for a map of the safety compatibility zones.~~

- Amend Table 25.10-1: Residential Zoning Districts Use Regulations as follows:
 - Add a footnote to “School” (public and private) and “Residential Care” (nursing homes) uses to clarify that they are not allowed within Safety Zones 2, 3 or 4.
- Amend Table 25.12-1: Commercial and Industrial Zoning District Use Regulations as follows:

- Add a footnote to “Commercial Recreation – Large Scale” to clarify that stadiums and arenas are not permitted within Safety Zone 3.
 - Modify footnotes on “Daycare Centers”, “Office – Research and Development” and “Schools, Primary and Secondary” to remove reference to I/I zoning district (since restriction applies to all properties located within Safety Zone 3, regardless of zoning.)
 - Add a footnote to “Extended Stay Hotels”, “Hotels and Motels”, and “Caretaker Quarters” to note that such uses located within the CNEL 65 dB contour are subject to sound insulation and aviation easement requirements.
- Amend Table 25.18-1: Public/Institutional Zoning District Use Regulations as follows:
 - Add a footnote to “Hospitals” and “Schools” (Public and Private) to clarify that these uses are not allowed within Safety Zone 3.

BACKGROUND

In 2018, the City of Burlingame completed an update of its General Plan. This document was reviewed by the ALUC and found conditionally compatible with the SFO ALUCP. Subsequently, Burlingame developed updated zoning for the North Burlingame Mixed Use (NBMU) and North Rollins Mixed Use (RRMU) zone districts, which were also reviewed by the ALUC and found conditionally compatible. The current proposal includes a comprehensive update to the Zoning Ordinance, which is intended to implement the General Plan. The NBMU and RRMU chapters have not been changed since being reviewed by the ALUC and C/CAG, except to incorporate the changes that were included in the conditional compatibility determinations.

Virtually the entire community of Burlingame is located within Airport Influence Area B (AIA B), the “Project Referral” area, for San Francisco International Airport. The Zoning Amendments are subject to Airport Land Use Committee/Board review pursuant to California Public Utilities Code (PUC) Section 21676(b). In accordance with these requirements, the City of Burlingame has referred the Zoning Ordinance update 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

The SFO ALUCP includes policies regarding establishment of an Airport Influence Area, with related real estate disclosure requirements and Airport Land Use Commission review authority; noise compatibility policies and criteria; safety policies and criteria; and airspace protection policies. The consistency analysis for a zoning ordinance focuses on how the document will serve to prevent future development of land uses that would conflict with these airport land use compatibility policies.

New ALUCP Chapter

The Zoning Ordinance, which provides development standards and review procedures, needs to identify the steps that will be taken during project review to ensure ALUCP criteria are considered. The general approach in this Zoning Ordinance Update has been to add a new Chapter (Chapter 25.24), entitled “Comprehensive Airport Land Use Compatibility Plan Consistency”, which establishes the standards and requirements related to consistency with the SFO ALUCP. ALUC staff has recommended revisions to Chapter 25.24, as outlined in **Attachment 2**, to ensure the language addresses all aspects of ALUCP compatibility. Subject to these revisions, Chapter 25.24 would address the following:

- Airport Real Estate Disclosure Notices – Require all applicable projects to comply with the real estate disclosure requirements outlined in SFO ALUCP Policy IP-1.
- 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.
- 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.
- 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 & 3.
- 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.

Land Use Regulations

In addition to the new ALUCP Chapter, the Zoning Ordinance includes footnotes within the “Use Regulation Tables” for the various zones that are affected by ALUCP policies to highlight/identify uses that may be restricted due to ALUCP policies. In general, the proposal largely addresses ALUCP compatibility concerns, however a few modifications are recommended as follow:

- Amend Section 25.12.020 (D) and 25.14.020 (D) as follows, and add to Chapters 25.10.020 and 25.18.020 (additions in underline –deletions in ~~strikeout~~):

~~Airport Land Use Compatibility. Uses must comply with all applicable Noise, Safety, and Airspace Protection Compatibility Policies SP 1 through SP 3 of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (ALUCP) including Noise/Land Use Compatibility and Safety Compatibility Criteria listed in Tables IV-1 and IV-2. See Chapter 25.24 Comprehensive Airport Land Use Compatibility Plan Consistency. Some uses listed in Table 25.14-1 (Mixed Use Zoning Districts Use Regulations) may be incompatible in safety zones. Refer to ALUCP Exhibit IV-9 for a map of the safety compatibility zones.~~

- Amend Table 25.10-1: Residential Zoning Districts Use Regulations as follows:
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 - Add a footnote to “Commercial Recreation – Large Scale” to clarify that stadiums and arenas are not permitted within Safety Zone 3.
 - Modify footnotes on “Daycare Centers”, “Office – Research and Development” and “Schools, Primary and Secondary” to remove reference to I/I zoning district (since restriction applies to all properties located within Safety Zone 3, regardless of zoning.)
 - Add a footnote to “Extended Stay Hotels”, “Hotels and Motels”, and “Caretaker Quarters” to note that such uses located within the CNEL 65 dB contour are subject to sound insulation and aviation easement requirements.
- Amend Table 25.18-1: Public/Institutional Zoning District Use Regulations as follows:
 - Add a footnote to “Hospitals” and “Schools” (Public and Private) to clarify that these uses are not allowed within Safety Zone 3.

SFO Planning Comments

SFO Planning and Environmental Affairs reviewed the proposal and provided a detailed comment letter, **Attachment 5**. In general, they do not note any specific concerns, but recommended some clarifying language to avoid potential ambiguity associated with governing height restrictions. This language has been incorporated into the recommended revisions to Chapter 25.24 (**Attachment 2**).

ATTACHMENTS

1. ALUCP application & related materials

2. Chapter 25.24 Comprehensive Airport Land Use Compatibility Consistency – Recommended Revisions (Redline)
3. SFO ALUCP Exhibit IV-6 – Noise
4. SFO ALUCP Exhibit IV-9 – Safety
5. Comment letter from SFO Planning and Environmental Affairs dated August 17, 2023

The following attachment is available to download at:

https://library.qcode.us/lib/burlingame_ca/pub/municipal_code/item/title_25

6. Burlingame Zoning Ordinance



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

APPLICANT INFORMATION

Agency: **City of Burlingame**

Project Name: **Zoning Ordinance Update**

Address: **Citywide**

APN: **N/A**

City: **Burlingame**

State: **CA**

ZIP Code: **94010**

Staff Contact: **Kevin Gardiner**

Phone: **650-558-7253**

Email: **kgardiner@burlingame.org**

PROJECT DESCRIPTION

Comprehensive update of the City of Burlingame Zoning Ordinance.

The Zoning Ordinance implements the General Plan (reviewed by ALUC in 2018). It incorporates the previously Interim Zoning Chapters for the North Burlingame Mixed Use (NBMU) and North Rollins Road Mixed Use (RRMU) Districts (reviewed by ALUC in 2019).

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>

**Application for Land Use Consistency Determination
City of Burlingame Zoning Ordinance
Required Project Information**

- 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):**

The Zoning Ordinance is an implementation of the Burlingame General Plan Update adopted in January 2019 (reviewed by the San Mateo County Airport Land Use Committee in October 2018, C/CAG Board of Directors November 2018). It incorporates the North Burlingame Mixed Use (NBMU) and North Rollins Mixed Use (RRMU) chapters which were previously adopted as interim chapters (reviewed by the San Mateo County Airport Land Use Committee in September 2020, C/CAG Board of Directors October 2020). The NBMU and RRMU chapters have not been changed since being reviewed by the ALUC and C/CAG, and includes the provisions specified by SFO, the ALUC and C/CAG for the respective SFO Safety Compatibility Zones.

The Zoning Ordinance can be found at

https://library.qcode.us/lib/burlingame_ca/pub/municipal_code/item/title_25

- a) *Noise: Location of project/plan area in relation to the noise contours identified in the applicable ALUP. Identify any relevant citations/discussion included in the project/plan addressing compliance with ALUP noise policies.***

Chapter 25.24 addresses Comprehensive Airport Land Use Compatibility Plan Consistency. This includes airport disclosure notices, airport noise evaluation and mitigation, aviation easements, and other flight hazards. These regulations were primarily compiled from the ALUC and C/CAG reviews of the General Plan and the Interim Mixed-Use Zoning districts.

Section 25.24.030 addresses airport noise evaluation and mitigation:

Project applicants shall be required to evaluate potential airport noise impacts if the project is located within the 65 CNEL contour line of San Francisco International Airport (as mapped in the Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport). All projects 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 Airport Land Use Compatibility Plan or Burlingame General Plan, whichever is more restrictive.

Furthermore, Section 25.24.040 addresses aviation easements:

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 Airport Land Use Compatibility Plan) shall include the grant of an aviation 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 Airport Land Use Compatibility Plan Policy NP-3 Grant of Aviation Easement.

b) Safety: Location of project/plan area in relation to the safety zones identified in the applicable ALUP.

The North Burlingame Mixed Use (NBMU) and North Rollins Mixed Use (RRMU) zones in Chapter 24.14 include portions of ALUP Safety Compatibility Zones 2 and 3. This chapter was previously reviewed as interim chapters by the San Mateo County Airport Land Use Committee in September 2020 and the C/CAG Board of Directors October 2020. Through the ALUC and C/CAG review, applicable land use restrictions were identified and have been codified for properties located within Safety Compatibility Zones 2 and/or 3. Restrictions are specified in the “Special Use Regulations” column in Table 25.14-1.

c) Airspace Protection: Include relevant citations/discussion of allowable heights in relation to the protected airspace/proximity to airport, as well as addressment of any land uses or design features that may cause visual, electronic, navigational, or wildlife hazards, particularly bird strike hazards.

Building heights in many of the zoning districts are structured by “tiers”, with development projects required to provide community benefits in order to be allowed the highest building heights. The North Burlingame Mixed Use (NBMU) and North Rollins Mixed Use (RRMU) zones, which include areas within ALUP Safety Compatibility Zones 2 and 3, include the following provision:

Maximum building heights are also required to comply with Airspace Protection Policies AP-1 through AP-4 of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (ALUCP). This includes determining the need to file Form 7460-1, Notice of Proposed Construction or Alteration, with the FAA for any proposed project that would exceed the FAA notification heights, as shown approximately on ALUCP Exhibit IV-10 and complying with FAA Aeronautical Study Findings. It also includes complying with the maximum compatible building height, which includes all parapets, elevator overruns, etc. of a building, as noted in ALUCP policy AP-3 and depicted in Exhibits IV-17 and IV-18 of the ALUCP.

Regarding bird strike hazards, Section 25.12.060.K specifies that:

(a) All development shall incorporate bird-friendly design that minimizes potential adverse impacts to native and migratory birds, such as fritted or patterned glass, projecting architectural features, lighting design, and screening with trees.

This guideline is specific to the Bayfront Area, alongside the Bay, but could be extended to other areas if needed.

Section 25.24.050 addresses other flight hazards, including glare; lights; sources of dust, smoke, water vapor, or steam; sources of electrical/electronic interference; and uses that create increased attraction to wildlife.

2. Real Estate Disclosure requirements related to airport proximity

Section 24.24.020 addresses airport disclosure notices:

All new development is required to comply with the real estate disclosure requirements of State law. The following statement must be included in the notice of intention to offer the property for sale:

“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.”

3. Any related environmental documentation (electronic copy preferred)

An Environmental Impact Report (DEIR) was prepared for the General Plan and Zoning Ordinance Update.

The Draft and Final may be downloaded at <https://www.burlingame.org/generalplan>

Airport-related environmental issues are addressed in the DEIR in:

- Chapter 11 – Hazards and Hazardous Materials, pages 11-2 through 11-13
- Chapter 14 – Land Use and Planning, page 14-10
- Chapter 15 – Noise and Vibration, pages 15-6, pages 15-15 through 15-21, and pages 15-49 through 15-50.

The FEIR provided responses to letters from San Francisco International Airport and the Airport Land Use Commission on page 4, and further addressed on page 10.

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

A digital “ePlan” version of the General Plan can be found at:

<https://www.envisionburlingame.org/>

City of Burlingame ZONING MAP

Updated 11/30/2021

Proposed Zoning Districts

- R1 - Low Density Residential
- R2 - Medium Density Residential
- R3 - Medium/High Density Residential
- R4 - High Density Residential
- C1 - General Commercial
- BFC - Bayfront Commercial
- I/I - Innovation Industrial
- BRMU - Broadway Mixed Use
- CMU - California Drive Mixed Use
- NBMU - North Burlingame Mixed Use
- RRMU - Rollins Road Mixed Use
- PR - Parks and Recreation
- P/I - Public/Institutional
- TP/B - Tidal Plain/Bay

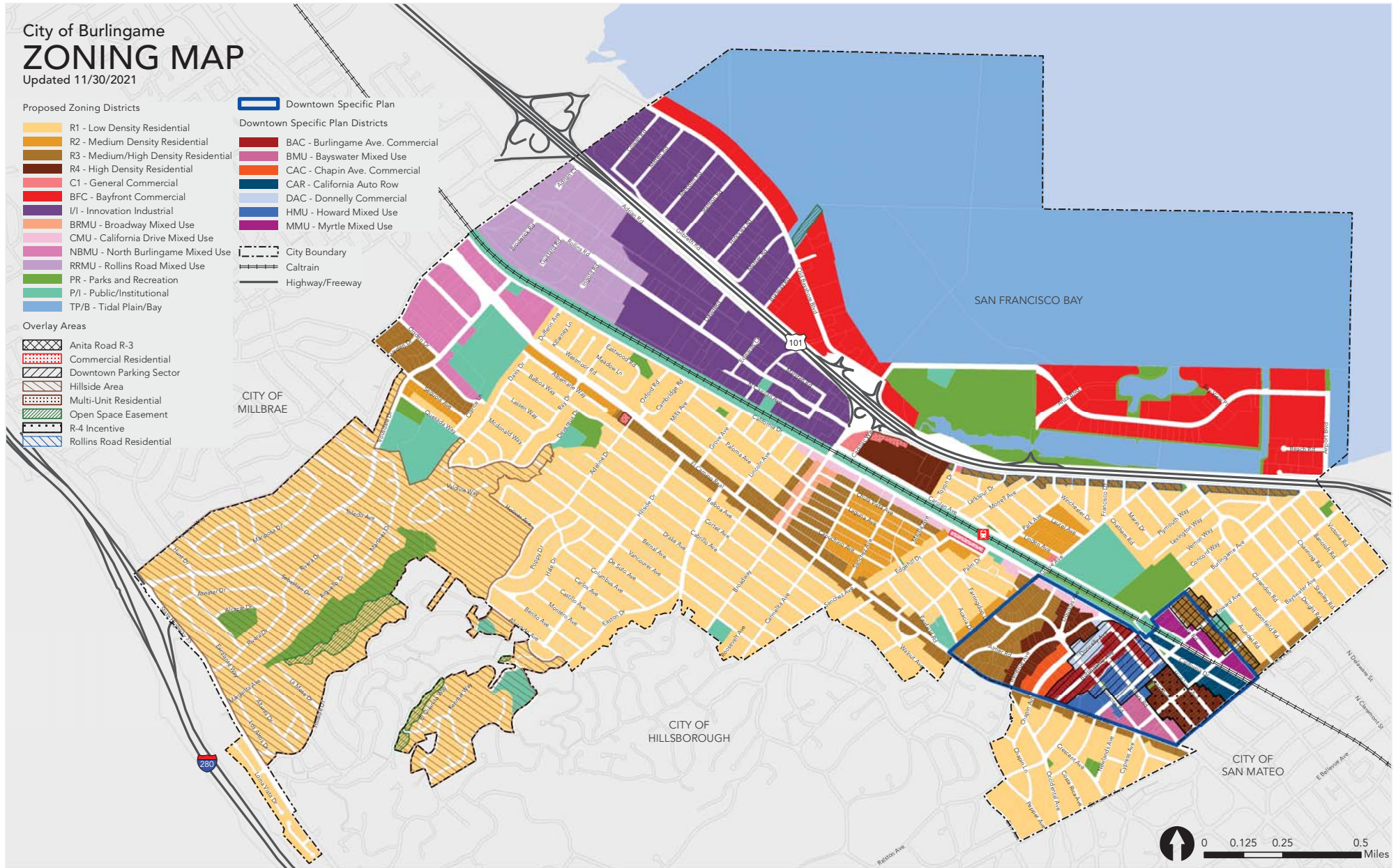
Overlay Areas

- Anita Road R-3
- Commercial Residential
- Downtown Parking Sector
- Hillside Area
- Multi-Unit Residential
- Open Space Easement
- R-4 Incentive
- Rollins Road Residential

Downtown Specific Plan

- ### Downtown Specific Plan Districts
- BAC - Burlingame Ave. Commercial
 - BMU - Bayswater Mixed Use
 - CAC - Chapin Ave. Commercial
 - CAR - California Auto Row
 - DAC - Donnelly Commercial
 - HMU - Howard Mixed Use
 - MMU - Myrtle Mixed Use

- City Boundary
- Caltrain
- Highway/Freeway



Prior to adoption, the Burlingame Zoning Ordinance shall be amended as indicated below (additions in underline/deletions in strikeout)

Chapter 25.24

COMPREHENSIVE AIRPORT LAND USE COMPATIBILITY PLAN CONSISTENCY

Sections:

25.24.010 Purpose.

25.24.020 Airport Disclosure Notices.

25.24.030 Airport Noise Evaluation and Mitigation.

25.24.040 Avigation Easement.

25.24.050 Safety Compatibility Evaluation

25.24.060 Airspace Protection Evaluation

~~25.24.050 Other Flight Hazards.~~

25.24.010 Purpose.

This Chapter establishes the standards and requirements related to consistency with the Development must comply with Safety Compatibility Policies SP-1 through SP-3 of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (ALUCP) including Noise/Land Use Compatibility and Safety Compatibility Criteria listed in Tables IV-1 and IV-2 of the ALUCP. Some uses may be incompatible in certain safety zones. Refer to ALUCP Exhibit IV-9 for a map of the safety compatibility zones. (Ord. 2000 § 2, (2021)) The following requirements shall be incorporated into all applicable projects.

25.24.020 Airport Disclosure Notices.

All new development is required to comply with the real estate disclosure requirements of State law. The following statement must be included in the notice of intention to offer the property for sale:

“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.”

(Ord. 2000 § 2, (2021))

25.24.030 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. Project applicants shall be required to evaluate potential airport noise impacts if the project is located within the 65 CNEL contour line of San Francisco International Airport (as mapped in the Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport). All projects 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 Airport Land Use Compatibility Plan or Burlingame General Plan, whichever is more restrictive. (Ord. 2000 § 2, (2021))

25.24.040 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 Airport Land Use Compatibility Plan) 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 Airport Land Use Compatibility Plan Policy NP-3 Grant of Avigation Easement. (Ord. 2000 § 2, (2021))

25.24.050 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-9 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.

25.24.060 Airspace Protection Evaluation

All projects shall comply with the 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 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.

2. **Maximum Compatible Building Height.** All projects shall comply with the maximum building height requirements noted in ALUCP Policy AP-3 and depicted in Exhibit IV-18 of the ALUCP. For avoidance of doubt, the lower of the two heights identified by the ALUCP and the FAA shall be the controlling maximum height. Maximum building height includes all parapets, elevator overruns, stair towers, antennae, etc.

25.24.0503. Other Flight Hazards.

Within Airport Influence Area (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. These characteristics include the following:

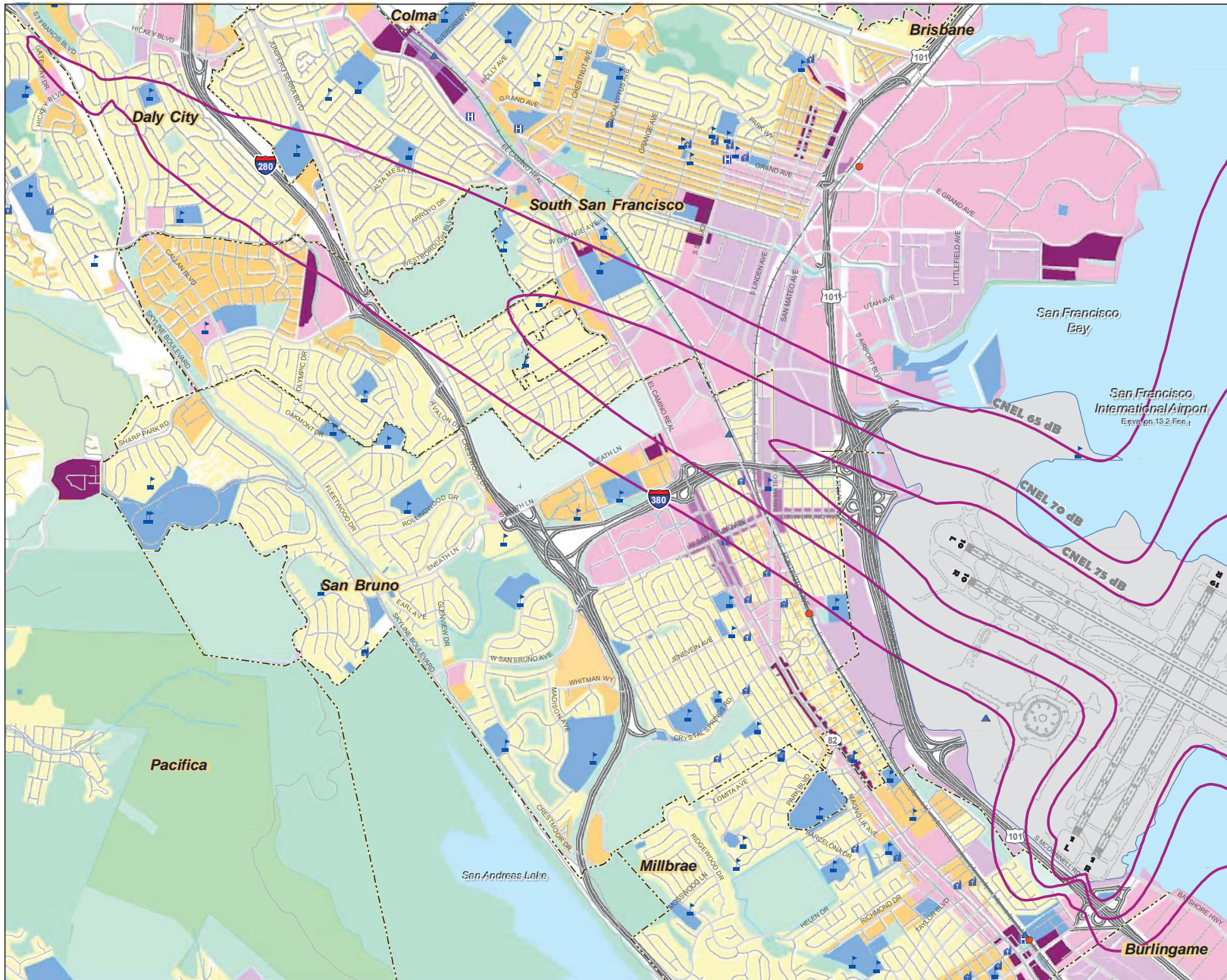
A. Sources of glare, such as highly reflective buildings, building features, or blight lights including search lights, or laser displays, which would interfere with the vision of pilots in command of an aircraft in flight.

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. 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. (Ord. 2000 § 2, (2021))



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

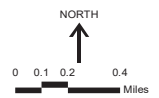
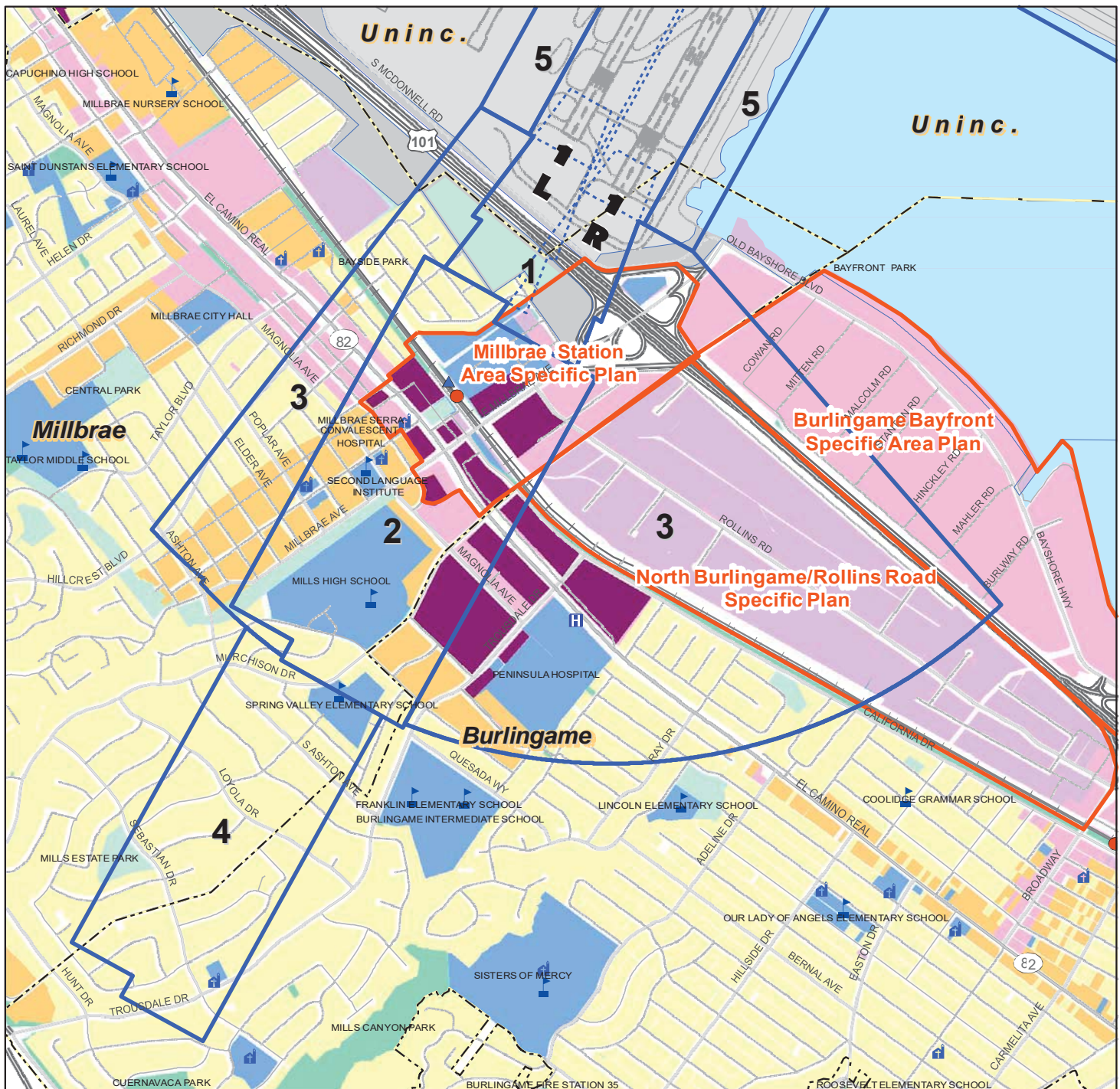


Exhibit IV-6
**NOISE COMPATIBILITY ZONES --
 DETAIL**
 Comprehensive Airport Land Use Plan
 for the Environs of San Francisco International Airport
C/CA
 City/County Association of Governments
 of San Mateo County, California



LEGEND

Safety Compatibility Zones

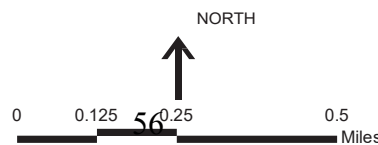
- 1 - Runway Protection Zone-Object Free Area
- 2 - Inner Approach/Departure Zone
- 3 - Inner Turning Zone
- 4 - Outer Approach/Departure Zone
- 5 - Sideline Zones
- Internal boundaries of ALP-defined areas
- Specific Plan Area
- Airport Property
- ▲ BART Station
- CALTRAIN Station
- 🏫 School
- 🕌 Place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

Planned Land Use Per General Plans

- Public
- Multi-Family Residential
- Single Family Residential
- Mixed Use
- Transit Oriented Development
- Commercial
- Industrial, Transportation, and Utilities
- Local Park, Golf Course, Cemetery
- Regional Park or Recreation Area
- Open Space

Sources:

- Local Plans:**
- San Bruno General Plan, December 2008
 - South San Francisco General Plan, 1998





San Francisco International Airport

August 17, 2023

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 ONLY
 kkalkin@smcgov.org

Subject: Application for Land Use Consistency Determination for City of Burlingame Zoning Ordinance Update

Thank you for notifying San Francisco International Airport (SFO or the Airport) regarding the Airport Land Use Commission's (ALUC) land use consistency determination for the draft City of Burlingame (City) Zoning Ordinance Update (the Proposed Project). We appreciate this opportunity to coordinate with ALUC in considering and evaluating potential land use compatibility issues for the Proposed Project.

According to the application, the Proposed Project is a comprehensive update to the City's Zoning Ordinance. The Proposed Project would implement the City's 2018 General Plan as well as the Interim Zoning Chapters for the North Burlingame Mixed Use and North Rollins Road Mixed Use Districts. This Zoning Ordinance Update would apply to the entire City, which is an approximately six square mile municipality located immediately to the south of the Airport.

Airport Influence Area

The Proposed Project site is inside Airport Influence Area B as defined by the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport* (SFO ALUCP). Within Area B, the Board of Directors of the City/County Association of Governments of San Mateo County, acting as the designated Airport Land Use Commission (ALUC), shall review proposed land use policy actions, including new general plans, specific plans, zoning ordinances, plan amendments and rezonings, and land development proposals.

The real estate disclosure requirements in Area A also apply in Area B; specifically, 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.

Section 24.24.020 of the Zoning Ordinance Update requires all new developments "to comply with the real estate disclosure requirements of State law." Therefore, the Proposed Project would not appear to be inconsistent with the disclosure policies of the SFO ALUCP.

Noise Compatibility Policies

The northeastern corner of the City, bounded to the north by the City's border with the City of Millbrae and the San Francisco Bay, to the southeast by Mitten Road, and to the southwest by the Pacific Gas & Electric overhead transmission lines, lies within the 65-70 decibel (dB) Community Noise Equivalent Level (CNEL) noise contour. The City's Zoning Map shows that the affected area east of U.S. Highway 101 (US-101) is zoned I/I Innovation Industrial and the affected area west of US-101 is zoned RRMU Rollins Road Mixed Use.

AIRPORT COMMISSION CITY AND COUNTY OF SAN FRANCISCO

LONDON N. BREED
MAYOR

MALCOLM YEUNG
PRESIDENT

EVERETT A. HEWLETT, JR.
VICE PRESIDENT

JANE NATOLI

JOSE F. ALMANZA

IVAR C. SATERO
AIRPORT DIRECTOR

Susy Kalkin, ALUC

August 17, 2023

Page 2 of 3

Industrial uses are compatible with placement in the 65-70 dB CNEL contour without restriction. Within the mixed use zones, residential and public/institutional uses are conditionally compatible, provided that sound insulation is provided to reduce interior noise levels from exterior sources to 45 dB CNEL or lower and that an aviation easement is granted to the City and County of San Francisco as operator of SFO. Outdoor music shells and amphitheatres are not compatible.

Sections 25.24.030 and 25.24.040 address noise compatibility and easement requirements for developments in the City. With these controls in place, the Proposed Project would not appear to be inconsistent with the Noise Compatibility Policies of the SFO ALUCP.

The Airport notes that portions of the City are in close proximity to departing aircraft from Runways 1L and 1R and arriving aircraft on Runways 28L and 28R. While this factor does not affect ALUCP compatibility determinations, site designers should take into account the unique sonic profiles of departing aircraft and the thrust reversers from arriving aircraft when planning and designing their sites.

Safety Compatibility Policies

Portions of the City lie within Safety Compatibility Zones 2 and 3. Section 25.14.020(D) incorporates by reference the Safety Compatibility Policies of the SFO ALUCP, including restrictions on certain uses within the Mixed-Use Zoning Districts Use Regulations. Therefore, the Proposed Project would not appear to be inconsistent with the Safety Compatibility Policies of the SFO ALUCP.

Airspace Protection Policies

The critical aeronautical surfaces above the Proposed Project are at an elevation of approximately 105 to 535 feet above mean sea level (AMSL) as defined from the origin of the North American Vertical Datum of 1988 (NAVD88). Ground elevation varies within the Proposed Project site which may affect the maximum allowable height as measured above ground level (AGL). This should be carefully evaluated to stay below the allowable critical aeronautical surfaces described in the SFO ALUCP.

Tables 25.12-2 and 25.14-2 of the Zoning Ordinance Update incorporate by reference the Airspace Protection Policies of the SFO ALUCP, including the need to comply with both FAA and SFO ALUCP requirements. The Airport has observed confusion among developers regarding the FAA and SFO ALUCP processes and recommends the addition of the following underlined language to each table's footnote:

Maximum building heights are also required to comply with Airspace Protection Policies AP-1 through AP-4 of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (ALUCP). This includes determining the need to file Form 7460-1, Notice of Proposed Construction or Alteration, with the FAA for any proposed project that would exceed the FAA notification heights, as shown approximately on ALUCP Exhibit IV-10 and complying with FAA Aeronautical Study Findings. It also includes complying with the maximum compatible building height, which includes all parapets, elevator overruns, etc. of a building, as noted in ALUCP policy AP-3 and depicted in Exhibits IV-17 and IV-18 of the ALUCP. For avoidance of doubt, the lower of the two heights identified by the ALUCP and the FAA shall be the controlling maximum height.

Future development project sponsors whose projects would exceed the FAA notification requirements described in Title 14 Code of Federal Regulation Part 77 and depicted in Exhibit IV-11 of the SFO ALUCP must follow FAA procedures for airspace review as for both (1) the permanent structures and (2) any

Susy Kalkin, ALUC
August 17, 2023
Page 3 of 3

equipment taller than the permanent structures required to construct those structures (i.e., construction cranes, etc.).

With these controls in place, the Proposed Project would not appear to be inconsistent with the Airspace Protection Policies of the SFO ALUCP.

* * *

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

Sincerely,

DocuSigned by:
Nupur Sinha
7D552AE6A4CE495...

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

cc: Kevin Gardiner, City of Burlingame
Audrey Park, SFO
Chris DiPrima, SFO

C/CAG AGENDA REPORT

Date: September 28, 2023

To: Airport Land Use Committee

From: Susy Kalkin

Subject: San Carlos Airport Land Use Compatibility Plan Consistency Review – San Carlos Zoning Ordinance Amendments.

(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 San Carlos' Zoning Ordinance 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 Carlos Airport (San Carlos ALUCP), subject to the following conditions:

- Amend Section 18.21.150 C. Airport Noise Evaluation and Mitigation to reference the aviation easement requirements of San Carlos ALUCP Noise Policy 7.
- Delete Section 18.21.150 F. Aviation Easements, as the referenced ALUCP Overflight Policy has been updated and is no longer relevant.
- Amend Section 18.21.150 B. Airspace Protection Evaluation to reference the aviation easement requirements of San Carlos ALUCP Airspace Protection Policy 7.

BACKGROUND

Project Description

Earlier this year, the City of San Carlos referred its 2023-2031 Housing Element for an ALUCP consistency determination. At that time, San Carlos received feedback that recommended amending its zoning ordinance to include procedures to implement and ensure compliance with the ALUCP policies. San Carlos has now prepared those amendments and has submitted them for a determination of consistency with relevant airport / land use compatibility criteria in the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport* (San Carlos ALUCP). These amendments are subject to Airport Land Use Committee / Board review, pursuant to California Public Utilities Code (PUC) Section 21676(b).

The full text of the proposed amendments is included in **Attachment 1**. In general, the amendments describe the ALUCP compatibility criteria to be applied to development applications (noise, safety, structure heights, other flight hazards, and overflight notification requirements) and describe how the

local agency will ensure compliance during review and approval of development projects. A new section is to be added entitled “Airport Land Use Compatibility Plan Consistency”, which outlines the requirements associated with each of the ALUCP policy areas. Also included are amendments to the Zoning Ordinance “General Site Regulations” and “Zoning Clearance Regulations” to require conformance with the new “ALUCP Plan Consistency” Section. San Carlos has also provided a conceptual draft “ALUCP Compliance Checklist”, **Attachment 2**, to be used both by property owners and applicants to develop a proposal conforming with the ALUCP, and as reference guide for staff reviewers.

DISCUSSION

ALUCP Consistency Evaluation

Four airport / land use compatibility factors are addressed in the San Carlos ALUCP that relate to the proposed Amendments. These include policies for: (a) noise compatibility, (b) safety compatibility, (c) airspace compatibility, and (d) overflight compatibility.

In accordance with the guidance provided in the ALUCP, local agencies must establish procedures in their zoning ordinances to implement and ensure compliance with the compatibility policies and address any direct conflicts between the zoning ordinance (heights, permitted uses, etc.) and the ALUCP.

The following sections address how the subject amendments address each of the land use compatibility factors.

(a) Noise Compatibility

The Zoning Ordinance amendments would establish a section requiring all development projects, alterations, or change of use subject to the ALUCP to be reviewed for consistency with the noise policies of the ALUCP. Uses listed as “conditionally compatible” in the ALUCP would be required to mitigate impacts to comply with the interior noise standards established in the ALUCP or General Plan, whichever is more restrictive.

The draft Checklist specifically names each of the ALUCP noise policies 1-5 and 7, provides references to the relevant sections, figures, tables, and exhibits within the ALUCP and requires the applicant to indicate whether the project is in conformance with the standards and criteria indicated in the ALUCP Noise Policies (which will be verified by San Carlos staff). The City’s Geographic Information System (GIS) platform will provide property owners, applicants, and reviewers detailed information, including applicable noise contours, on any parcel in San Carlos.

While the proposed text includes a general reference to Avigation Easements, it does reflect the updated policy enacted in 2022, which requires an avigation easement for certain “conditionally compatible” noise sensitive uses within the CNEL 60 dB (or greater) contour. Therefore, the following conditions are recommended:

- Amend Section 18.21.150 C. Airport Noise Evaluation and Mitigation to add reference to the aviation easement requirements of San Carlos ALUCP Noise Policy 7.
- Delete Section 18.21.150 F. Aviation Easements, as the referenced ALUCP Overflight Policy has been updated and is no longer relevant.

Subject to these conditions, implementation of the proposed amendments would ensure compliance with the Noise Compatibility policies of the San Carlos ALUCP.

(b) Safety Compatibility

The proposed amendments stipulate that all proposed development projects, alterations, or change of use subject to the ALUCP will be reviewed for consistency with the Safety Compatibility Policies of the ALUCP. Project applicants will be required to evaluate potential safety issues if the property is located within any of the Safety Compatibility Zones established in the ALUCP, which will be verified by staff as part of the development review process.

Implementation of this amendment will ensure compliance with the Safety Compatibility policies of the ALUCP.

(c) Airspace Compatibility

The San Carlos ALUCP 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 FAA of certain proposed construction or alterations of structures, and to review projects for certain land use characteristics that might pose a hazard to air navigation (*Other Flight Hazards*).

Text is included in the proposed zoning amendments to address ALUCP Airspace Policy consistency, summarized below:

Airspace Protection Evaluation. All proposed development projects, alterations, or change of use subject to the ALUCP will be reviewed for consistency with Airspace Protection Policies of the ALUCP. These include Notice of Proposed Construction or Alteration, Maximum Compatible Building Height and Other Flight Hazards.

Federal Aviation Administration (FAA) Requirements. Proof of consistency with FAA rules and regulations must be provided through either:

- Provision of an FAA “Review Not Required” form
- Receipt of a “Determination of No Hazard” by the FAA after submittal of FAA Form 7460-1 “Notice of Proposed Construction”.

While the proposed text includes general reference to compliance with all Airspace Protection Policies, it does not clearly reflect the updated policy enacted in 2022, which requires an aviation

easement for potential projects that would exceed the height standards or allow a use that might cause a visual, electronic, navigational, or wildlife hazard. Therefore, the following condition is recommended:

- Amend Section 18.21.150 B. Airspace Protection Evaluation to add reference to the aviation easement requirements of San Carlos ALUCP Airspace Protection Policy 7.

Subject to the recommended condition, implementation of these zoning provisions will ensure future compatibility with the Airspace Protection Policies of the San Carlos ALUCP.

(d) Overflight Compatibility

The San Carlos ALUCP contains two policies regarding overflight compatibility which are generally “buyer awareness” measures focused on informing prospective buyers and/or tenants of property within the vicinity of an airport about the airport’s impact on the property. Overflight Policy 1 – *Real Estate Transfer Disclosure*, requires that a notice of potential for overflights be included among the disclosures made during real estate transactions. Overflight Policy 2 – *Overflight Notification Zone 2* requires that all new residential development projects, other than additions and accessory dwelling units (ADUs), within Overflight Notification Zone 2 (AIA B) shall incorporate a recorded overflight notification requirement as a condition of approval.

The proposed zoning amendments include both of these policy provisions and therefore are consistent with the Overflight Compatibility policies of the San Carlos ALUCP.

ATTACHMENTS

1. Application Materials

The following attachments are available to download on the C/CAG website at:
<https://ccag.ca.gov/committees/airport-land-use-committee/> - see “Additional Meeting Materials”

2. Draft “ALUCP Compliance Checklist”



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

APPLICANT INFORMATION			
Agency: City of San Carlos, Community Development Department			
Project Name: Zoning Ordinance Update			
Address: 610 Elm Street		APN: N/A	
City: San Carlos	State: California	ZIP Code: 94070	
Staff Contact: Akanksha Chopra	Phone: (650) 802-4350	Email: achopra@cityofsancarlos.org	
PROJECT DESCRIPTION			
Zoning ordinance update. Please see attached memorandum for additional information.			
REQUIRED PROJECT INFORMATION			

For General Plan, Specific Plan or Zoning Amendments and Development Projects:

A copy of the relevant amended sections, maps, etc., together with a detailed description of the proposed changes, sufficient to provide the following:

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>



Memorandum

Subject: City of San Carlos ALUCP Determination of Compliance for Zoning Ordinance
Date: August 21, 2023
To: San Mateo County Airport Land Use Commission C/CAG ALUC; c/o Susy Kalkin
From: City of San Carlos Community Development Department; c/o Akanksha Chopra

I. Overview

The City of San Carlos (City) is proposing amendments to its Zoning Ordinance to bring it into compliance with the County of San Mateo's Comprehensive Airport Land Use Compatibility Plan (ALUCP) for the Environs of San Carlos Airport. In 2022, as part of its Housing Element update process, the City had submitted its Zoning Ordinance amendments to Airport Land Use Committee (ALUC) staff for review for compliance with ALUCP. The City received feedback in January, 2023 that recommended amending the zoning ordinance to have procedures that implement and ensure compliance with the ALUCP policies through describing compatibility criteria to be applied to development applications (safety, structure heights, overflight notification requirements, etc.) and describing how the local agency will ensure compliance during review and approval of development project.

In consideration of these, the City has proposed the attached revised Zoning Ordinance amendments (*Attachment A*) that establishes procedures that ensure compliance with ALUCP standards and requirements, and describes applicable compatibility criteria. Further, to facilitate the process for review of development applications for ALUCP Compliance, the City has initiated internal measures that will help build the City's capacity and streamline processes for review of development applications for compliance with ALUCP. These include creation of a new ALUCP Compliance Checklist

(Attachment B), GIS layers on the City's online maps related to key ALUCP exhibits and training of City's staff to review and assist development applicants in understanding and implementing ALUCP standards and requirements.

To address the compatibility issues regarding Noise, Safety, and Airspace Protection—as well as Disclosures, Overflight Notification, and Avigation Easements—The Zoning Ordinance is proposed to be updated as follows:

- Amend the Performance Standards Chapter (18.21) dedicated to Airport Land Use Compatibility Plan Consistency (18.21.150). This section will establish standards and requirements with a section devoted to each of the compatibility issues noted above, provide real estate disclosure language to be used, and indicate the relevant sections of the ALUCP that a property owner, applicant, or reviewer should be familiar with. Please note that this section directs applicants to key policy elements of ALUCP (namely safety, noise, overflight, etc.) instead of referencing specific section numbers for each of policies from ALUCP in Zoning Ordinance. This will help applicants directly refer ALUCP when preparing development applications, while also keep the City's Zoning Ordinance in compliance with ALUCP in an instance when minor amendments are made to ALUCP in the future.
- Amends the General Site Regulations Chapter (18.15) to require conformance with Airport Land Use Compatibility Plan Consistency (18.21.150)
- Amends the Zoning Clearance Chapter (18.28) to require conformance with Airport Land Use Compatibility Plan Consistency (18.21.150)

The City of San Carlos ALUCP Compliance Checklist and Checklist Addenda (Checklist) will include guidance for property owners, applicants, and reviewers regarding relevant ALUCP and FAA requirements and processes. It will be used both by property owners and applicants to develop a proposal conforming with the ALUCP, and as reference guide for staff reviewers. When applicable, applicants will be required to complete the checklist as part of any application for Zoning Clearance. It also includes weblinks to the 2015 ALUCP and 2022 Amendment, as well as the San Carlos Zoning Ordinance. The GIS layers on the City's online platform will provide property owners, applicants, and reviewers with detailed information on any parcel in the City regarding applicable safety zones, noise contours, airspace protection surfaces, FAA notification, overflight, and airport influence areas. Included as attachments are the proposed changes to the San Carlos Zoning Ordinance and draft Airport Land Use Compatibility Plan Checklist and Checklist Addenda. *Note: The draft Checklist (attachment B) is shared for informational purposes only to C/CAG to illustrate City's new internal review practice for checking ALUCP compliance and not for review as part of zoning ordinance updates.*

II. Noise

The Zoning Ordinance amendment would establish a section requiring review of all projects subject to the ALUCP to be reviewed for consistency with uses listed as conditionally compatible in the ALUCP and the noise standards and policies set by the ALUCP. For proposed language see section 18.21.150.C

The Checklist specifically names each of the ALUCP noise policies 1-5 and 7, provides references to the relevant sections, figures, tables, and exhibits within the ALUCP and requires the applicant to indicate if in their evaluation the project is in conformance with the standards and criteria indicated in the ALUCP Noise Policies. Checklist Addenda include Exhibit 4-2 Future Conditions (2035) Aircraft Noise Contours and Table 4-3 Noise Compatibility Criteria. The GIS layer on the City's GIS platform will provide property owners, applicants, and reviewers detailed information on any parcel in the City regarding applicable noise contours.

III. Safety

The Zoning Ordinance amendment would establish a section requiring review of all projects subject to the ALUCP to be reviewed for consistency the safety standards and policies set by the ALUCP. For proposed language see section 18.21.150.A.

The Checklist specifically names each of the ALUCP safety policies 1 to 11, provides references to the relevant sections, figures, tables, and exhibits within the ALUCP and requires the applicant to indicate if in their evaluation the project is in conformance with the standards indicated in the ALUCP safety Policies. Checklist Addenda include Exhibit 4-3 San Carlos Airport Safety Zones and Table 4-4 Safety Compatibility Criteria. The GIS layer on City's GIS platform will provide property owners, applicants, and reviewers detailed information on any parcel in the City regarding applicable safety zones.

IV. Airspace Protection

The Zoning Ordinance amendment would establish a section requiring review of all projects subject to the ALUCP to be reviewed for the applicable standards and policies set by the ALUCP. For proposed language see section

18.21.150.B, subsections B. Airspace Protection Evaluation and G. FAA Requirements.

The Checklist specifically names each of the ALUCP airspace protection policies 1 to 7 and provides references to the relevant exhibits within the ALUCP. To address allowable heights in relation to protected airspace the checklist requires the applicant to indicate if in their evaluation the project is in conformance with the standards indicated in the ALUCP Airspace Protection Policies. Checklist Addenda include Exhibit 4-4 San Carlos Airport Part 77 Airspace Protection Surfaces and Exhibit 4-4a FAA Notification Form 7460-1 Filing Requirements. Requirements around FAA form 7460-1, allowable heights in relation to the protected airspace, and land uses or design features that may cause visual, electronic, navigational, or wildlife hazards, particularly bird strike hazards are specifically indicated on the checklist. The GIS layer on the City's GIS platform will provide property owners, applicants, and reviewers detailed information on any parcel in the City regarding applicable safety zones.

V. Real Estate Disclosure Requirements

The Zoning Ordinance amendment would establish a section requiring review of all projects subject to the ALUCP to be reviewed for the Overflight, Avigation Easements, and Real Estate Disclosure standards set by the ALUCP. For proposed language see section 18.21.150, subsections D. Airport Real Estate Disclosure Notices, E. Overflight Notification Requirement, and F. Avigation Easements.

To address avigation easements the checklist requires the applicant to indicate if in their evaluation the project is in conformance with the Airspace Protection Policy 7 indicated in the 2022 ALUCP Amendment. The GIS layers described above will be helpful in evaluating some of the standards regarding avigation easement requirements.

VI. Environmental Documentation

N/A

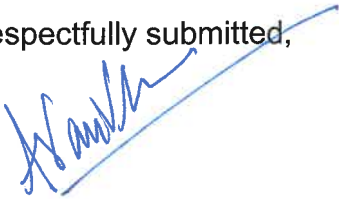
VII. Attachments

Attachment A: Proposed changes to the San Carlos Zoning Ordinance.

Attachment B: Airport Land Use Compatibility Plan Checklist and Checklist Addenda

Please feel free to reach out to me if you have any questions.

Respectfully submitted,



Akanksha Chopra

Associate Planner, Community Development Department

610 Elm Street, San Carlos, CA 94070

Email: achopra@cityofsancarlos.org

Phone: (650) 802-4350

**PROPOSED AMENDMENTS TO THE CITY OF SAN CARLOS ZONING ORDINANCE FOR
ALUC REVIEW**

VERSION AUGUST 21, 2023

18.15 GENERAL SITE REGULATIONS

Amendments to 18.15 (Establish Section 18.15.140)

18.15.140 Airport Land Use Compatibility Plan Consistency. Where required, conformance with applicable Airport Land Use Compatibility Plan standards, as described in Section 18.21.150 Airport Land Use Compatibility Plan Consistency is required.

18.21 PERFORMANCE STANDARDS

Amendments to 18.21.050

18.21.050: Noise:

C. Acoustic Study. The Director may require an acoustic study for any proposed project that could cause any of the following:

~~1. Locate new residential uses within the fifty-five CNEL impact area of the San Carlos Airport;~~

1. Create an inconsistency with the noise requirements of the San Carlos Airport as defined in Section 18.21.150 Airport Land Use Compatibility Plan Consistency;

a. Where applicable, noise attenuation measures may be required.

2. Cause noise levels to exceed the limits in Table 18.21.050-A;

3. Create a noise exposure that would require an acoustic study and noise attenuation measures listed in Table 18.21.050-B, Noise Exposure—Land Use Requirements and Limitations; or

4. Cause the Ldn at noise-sensitive uses to increase three dBA or more.

F. Airport Land Use Compatibility Plan Consistency. Where required, conformance with applicable Airport Land Use Compatibility Plan standards, as described in Section 18.21.150 Airport Land Use Compatibility Plan Consistency, is required.

Amendments to 18.21.150

~~18.21.150 Airspace protection.~~

~~The following applies within airport influence area (AIA) B as adopted by the San Mateo County Airport Land Use Commission and subsequent revisions thereto, for the environs of San Carlos Airport.~~

~~A.— Federal Airspace Protection Surfaces. Maximum height of structures shall not penetrate the civil airport imaginary surfaces as defined by the Federal Aviation Administration in (FAA) Title 14 CFR Part 77, Surfaces.~~

~~B.— Flight Hazards. Proposed land use actions that include land uses that may cause visual, electronic, or wildlife hazards may be permitted only if the uses are consistent with FAA rules and regulations. Proof of consistency with FAA rules and regulations must be provided to the Airport Land Use Commission by the sponsor of the proposed land use action. Specific characteristics that may create hazards to aircraft in flight and which shall be prohibited include:~~

~~1.— Sources of glare, such as highly reflective buildings or building features, or bright light, including searchlights or laser displays, which would interfere with the vision of pilots;~~

~~2.— Distracting lights that could be mistaken for airport identification lighting, runway edge lighting, runway end identification lighting, or runway approach lighting;~~

~~3.— Sources of dust, smoke, water vapor, or steam that may impair visibility;~~

~~4.— Sources of electrical interference with aircraft communications or navigation equipment;~~

~~5.— Any use that creates an increased attraction for wildlife, particularly large flocks of birds, that is inconsistent with FAA rules and regulations. (Ord. 1438 § 4 (Exh. A (part)), 2011)~~

18.21.150 San Carlos Airport Land Use Compatibility Plan Consistency.

This section establishes standards and requirements related to consistency within the County of San Mateo's Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport (ALUCP). The ALUCP outlines the following requirements and criteria for proposed development projects, alterations, or change of use that are subject to the ALUCP:

A. Safety Compatibility Evaluation. All proposed development projects, alterations, or change of use subject to the ALUCP will be reviewed for consistency with the County of San Mateo's 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 the ALUCP.

B. Airspace Protection Evaluation. All proposed development projects, alterations, or change of use subject to the ALUCP will be reviewed for consistency with Airspace Protection Policies of the ALUCP. These include Notice of Proposed Construction or Alteration, Maximum Compatible Building Height and Other Flight Hazards.

C. Airport Noise Evaluation and Mitigation. All proposed development projects, alterations, or change of use subject to the ALUCP will be reviewed for consistency with the noise policies of the ALUCP. Uses listed as “conditionally compatible” in the ALUCP will be required to mitigate impacts to comply with the interior noise standards established in the ALUCP or General Plan, whichever is more restrictive.

D. Airport Real Estate Disclosure Notices. Proximity to the airport could affect allowable development and uses. All proposed developments, alteration, or change of use that are subject to the ALUCP are required to comply with the real estate disclosure requirements of State law (California Business and Professions Code Section 11010(b)(13)). The following statement by the seller 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.”

E. Overflight Notification Requirement. All new residential development projects, other than additions and accessory dwelling units (ADUs), within Overflight Notification Zone 2 shall incorporate a recorded overflight notification requirement as a condition of approval in order to provide a permanent form of overflight notification to all future property owners, consistent with ALUCP Overflight Policies.

F. Avigation Easements. Unless otherwise precluded by State law, some projects may require the grant of an avigation easement by and to the County of San Mateo as a condition of approval prior the City of San Carlos’ issuance of a building permit(s) for any proposed buildings or structures, pursuant to the ALUCP Overflight Policies.

G. Federal Aviation Administration (FAA) Requirements. Proof of consistency with FAA rules and regulations must be provided through one of the following ways:

1. A Federal Aviation Administration Review Not Required Form must be signed prior to issuance of building permit.

2. Receive a determination of No Hazard by the FAA after submittal of FAA Form 7460-1 Notice of Proposed Construction. Instructions and additional information on Form 7460 can found within the ALUCP and on the FAA's Website.

H. Local Agency Override of an Airport Land Use Commission Determination. A process under which the City Council may overrule certain Airport Land Use Commission disapprovals under certain circumstances is established in Sections 21675.1(d), 21676(b) and 21676(c) of the Public Utilities Code and outlined in the ALUCP.

I. Required Disclosures. In the event of local override action of an Airport Land Use Commission determination, disclosures may be required from property owners as a condition of approval for any use listed as conditional in the ALUCP Noise or Safety Compatibility Zone that corresponds with the site of the proposed project, including childcare, congregate care facilities, etc. Property owners are encouraged to provide appropriate notices to their tenants.

18.28 ZONING CLEARANCE

Amendments to 18.28.030

18.28.030 Review and decision. Before the City may issue any business license, building permit, subdivision approval, or lot line adjustment, the Director shall review the application to determine whether the use, building, or change in lot configuration complies with all provisions of this title or any design review, use permit or variance approval and that all conditions of such permits and approvals have been satisfied.

A. Application. Applications and fees for a zoning clearance shall be submitted in accordance with the provisions set forth in Section 18.27.020, Application forms and fees. The Director may request that the zoning clearance application be accompanied by a written narrative, plans and other related materials necessary to show that the proposed development, alteration, or use of the site complies with all provisions of this title and the requirements and conditions of any applicable use permit or variance approval.

B. Determination. If the Director determines that the proposed use or building is allowed as a matter of right by this title, and conforms to all the applicable development and use standards, the Director shall issue a zoning clearance. An approved zoning clearance may include attachments of other written or graphic information, including but not limited to statements, numeric data, site plans, floor plans and building elevations and sections, as a record of the proposal's conformity with the applicable regulations of this title.

C. Airport Land Use Compatibility Plan Consistency . When applicable, Zoning clearance for any proposed development, alteration or change of use that is subject to the ALUCP shall

include applicability determination of Section 18.21.150 Airport Land Use Compatibility Plan Consistency. for review procedures required by San Mateo County's Airport Land Use Compatibility Plan. Where required, the applicant shall seek a consistency determination with Section 18.21.150.

ⒸD. Exceptions. No zoning clearance shall be required for the continuation of previously approved or permitted uses and structures, or uses and structures that are not subject to any building or zoning regulations. (Ord. 1438 § 4 (Exh. A (part)), 2011)

C/CAG AGENDA REPORT

Date: September 28, 2023

To: Airport Land Use Committee

From: Susy Kalkin

Subject: San Francisco International Airport Comprehensive Airport Land Use Compatibility Plan Consistency Review – Amendments to the Millbrae Station Area Specific Plan to allow for uses classified as “Biotechnology Level 2” within portions of the Transit Oriented Development Zone north of the paseo connecting the Millbrae transit station and Rollins Road, south of the BART parking garage, east of Millbrae transit station, and west of Rollins Road, which are located within Safety Compatibility Zone 2.

(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 Station Area Specific Plan to allow for uses classified as “Biotechnology Level 2” within portions of the Transit Oriented Development Zone located north of the paseo connecting the Millbrae transit station and Rollins Road, south of the BART parking garage, east of Millbrae transit station, and west of Rollins Road, which are located within Safety Compatibility Zone 2, are not consistent with the Safety Compatibility Criteria contained in the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (SFO ALUCP).

BACKGROUND/PROPOSAL

The City of Millbrae completed its Millbrae Station Area Specific Plan (MSASP) in 2015 which was reviewed at the time by the ALUC and determined to be conditionally compatible with the SFO ALUCP.

In 2020/21, Millbrae submitted proposed amendments to the MSASP for a determination of Consistency with the SFO ALUCP. The proposal included various amendments to the MSASP to allow for uses classified as “biotechnology level 2” within portions of the specific plan area, including the Transit Oriented Development (TOD) Zone, south of Millbrae Avenue. In November 2020, the C/CAG Board (acting as the Airport Land Use Commission) adopted Resolution 20-57, determining that the amendments were not consistent with the Safety Compatibility Criteria of the SFO ALUCP. The City of Millbrae subsequently adopted findings in favor of overruling the ALUC action pursuant to Public Utilities Code Section 21676 (c) and approved the amendments.

In 2022, the Millbrae undertook a similar amendment to allow biotechnology level 2 use within additional areas of the MSASP, including portions of the TOD Zone located east of El Camino

Real, with of the railroad corridor and north of Millbrae Avenue, which are located within Safety Zone 2. The ALUC found these amendments inconsistent with the SFO ALUCP and the City of Millbrae adopted findings overruling the ALUC determination.

Millbrae is now considering a further amendment to the Millbrae Station Area Specific Plan to allow for uses classified as “biotechnology level 2”, including Biotechnology/Scientific Labs, Tech/Biotech Product Assembly, and Tech/Biotech Component Manufacturing, in a portion the Transit Oriented Development zone located north of the paseo connecting the Millbrae transit station and Rollins Road, south of the BART parking garage, east of Millbrae transit station, and west of Rollins Road, which are located within Safety Compatibility Zone 2.

Since the Millbrae Station Area Specific Plan properties are located within Airport Influence Area (AIA) B for San Francisco International Airport, the area subject to formal CCAG/ALUC review, in accordance with the requirements of California Public Utilities Code Section 21676(b), the City of Millbrae has referred the proposal to C/CAG, acting as the San Mateo County Airport Land Use Commission, for a determination of consistency with the SFO ALUCP.

DISCUSSION

SFO ALUCP Consistency Evaluation

The SFO ALUCP includes policies regarding establishment of: A) an Airport Influence Area, with related real estate disclosure requirements and Airport Land Use Commission review authority; B) noise compatibility policies and criteria; C) safety policies and criteria; and D) airspace protection policies. As the proposed Amendments do not involve noise sensitive uses and do not alter development standards, this review will focus on Safety Compatibility issues only.

C) **Safety Policy Consistency Analysis** – The overall objective of safety compatibility guidelines is to minimize the risks associated with potential aircraft accidents. The most fundamental safety compatibility component is to provide for the safety of people and property on the ground in the event of an aircraft accident near an airport.

The SFO ALUCP includes five sets of safety zones and identifies land uses which are either incompatible or should be avoided within each of these zones. As shown on **Attachment 2**, the properties impacted by the proposed amendments lie within Safety Zone 2, the Inner Approach/Departure Zone (IADZ).

Per the SFO ALUCP, the compatibility criteria for safety are established in Table IV-2, included as **Attachment 3**. As shown, *Hazardous Uses* are incompatible within Safety Zone 2.

Hazardous Uses are further clarified in Safety Policy SP-3, included as **Attachment 4**, with relevant text excerpted below:

“D. Medical and biological research facilities handling highly toxic or infectious agents

These facilities are classified by “Biosafety Levels.” Biosafety Level 1 does not involve hazardous materials and is not subject to the restrictions on hazardous uses in Table IV-2. Definitions of the other three biosafety levels are quoted from Biosafety in Microbiological and Biomedical Laboratories, below.

- a. Biosafety Level 2 practices, equipment, and facility design and construction are applicable to clinical, diagnostic, teaching, and other laboratories in which work is done with the broad spectrum of indigenous moderate-risk agents that are present in the community and associated with human disease of varying severity.*
- b. Biosafety Level 3 practices, safety equipment, and facility design and construction are applicable to clinical, diagnostic, teaching, research, or production facilities in which work is done with indigenous or exotic agents with a potential for respiratory transmission, and which may cause serious and potentially lethal infection.*
- c. Biosafety Level 4 practices, safety equipment, and facility design and construction are applicable for work with dangerous and exotic agents that pose a high individual risk of life-threatening disease, which may be transmitted via the aerosol route and for which there is no available vaccine or therapy.”*

As noted in the Proposal above, the amendments specifically request the ability to include hazardous uses within Safety Compatibility Zone 2 in order to accommodate Biosafety Level 2 uses, in direct conflict with the Safety Policies of the SFO ALUCP and are therefore not consistent with these policies.

SFO Planning

Pursuant to standard practice, the project was referred to SFO Planning staff for review, who provided detailed comments, included as **Attachment 5**. In summary, they note objection to the amendments as inconsistent with the SFO ALUCP Safety Policies, believe they would pose an unreasonable safety hazard by exposing residents and businesses in Millbrae to greater harm in the event of an aircraft emergency, and recommend that the ALUC determine that the proposed amendments are incompatible with the SFO ALUCP.

ATTACHMENTS

1. Application Materials
2. SFO ALUCP Exh. IV-9 Safety Compatibility Zones
3. SFO ALUCP Table IV-2 Safety Compatibility Criteria
4. SFO ALUCP Policy SP-3 Hazardous Uses
5. Comment letter from SFO Planning dated September 13, 2023



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

APPLICANT INFORMATION

Agency: City of Millbrae

Project Name: Millbrae Station Area Specific Plan Amendment

Address: 621 Magnolia Avenue

APN: Millbrae Station Area Specific Plan Area

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 an amendment to the Millbrae Station Area Specific Plan to 1) allow Biotechnology/Scientific Labs, Tech/Biotech Product Assembly, and Tech/Biotech Component Manufacturing, including hazardous uses classified as Biosafety Level 2, with a Conditional Use Permit in the Transit Oriented Development zone portion located north of the paseo connecting the Millbrae transit station and Rollins Road as shown on Figure 4-5 of the Millbrae Station Area Specific Plan, south of the BART parking garage, east of Millbrae transit station, and west of Rollins Road, above the ground floor except for minor ancillary uses as determined by the community development director, within the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport Safety Compatibility Zone 2 and 2) clarify that industrial and office uses are permitted in the Public Facilities zoning district.

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.)

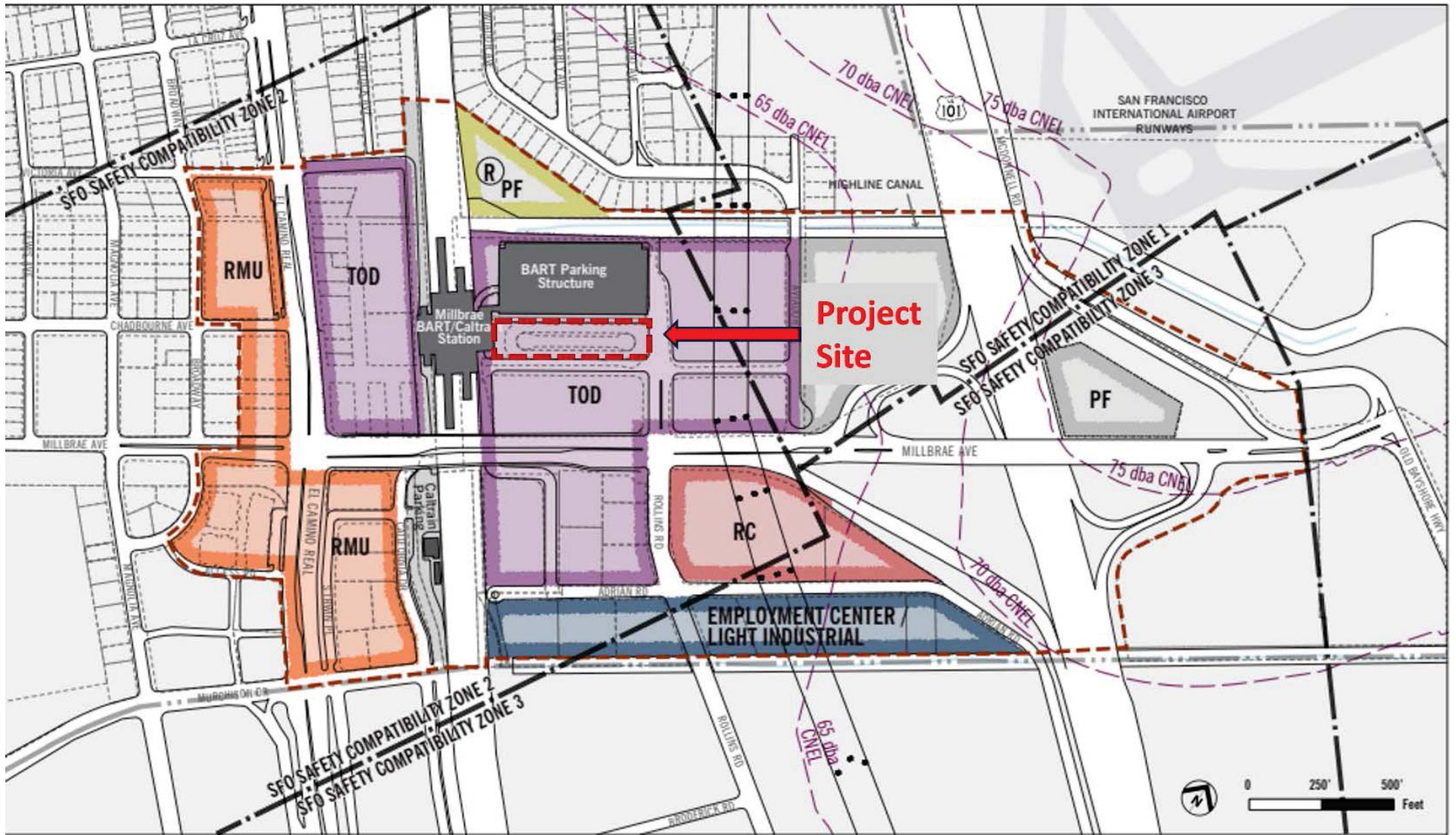
Additional information For Development Projects:

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>
Date Application Received
Date Application Deemed Complete
Tentative Hearing Dates:
- Airport Land Use Committee
- C/CAG ALUC



City Council Adoption of Update

February 9, 2016- Resolution No. 16-03 adopted by the City Council

List of Amendments and Resolution Dates

April 9, 2019- Resolution No. 19-36 adopted by the City Council

January 12, 2021 - Resolution No. 21-08 adopted by the City Council

September 15, 2021- Resolution No. 21-60 adopted by the City Council

October 26, 2021 - Resolution No. 21-74 adopted by the City Council

October 11, 2022 - Resolution No. 22-73 adopted by the City Council

January 24, 2023 - Resolution No. 23-11 adopted by the City Council

Transit-Oriented Development (TOD)

The Specific Plan envisions a wide variety of uses in areas closest to the Millbrae BART/Caltrain Station (Millbrae Station), including the current BART parking lots, that take advantage of station proximity. Transit-Oriented Development (TOD) is a compact, walkable, high-density mixed-use residential and commercial area located within one-quarter to one-half mile of a transit station, incorporating features to encourage transit use throughout the day such as a mix of uses, high-quality pedestrian and bicycle access, narrow streets, and reduced parking requirements. Development for this area includes land use types such as residential, office, hotel, and ground-floor retail. The Specific Plan promotes the integration of these uses on individual sites and within single projects. All new development will prioritize access to transit. The integration of residential and employment uses will ensure that there is activity in the station area during the day and in the evenings.

Residential Mixed Use

The El Camino Real corridor is envisioned as a mixed-use corridor that primarily consists of multi-family residential development above ground floor retail and service uses within individual buildings, continuing the pattern of recent development along the corridor. The El Camino Real corridor will also function as a bridge between the existing residential uses west of the Plan Area and new intensive uses in the Transit-Oriented Development (TOD) area. Additional residential uses on El Camino Real will

complement Downtown businesses without adding extensive vehicle trips and will provide additional life to central Millbrae.

Retail Center

In the southeast quadrant of the Plan Area, the existing retail center (Wilson Plaza) will retain its commercial character and extend farther to the east to provide additional retail shopping, services, and dining opportunities that are appropriate for this freeway-proximate area.

Employment Center / Light Industrial

The area south of Adrian Road will accommodate office uses in new Class A buildings as well as employment-generating light industrial uses that can take advantage of freeway proximity and transit service, and add valued economic development benefits. Light industrial uses shall include research and development (R&D), STEM (science, technology, engineering, and math), tech/biotech manufacturing, and high-tech services that involve a combination of assembling, warehousing, and/or sales. New housing development in the nearby TOD area will create opportunities for employees to live close to their workplaces, which is attractive to employers and creates further opportunities for walking and bicycling to work.

Hotels

Hotels are envisioned in locations that take advantage of freeway frontage, airport proximity, and transit access. Hotels will benefit both visitors and local residents and also complement nearby retail

and office uses. Hotels will provide a meeting place, as well as a place for special events, conferences, or banquets. Hotels will also diversify activities in the area, providing activity during the daytime and nighttime hours with lesser peak-hour traffic impacts. Hotels should be allowed flexibility and may be appropriate in TOD, Residential Mixed-Use, Retail Center, and Employment Center/Light Industrial areas.

Public Facilities

Public Facilities are proposed to be used as [industrial and office uses associated with](#) public facilities. The area directly west of Highway 101 and north of Millbrae is restricted for development due to airport runway safety issues. As the Specific Plan is implemented, the area should be landscaped at its edges to provide for an attractive entry to the City from Highway 101. Potential uses for the area include stormwater treatment facilities (bio retention swales). The Wastewater Treatment Facility, shown in green, is proposed to continue its use as a public facility.

Multi-Family Residential Overlay

As shown in Figure 4-1, the triangular-shaped area just north of the BART parking garage and south of the Bayside Manor neighborhood is envisioned for land uses that would provide a suitable land use transition between the BART station and the Bayside Manor neighborhood, including a city storage yard, parking, and/or multi-family residential uses.

5.1. PLANNING ZONES AND OVERLAY ZONE

As shown in Figure 5-1, the Plan Area is divided into five Planning Zones with one Overlay Zone, which are based off of the Land Use Plan and concepts described in Chapter 4. Overlay Zone regulations shall be applied in addition to those in the underlying base zone.

Transit-Oriented Development (TOD) Zone

This Zone supports a variety of uses at higher intensities in order to create a vibrant day and evening activity center immediately adjacent to the Millbrae Station. In order to make the higher intensities of TOD enjoyable and convenient, all TOD developments shall have a mix of uses. Life science laboratories and office uses are limited to the TOD zone portions located 1) south of Millbrae Avenue, 2) north of Millbrae Avenue, south of the MSASP Boundary, east of El Camino Real, and west of the Railroad [and 3\) north of the paseo connecting the Millbrae transit station and Rollins Road as shown on Figure 4-5 of the Millbrae Station Area Specific Plan, south of the BART parking garage, east of Millbrae transit station, and west of Rollins Road, above the ground floor except for minor ancillary uses as determined by the Community Development Director.](#)

Residential Mixed Use Zone

The El Camino Real corridor, except for the area immediately west of the Millbrae Station, is designated Residential Mixed Use. This Zone accommodates and encourages medium- to high-density residential development above ground floor retail uses that face El Camino Real. Land use regulations and standards for this zone are also intended to ensure an appropriate transition in use and scale between new high density development in the TOD Zone and the existing single family residential neighborhoods to the west.

Employment Center / Light Industrial Zone

This Zone is intended to promote the development of an employment-oriented corridor with new Class A office buildings and light industrial uses that front Adrian Road.

Retail Commercial Zone

The Retail Commercial Zone is intended to retain and enhance existing retail and shopping development close to Highway 101.

Public Facilities Zone

This Zone is applied to portions of the Plan Area that are reserved for industrial and office utility-related uses or public services, including a City storage yard, and parking.

Residential Overlay Zone

The Residential Overlay Zone is intended to accommodate multi-family homes, with the provision of housing available to people of all incomes, in close proximity to the Millbrae Station, including townhomes, apartments, and condominiums, that thoughtfully transition in scale to the Bayside Manor neighborhood to the north.

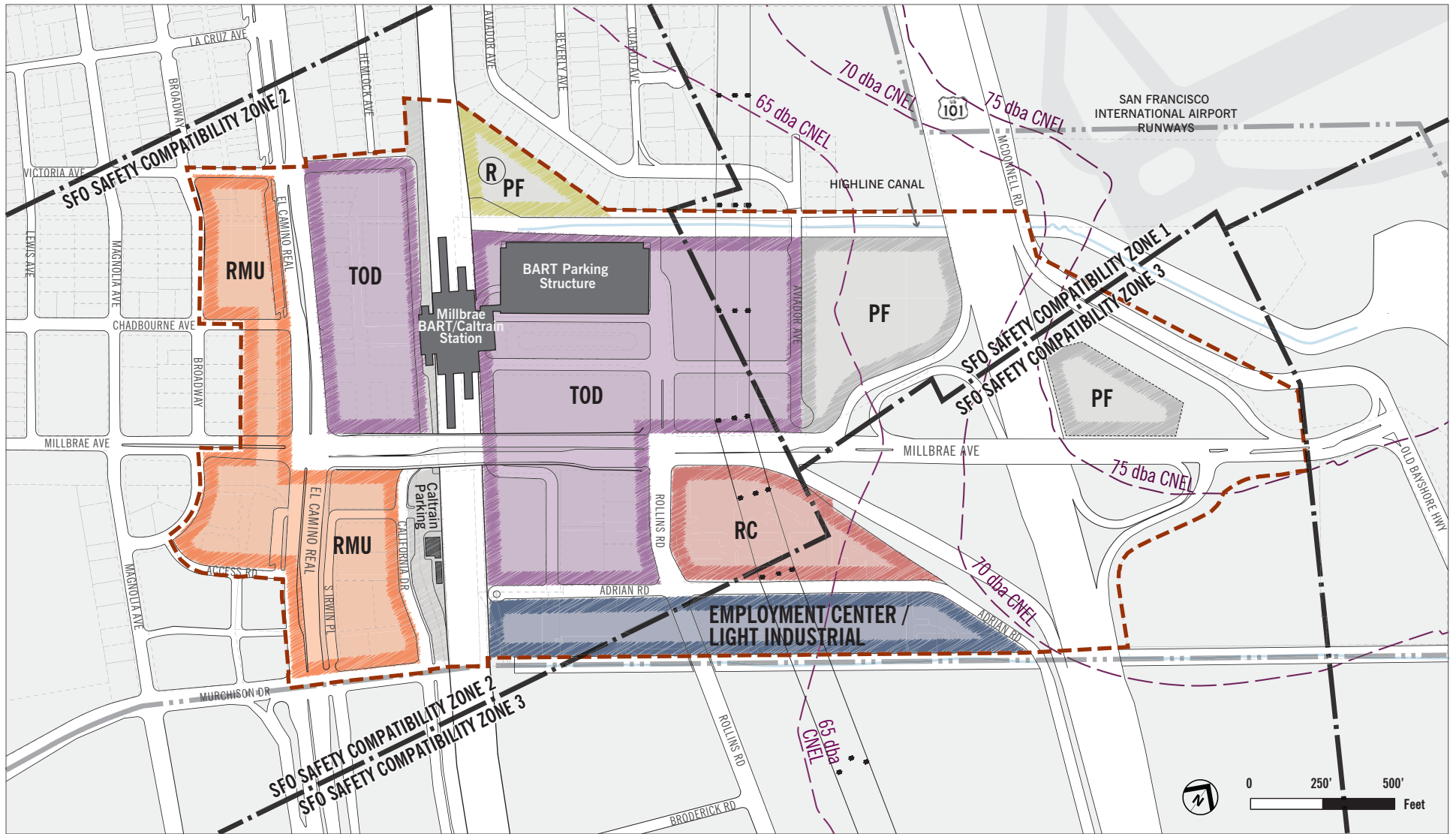
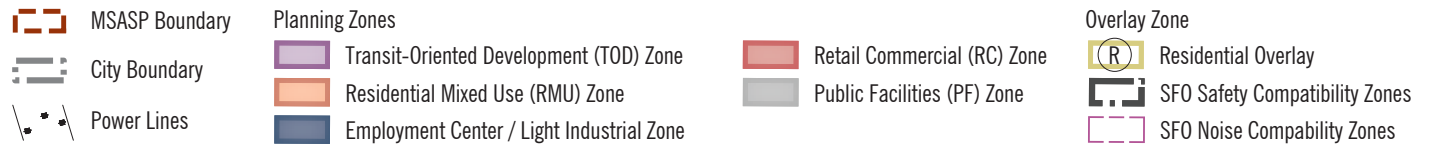


FIGURE 5-1. Planning and Overlay Zones



5.2. LAND USE REGULATIONS

Table 5-1 indicates the land uses that are permitted, conditionally permitted, and prohibited within each Planning or Overlay Zone. As described above, Overlay Zone land use regulations shall be applied in addition to those in the underlying base zone. Other uses not identified in Table 5-1 that are deemed consistent with the spirit and intent of the underlying land use designation shall be given Director consideration and approved at Director discretion or deferred to the Planning Commission.

TABLE 5-12. PERMITTED AND CONDITIONALLY PERMITTED LAND USES

Permitted (P) Conditional (C) Not allowed (-) Permitted when part of mixed use building (*)	TOD	Residential Mixed Use	Employment Center / Light Industrial	Residential Overlay	Retail Commercial	Public Facilities
Residential Uses						
Duplexes	-	-	-	P	-	-
Live/Work Units	P*	P*	C	-	-	-
Multiple-Family Dwellings						
– Less than 7 Units	-	-	-	P	-	-
– 7 Units or More	P*	P	C	P	-	-
Public and Quasi-Public Uses						
Adult Education	C*	C*	C*	-	C	-
Community Centers [1]	P	P	P	-	P	-
Public Electric Vehicle Charging Station	P*	P*	P*	-	P	-
Library	P	P	P	-	P	-
Public Parks and Recreational Facilities [1]	P	P	P	P	P	P
Public Parking Structures	P	P	P	P	P	-

Permitted (P) Conditional (C) Not allowed (-) Permitted when part of mixed use building (*)	TOD	Residential Mixed Use	Employment Center / Light Industrial	Residential Overlay	Retail Commercial	Public Facilities
Commercial Uses						
<i>Eating and Drinking Establishments</i>						
Restaurants	P*	P*	P*	-	P	-
Bars	C*	C*	C*	-	C	-
Commercial Services						
Banks and Financial Services [2]	P*	P*	P*	-	P*	-
Business Support Services [2]	P*	P*	P*	-	C*	-
Child Care Services [2] [3]	C*	C*	C*	-	-	-
Health and Exercise Clubs (no more than 3,000 square feet if on ground floor) [2]	P*	P*	P*	-	P*	-
Medical Offices [2]	P*	C*	C	-	-	-
Offices [2]	P	P*	P	-	-	-
Personal Services	P*	P*	P*	-	P*	-
Light Industrial [4] [6]						
Biotechnology / Scientific Labs	C	-	C	-	-	-
Research and Development Facility (R&D)	C	-	P	-	-	-
Tech / Biotech Product Assembly	C	-	C	-	-	-
Tech / Biotech Component Manufacturing	C	-	C	-	-	-

Permitted (P) Conditional (C) Not allowed (-) Permitted when part of mixed use building (*)	TOD	Residential Mixed Use	Employment Center / Light Industrial	Residential Overlay	Retail Commercial	Public Facilities
Retail						
Drive-In and Drive-Through Facilities	-	-	-	-	P	-
Food and Beverage Sales (less than 15,000 square feet)	P*	P*	P*	-	P	-
Gas and Service Stations	-	-	-	-	C	-
Liquor Stores	C*	C*	-	-	C*	-
Retail Sales	P*	P*	P*	-	P	-
Other Commercial Uses						
Commercial Lodging	C	C	C	-	C	-
Conference Center [5]	P*	C	P*	-	P*	-
Museum	P	-	-	-	-	-
Theater	P	-	-	-	-	-
Indoor Commercial Recreation	P*	-	-	-	P	-

Permitted (P) Conditional (C) Not allowed (-) Permitted when part of mixed use building (*)	TOD	Residential Mixed Use	Employment Center / Light Industrial	Residential Overlay	Retail Commercial	Public Facilities
Transportation, Communication, and Utilities Uses						
Off-Site Construction Staging	C	C	C	-	C	P
Wireless Communications Facilities	C	C	C	-	C	C
Cogeneration Facility	C	-	-	-	-	-
Transit Facilities	P	-	-	-	-	-
Utility Services	C	-	C	-	C	P

NOTES:

Any use that requires a Conditional Use Permit (C) goes to the Planning Commission for approval.

An asterisk (*) indicates uses allowed only when part of mixed use building.

Within SFO Safety Compatibility Zones 1 and 3, uses must comply with the ALUCP policies and criteria described in Policy SP-2, Safety Compatibility Land Use Criteria; Table IV-2, Safety Compatibility Criteria; and Policy SP-3, Hazardous Uses. (See pages IV-27 through IV-34 of the SFP ALUCP, November 2012, or the latest adopted Plan). Within SFO Compatibility Zone 2, Hazardous Uses up to Biosafety Level 2 may be allowed, subject to a Conditional Use Permit, per City of Millbrae Resolution 21-08, Resolution No. 21-60, Resolution No. 23-11, and Resolution No. xx-xx within the TOD Zone and the Employment Center/Light Industrial Zone.

[1] Places of assembly seating more than 300 people are prohibited in SFO Safety Compatibility Zone 2. Places of assembly not in structure are prohibited in SFO Safety Compatibility Zone 1.

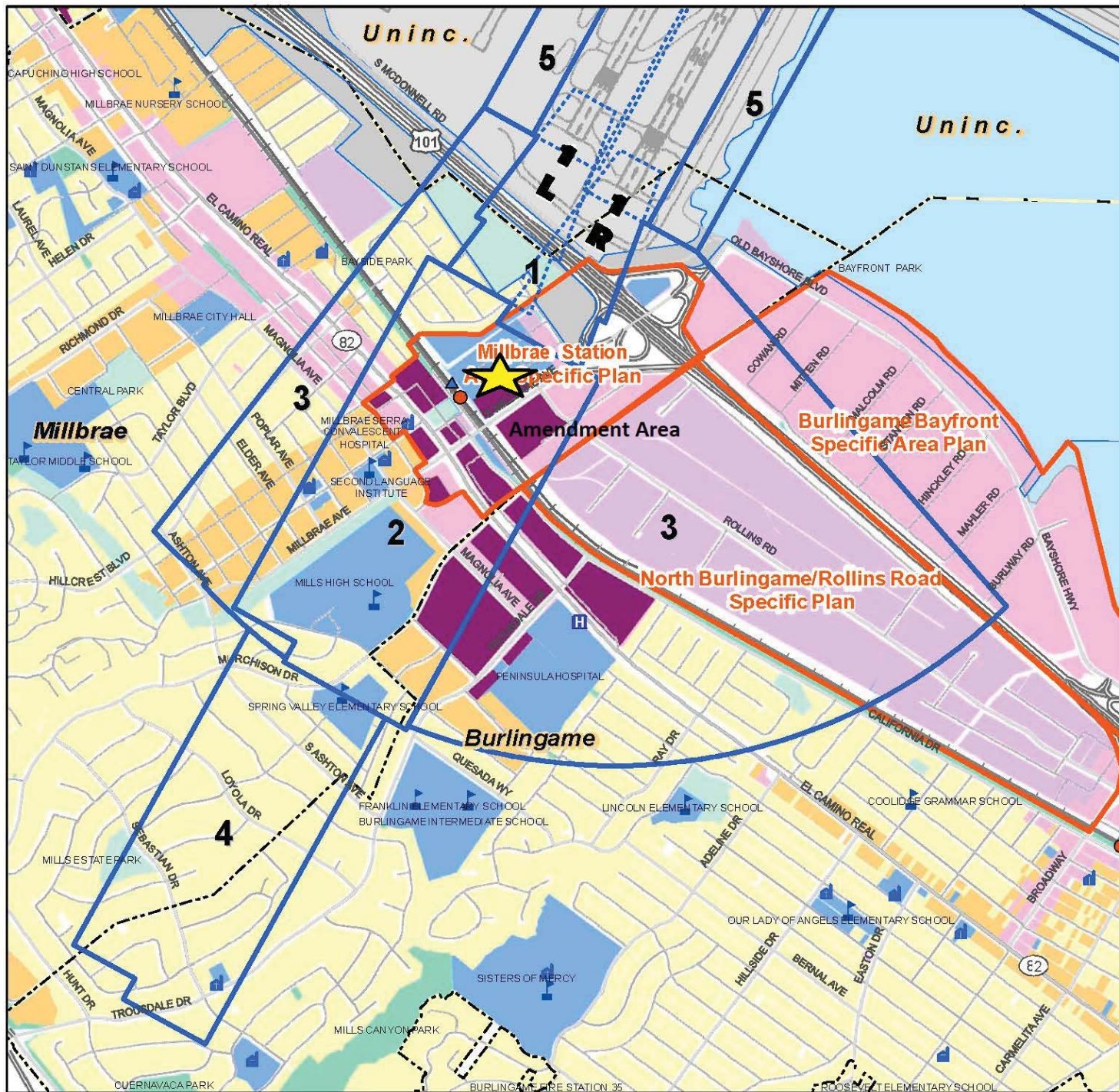
[2] Use is required to secure a Conditional Use Permit when located on the ground floor in a Type 1-Very Active Ground Floor Uses area as shown in Figure 5-4, Active Frontage Types.

[3] Large child day care centers, which are commercial facilities defined in accordance with Health and Safety Code, Section 1596.70, et seq., and licensed to serve 15 or more children, are prohibited in SFO Safety Compatibility Zones 2 and 3. Family day care homes and noncommercial employer-sponsored facilities ancillary to place of business are allowed in SFO Safety Compatibility Zone 3.

[4] Light Industrial facilities in Safety Compatibility Zone 2 of ALUCP may include hazardous uses up to Biosafety Level 2, as defined by the SFO ALUCP, Policy SP-3 on pages IV-33 and IV-34.

[5] Conference centers in Safety Compatibility Zone 2 of the ALUCP shall not provide seating in excess of 300 people.

[6] Biotechnology/Scientific Labs, Tech/Biotech Product Assembly, and Tech/Biotech Component Manufacturing are allowed with a Conditional Use Permit in the TOD zone portions located 1) south of Millbrae Avenue, 2) north of Millbrae Avenue, south of the MSASP Boundary, east of El Camino Real, and west of the Railroad and 3) north of the paseo connecting the Millbrae transit station and Rollins Road as shown on Figure 4-5 of the Millbrae Station Area Specific Plan, south of the BART parking garage, east of Millbrae transit station, and west of Rollins Road, above the ground floor except for minor ancillary uses as determined by the Community Development Director.



LEGEND

Safety Compatibility Zones

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

Planned Land Use Per General Plans

- Public
- Multi-Family Residential
- Single Family Residential
- Mixed Use
- Transit Oriented Development
- Commercial
- Industrial, Transportation, and Utilities
- Local Park, Golf Course, Cemetery
- Regional Park or Recreation Area
- Open Space

Sources:

- Local Plans:**
- San Bruno General Plan, December 2008
 - South San Francisco General Plan, 1998

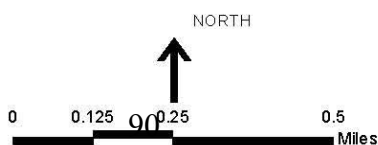


Table IV-2 (1 of 2) Safety Compatibility Criteria

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

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

Notes:

- 1/ *Avoid:* Use is not fully compatible and should not be permitted unless no feasible alternative is available. Where use is allowed, habitable structures shall be provided with at least 50 percent more exits than required by applicable codes. Where the 50-percent factor results in a fraction, the number of additional exits shall be rounded to the next highest whole number.
- Incompatible:* Use is not compatible in the indicated zones and cannot be permitted.
- 2/ Definitions
- o *Biosafety Level 3 and 4 facilities:* Medical and biological research facilities involving the storage and processing of extremely toxic or infectious agents. See Policy SP-3 for additional detail.
 - o *Children's schools:* Public and private schools serving preschool through grade 12, excluding commercial services.
 - o *Controlled Activity Area:* The lateral edges of the RPZ, outside the Runway Safety Area (RSA) and the extension of the RSA, which extends to the outer edge of the RPZ. See FAA Advisory Circular 150/5300-13, Airport Design, Section 212a.(1)(b).
 - o *Critical public utilities:* Facilities that, if disabled by an aircraft accident, could lead to public safety or health emergencies. They include the following: electrical power generation plants, electrical substations, wastewater treatment plants, and public water treatment facilities.
 - o *Hazardous uses:* Uses involving the manufacture, storage, or processing of flammable, explosive, or toxic materials that would substantially aggravate the consequences of an aircraft accident. See Policy SP-3 for additional detail.
 - o *Large child day care centers:* Commercial facilities defined in accordance with Health and Safety Code, Section 1596.70, et seq., and licensed to serve 15 or more children. Family day care homes and noncommercial employer-sponsored facilities ancillary to place of business are allowed.
- 3/ Structures serving specific aeronautical functions are allowed, in compliance with applicable FAA design standards.
- 4/ Examples include parking lots and outdoor equipment storage.

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

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

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

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

ZONE 3 -- INNER TURNING ZONE (ITZ)

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

ZONE 4 - OUTER APPROACH/DEPARTURE ZONE (OADZ)

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

ZONE 5 – SIDELINE ZONE (SZ)

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

SP-3 HAZARDOUS USES

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

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

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

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

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

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

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

and associated with human disease of varying severity.

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

4.5 Airspace Protection

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

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

4.5.1 FEDERAL REGULATIONS REGARDING TALL STRUCTURES

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

4.5.2 PART 77, SUBPART B, NOTIFICATION PROCESS

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



San Francisco International Airport

September 13, 2023

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 ONLY
kkalkin@smcgov.org

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

Thank you for the opportunity for San Francisco International Airport (SFO or the Airport) to comment on the City of Millbrae's (City) proposed amendment to the Millbrae Station Area Specific Plan (MSASP) to expand the area in which hazardous land uses classified as Biosafety Level 2 are allowed within the Airport's Safety Compatibility Zone 2: Inner Approach/Departure Zone (Safety Zone 2). We appreciate this opportunity to coordinate with the Airport Land Use Commission (ALUC) in evaluating the proposed amendment.

Due to the City's previous overrides of the ALUC's determinations of incompatibility for land use designations in the MSASP, the MSASP currently allows Biosafety Level 2 land uses within the Transit-Oriented Development Zone (TOD Zone) and the Employment Center/Light Industrial Zone, both of which are within Safety Zone 2. The proposed amendment would expand the area within the TOD Zone in which Biosafety Level 2 land uses are allowed. Specifically, the proposed amendment would allow those land uses in the area north of the paseo connecting the Millbrae Intermodal Station and Rollins Road, east of the Millbrae Intermodal Station, south of the BART parking garage, and west of Rollins Road (see red-dashed box on page 2 of the attachment). The Biosafety Level 2 land uses in this area would be limited to the floors above the ground floor, with minor ancillary uses allowed on the ground floor as determined by the Millbrae Community Development Director.

Policy SP-3 (Hazardous Uses) of the *Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport* (ALUCP) specifically prohibits medical and biological research facilities handling highly toxic or infectious agents, which include land uses classified as Biosafety Level 2, 3, and 4, within Safety Zone 2. The proposed amendment to expand the conditional allowance of Biosafety Level 2 land uses within Safety Zone 2 is inconsistent with the ALUCP and poses an unreasonable public safety hazard by exposing residents and businesses in Millbrae to greater potential harm in the event of an aircraft accident. The Airport recommends that the ALUC determine that the proposed amendment is incompatible with the ALUCP.

Should the ALUC determine that the proposed amendment is incompatible with the ALUCP, the City may choose to override the ALUC determination by a two-thirds vote of the City Council. Prior to a City Council hearing on the proposed amendment, the Planning Commission must make a recommendation to the City Council. In a draft resolution for the August 28, 2023 Planning Commission hearing, the City included the following findings in support of a Planning Commission resolution recommending that the City Council adopt the proposed amendment:

- Finding 2 of the draft resolution states that "the adoption of the Amendment will not be detrimental to the public health, safety, and general welfare." No evidence is provided to justify this finding.

AIRPORT COMMISSION CITY AND COUNTY OF SAN FRANCISCO

LONDON N. BREED
MAYORMALCOLM YEUNG
PRESIDENTEVERETT A. HEWLETT, JR.
VICE PRESIDENT

JANE NATOLI

JOSE F. ALMANZA

IVAR C. SATERO
AIRPORT DIRECTOR

Susy Kalkin, ALUC
September 13, 2023
Page 2 of 3

- Finding 6 of the draft resolution states that “the City has considered the potential impacts of allowing such life science office and laboratory uses, such as noise, air quality, water quality, hazardous materials, and biological resources ... [and] has determined that there is minimal risk associated with allowing such uses under the proposed MSASP Amendment.” No evidence is provided to justify this finding.
- Finding 7 notes that the proposed amendment would not result in a safety hazard because “the uses are already allowed within the Station Area.” This finding is factually incorrect. Safety Zones are defined empirically based on historical records of crashes near airport runways. Increasing the area within Safety Zone 2 where Biosafety Level 2 land uses are permitted would increase risk by definition because the proportion of Safety Zone 2 occupied by hazardous uses would increase.

As discussed above, ALUCP Policy SP-3 specifically prohibits land uses that involve the handling of highly toxic or infectious agents within Safety Zone 2. Furthermore, the *California Airport Land Use Planning Handbook*, published by the Caltrans Division of Aeronautics, provides policy guidance for implementation of the ALUCP and notes that “manufacturing, storage, or use of hazardous materials may warrant special consideration depending upon the specific materials and quantities. The concern is whether an aircraft accident could cause an explosion or release of toxic materials, thus posing dangers to the nearby population ... Specifically, locations where the manufacturing or bulk storage of hazardous materials should be avoided include safety zones one through five.”¹ The City’s proposed findings are not consistent with ALUCP Policy SP-3 or the *California Airport Land Use Planning Handbook* and are not supported by evidence demonstrating that allowing Biosafety Level 2 land uses within Safety Zone 2 would not pose an unacceptable risk to public safety.

The Airport does not object to Biosafety Level 2 land uses in areas that specifically cater to and provide appropriate containment for that type of research. However, such land uses are not suitable at the ends of runways and should be sited farther away from the areas near the Airport that have been identified by empirical research as posing an unacceptable risk. If the City overrides the ALUC determination, the Airport will be immune from liability for damages resulting directly or indirectly from allowing Biosafety Level 2 land uses in Safety Zone 2.² The City should carefully consider the health, safety, and well-being of its citizens in the event of an aircraft accident in Safety Zone 2.

* * *

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@flysfso.com.

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

² Cal. Pub. Util. Code § 21678.

Susy Kalkin, ALUC
September 13, 2023
Page 3 of 3

Sincerely,

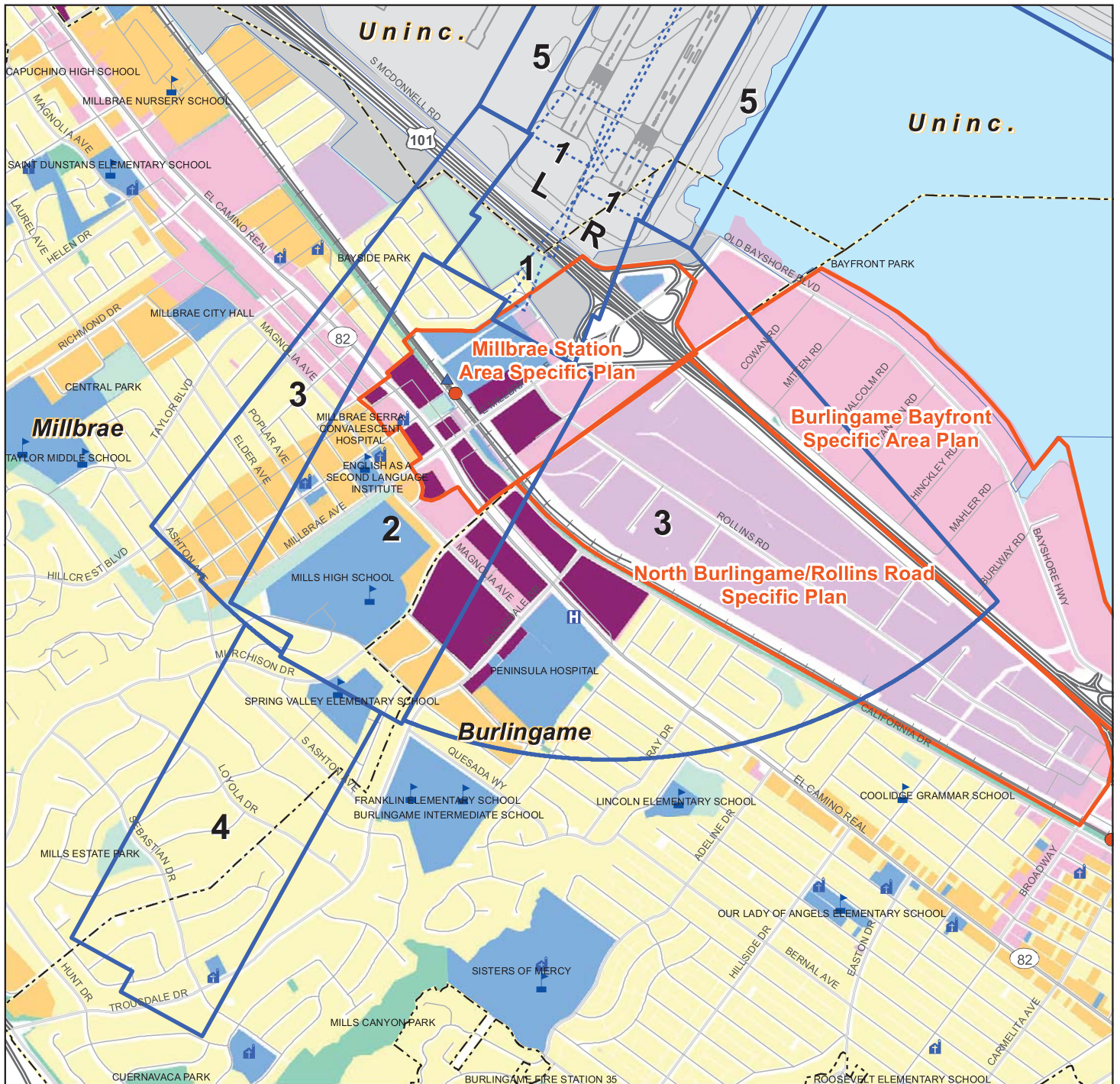
DocuSigned by:
Nupur Sinha
7D552AE6A4CE495...

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

Attachments

ALUCP Map of Safety Compatibility Zones
Map of Project Site

cc: Sean Charpentier, C/CAG
Tom Williams, City of Millbrae, City Manager
Laurie Suttmeier, FAA San Francisco Airports District Office, Manager
Phillip Miller, Caltrans Division of Aeronautics, Interim Chief
Ivar Satero, SFO, Airport Director
Geoff Neumayr, SFO, Chief Resilience and Sustainability Officer
Cathy Widener, SFO, Acting Chief External Affairs Officer
Audrey Park, SFO, Environmental Affairs Manager
Chris DiPrima, SFO, Senior Airport Planner



LEGEND

Safety Compatibility Zones

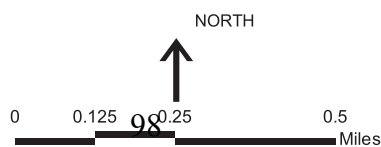
- 1 - Runway Protection Zone-Object Free Area
- 2 - Inner Approach/Departure Zone
- 3 - Inner Turning Zone
- 4 - Outer Approach/Departure Zone
- 5 - Sideline Zones
- Internal boundaries of ALP-defined areas
- Specific Plan Area
- Airport Property
- ▲ BART Station
- CALTRAIN Station
- 🏫 School
- 🕌 Place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

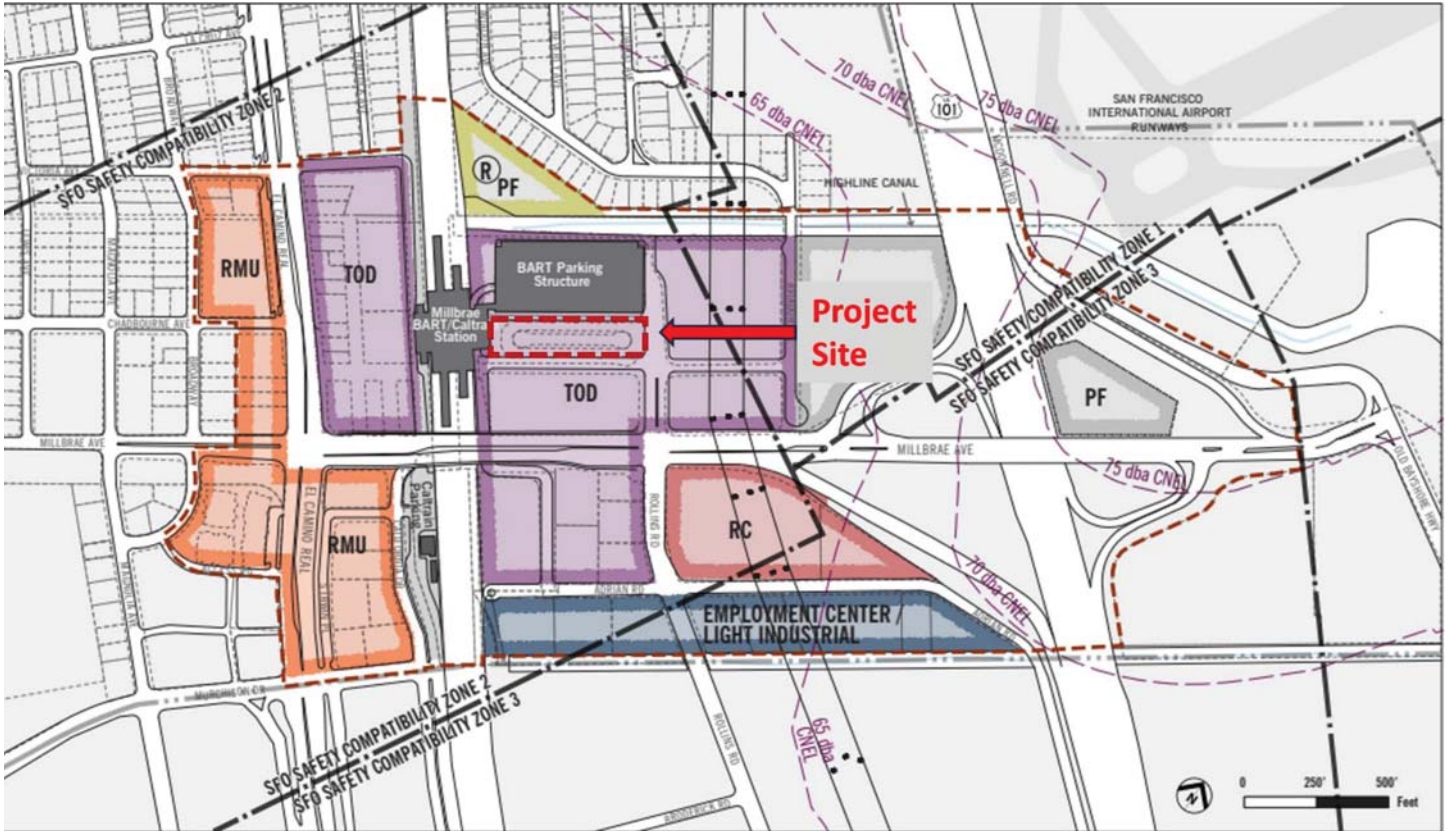
Planned Land Use Per General Plans

- Public
- Multi-Family Residential
- Single Family Residential
- Mixed Use
- Transit Oriented Development
- Commercial
- Industrial, Transportation, and Utilities
- Local Park, Golf Course, Cemetery
- Regional Park or Recreation Area
- Open Space

Sources:

- Local Plans:**
- San Bruno General Plan, December 2008
 - South San Francisco General Plan, 1998





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AMENDED AGENDA

(Note: Only change is to the Publicly Accessible Teleconference Location.)

C/CAG BOARD MEETING NOTICE and SAN MATEO COUNTY AIRPORT LAND USE COMMISSION MEETING NOTICE

Meeting No. 368

<p>Date: Thursday, October 12, 2023</p> <p>Time: 6:30 p.m.</p> <p>Primary Location: San Mateo County Transit District Office 1250 San Carlos Ave, 2nd Fl. Auditorium, San Carlos, CA 94070</p> <p>Publicly Accessible Teleconference Location: Hotel Nia, 200 Independence Street, Conference Room, Menlo Park, CA</p>	<p>Join by Webinar: https://us02web.zoom.us/j/82155677320 ?pwd=a2NvMnlxZU1tZUZiRWdRdkt0 ZU5EQT09</p> <p>Webinar ID: 821 5567 7320</p> <p>Password: 101223</p> <p>Join by Phone: (669) 900-6833</p>
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HYBRID MEETING - IN-PERSON AND BY VIDEOCONFERENCE

This meeting of the C/CAG Board of Directors 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. The Board welcomes comments, including criticism, about the policies, procedures, programs, or services of the agency, or of the acts or omissions of the Board and committees. Speakers shall not disrupt, disturb, or otherwise impede the orderly conduct of a Board meeting. 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.

1.0 CALL TO ORDER/ ROLL CALL

2.0 PRESENTATIONS / ANNOUNCEMENTS

- 2.1 Receive a Presentation providing an update on the San Mateo County Highway 101 Express Lanes.

p. 1

3.0 ACTION TO SET AGENDA AND APPROVE CONSENT AGENDA ITEMS

This item is to set the final consent and regular agenda, and to approve the items listed on the consent agenda. All items on the consent agenda are approved by one action. There will be no separate discussion on these items unless members of the Board or staff request specific items to be removed for separate action.

- 3.1 Approval of minutes of regular business meeting No. 367 dated September 14, 2023. ACTION p. 3
- 3.2 Review and approval of Resolution 23-82 authorizing the submittal of Grant Applications to the 2023 Highway Program Call for Project Funding (Measure A and/or Measure W) for the US 101 Managed Lanes Project North of Interstate 380 Project and the US101/SR92 Interchange Area Improvement Project. ACTION p. 9
- 3.3 Review and approval of Resolution 23-83 authorizing the C/CAG Executive Director to execute Amendment No. 2 to the Fiscal Year 2020/21 Transportation Fund for Clean Air (TFCA) Funding Agreement with City of Daly City for the Daly City Crosswalk Enhancements Project, extending project completion date to June 30, 2024, at no additional cost. ACTION p. 16
- 3.4 Review and approval of Resolution 23-84 adopting the revised membership guidelines to include alternate positions for Congestion Management Program Technical Advisory Committee. ACTION p. 21
- 3.5 Review and approval of Resolution 23-85 adopting the revised membership guidelines to include alternate positions for Stormwater Committee. ACTION p. 29
- 3.6 Review and approval of Resolution 23-86 authorizing the C/CAG Executive Director to execute an agreement with Mariposa Planning Solutions for the preparation of a Shared Micromobility Community Outreach Plan, in an amount not to exceed \$119,593, establish a contingency in the amount of \$11,959 (10% of contract) for a total project budget of \$131,552, and execute future contract amendments in an amount not-to-exceed the appropriated contingency ACTION p. 37
- 3.7 Review and approval of Resolution 23-87 determining that a proposed 155-unit single family residential development, public open space and recreation facilities at 300 Piedmont Avenue, San Bruno, is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport. ACTION p. 41
- 3.8 Review and approval of Resolution 23-88 determining that the proposed 6-story, 188 room hotel at 501 Industrial Road, San Carlos, including associated rezoning, is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport. ACTION p. 47
- 3.9 Review and approval of Resolution 23-89 determining that the Burlingame Zoning Ordinance update is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport. ACTION p. 53
- 3.10 Review and approval of Resolution 23-90 determining that the San Carlos Zoning Ordinance update is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport. ACTION p. 63

- 3.11 Review and approval of Resolution 23-91 determining that proposed amendments to the Millbrae Station Area Specific Plan to allow for uses classified as “Biotechnology Level 2” within portions of the Transit Oriented Development Zone north of the paseo connecting the Millbrae transit station and Rollins Road, south of the BART parking garage, east of Millbrae transit station, and west of Rollins Road, which are located within Safety Compatibility Zone 2, are inconsistent with the Safety Compatibility Policies of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport. ACTION p. 70
- 3.12 Review and approval of Resolution 23-92 authorizing the C/CAG Chair to execute Amendment No. 4 to the Agreement with the City of South San Francisco for fiber conduit purchase of the Smart Corridor Extension Project, extending the contract term to June 30, 2024, at no additional cost. ACTION p. 75
- 3.13 Receive a copy of executed Amendment No. 1 to the Fiscal Year 2021/22 Transportation Fund for Clean Air (TFCA) Funding Agreement with City of San Bruno for the Bicycle Route Installation Project, extending project completion date to October 31, 2024, at no additional cost. INFORMATION p. 81
- 3.14 Review and approval of Resolution 23-93, authorizing the C/CAG Executive Director to execute a funding agreement with the City of Daly City in an amount not to exceed \$672,500, to install fiber and perform other related duties in preparation for the future deployment of the Northern Cities Smart Corridor project. ACTION p. 85

4.0 **REGULAR AGENDA**

- 4.1 Action on Compensation Adjustment for Executive Director and review and approval of Resolution 23-95 authorizing the C/CAG Chair to execute Amendment No. 2 to the agreement between C/CAG and Executive Director. ACTION p. 89
- 4.2 Review and approval of Resolution 23-94 approving the Proposed 2024 State Transportation Improvement Program (STIP) for San Mateo County and also authorize the C/CAG Executive Director to negotiate with the Metropolitan Transportation Commission (MTC) and California Transportation Commission (CTC) to make minor modifications as necessary. (*Special voting procedures apply*). ACTION p. 93
- 4.3 Open a public hearing on the draft update to the Congestion Management Program and continue the public hearing to November 9, 2023. ACTION p. 99
- 4.4 Presentation of C/CAG Equity Assessment and Framework Development Project Draft Final Report. INFORMATION p. 110

5.0 **COMMITTEE REPORTS**

- 5.1 Chairperson’s Report
- 5.2 Board Members Report/Communication

6.0 **EXECUTIVE DIRECTOR’S REPORT**

7.0 COMMUNICATIONS - Information Only

7.1 Written Communication – (1 Letter)

p. 118

8.0 PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Pursuant to Government Code Section 54954.3, members of the public who wish to speak on matters not on the agenda will be given an opportunity to address the Board. Members of the public will have two minutes each to address the Board, unless a different time limit is established by the Chair. Please refer to the instructions at the end of this agenda for details regarding how to provide public comments.

9.0 ADJOURNMENT

Next scheduled meeting November 9, 2023

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 Crume 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 Crume at (650) 599-1406 or mcrume@smcgov.org by 10:00 a.m. prior to the meeting date.

PUBLIC PARTICIPATION DURING HYBRID MEETINGS: During hybrid meetings of the C/CAG Board, members of the public may address the Board as follows:

WRITTEN COMMENTS: Written comments should be emailed in advance of the meeting. Please read the following instructions carefully:

1. Your written comment should be emailed to mcrume@smcgov.org.
2. Your 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. Members of the public are limited to one comment per agenda item.
4. If your emailed comment is received at least 2 hours prior to the meeting, it will be provided to the C/CAG Board members, made publicly available on the C/CAG website along with the agenda. Emails received less than 2 hours before the meeting will be provided to the C/CAG Board members and included in the administrative record of the meeting as soon as practicable.

SPOKEN COMMENTS:

Members of the public who wish to speak on matters not on the agenda will be given an opportunity to address the Board during the agenda item titled "Public Comment on Items Not on the Agenda." Members of the public who wish to speak on a matter on the agenda will have two minutes each to address the Board on that agenda item unless a different time limit is established by the Chair. No speaker who has already spoken on an item will be entitled to speak to that item again. At the call of the Chair, public comments will be taken in-person and remote. Public comments will be taken first by speakers in person followed by via Zoom.

*Those participating **in-person** will fill out a speaker's slip located on the 2nd floor auditorium side table against the wall. If you have documents you wish to distribute to the Board and include in the official record, please hand it to the C/CAG Clerk who will distribute the information to the Board members and staff.

*Those participating **remotely** will:

1. Access the meeting through Zoom at the online location or via phone as indicated at the top of this agenda.
2. 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. 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. Click on "raise hand" when the C/CAG Clerk or Chair calls for the item on which you wish to speak. The Clerk 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 time allotted.

If you have any questions about this agenda, please contact C/CAG staff:

Executive Director: Sean Charpentier (650) 599-1409

Clerk of the Board: Mima Crume (650) 599-1406

C/CAG AGENDA REPORT

Date: October 12, 2023

To: City/County Association of Governments of San Mateo County Board of Directors

From: Sean Charpentier, Executive Director

Subject: Receive a Presentation providing an update on the San Mateo County Highway 101 Express Lanes.

(For further information or questions, contact Sean Charpentier scharpentier@smcgov.org)

RECOMMENDATION

That the C/CAG Board receive a presentation providing an update on the San Mateo County Highway 101 Express Lanes.

BACKGROUND

The San Mateo County 101 Express Lanes project consists of 22 miles of express lanes in both directions on U.S. 101 from the Santa Clara County line to the I-380 in South San Francisco. The express lanes operate between 5am and 8pm on Monday through Friday and use dynamic pricing to encourage carpooling and transit use, increase person throughput (the number of people moved) and reduce congestion in the corridor. The express lanes between the Santa Clara County line and Whipple Ave. opened in February of 2022. The section between Whipple Ave. and I-380 opened in March 2023. For more information see: <https://101expresslanes.org/>

The San Mateo County Express Lanes Joint Powers Authority (SMCEL-JPA) was jointly created by C/CAG and the San Mateo County Transportation Authority (SMCTA). The SMCEL-JPA is responsible for overseeing the operations and administration of the San Mateo 101 Express Lanes, in addition to jointly exercising ownership rights over the Express Lanes. The SMCEL-JPA has a 6-member Board of Directors, with three members appointed by C/CAG (Alicia Aguirre (current Chair), Gina Papan, and Michael Salazar) and three members appointed by the SMCTA (Emily Beach (current Vice Chair), Rico Medina, and Carlos Romero).

In addition to the express lanes, the SMCEL-JPA created and implements the Community Transportation Benefits Program, which works with Samaritan House to distribute a FasTrak Transponder pre-loaded with \$100 or a Clipper Card pre-loaded with \$100 to eligible San Mateo County residents. For more information see: <https://101expresslanes.org/program/equity-program>

Lacy Vong, the Policy and Program Manager for SMCEL-JPA and Associate Vice President at HNTB, will provide the presentation.

ATTACHMENTS

The following attachments are available on the C/CAG website (See “Additional Agenda Materials”)
at: <https://ccag.ca.gov/committees/board-of-directors-2/>

1. 4Qtr FY23 US 101 Express Lanes Performance Report
2. Presentation providing an update on the San Mateo County Highway 101 Express Lanes.

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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Millbrae • Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County • South San Francisco • Woodside*

C/CAG BOARD MEETING and SAN MATEO COUNTY AIRPORT LAND USE COMMISSION NOTICE

MINUTES

Meeting No. 367
September 14, 2023

*****HYBRID MEETING - IN-PERSON AND BY VIDEOCONFERENCE*****

This meeting of the C/CAG Board of Directors was held in person and by teleconference pursuant to Government Code Section 54953(e). Members of the public was able to participate in the meeting remotely via the Zoom platform and in person.

1.0 CALL TO ORDER/ ROLL CALL

Chair Davina Hurt called the meeting to order at 6:32p.m. Roll call was taken.

AGENCY:	IN-PERSON:	ABSENT:	REMOTE AB 2449	REMOTE Publicly Accessible Teleconference Location:
Atherton		Absent		
Belmont	Davina Hurt			
Brisbane	Karen Cunningham			
Burlingame		Absent		
Colma		Absent		
Daly City		Absent		
East Palo Alto	Lisa Gauthier			
Foster City	Stacy Jimenez			
Half Moon Bay	Debbie Ruddock			
Hillsborough	Christine Krolik			
Menlo Park		Absent		
Millbrae	Gina Papan			
Pacifica		Absent		
Portola Valley	Jeff Aalfs			
Redwood City	Alicia Aguirre			
San Bruno	Michael Salazar			
San Carlos	Adam Rak			
San Mateo	Rich Hedges			
South San Francisco	Flor Nicolas			
Woodside		Absent		
San Mateo County		Absent		

C/CAG EX-OFFICIO (NON-VOTING) MEMBERS				
AGENCY:	IN-PERSON:	ABSENT:	REMOTE AB 2449	REMOTE Publicly Accessible Teleconference Location:
SMCTA		Absent		
SMCDT		Absent		

C/CAG Staff Present (In-Person):	Members of the Public (Remote):
Sean Charpentier – Executive Director	Chris Lepe – Mariposa Planning Solution
Mima Crume – Clerk of the Board	Gregory Nudd - BAAQMD
Melissa Andrikopoulos – Legal Counsel	
Jeff Lacap	
Kim Wever	
Susy Kalkin	
Van Ocampo	
C/CAG Staff Present (Remote)	
Kaki Chueng	
Kim Springer	
Reid Bogert	

Other members of the public were in attendance remotely via the Zoom platform or in person.

2.0 PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Note: Public comment is limited to two minutes per speaker. Please refer to the instructions at the end of this agenda for details regarding how to provide public comments. Members of the public who wish to address the Board should complete a speaker’s slip to make a public comment in person or raise their hand in Zoom to speak virtually.

Clerk Crume reported that there were no public comments via the Zoom platform or in person.

3.0 PRESENTATIONS/ ANNOUNCEMENTS

3.1 Receive a Presentation from the Bay Area Air Quality Management District (BAAQMD) on the new regulation regarding residential water heaters and furnaces.

The Board received a presentation on the Bay Area Air Quality Management District (BAAQMD) on the new regulation regarding residential water heaters and furnaces. The rule amendments would apply only to new appliances and do not mandate the immediate change out of existing appliances, nor will they apply to appliances used for cooking, such as gas stoves. NOx-emitting natural gas furnaces and water heaters will be phased out over time.

4.0 ACTION TO SET AGENDA AND APPROVE CONSENT AGENDA ITEMS

This item is to set the final consent and regular agenda, and to approve the items listed on the consent agenda. All items on the consent agenda are approved by one action. There will be no

separate discussion on these items unless members of the Board, staff or public request specific items to be removed for separate action.

- 4.1 Approval of minutes of regular business meeting No. 366 dated July 13, 2023. **APPROVED**
- 4.2 Review and approve the appointments of Andrew Brozyna, Public Works Director from the City of Foster City, and Brad Underwood, Interim Public Works Director from the City of San Mateo, to the C/CAG Congestion Management Program Technical Advisory Committee and Stormwater Committee; and Mohammad Suleiman, District Division Chief-West Region from the California Department of Transportation (Caltrans), to the C/CAG Congestion Management Program Technical Advisory Committee. **APPROVED**
- 4.3 Review and approval of the Finance Committee’s recommendation to the investment portfolio and accept the Quarterly Investment Report as of June 30, 2023. **APPROVED**
- 4.4 Review and approve Resolution 23-73 adopting the C/CAG Investment Policy Update. **APPROVED**
- 4.5 Review and approval of Resolution 23-74 determining that a proposed 5-story, 103-unit apartment building at 608 Harbor Blvd., Belmont, is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport. **APPROVED**
- 4.6 Review and approval of Resolution 23-75 determining that the Belmont General Plan Housing Element 2023-2031 is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport. **APPROVED**
- 4.7 Review and approval of Resolution 23-76 determining that a proposed 10-story, 341-unit multi-family residential development at 840 San Bruno Avenue, San Bruno, is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport. **APPROVED**
- 4.8 Review and approval of Resolution 23-77 determining that South San Francisco’s draft Lindenville Specific Plan is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport. **APPROVED**
- 4.9 Review and approval of Resolution 23-78 authorizing the C/CAG Executive Director to execute agreements with Coffman Associates and Environmental Science Associates to provide on-call airport/land use compatibility planning services to C/CAG for a three-year period extending to September 30, 2026, in an aggregate amount not to exceed \$100,000; and to issue subsequent task orders in full compliance with the terms and conditions of the consultant service agreements. **APPROVED**
- 4.10 Review and approve the Fiscal Year 2023/24 Cycle Transportation Development Act Article 3 Program Call for Projects and Schedule. **APPROVED**
- 4.11 Review and approval of Resolution 23-79 authorizing the C/CAG Chair to execute

Amendment NO.1 to the FY 23-24 Agreement with the San Mateo County Office of Education for the San Mateo County Safe Routes to School Program adding \$80,111.84 of rollover funds from previous fiscal years for a new not to exceed total of \$878,335.

APPROVED

- 4.12 Review and approval of Resolution 23-80 authorizing the C/CAG Executive Director to execute a Partnership Agreement with the Co-Applicants of the San Mateo County OneWatershed Climate Resilience Framework and Community-Led Plan (Project) and to execute an Agreement with the California Governor’s Office of Planning and Research for an amount not to exceed \$649,648 in ICARP grant funds to complete the Project.

APPROVED

- 4.13 Review and approval of Resolution 23-81 authorizing the C/CAG Executive Director to execute an Engagement Agreement and Conflict Waiver for legal services with the San Mateo County Office of the County Attorney.

APPROVED

Board Member Krolik MOVED to approve the consent agenda items 4.1 through 4.13. Board Member Gauthier SECONDED. **MOTION CARRIED 13-0-0**

5.0 **REGULAR AGENDA**

- 5.1 Receive the Draft 2024 State Transportation Improvement Program (STIP) for San Mateo County.

INFORMATION

The Board received a presentation on the Draft 2024 State Transportation Improvement Program (STIP) for San Mateo County. STIP is the biennial five-year plan for future allocations of state transportation funds. It is a five-year document adopted every two years by the CTC to program certain portions of the gas tax for transportation projects. The Program is developed in coordination with MTC.

- 5.2 Update on C/CAG Equity Assessment and Framework Development Project and review of proposed actions for comment.

INFORMATION

C/CAG staff, Kim Springer, and consultant, Chris Lepe, Mariposa Planning Solutions provided a presentation on C/CAG Equity Assessment and Framework Development Project. The presentation included a project update, overview of stakeholder input received, the elements to be included in the final Framework report, and they review of proposed action for board feedback and comment. Lepe reviewed one action for each of the goals in the Action Plan and then asked the C/CAG Board for comments.

The C/CAG Board provided feedback on the following topics for which staff responded: the importance of establishing the equity plan, how staff will successfully implement the many actions in the Action Plan, how C/CAG will measure success, and a historic perspective of how far this topic of need has come over so many years.

- 5.3 Review legislative update and, if appropriate, recommend approval of C/CAG legislative policies, priorities, or positions. (A position may be taken on any legislation, including legislation not previously identified in the legislative update. Action is only necessary if recommending approval of a policy, priority, or position.)

NO ACTION TAKEN

C/CAG staff, Kim Springer, provided a review of the Legislative Committee meeting

earlier in the evening. All specific topics discussed at the Legislative Committee meeting are covered in the Legislative Update document provided in the C/CAG Board packet, except for an update on ACA 1 and ACA 13, both of which made progress earlier in the day. Legislative Committee Vice Chair Papan provided some additional comments.

6.0 COMMITTEE REPORTS

6.1 Chairperson's Report

None.

6.2 Board Members Report/Communication

Board Member/MTC Commissioner Papan reported that MTC is working on getting a ballot measure based on the Chu legislation funding for housing. 80% would go to local jurisdictions and 20% to MTC. She mentioned that they would be meeting with local jurisdictions but did not exactly say with whom. She said they will find out exactly who in San Mateo County they have been meeting with. It is a concern that all of our cities are represented and that a single group is not making decisions for all of our cities. She has added that Sean just got the information and will share with the group. It's important to her that each jurisdiction has a say in how this develops and how it is rolled out. She is hoping to get more electrification money for SamTrans so they can electrify their fleet and infrastructure.

7.0 EXECUTIVE DIRECTOR'S REPORT

Sean Charpentier reported that Jeff Lacap mentioned our ability to save the CRRSSA funds through quick action of MTC, Caltrans, C/CAG staff, we were able to preserve \$3.4M in Krissa funds. We put all of the money in the Smart Corridor project, and they back filled the 92/101 area improvements with additional funding. We are working on the Countywide Local Streets and Road Safety Plan. We are actively recruiting input from the public on areas of concern, whether it's an intersection or roadway segment. We have a link with mapping features that he will send to Board Members and has asked them to distribute to interested parties. A letter of interest was submitted for the Noah federal funding for \$50M. It would fund some of our One Water strategy primarily in the San Bruno watershed where we are working on a regional project on I380 and 280. And also improvements in San Bruno that would help with some of the downstream flooding, improvements in Daly City, East Palo Alto and Colma.

8.0 COMMUNICATIONS - Information Only

8.1 Written Communication – (6 Letters)

9.0 CLOSED SESSION

9.1 Public Employee Performance Evaluation (Government Code Section 54957).

Title: Executive Director of C/CAG.

9.2 Conference with Labor Negotiators (Government Code Section 54957.6). C/CAG

Representative: Davina Hurt.

Unrepresented Employee: Executive Director.

10.0 **RECONVENE IN OPEN SESSION**

10.1 Report out on any actions taken during the Closed Session.

No reportable action was taken in Closed Session.

11.0 **ADJOURNMENT** – 8:46 p.m.

C/CAG AGENDA REPORT

Date: October 12, 2023

To: City/County Association of Governments of San Mateo County Board of Directors

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 23-82 authorizing the submittal of Grant Applications to the 2023 Highway Program Call for Project Funding (Measure A and/or Measure W funds) for the US 101 Managed Lanes Project North of Interstate 380 Project and the US101/SR92 Interchange Area Improvement Project.

(For further information, contact Van Dominic Ocampo at vocampo@smcgov.org)

RECOMMENDATION

Review and approve Resolution 23-82 authorizing the submittal of Grant Applications to the 2023 Highway Program Call for Project Funding (Measure A and/or Measure W funds) for the US 101 Managed Lanes Project North of Interstate 380 Project and the US101/SR92 Interchange Area Improvement Project.

FISCAL IMPACT

There is no Fiscal Impact associated with authorizing the submittal of the grant applications for Measure A and Measure W Highway Program Funds. The San Mateo County Transportation Authority (SMCTA) administers the funds from Measure A and Measure W and is a co-sponsor of these three projects, together with C/CAG.

SOURCE OF FUNDS

The sources of the grant funds are Measure A and/or Measure W

BACKGROUND

For years both C/CAG and SMCTA have partnered in co-sponsoring several regionally significant highway projects including, the San Mateo 101 Express Lanes Project that was recently completed. Currently, there are three highway projects that are in the project development stage, these are: the US 101 Managed Lanes Project North of Interstate 380, the US 101/SR 92 Interchange Area Improvement Project, and the US 101/SR 92 Interchange Direct Connector Project.

The US 101 Managed Lanes Project North of Interstate 380 will improve the operational efficiency for multi-occupant vehicles and Managed Lanes users of US101 from I-380 to the San Mateo/San Francisco County Line. Its purpose is to increase person throughput and mobility by encouraging carpooling and transit use, reduce travel time and improve travel time reliability for HOV and transit users, minimize degradation to general purpose lanes and local streets, and create a facility that extends the benefits of the San Mateo 101 Express Lane Project.

On October 18, 2019, the Project Study Report - Project Document Support (PSR-PDS) was approved by Caltrans to complete the Project Initiation Document (PID) Phase. The Project is currently in the Project Approval and Environmental Document (PA&ED) Phase, estimated to cost \$10,150,000. SMCTA Board had previously allocated \$8,000,000 for the PA&ED Phase and an additional \$2,150,000 is now needed to complete it. The PA&ED Phase is scheduled to be completed in Fall of 2024 after which the Project will be ready to proceed with the Plan, Specification and Estimate (PS&E) Phase. The PS&E Phase is estimated to cost \$36,150,000 with \$16,800,000 already secured through a combination of \$11,323,000 Measure A and \$5,477,000 State Transportation Improvement Program (STIP) funds, leaving a shortfall of \$19,350,000. Both C/CAG and SMCTA staff are working closely together to bridge the shortfall through the 2023 Highway Program CFP Measure A and/or Measure W money to fully fund this phase. CCAG administers the STIP funds for San Mateo County and is responsible for its programming on projects within the County.

The US 101/SR 92 Interchange is a major facility that serves substantial regional traffic as well as local street connections. Heavy traffic volumes, inadequate capacity, and inefficient weaving and merging at the interchange ramp connections cause substantial delays and congestion within the interchange, and its vicinity, especially during peak travel periods. The US 101 / SR 92 Interchange Area Improvement Project considers four non-complex improvements within the project limits that can be rapidly implemented at a relatively lower cost, do not require right of way acquisition, and has minimal environmental impacts.

The four locations and the type of improvements being proposed can either be implemented independently or together are as follows:

1. Westbound SR 92 to southbound US 101 loop ramp and structure widening improvements.
2. Northbound and southbound US 101 to eastbound SR 92 merging and re-stripping improvements.
3. Southbound US 101 Fashion Island Blvd off-ramp improvements.
4. Northbound US 101 at Hillsdale Blvd off-ramp and intersection modification and widening improvements.

On September 8, 2021, the Project PA&ED Phase was completed with the approval of the Project Report. Caltrans is the Implementing Agency for the PS&E and ROW phases which is well underway and scheduled to be completed by Fall of this year. Upon completion of the PS&E and ROW Phases, the Project will be ready to advertise for bid. Caltrans estimates the construction cost at \$40,000,000, of this amount \$22,062,000 have been secured through a combination of Federal, State and Local funds. C/CAG and SMCTA, as co-sponsors, are seeking \$18,188,000 million of Measure A and/or Measure W to fully fund the construction, including \$250,000 for SMCTA staff Administrative cost.

On July 5, 2023, SMCTA issued the call for project nomination for the 2023 Measure A and/or Measure W Highway Program. Grant application for each of these three projects were prepared through the combined efforts of SMCTA and C/CAG staff, and submitted by the August 25, 2023 deadline. However, for the applications to be deemed complete, both the C/CAG Board and the SMCTA Board need to adopt a resolution authorizing the submittal of the applications by September 29, 2023.

Staff recommends that the C/CAG Board adopt the attached resolution, which is in the strict format of SMCTA, Resolution 23-82 authorizing the submittal of the grant applications to the 2023 Highway Program Call for Project Funding for the US 101 Managed Lanes Project North of Interstate 380 Project and the US101/SR92 Interchange Area Improvement Project.

ATTACHMENTS

Attachment 1 - Resolution 23-82 authorizing the submittal of Grant Applications to the 2023 Highway Program Call for Project Funding (Measure A and/or Measure W) funds for the US 101 Managed Lanes Project North of Interstate 380 Project and the US101/SR92 Interchange Area Improvement Project.

RESOLUTION NO. 23-82**RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY SUPPORTING THE SUBMITTAL OF THE GRANT APPLICATIONS FOR 2023 HIGHWAY PROGRAM FUNDING (MEASURE A AND/OR MEASURE W) FOR THE US 101 MANAGED LANES PROJECT NORTH OF INTERSTATE 380 AND THE US 101/SR 92 INTERCHANGE AREA IMPROVEMENT PROJECT**

WHEREAS, US 101 is one of the most congested freeways in the region, with the congestion projected to worsen as a result of continued expansion of commercial and residential development adversely affecting the economic vitality and sustainability of San Mateo County; and

WHEREAS, all vehicles traveling on US101, whether they are in single or multiple occupant vehicles or buses, experience delays in both the northbound and southbound directions during the AM and PM peak hours as well as other periods of the week.

WHEREAS, the proposed US 101 Managed Lanes Project North of Interstate 380 would improve the operational efficiency for multi-occupant vehicles and Managed Lanes users, increase person throughput and encourage carpooling and transit use, improve travel time and reliability for HOV and transit users, minimize degradation to general purpose lanes and local streets, and create a facility that extends the benefits of the San Mateo 101 Express Lane Project; and

WHEREAS, the Project Initiation Document (PID) Phase of the US 101 Managed Lanes Project North of Interstate 380 was completed on October 18, 2019, with Caltrans' approval of the Project Study Report - Project Document Support (PSR-PDS); and

WHEREAS, the US 101 Managed Lanes Project North of Interstate 380 is currently in the Project Approval and Environmental Document Phase (PA&ED), and is now estimated to cost \$10,150,000; and

WHEREAS, the SMCTA Board had previously allocated \$8,000,000 for the PA&ED Phase and an additional \$2,150,000 is needed to complete the PA&ED Phase by Fall 2024; and

WHEREAS, C/CAG together with SMCTA wish to co-sponsor the succeeding project phase, the Plans, Specifications and Estimate (PS&E) Phase, with an estimated cost of \$36,150,000, and of which \$16,800,000 (\$11,323,000 Measure A and \$5,477,000 State Transportation Improvement Program (STIP) funds) had been previously allocated and a shortfall of \$19,350,000; and

WHEREAS, C/CAG and SMCTA seek \$21,500,000 (additional \$2,150,000 for the completion of the PA&ED Phase and \$19,350,000 to fully fund the PS&E Phase) for the US 101 Managed Lanes Project North of Interstate 380; and

WHEREAS, the US 101 / SR 92 interchange is a major facility that serves substantial regional traffic as well as local street connections; and

WHEREAS, heavy traffic volumes, inadequate capacity, and inefficient weaving and merging at the interchange ramp connections cause substantial delays and congestion within the interchange, and its vicinity, during peak travel periods; and

WHEREAS, the US 101 / SR 92 Interchange Area Improvement Project considers four non-complex improvements within the project limits that can be rapidly implemented at a relatively lower cost, do not require right of way acquisition, and has minimal environmental impacts; and

WHEREAS, the US 101 / SR 92 Interchange Area Improvement Project proposes the following improvements at four locations, which can be implemented independently or together:

1. Westbound SR 92 to southbound US 101 loop ramp and structure widening improvements.
2. Northbound and southbound US 101 to eastbound SR 92 merging and re-stripping improvements
3. Southbound US 101 Fashion Island Blvd off-ramp improvements
4. Northbound US 101 at Hillsdale Blvd off-ramp and intersection modification and widening improvements; and

WHEREAS, the Project Approval and Environmental Document (PA&ED) Phase of the US 101/SR 92 Interchange Area Improvement Project was completed on September 8, 2021 with Caltrans' approval of the Project Report; and

WHEREAS, the US 101 / SR 92 Interchange Area Improvement Project is currently in the Plans, Specifications and Estimate (PS&E) Phase, which is scheduled to be completed in Fall 2023; and

WHEREAS, C/CAG together with SMCTA wish to co-sponsor the succeeding phase, the Construction (CON) Phase, with an estimated cost of \$40,000,000; and

WHEREAS, C/CAG and SMCTA seek \$18,188,000 of Measure A and/or Measure W money to fully fund the CON Phase of the US 101 / SR 92 Interchange Area Improvement Project; and

WHEREAS, on June 7, 1988, the voters of San Mateo County approved a ballot measure to allow the collection and distribution by SMCTA of a half-cent transactions and use tax in San Mateo County for 25 years, with the tax revenues to be used for highway and transit improvements pursuant to the Transportation Expenditure Plan presented to the voters (Original Measure A); and

WHEREAS, on November 2, 2004, the voters of San Mateo County approved the continuation of the collection and distribution by SMCTA of the half-cent transactions and use tax for an additional 25

years to implement the 2004 Transportation Expenditure Plan beginning January 1, 2009 (New Measure A); and

WHEREAS, on November 6, 2018, the voters of San Mateo County approved a ballot measure known as "Measure W," which increased the sales tax in San Mateo County by 1/2 percent, and tasked the TA with administering four of the five transportation program categories pursuant to the Congestion Relief Plan presented to the voters; and

WHEREAS, on July 5, 2023, SMCTA issued a Call for Project nomination for the 2023 Measure A and Measure W Highway Program funds; and

WHEREAS, SMCTA requires applicants for Measure A and/or Measure W funds to submit a resolution in support of the grant applications, in this case \$21,500,000 (\$2,150,000 for the completion of the PA&ED Phase and \$19,350,000 for the PS&E Phase) for the US 101 Managed Lanes Project North of Interstate 380 and \$18,188,000 for the CON Phase of the US 101 / SR 92 Interchange Area Improvement Project; and

WHEREAS, SMCTA also requires applicants to submit a resolution committing to the completion of the proposed project scopes, in this case the PS&E Phase of the US 101 Managed Lanes Project North of Interstate 380 and the CON Phase of the US 101 / SR 92 Interchange Area Improvement Project; and

WHEREAS, if SMCTA Board awards Measure A and/or Measure W Highway Program funds to the PA&ED and PS&E Phases of the US 101 Managed Lanes Project North of Interstate 380 and/or the CON Phase of the US 101/SR 92 Interchange Area Improvement Project, C/CAG and SMCTA, as project co-sponsors, commits to commencing work on the funded project scope within one year of SMCTA Board action.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the City/County Association of Governments of San Mateo County

1. Directs staff to work with SMCTA staff to complete the grant applications for SMCTA 2023 Measure A and/or Measure W Highway Program funds for \$21,500,000 (\$2,150,000 for the completion of the PA&ED Phase and \$19,350,000 to fully fund the PS&E Phase) for the US 101 Managed Lanes Project North of Interstate 380 and \$18,188,000 for the CON Phase of the US 101 / SR 92 Interchange Area Improvement Project.
2. Authorizes the Chair to execute agreements and/or other requisite documents with the SMCTA for the C/CAG to be a co-recipient, together with SMCTA, of any Measure A and/or Measure W Highway Program funds awarded.

3. Reaffirm its commitment for \$5,477,000 in STIP dollars, as matching funds for the completion of the PA&ED and PS&E phases of the US 101 Managed Lanes Project North of Interstate 380, if awarded the requested SMCTA Measure A and/or Measure W Highway Program funds; and
4. Commits \$3,217,000 and \$1,685,000 in STIP in dollars, as matching funds for the completion of the PS&E and CON phases, respectively, of the US 101 / SR 92 Interchange Area Improvement Project, if awarded the requested TA Measure A and/or Measure W Highway Program funds; and
5. Directs C/CAG staff to work with SMCTA towards the commencement of work on the PS&E Phase of the US 101 Managed Lanes Project North of Interstate 380 and the CON Phase of the US 101/SR 92 Interchange Area Improvement Project within one year of receiving an award of Measure A and/or Measure W Highway Program Funds.

* * * * *

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the City/County Association of Governments of San Mateo County, California, held on the 12th day of October, 2023 by the following vote:

AYES: [xx, xx, xx,]

NOES: [xxx]

ABSENT: [xx]

ABSTAIN: [xx]

[xxxx]

By: _____

Davina Hurt - Chair

ATTEST:

Mima Crume, Secretary of the Board

C/CAG AGENDA REPORT

Date: October 12, 2023

To: City/County Association of Governments of San Mateo County Board of Directors

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 23-83 authorizing the C/CAG Executive Director to execute Amendment No. 2 to the Fiscal Year 2020/21 Transportation Fund for Clean Air (TFCA) Funding Agreement with City of Daly City for the Daly City Crosswalk Enhancements Project, extending project completion date to June 30, 2024, at no additional cost.

(For further information, contact Kim Wever at kwever@smcgov.org)

RECOMMENDATION

That the C/CAG Board reviews and approves Resolution 23-83 authorizing the C/CAG Executive Director to execute Amendment No. 2 to the Fiscal Year 2020/21 Transportation Fund for Clean Air (TFCA) Funding Agreement with City of Daly City for the Daly City Crosswalk Enhancements Project, extending project completion date to June 30, 2024, at no additional cost.

FISCAL IMPACT

There is not any financial impact. The original grant award to the City of Daly City is \$180,000.

SOURCE OF FUNDS

The Bay Area Air Quality Management District (BAAQMD) is authorized under Health and Safety Code Section 44223 and 44225 to levy a fee on motor vehicles. Funds generated by the fee are referred to as the TFCA funds. These funds are used to implement projects that reduce air pollution from motor vehicles. Health and Safety Code Section 44241(d) stipulates that forty percent (40%) of funds generated within a county where the fee is in effect shall be allocated by the BAAQMD to one or more public agencies designated to receive the funds. For San Mateo County, C/CAG has been designated as the County Program Manager to receive the funds.

BACKGROUND

C/CAG is the Program Manager for the TFCA Program in San Mateo County. This program distributes fund to projects that aim to reduce air pollution, greenhouse gas emissions, and traffic congestion. At the October 15, 2020 meeting, C/CAG Board approved Resolution 20-56 authorizing the C/CAG Chair to execute a funding agreement with the City of Daly City in an amount up to \$180,000, under the Fiscal Year 2020/21 TFCA program, for the Daly City Crosswalk Enhancements Project.

The project was set to be completed by October 31, 2022. C/CAG and City of Daly City executed Amendment No. 1 to the original Agreement, extending the Project's completion date to October 31, 2023 for no additional cost. As of September 2023, the Project's contractor needs additional time to address the

remaining punch list items. City of Daly City has requested a time extension to complete the Project. C/CAG staff supports the time extension, and requests that the C/CAG Board reviews and approves Resolution 23-83 authorizing the C/CAG Executive Director to execute Amendment No. 2 to the funding agreement with City of Daly City for the Daly City Crosswalk Enhancements Project. This amendment extends the project completion date to June 30, 2024 at no additional cost. Attachment 2 is the draft Amendment No. 2 to the funding agreement.

ATTACHMENTS

1. Resolution 23-83
2. Draft Amendment No. 2 to the Fiscal Year 2020-2021 TFCA Agreement Between the City/County Association of Governments and City of Daly City for the Daly City Crosswalk Enhancements Project

RESOLUTION 23-83

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG EXECUTIVE DIRECTOR TO EXECUTE AMENDMENT NO. 2 TO THE FUNDING AGREEMENT WITH CITY OF DALY CITY FOR THE DALY CITY CROSSWALK ENHANCEMENTS PROJECT, EXTENDING THE PROJECT COMPLETION DATE TO JUNE 30, 2024 AT NO ADDITIONAL COST.

RESOLVED, by the Board of Directors of the City/County Association of Governments of San Mateo County (C/CAG), that

WHEREAS, at its October 15, 2020 meeting, the Board of Directors of the City/County Association of Governments approved certain projects and programs for funding through San Mateo County’s local share of Transportation Fund for Clean Air (TFCA) revenues; and

WHEREAS, C/CAG approved Resolution 20-56 authorizing the C/CAG Chair to execute a funding agreement with City of Daly City in the total amount up to \$180,000, under the Fiscal Year 2020/21 TFCA program, for the Daly City Crosswalk Enhancements Project; and

WHEREAS, the funding agreement was set to terminate on October 31, 2022; and

WHEREAS, in October 2022, C/CAG Chair executed a no-cost time extension for the program through October 31, 2023 due City of Daly City awarding the project to a contractor in June of 2022, and additional time is required to complete the work; and

WHEREAS, City of Daly City requests an additional time extension to complete the Daly City Crosswalk Enhancements Project due to the Project’s contractor’s addressing the remaining punch list items; and

WHEREAS, City of Daly City is committed to complete the Daly City Crosswalk Enhancements Project by June 30, 2024; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the Executive Director is authorized to execute Amendment No. 2 to the Fiscal Year 2020-2021 TFCA Agreement between the City/County Association of Governments and City of Daly City for the Daly City Crosswalk Enhancements Project. The amendment extends the project completion date to June 30, 2024 at no additional cost. Be it further resolved that the C/CAG Executive Director is authorized to negotiate the final terms of said amendment prior to its execution, subject to approval as to form by C/CAG Legal Counsel.

PASSED, APPROVED, AND ADOPTED THIS 12TH DAY OF OCTOBER 2023.

Davina Hurt, Chair

**AMENDMENT NO. 2 TO THE FISCAL YEAR 2020-2021 TFCA FUNDING AGREEMENT
BETWEEN
THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
AND
CITY OF DALY CITY**

WHEREAS, the City/County Association of Governments of San Mateo County (hereinafter referred to as “C/CAG”) and City of Daly City are parties to the Fiscal Year 2020-2021 Transportation Fund for Clean Air (TFCA) Funding Agreement (the “Agreement”), effective November 1, 2020; and

WHEREAS, the Agreement provides funds to the City of Daly City for the Daly City Crosswalk Enhancements Project (Project); and

WHEREAS, the Project’s original completion date was October 31, 2022; and

WHEREAS, C/CAG and City of Daly City executed Amendment No. 1 to the original Agreement, extending the Project completion date to October 31, 2023 for no additional cost; and

WHEREAS, in light of the Project contractor’s need for additional time to address the remaining punch list items, a time extension is necessary to complete the Project scope of work; and

WHEREAS, C/CAG and the City of Daly City wish to extend the Project completion date to June 30, 2024; and

WHEREAS, C/CAG and the City of Daly City desire to amend the Agreement as set forth herein.

NOW, THEREFORE, IT IS HEREBY AGREED by C/CAG and City of Daly City that:

1. Section II, item 16, shall be replaced in its entirety and revised to read as follows: “Project Sponsor will complete the Project by June 30, 2024.”
2. Section III, item 2, shall be replaced in its entirety and revised to read as follows: “To reimburse costs incurred by Project Sponsor from the execution of this Agreement through June 30, 2024.”

Except as expressly amended herein, all other provisions of the Agreement shall remain in full force and effect. This amendment shall take effect upon the date of execution by both parties.

Signatures on the following page

City/County Association of Governments
(C/CAG)

City of Daly City

Sean Charpentier, Executive Director
C/CAG

Thomas Piccolotti, City Manager
City of Daly City

Date: _____

Date: _____

Approved as to form:

Approved as to form:

Melissa Andrikopoulos, Legal Counsel
C/CAG

Rose Zimmerman, Legal Counsel
City of Daly City

DRAFT

C/CAG AGENDA REPORT

Date: October 12, 2023

To: City/County Association of Governments of San Mateo County Board of Directors

From: Sean Charpentier, C/CAG Executive Director

Subject: Review and approval of Resolution 23-84 adopting the revised membership guidelines to include alternate positions for Congestion Management Program Technical Advisory Committee

(For further information or questions, contact Sean Charpentier at scharpentier@smcgov.org)

RECOMMENDATION

That the C/CAG Board review and approve Resolution 23-84 adopting the revised membership guidelines to include alternate positions for the Congestion Management Program Technical Advisory Committee.

FISCAL IMPACT

There is no fiscal impact related to this item.

SOURCE OF FUNDS

Not applicable.

BACKGROUND

In 1998, C/CAG Bylaws established the Congestion Management Program Technical Advisory Committee (TAC). The Committee is comprised of engineers and planners who provide technical expertise and professional recommendations to the C/CAG Board regarding transportation and air quality issues. There are currently a total of 25 positions, including 23 engineers and 2 planners from C/CAG member agencies, as well as representatives from regional and state transportation agencies. Traditionally, the County of San Mateo's Public Works Director and the San Mateo County Transportation Authority representative take turn chairing the meetings. The Committee Guidelines were last updated on November 24, 2009.

In early 2023, the C/CAG Board of Directors approved a revised set of Committee Guidelines, which included the following changes:

- The positions of Committee Co-Chairs are open to any members, and election shall take place every two years.
- The composition of Committee membership is expanded to include representation from all San Mateo County jurisdictions. Seats were added for the City of East Palo Alto and Town of Portola Valley.

- The Committee will include a total of three Planners, whom would be appointed for a two-year term. C/CAG will seek to provide a balance of representations among small, medium, and large cities.

When the revised guidelines were adopted, the Committee put forth a request for the Agency to deliberate the inclusion of alternates, ensuring contingency coverage in situations where the jurisdiction’s representative is unavailable.

C/CAG supports 2 Boards of Directors (C/CAG and SMCEL-JPA) and 9 standing committees with a combined total of 152 seats and 98 scheduled Brown Act meetings each year. The only committee that currently has Alternates is the Airport Land Use Committee (ALUC), which is a State mandated committee for specific jurisdictions within the Airport Land Use Compatibility Plans for the San Carlos, Half Moon Bay, and San Francisco International airports.

Staff support alternates for the TAC and Stormwater Committees because they are unique in that all the Committee Members are C/CAG member agency staff or partner agency staff and each C/CAG member agency has a seat.

At the August Committee meeting, staff presented possible options for alternates. The final recommended option was to include named executive level position(s) from each jurisdiction in the Committee roster. Given that jurisdictions may have minor difference in the naming conventions for various positions, the cities/towns were given flexibility with selecting the appropriate executive staff to serve. The C/CAG Board would approve the appointment of these positions, automatically enlisting jurisdiction staff fulfilling these roles onto the Committee. This would streamline the appointment process, reducing the need for City Managers to recommend and the CCAG Board of Directors to approve a new member every time when there is a staffing change.

The Committee also discussed the elimination of the three planner seats so that each jurisdiction would have only one representation. The C/CAG Board will have to still make individual appointments for unique positions or situations where there are multiple positions (for example if a city has two Assistant Public Works Directors) and a specific individual has to be named.

The table below is an example.

Member Agency	TAC Member	Alternate
City A	Public Works Director	City Engineer, or Assistant or Deputy Public Works Director

Additionally, staff proposed making the MTC and Caltrans seats as non-voting seats. This would reduce the potential conflict of having MTC or Caltrans vote on a particular recommendation from C/CAG to Caltrans or MTC.

Lastly, staff is proposing another amendment to the guidelines. Traditionally, the San Mateo County Transportation Authority (SMCTA) staff has represented three organizations: the San Mateo County Transportation Authority, SamTrans and the Peninsula Corridor Joint Powers Board (JPB)/Caltrain. The Committee’s core mandate centers around transportation planning and policy, rather than transit related matters. With the recent change in governance structure of SamTrans and the Peninsula Corridor Joint Powers Board (JPB)/Caltrain, staff is proposing to remove Caltrain representation from this Committee. However, Caltrain continues to have a seat (non-voting) on the Congestion Management and Environmental Quality Committee.

At the September 21, 2023 TAC meeting, the Committee recommended Board approval of revised set of Guidelines (Attachment 2) that incorporated the changes discussed above. Staff recommends the C/CAG Board review and approve Resolution 23-84, adopting the revised membership guidelines for the Congestion Management Program Technical Advisory Committee.

ATTACHMENTS

1. Resolution 23-84
2. Congestion Management Program Technical Advisory Committee (CMP TAC) Guidelines Updated (redlined)

RESOLUTION 23-84

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY ADOPTING THE REVISED MEMBERSHIP GUIDELINES TO INCLUDE ALTERNATE POSITIONS FOR THE CONGESTION MANAGEMENT PROGRAM TECHNICAL ADVISORY COMMITTEE.

RESOLVED, by the Board of Directors of the City/County Association of Governments of San Mateo County (C/CAG), that

WHEREAS, C/CAG is the designated Congestion Management Agency (CMA) responsible for the development and implementation of the Congestion Management Program for San Mateo County; and

WHEREAS, C/CAG's existing bylaws designate a Congestion Management Program Technical Advisory Committee (TAC); and

WHEREAS, the TAC is comprised of staff planners and engineers, who provide professional recommendations to the Congestion Management and Environmental Quality Committee and C/CAG Board regarding transportation and air quality issues; and

WHEREAS, the Committee Guidelines were last updated on November 24, 2009, and January 12, 2023; and

WHEREAS, at member agencies' request, C/CAG would like to revise the membership composition to include alternate positions; and

WHEREAS, at the September 21, 2023 TAC meeting, the Committee recommended that the C/CAG Board approve the proposed changes.

NOW THEREFORE BE IT RESOLVED, that the Board of Directors of the City/County Association of Governments of San Mateo County hereby adopts the revised membership guidelines for the Congestion Management Program Technical Advisory Committee.

PASSED, APPROVED, AND ADOPTED, THIS 12TH DAY OF OCTOBER 2023.

Davina Hurt, Chair

Congestion Management Program Technical Advisory Committee (CMP TAC)

Guidelines

Established 11/24/09

Revised ~~9/21/2023~~12/15/2022

Mission

The CMP TAC is a staff committee composed of San Mateo County engineers and technical staff planners who provide ~~technical~~ expertise and professional recommendations to the CMEQ Committee and C/CAG Board regarding transportation and air quality issues, the Congestion Management Program, and the Countywide Transportation Plan.

Membership

The CMP TAC was originally established to include representatives from the Bay Area Air Quality Management District (BAAQMD) (1), the Metropolitan Transportation Commission (MTC) (1), San Francisco International Airport (SFIA) (1), the San Mateo County Transit District (SamTrans) (1 with 1 alternate), the San Mateo County Transportation Authority (SMCTA) (2), San Mateo County Government (3), the Central County Cities (2), the North County Cities (2), the South County Cities (2), the Cities at large (1), and Caltrans (3). ~~A total of 19 members.~~

The current composition of the Technical Advisory Committee includes twenty city engineers ~~and two planners~~, one county engineer, one representative each from the Metropolitan Transportation Commission, Caltrans, SamTrans/the Transportation Authority/~~the Peninsula Corridor Joint Powers Board (JPB)/Caltrain~~, and C/CAG. The representatives from the Metropolitan Transportation Commission and Caltrans are non-voting members. Other members have one vote each.

Term Limits

- There are no term limits for the CMP TAC. Members can remain on the TAC indefinitely or until the member voluntarily relieves him/or herself of the membership.
- ~~Membership of Planners~~
 - ~~The CMP TAC may include a total of three planners.~~
 - ~~There are no term limits, but Planners will be appointed every two years.~~
 - ~~C/CAG will issue a call for applicants every two years. Interested planners shall submit letters of interest to the C/CAG Board, who will make the appointment.~~
 - ~~C/CAG shall strive to include Planners that represent small, medium, and large cities.~~

Co-Chairs

- The two Co-Chairs for the CMP TAC are appointed by Committee members at a CMP TAC Meeting every two years.
- There are no term limits.
- The role of the Co-Chairs is to manage the Committee meetings by calling the meeting to order, leading the Committee through the agenda topics, monitoring meeting discussion to ensure all discussion remains on topic, and leading the motion and approval of all action items.
- Co-Chairs will rotate every other meeting. A Co-Chair may chair consecutive meetings if the other Co-Chair is unavailable to attend.

Selection and Appointment Process

To streamline the process and ensure continuous representation, the Roster Table can include designated positions and/or individually named appointments. The Roster Table also includes a Primary Member and an Alternate Member.

The C/CAG Board of Directors shall approve all appointments of Primary and Alternate Members.

Designated positions are executive level positions where there may be only one position (ie Public Works Director) in the agency or there may be multiple positions (i.e., having multiple Deputy Public Works Directors).

The C/CAG's Board of Directors will approve the appointment of these designated positions, effectively automatically appointing the staff member filling the designated position.

For designated positions where there are multiple positions, the jurisdiction or agency will need to propose a member by name, and the C/CAG Board will need to approve such appointment on an individual basis.

The City Manager or equivalent will notify the C/CAG Executive Director of any changes to the personnel filling the designated positions, or changes to the named positions themselves. The C/CAG Board will approve changes to the designated positions or name as necessary.

Interim or Acting appointments by the appropriate Executive to the designated positions where there is only one position (i.e., Public Works Director) are acceptable.

Primary Members

- The primary CMP TAC member is the Public Works Director, or a staff member holding a comparable level executive position identified by the jurisdiction or agency.

Alternate Members

- Each agency can have an alternate member.
- The alternate can be the City Engineer, Assistant or Deputy Public Works Director, Community Development Director, or a staff member holding an executive position identified by the jurisdiction or agency.
- The alternate has the authority to cast votes in lieu of the primary member.
- Attendance of an alternate member will not be recorded as attendance for the primary member.

The Roster Table below identifies the primary and alternate CMP TAC members, either by designated position or by name, where necessary, of the 2023 Congestion Management Program Technical Advisory Committee: ~~Roster~~

<u>Member Agency</u>	<u>Primary Member</u>	<u>Alternate</u>
<u>Town of Hillsborough (Co-Chair)</u>	<u>Director of Public Works</u>	<u>Deputy Director</u>
<u>San Mateo County (Co-Chair)</u>	<u>Director of Public Works</u>	<u>Deputy Director, Krzysztof Lisaj</u>
<u>SMCTA / SamTrans</u>	<u>Director, Project Delivery</u>	<u>Director, Planning & Fund Management</u>
<u>City of Atherton</u>	<u>Director of Public Works</u>	<u>Associate Engineer, Tim Au</u>
<u>City of Belmont</u>	<u>Public Works Director</u>	<u>Assistant Public Works Director</u>
<u>City of Brisbane</u>	<u>Public Works Director</u>	<u>Deputy Public Works Director</u>
<u>City of Burlingame</u>	<u>Public Works Director</u>	<u>Assistant Public Works Director</u>
<u>C/CAG</u>	<u>Executive Director</u>	<u>N/A</u>
<u>Town of Colma</u>	<u>Director of Public Works</u>	<u>Deputy PW Director/City Engineer</u>
<u>City of Daly City</u>	<u>Director of Public Works</u>	<u>City Engineer</u>
<u>City of East Palo Alto</u>	<u>Director of Public Works</u>	<u>City Engineer</u>
<u>City of Foster City</u>	<u>Director of Public Works</u>	<u>Manager of Engineering</u>
<u>City of Half Moon Bay</u>	<u>Director of Public Works</u>	<u>Community Development Director</u>
<u>City of Menlo Park</u>	<u>Public Works Director</u>	<u>Assistant Public Works Director</u>
<u>City of Millbrae</u>	<u>Director of Public Works</u>	<u>City Engineer/Deputy Public Works Director</u>
<u>City of Pacifica</u>	<u>Director of Public Works</u>	<u>City Engineer/Deputy Public Works Director</u>
<u>Town of Portola Valley</u>	<u>TBD - vacant</u>	<u>N/A</u>
<u>City of Redwood City</u>	<u>Transportation Manager</u>	<u>City Engineer</u>
<u>City of San Bruno</u>	<u>Public Works Director</u>	<u>Deputy Director, Hae Won Ritchie</u>
<u>City of San Carlos</u>	<u>Director of Public Works</u>	<u>City Engineer</u>
<u>City of San Mateo</u>	<u>Director of Public Works</u>	<u>Deputy Public Works Director</u>
<u>City of South San Francisco</u>	<u>Public Works Director/City Engineer</u>	<u>Deputy Public Works Director</u>
<u>Town of Woodside</u>	<u>Public Works Director/Town Engineer</u>	<u>Deputy Town Engineer</u>
<u>MTC</u>	<u>Senior Program Coordinator, James Choe</u>	<u>N/A</u>
<u>Caltrans</u>	<u>District Division Chief - PM West Region</u>	<u>Regional PM - San Mateo County</u>

<u>Agency</u>	<u>Representative</u>
San Mateo County Engineering	Ann Stillman
SMCTA / PCJPB / Caltrain	Patrick Gilster
Atherton Engineering	Robert Ovardia
Belmont Engineering	Peter Brown
Brisbane Engineering	Randy Breault
Burlingame Engineering	Syed Murtuza
C/CAG	Sean Charpentier
Colma Engineering	Brad Donohue
Daly City Engineering	Richard Chiu
Daly City Planning	Tatum Mothershead
East Palo Alto Engineering	Humza Javed
Foster City Engineering	Andrew Brozyna
Half Moon Bay Engineering	Maziar Bozorginia
Hillsborough Engineering	Paul Willis
Menlo Park Engineering	Nikki Nagaya
Millbrae Engineering	Sam Bautista
Pacifica Engineering	Lisa Petersen
Portola Valley Engineering	<i>Vacant</i>
Redwood City Engineering	Jessica Manzi
San Bruno Engineering	Matthew Lee
San Carlos Engineering	Steven Machida
San Mateo Engineering	Brad Underwood
South San Francisco Engineering	Eunejune Kim
South San Francisco Planning	Billy Gross
Woodside Engineering	Sean Rose
MTC	James Choe
Caltrans	Mohammad Suleiman

C/CAG AGENDA REPORT

Date: October 12, 2023

To: City/County Association of Governments of San Mateo County Board of Directors

From: Sean Charpentier, C/CAG Executive Director

Subject: Review and approval of Resolution 23-85 adopting the revised membership guidelines to include alternate positions for the Stormwater Committee.

(For further information or questions, contact Sean Charpentier at scharpentier@smcgov.org)

RECOMMENDATION

That the C/CAG Board review and approval of Resolution 23-85 adopting the revised membership guidelines to include alternate positions for the Stormwater Committee.

FISCAL IMPACT

There is no fiscal impact related to this item.

SOURCE OF FUNDS

Not applicable.

BACKGROUND

C/CAG's Stormwater Committee was convened in November 2012 and was created to provide policy input and recommendations to the C/CAG Board of Directors on issues pertaining to compliance with the Municipal Regional Stormwater Permit, administered by the San Francisco Bay Regional Water Quality Control Board (Regional Water Board). The Committee is comprised of director-level staff from C/CAG's 21 member agencies, each city and the County represented by one seat, and a non-voting staff from the Regional Water Board.

The Committee Guidelines were revised by C/CAG staff in 2020 following the changes to Committee meeting procedures as a result of the impacts of COVID-19. Since then, discussions at the Congestion Management Program Technical Advisory Committee ensued regarding a request for the inclusion of alternates, ensuring contingency coverage in situations where a jurisdiction's representative is unavailable.

C/CAG supports 2 Boards of Directors (C/CAG and SMCEL-JPA) and 9 standing committees with a combined total of 152 seats and 98 scheduled Brown Act meetings each year. The only committee that currently has Alternates is the Airport Land Use Committee (ALUC), which is a State mandated committee for specific jurisdictions within the Airport Land Use Compatibility Plans for the San Carlos, Half Moon Bay, and San Francisco International airports.

Staff support alternates for the TAC and Stormwater Committees because they are unique in that all the Committee Members are C/CAG member agency staff or partner agency staff and each C/CAG member agency has a seat.

To remain consistent between staff-level advisory Committees, C/CAG staff recommended a similar model be adopted for including alternates on the Stormwater Committee and for streamlining the appointment process. As detailed in the Revised Stormwater Committee Guidelines (Attachment 2), staff recommend designating membership positions or specified staff as primary Committee members and alternates. The intent is to ensure the desired staff level positions with responsibility for compliance with the Municipal Regional Permit are maintained on the Committee and/or are designated as alternates and to streamline the process of managing for changes in staffing, whereby the C/CAG Board of Directors will approve the updated Guidelines and designated Committee positions or specified staff holding designated positions. This would streamline the appointment process, reducing the need for City Managers to recommend and the CCAG Board of Directors to approve a new member every time when there is a staffing change.

The C/CAG Board will have to still make individual appointments for unique positions or situations where there are multiple positions (for example if a city has two Assistant Public Works Directors) and a specific individual has to be named.

The table below is an example.

Member Agency	Stormwater Committee Member	Alternate
City A	Public Works Director	City Engineer, or Assistant or Deputy Public Works Director

At the September 21, 2023 Stormwater Committee meeting, the Committee reviewed and recommended Board approval of the Revised Stormwater Committee Guidelines pending any additional requests among Committee members to add or modify designated alternate positions or named individuals based on agency-specific needs. Staff recommends the C/CAG Board review and approve Resolution 23-85 adopting the revised membership guidelines for Stormwater Committee.

ATTACHMENTS

1. Resolution 23-85
2. Revised Stormwater Committee Guidelines (redlined)

RESOLUTION 23-85

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY ADOPTING THE REVISED MEMBERSHIP GUIDELINES TO INCLUDE ALTERNATE POSITIONS FOR THE STORMWATER COMMITTEE.

RESOLVED, by the Board of Directors of the City/County Association of Governments of San Mateo County (C/CAG), that

WHEREAS, C/CAG is the designated San Mateo Countywide Water Pollution Prevention Program responsible for supporting the 21 member agencies and the San Mateo County Flood and Sea Level Rise Resiliency District with state and federally mandated municipal stormwater permit compliance; and

WHEREAS, C/CAG's existing bylaws designate a Stormwater Committee; and

WHEREAS, the Stormwater Committee is comprised of director-level staff who make technical and policy recommendations to the C/CAG Board of Directors related municipal stormwater permit compliance; and

WHEREAS, the Stormwater Committee Guidelines were last updated on December 22, 2020; and

WHEREAS, the Stormwater Committee and C/CAG would like to revise the membership composition to include alternate positions; and

WHEREAS, at the September 21, 2023 Stormwater Committee meeting, the Committee recommended that the C/CAG Board approve the changes.

NOW THEREFORE BE IT RESOLVED, that the Board of Directors of the City/County Association of Governments of San Mateo County hereby adopts the revised membership guidelines for Stormwater Committee.

PASSED, APPROVED, AND ADOPTED, THIS 12TH DAY OF OCTOBER 2023.

Davina Hurt, Chair

Stormwater Committee Guidelines

Established: November 8, 2012

Revised: December 22, 2020/September 21, 2023

Description

The Stormwater Committee provides policy and technical advice and recommendations to the C/CAG Board of Directors and direction to technical subcommittees on all matters relating to stormwater management and compliance with associated regulatory mandates from the State Water Resources Control Board and San Francisco Bay Regional Water Quality Control Board.

The following are the general issues typically addressed by the Committee:

- Review and provide recommendations for the Countywide Water Pollution Prevention Program (Countywide Program)'s annual budget as part of the overall C/CAG budget approval process.
- Authorize submittal of countywide and regional compliance documents on behalf of their respective agencies for activities performed via C/CAG through the Countywide Program or the Bay Area Stormwater Management Agencies Association.
- Convey relevant program and compliance information and direction to appropriate staff and departments within their jurisdictions.
- Form ad-hoc work groups to address particular stormwater-related issues on an as-needed basis.
- Discuss and provide policy recommendations on stormwater issues, such as:
 - funding stormwater compliance activities at the local and countywide level;
 - unfunded mandate test claims;
 - permit appeals and litigation;
 - reissuance of the Municipal Regional Permit;
 - permit requirements, especially those related to new and redevelopment, monitoring, and pollutants of concern, including trash, mercury, PCBs, and pesticides;
 - training and technical support needs for municipal staffs
 - legislation and statewide policy issues impacting member agencies

Membership

The Stormwater Committee includes director-level ~~appointees-staff~~ with decision-making authority for implementing stormwater management programs within the member agencies in compliance with requirements in the Municipal Regional Permit. There is one representative from each of the 21 member agencies, ~~recommended by City/Town/County Managers,~~ and one non-voting executive management representative from the Regional Water Quality Control Board staff, ~~all appointed by the C/CAG Board. There are no term limits and members may be removed and replaced as needed.~~

Term Limits

- There are no term limits for the Stormwater Committee. Members can remain on the Committee indefinitely or until a member voluntarily relieves themselves from the membership.

Chair and Vice Chair

- The Chair and Vice Chair for the Stormwater Committee are annually nominated and voted upon by Committee members at a regularly scheduled meeting. The Chair manages the Committee meetings by calling the meeting to order, leading the Committee through the agenda topics, monitoring meeting discussion to ensure all discussion remains on topic, and leading the motion and approval of all action items. The role of the Vice Chair is to support the Chair and act as a stand in should the Chair be unable to attend a meeting.
- There are no term limits.

Selection and Appointment Process

To streamline the process and ensure continuous representation, the Roster Table can include designated positions and/or individually named appointments. The Roster Table also includes a Primary Member and an Alternate Member.

The C/CAG Board of Directors shall approve all appointments of Primary and Alternate Members.

Designated positions are executive level positions where there may be only one position (ie Public Works Director) in the agency or there may be multiple positions (i.e., having multiple Deputy Public Works Directors).

The C/CAG's Board of Directors will approve the appointment of these designated positions, effectively automatically appointing the staff member filling the designated position.

For designated positions where there are multiple positions, the jurisdiction or agency will need to propose a member by name, and the C/CAG Board will need to approve such appointment on an individual basis.

The City Manager or equivalent will notify the C/CAG Executive Director of any changes to the personnel filling the designated positions, or changes to the named positions themselves. The C/CAG Board will approve changes to the designated positions or name as necessary.

Interim or Acting appointments by the appropriate Executive to the designated positions where there is only one position (i.e., Public Works Director) are acceptable.

Primary Members

- Primary Stormwater Committee members for C/CAG's member agencies shall be the Public Works Director, City Engineer/Managing Engineer (or equivalent) held by a single person, or a staff member holding a comparable executive position identified by the jurisdiction or agency with responsibility for compliance under the Municipal Regional Permit.
- The Regional Water Quality Control Board member shall be the Watershed Management Supervisor or a specified staff holding a comparable executive position identified by the Regional Water Quality Control Board.

Alternate Members

- Each agency can have an alternate member.

- The alternate for C/CAG’s member agencies can be the City Engineer/Managing Engineer or Assistant or Deputy Director of Public (or equivalent) held by a single person, or a staff member holding a comparable executive position identified by the jurisdiction or agency with responsibilities for compliance under the Municipal Regional Permit.
- The alternate for the Regional Water Quality Control Board member can be the Watershed Management Manager or a staff member holding a comparable executive position identified by the Regional Water Quality Control Board.
- The alternate has the authority to cast votes in lieu of the primary member.
- Attendance of an alternate member will not be recorded as attendance for the primary member.

The Roster Table below identifies the primary and alternate Stormwater Committee members, either by designated position or by name, where necessary, of the 2023 Stormwater Committee:

<u>Member Agency</u>	<u>Primary Stormwater Committee Member</u>	<u>Alternate</u>
<u>City of Atherton (Vice Chair)</u>	<u>Director of Public Works</u>	<u>Associate Engineer, Tim Au</u>
<u>City of Belmont</u>	<u>Director of Public Works</u>	<u>Assistant Public Works Director</u>
<u>City of Brisbane (Chair)</u>	<u>Director of Public Works/City Engineer</u>	<u>Regulatory Compliance Manager</u>
<u>City of Burlingame</u>	<u>Director of Public Works</u>	<u>Environmental Compliance Manager</u>
<u>City of Daly City</u>	<u>Director of Public Works</u>	<u>City Engineer</u>
<u>City of East Palo Alto</u>	<u>Director of Public Works</u>	<u>City Engineer</u>
<u>City of Foster City</u>	<u>Director of Public Works</u>	<u>Manager of Engineering</u>
<u>City of Half Moon Bay</u>	<u>Director of Public Works</u>	<u>Associate Engineer</u>
<u>City of Menlo Park</u>	<u>Director of Public Works</u>	<u>Assistant Public Works Director</u>
<u>City of Millbrae</u>	<u>Director of Public Works</u>	<u>City Engineer/Deputy Public Works Director</u>
<u>City of Pacifica</u>	<u>Deputy Director of Public Works/City Engineer</u>	<u>City Engineer/Deputy Public Works Director</u>

<u>City of Redwood City</u>	<u>City Engineer</u>	<u>Senior Civil Engineer, Ahmad Haya</u>
<u>City of San Bruno</u>	<u>Director of Public Works</u>	<u>Deputy Director of Public Works, Hae Won Ritchie</u>
<u>City of San Carlos</u>	<u>Director of Public Works</u>	<u>City Engineer</u>
<u>City of San Mateo</u>	<u>Director of Public Works</u>	<u>Deputy Public Works Director, Matthew Fabry</u>
<u>City of South San Francisco</u>	<u>Director of Public Works/City Engineer</u>	<u>Deputy Public Works Director</u>
<u>San Mateo County</u>	<u>Director of Public Works</u>	<u>Deputy Director Engineering & Resource Protection</u>
<u>Town of Colma</u>	<u>Director of Public Works and Planning</u>	<u>Deputy Public Works Director/City Engineer</u>
<u>Town of Hillsborough</u>	<u>Director of Public Works</u>	<u>Deputy Director of Public Works</u>
<u>Town of Portola Valley</u>	<u>Director of Public Works</u>	<u>Building Director</u>
<u>Town of Woodside</u>	<u>Director of Public Works/Town Engineer</u>	<u>Deputy Town Engineer</u>
<u>Regional Water Board</u>	<u>Watershed Management Supervisor</u>	<u>Watershed Management Manager</u>

Chair and Vice Chair

The Chair and Vice Chair for the Stormwater Committee are annually nominated and voted upon by Committee members at a regularly scheduled meeting. The Chair manages the Committee meetings by calling the meeting to order, leading the Committee through the agenda topics, monitoring meeting discussion to ensure all discussion remains on topic, and leading the motion and approval of all action items. The role of the Vice Chair is to support the Chair and act as a stand in should the Chair be unable to attend a meeting.

Meeting Location and Frequency

The Committee generally meets on a bimonthly basis depending on need on the third Thursday of the month at 2:30 PM at the San Mateo County Transit District Office in the 2nd Floor auditorium, 1250 San Carlos Avenue, San Carlos. Public notices for Committee meetings are posted in accordance with Brown Act requirements on the ground floor of the same location, as well as on the C/CAG website. Since March 2020, in response to COVID-19 public health directives, meetings have been held virtually via Zoom.

Attendance

~~Per the C/CAG Joint Powers Agreement, regular attendance at Committee meetings is encouraged for member agencies. Committee attendance reports are provided to the C/CAG Board biannually.~~

~~Agenda Packet Procedures~~

~~Committee agenda packets will be distributed electronically via email and posted on C/CAG's website.~~

~~Voting Procedures~~

~~All members, except for the Regional Water Board member, are voting members. All voting items held over Zoom are conducted via roll call.~~

~~For quorum, over half of the appointed voting members of the committee must be present.~~

C/CAG AGENDA REPORT

Date: October 12, 2023

To: City/County Association of Governments of San Mateo County Board of Directors

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 23-86 authorizing the C/CAG Executive Director to execute an agreement with Mariposa Planning Solutions for the preparation of a Shared Micromobility Community Outreach Plan, in an amount not to exceed \$119,593, establish a contingency in the amount of \$11,959 (10% of contract) for a total project budget of \$131,552, and execute future contract amendments in an amount not-to-exceed the appropriated contingency.

(For further information contact Kim Wever at kwever@smcgov.org)

RECOMMENDATION

That the C/CAG Board review and approve Resolution 23-86 authorizing the C/CAG Executive Director to execute an agreement with Mariposa Planning Solutions for the preparation of a Shared Micromobility Community Outreach Plan in an amount not to exceed \$119,593, establish a contingency in the amount of \$11,959 (10% of contract) for a total project budget of \$131,552, and execute future contract amendments in an amount not-to-exceed the appropriated contingency.

FISCAL IMPACT

The contract amount is \$119,593. To streamline administrative process and further improve efficiencies, staff seeks authorization from the Board to establish a 10% contingency in the amount of \$11,959 to be authorized and executed by the C/CAG Executive Director in future contract amendments, if necessary. A total budget of \$131,552 can be available for the project.

SOURCE OF FUNDS

Funding for the project will come from federal Surface Transportation funds and local Congestion Relief Plan funds.

BACKGROUND

Micromobility refers to services such as bikeshare and scooter-share, where users are able to check out various small and light-weight vehicles for short term use through a self-service rental portal. It has been envisioned as one of the tools to address first and last mile challenges, bridging the transportation gap between home and transit stations, and from transit stations to places of employment. Other benefits of micromobility include reducing short distance vehicle trips and increasing transportation access.

In December 2022, C/CAG adopted the San Mateo County Shared Micromobility Feasibility Study and Implementation Plan (Plan). The Plan includes the feasibility analysis of a bike share and scooter share program, research on best practices, and program guidelines to support jurisdictions that wish to launch a program. The study recommended a multi-jurisdictional shared micromobility pilot program in the County, with a pilot duration of one to two years with possible extensions. The primary recommended vehicle type is e-bicycles, and individual jurisdictions have the option to add e-scooters and manual bicycles. The two locations recommended for the pilot are 1) Daly City, Broadmoor, and Colma, and 2) Redwood City and North Fair Oaks. This selection is based on their close proximity to high frequency transit locations, the ability to serve a large population in an equity priority community with limited access to vehicles and high reliance on transit. C/CAG hopes to launch the micromobility program in 2024.

To ensure a robust community engagement process, C/CAG is developing a Community Outreach Plan for the Shared Micromobility pilot project.

The goals for the Community Outreach Plan include:

- Seek community input on potential micromobility station locations within the two pilot areas;
- Gain feedback on what should be included in an equity program for the pilot (focused on reducing barriers to use shared micromobility, including options for low-income and unbanked individuals and those who require the use of an adaptive vehicle);
- Advise the Micromobility Governance Working Group on refining the scope of work and program guidelines for the shared micromobility operator based on the community's comments; and
- Assist with promoting and marketing the program to potential users.

The key deliverables for the Community Outreach Plan include, but is not limited to, the following:

1. Community Outreach Plan
2. Community meetings, workshops, or other outreach events
3. Targeted outreach materials appropriate for each event (in-person and online)
4. Shared micromobility service launch marketing plan

The full scope of work can be found in Attachment A of the RFP (<https://ccag.ca.gov/wp-content/uploads/2023/07/Micromobility-Community-Outreach-RFP-1.pdf>)

In accordance with C/CAG's Procurement Policy, a Request for Proposal (RFP) was released on July 21, 2023, seeking a consultant to develop a Community Outreach Plan for the Shared Micromobility pilot project. The RFP was posted on the C/CAG website as well as distributed via email to one-hundred and fifty-two (152) consultants from our contact list. C/CAG received a total of two (2) responsive proposals by the August 18, 2023 deadline. The two (2) proposals were from Mariposa Planning Solutions (MPS) and S. Groner Associates (SGA). The evaluation panel was comprised of Kaki Cheung, Kim Wever (C/CAG Staff), Laura Krull (Program Coordinator, Metropolitan Transportation Commission (MTC)), and Sigalle Michael (Sustainability Program Manager, City of Burlingame). The evaluation panel reviewed and scored the two (2) proposals. The evaluation panel recommended MPS based on a number of factors, including the firm's knowledge of active transportation and relationship with community-based organizations in San Mateo County and across the Bay Area, as well as their focus on community-centered participation and community empowerment. The MPS team also includes two subconsultants, Emergent Labs and Silicon Valley

Bicycle Collation (SVBC). Emergent Labs provides an abundant knowledge in cultural strategy and equity programs, while SVBC provides expertise in building capacity and advocates for active transportation through creative community engagement events.

Recommendations

C/CAG staff and Mariposa Planning Solutions negotiated a final cost of \$119,593 to prepare a Shared Micromobility Community Outreach Plan. Staff also requests that the Board establishes a contingency in the amount of \$11,959 for a total budget of \$131,522, to be executed through future contract amendments in an amount not-to exceed the appropriated contingency. The project is anticipated to begin in October of 2023 and be completed by October 2024.

ATTACHMENTS

1. Resolution 23-86
2. Draft Agreement (*The document is available on the C/CAG website (See “Additional Agenda Materials”) at <https://ccag.ca.gov/committees/board-of-directors-2/>*).

RESOLUTION 23-86

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG EXECUTIVE DIRECTOR TO EXECUTE AN AGREEMENT WITH MARIPOSA PLANNING SOLUTIONS FOR A SHARED MICROMOBILITY COMMUNITY OUTREACH PLAN IN AN AMOUNT OF \$119,593, ESTABLISH A CONTINGENCY IN THE AMOUNT OF \$11,959 (10% OF CONTRACT) FOR A TOTAL PROJECT BUDGET OF \$131,552, AND EXECUTE FUTURE CONTRACT AMENDMENTS IN AN AMOUNT NOT-TO-EXCEED THE APPROPRIATED CONTINGENCY.

RESOLVED, by the Board of Directors of the City/County Association of Governments of San Mateo County (C/CAG), that

WHEREAS, in December 2022, C/CAG Board of Directors adopted the San Mateo County Shared Micromobility Feasibility Study and Implementation Plan (Plan), which recommended a multi-jurisdictional shared micromobility pilot program in the County, with a pilot duration of one to two years with possible extensions. The two locations recommended for the pilot are 1) Daly City, Broadmoor, and Colma, and 2) Redwood City and North Fair Oaks. This selection is based on their close proximity to high frequency transit locations, the ability to serve a large population in an equity priority community with limited access to vehicles and high reliance on transit; and

WHEREAS, to ensure a robust community engagement process, C/CAG determined the need to develop a Community Outreach Plan for the Shared Micromobility pilot project; and

WHEREAS, C/CAG has allocated Federal Surface Transportation Block grant and funding from the local Congestion Relief Plan to develop a Shared Micromobility Outreach Plan; and

WHEREAS, C/CAG determined the need for outside consultant services to assist in preparing a Shared Micromobility Outreach Plan; and

WHEREAS, through a Request for Proposal (RFP) process, C/CAG has selected Mariposa Planning Solutions to provide these services as outlined in the agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the C/CAG Executive Director is authorized to execute an agreement with Mariposa Planning Solutions for a Shared Micromobility Outreach Plan in an amount of \$119,593. Be it further resolved that the C/CAG Executive Director is authorized to negotiate the final terms of said agreement prior to its execution, subject to approval as to form by C/CAG Legal Counsel; and establish a contingency in the amount of \$11,959 (10% of contract) for a total project budget of \$131,552. Be it further resolved that the C/CAG Executive Director is authorized execute future contract amendments in an amount not-to-exceed the appropriated contingency, subject to legal counsel approval as to form.

PASSED, APPROVED, AND ADOPTED THIS 12TH DAY OF OCTOBER 2023.

Davina Hurt, Chair

C/CAG AGENDA REPORT

Date: October 12, 2023

To: City/County Association of Governments of San Mateo County Board of Directors

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 23-87 determining that a proposed 155-unit single family residential development, public open space and recreation facilities at 300 Piedmont Avenue, San Bruno, are conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport.

(For further information please contact Susy Kalkin at kkalkin@smcgov.org)

RECOMMENDATION

That the C/CAG Board of Directors, acting as the San Mateo County Airport Land Use Commission, approve Resolution 23-87 determining that a proposed 155-unit single family residential development, public open space and recreation facilities at 300 Piedmont Avenue, San Bruno, are conditionally consistent with the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport* (SFO ALUCP), subject to the following conditions:

- *Prior to issuance of a building permit, the project sponsor shall file Form 7460-1 with the FAA and provide to the City of San Bruno an FAA “Determination of No Hazard”.*
- *The City of San Bruno shall require that lighting for the proposed multi-use soccer field be downward-facing and designed to minimize visual hazards to pilots.*
- *The City of San Bruno shall require that the project sponsor comply with the real estate disclosure requirements outlined in Policy IP-1 of the SFO ALUCP, which apply to sale or lease of property located within the AIA.*

BACKGROUND

The proposed project (“Project”) consists of demolishing the former Crestmoor High School facilities and constructing a 155-lot single family subdivision on approximately 12.3 acres of the 40.2-acre site. The Project also includes approximately 18 acres of publicly accessible open space, including a 6-acre portion that would be developed as a multi-use soccer field with permanent lighting.

The Project is located within Airport Influence Area B (AIA B), the “Project Referral” area, for San Francisco International Airport. California Public Utilities Code (PUC) Section 21676(b) requires 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). Additionally, PUC Section 21676.5(a), requires that until a local

agency has brought its land use plans into compliance with the ALUCP, that it submit all proposed development and land use policy actions that affect property within AIA B to the ALUC for a consistency determination. In accordance with these requirements, San Bruno has referred the subject development project 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

The SFO ALUCP contains policies and criteria to address four issues: (a) aircraft noise; (b) safety; (c) airspace protection; and (d) overflight notification. The following sections describe the degree to which the Project is compatible with each.

(a) Aircraft Noise

The 65 dB CNEL (Community Noise Equivalent Level) aircraft noise contour defines the threshold for airport 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 3**, the subject property lies outside the bounds of the 65dB CNEL contour, and therefore the Project is consistent with the SFO ALUCP noise policies and criteria.

(b) Safety

The SFO ALUCP includes five safety zones and related land use compatibility policies and criteria. As shown on **Attachment 4**, the Project site is located outside of the safety zones established in the SFO ALUCP, and therefore the safety policies and criteria do not apply to the Project.

(c) Airspace Protection

Structure Heights

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.

As proposed, the new homes would be approximately 27 feet tall, and the light standards proposed for the athletic fields would be approximately 80 feet tall. The ground elevation at the site is approximately 433 feet above mean sea level (AMSL), so maximum Project heights would be approximately 513 feet AMSL. As indicated on **Attachment 5**, the critical airspace above the site lies at approximately 860 feet AMSL, so the Project would be more than 300 feet below this surface. However, as shown on **Attachment 6**, the Project is located in an area that requires FAA notification for all new construction (structures under 35 feet tall). The application materials recognize the requirement that the project submit Form 7460-1 for an FAA hazard determination, and it is included as a condition to ensure compliance:

- *Prior to issuance of a building permit, the project sponsor shall file Form 7460-1 with the FAA and provide to the City of San Bruno an FAA “Determination of No Hazard”.*

Other Flight Hazards

Within AIA B, certain land use characteristics are recognized as hazards to air navigation and, per Airspace Protection Policy AP-4, need to be evaluated to ensure compatibility with FAA rules and regulations. As noted in the comment letter provided by SFO Planning staff, **Attachment 7**, the Project includes a multi-use soccer field that would include permanent lighting. Further, they note that the site is subject to overflights by arriving and departing aircraft and caution that bright lights can be a visual hazard to pilots. Accordingly, the following condition is proposed:

- *The City of San Bruno shall require that lighting for the proposed multi-use soccer field be downward-facing and designed to minimize visual hazards to pilots.*

(d) Overflight Notification

The Project site is located within the Airport Influence Area (AIA) of SFO, the real estate disclosure area. Pursuant to Policy IP-1, notification is required, prior to sale or lease of property located within the AIA, of the proximity of the airport and that therefore the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations.

As this disclosure requirement is not currently included in San Bruno’s Municipal Code, the following condition is proposed:

- *The City of San Bruno shall require that the project sponsor comply with the real estate disclosure requirements outlined in Policy IP-1 of the SFO ALUCP, which apply to sale or lease of property located within the AIA.*

Airport Land Use Committee

The Airport Land Use Committee was scheduled to consider this item at its September 28, 2023 meeting, but the meeting was canceled due to lack of a quorum.

ATTACHMENTS

1. Resolution 23-87

The following attachments are available on the C/CAG website (See “Additional Agenda Materials”) at: <https://ccag.ca.gov/committees/board-of-directors-2/>

2. ALUCP application, together with related project description and plan set excerpts
3. SFO ALUCP Exh. IV-6 – Noise Compatibility Zones
4. SFO ALUCP Exh. IV-2 –AIA B w/Safety Compatibility Zones
5. SFO ALUCP Exh. IV-17 – Critical Aeronautical Surfaces - NW
6. SFO ALUCP Exh. IV-12 – FAA Notification Filing Reqs.- South Side
7. Comment Letter from SFO Planning dated Aug. 10, 2023

RESOLUTION 23-87

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 A PROPOSED 155-UNIT SINGLE FAMILY RESIDENTIAL DEVELOPMENT, PUBLIC OPEN SPACE AND RECREATION FACILITIES AT 300 PIEDMONT AVENUE, SAN BRUNO, ARE CONDITIONALLY CONSISTENT WITH 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 (ALUC), that,

WHEREAS, per the requirements of California Public Utilities Code Section 21676.5(a), until a local agency has brought its General Plan, Zoning Ordinance and/or any affected specific plan into compliance with the applicable airport/land use criteria in the relevant adopted Airport Land Use Compatibility Plan, the local agency shall refer all proposed development and land use policy actions that affect property within Airport Influence Area (AIA) B, the Project Referral Area, to the ALUC for a consistency determination; and

WHEREAS, the City of San Bruno is processing an application for a 155-unit single family residential development, public open space and recreation facilities at 300 Piedmont Avenue and, in accordance with PUC Section 21676.5(a), has referred the project to C/CAG, acting as the Airport Land Use Commission, for a determination of consistency with 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, four airport/land use compatibility factors are addressed in the SFO ALUCP that relate to the project, including: (a) noise compatibility, (b) safety compatibility, (c) airspace protection compatibility, and (d) overflight notification, as discussed below:

- (a) Noise Compatibility – The Community Noise Equivalent Level (CNEL) 65 dB aircraft noise contour defines the threshold for airport noise impacts established in the SFO ALUCP. All land uses located outside this contour are deemed consistent with the noise policies of the ALUCP. Per SFO ALUCP Exhibit IV-6, the subject property lies outside the bounds of the CNEL 65 dB contour and is therefore consistent with the ALUCP noise policies and criteria.
- (b) Safety Policy Consistency – The SFO ALUCP includes five sets of safety zones and related land use compatibility policies and criteria. Per ALUCP Exhibit IV-2, the project site is not located within a Safety Zone, and therefore the safety policies and criteria do not apply to the Project.
- (c) Airspace Protection Policy Consistency –
 - 1) Structure Heights
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.

As proposed, the new homes would be approximately 27 feet tall, and the light standards proposed for the athletic fields would be approximately 80 feet tall. The ground elevation of the site range is approximately 433 feet above mean sea level (AMSL), so maximum Project heights would be approximately 513 feet AMSL. The lowest critical airspace above the project site lies at approximately 860’ AMSL, so the project would be well below that surface. Per SFO ALUCP Exhibit IV-12, the project sponsor is required to file Form 7460-1 with the FAA for a hazard determination. This requirement is included as a condition of this consistency determination, as identified in Exhibit A, attached.

2) Other Flight Hazards

Within 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. The Project includes a multi-use soccer field that would include permanent lighting, and as bright lights can be a visual hazard to pilots, a condition is included in Exhibit A, attached, requiring that lighting be designed to minimize visual hazards to pilots.

- (d) Overflight Notification – The Project site is located within Airport Influence Area A (AIA A) of SFO, the real estate disclosure area. Pursuant to Policy IP-1, notification is required, prior to sale or lease of property located within the AIA, of the proximity of the airport and that therefore the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations. As this disclosure requirement is not currently included in San Bruno’s Municipal Code, it is reflected as a condition in Exhibit A to ensure compliance.

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 subject to the conditions contained in Exhibit A, attached, the proposed residential development at 300 Piedmont Avenue, San Bruno, is determined to be consistent with the 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 12TH DAY OF OCTOBER 2023.

Davina Hurt, Chair

Resolution 23-87 – Conditions of Consistency Determination:

1. Prior to issuance of a building permit, the project sponsor shall file Form 7460-1 with the FAA and provide to the City of San Bruno an FAA “Determination of No Hazard”.
2. The City of San Bruno shall require that lighting for the proposed multi-use soccer field be downward-facing and designed to minimize visual hazards to pilots.
3. The City of San Bruno shall require that the project sponsor comply with the real estate disclosure requirements outlined in Policy IP-1 of the SFO ALUCP, which apply to sale or lease of property located within the AIA.

C/CAG AGENDA REPORT

Date: October 12, 2023

To: City/County Association of Governments of San Mateo County Board of Directors

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 23-88 determining that a proposed 6-story, 188 room hotel at 501 Industrial Road, San Carlos, including associated rezoning, is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport.

(For further information please contact Susy Kalkin at kkalkin@smcgov.org)

RECOMMENDATION

That the C/CAG Board of Directors, acting as the San Mateo County Airport Land Use Commission (ALUC), approve Resolution 23-88 determining that a proposed 6-story, 188 room hotel at 501 Industrial Road, San Carlos, including associated rezoning, is conditionally consistent with the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport* (San Carlos ALUCP), subject to the following conditions:

- The City of San Carlos shall require that the project sponsor comply with the real estate disclosure requirements outlined in Overflight Policy 1 of the San Carlos ALUCP.

BACKGROUND

The City of San Carlos is processing an application for development of a 2.09-acre site located at 501 Industrial Road, bounded by Holly St. and US-101. The proposal includes construction of a 188-room hotel comprised of a 6-story structure with an adjoining 3-story wing. The project also includes a request to rezone the property from Landmark Commercial (LC) to Planned Development (PD) to allow flexibility in some development standards, including building height.

The project falls within Airport Influence Area (AIA) B, the Project Referral Area for San Carlos Airport and is subject to ALUC review pursuant to California Public Utilities Code (PUC) Sections 21676(b) and 21676.5(a). Accordingly, San Carlos has referred the subject project for a determination of consistency with the San Carlos ALUCP.

DISCUSSION

I. ALUCP Consistency Evaluation

Four sets of airport/land use compatibility policies in the San Carlos ALUCP relate to the proposed project: (a) noise compatibility policies and criteria, (b) safety policies and criteria, (c) airspace protection policies and (d) overflight compatibility. The following sections address each issue.

(a) Noise Policy Consistency

The 60 dB CNEL (Community Noise Equivalent Level) aircraft noise contour defines the threshold for airport noise impacts established in the San Carlos ALUCP. All land uses located outside this contour are deemed consistent with the noise policies of the ALUCP.

As shown on San Carlos ALUCP Exhibit 4-2, **Attachment 3**, the subject property lies within the bounds of the 60 dB CNEL contour. In accordance with San Carlos ALUCP Table 4-3, Noise Compatibility Criteria, hotels are compatible within this noise contour without restriction.

(b) Safety Policy Consistency

Runway Safety Zones - The San Carlos ALUCP includes six sets of safety zones and related land use compatibility policies and criteria. As shown on San Carlos ALUCP Exhibit 4-3, **Attachment 4**, the project site is located within Safety Zone 6. Per San Carlos ALUCP Table 4-4, Safety Compatibility Criteria, hotel use is listed as compatible in this safety zone.

(c) Airspace Protection Policy Consistency

Structures Heights

In order to be deemed consistent with the ALUCP, the maximum height of a new building must be the lower or (1) the height of the controlling airspace protection surface shown on Exhibit 4-4, or 2) the maximum height determined to not be a “hazard to air navigation” by the FAA in an aeronautical study prepared pursuant to the filing of Form 7460-1.

As proposed, the proposed project would have a maximum height of 82 ft. With a ground elevation of approximately 13 feet above mean sea level (AMSL), the overall height of the project would be 95 feet AMSL. Per San Carlos Exhibit 4-4, **Attachment 5**, the airspace protection surface above the project site lies at 155’ AMSL, so the proposed project would be below this surface. Additionally, the project sponsor has received a “Determination of No Hazard to Air Navigation” from the FAA for the project, included as **Attachment 6**. Accordingly, the project is determined to be consistent with the Airspace Protection Policy 5.

Other Flight Hazards

Within AIA B, certain land use characteristics are recognized as hazards to air navigation and, per Airspace Protection Policy 6, need to be evaluated to ensure compatibility with FAA rules and regulations. These characteristics include the following:

- 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;
- Distracting lights that could be mistaken for airport identification lightings, runway edge lighting, runway end identification lighting, or runway approach lighting;
- Sources of dust, smoke, water vapor, or steam that may impair the visibility of a pilot in command of and aircraft in flight;

- Sources of electrical/electronic interference with aircraft communications/navigation equipment; or
- 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.

The proposed project does not include any features that would present unusual hazards to air navigation and therefore is determined to be compatible with Airspace Protection Policy 6.

(d) Overflight Compatibility Consistency

The Project Area is located within both the Airport Influence Area (AIA) A & B boundaries for San Carlos Airport. Within an AIA, the real estate disclosure requirements of state law apply. The law requires a statement to be included in the property transfer documents that (1) indicates the subject property is located within an airport influence area (AIA) boundary and (2) that the property may be subject to certain impacts from airport/aircraft operations.

As this disclosure requirement is not included in the application materials, the following condition is proposed:

- The City of San Carlos shall require that the project sponsor comply with the real estate disclosure requirements outlined in Airport Influence Area Policy 1 of the San Carlos ALUCP.

Airport Land Use Committee

The Airport Land Use Committee was scheduled to consider this item at its September 28, 2023 meeting, but the meeting was canceled due to lack of a quorum.

ATTACHMENTS

1. Resolution 23-88

The following attachments are available on the C/CAG website (See “Additional Agenda Materials”) at: <https://ccag.ca.gov/committees/board-of-directors-2/>

2. ALUCP application, together with related project description and exhibits.
3. San Carlos ALUCP Exh. 4-2 – Future Conditions (2035) Aircraft Noise Contours
4. San Carlos ALUCP Exh. 4-3 – Safety Zones.
5. San Carlos ALUCP Exh. 4-4 – Airspace Protection Surfaces
6. FAA Determination of No Hazard

RESOLUTION 23-88

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 A PROPOSED 6-STORY, 188 ROOM HOTEL AT 501 INDUSTRIAL ROAD, SAN CARLOS, INCLUDING ASSOCIATED REZONING, IS CONDITIONALLY CONSISTENT WITH THE COMPREHENSIVE AIRPORT LAND USE COMPATIBILITY PLAN FOR THE ENVIRONS OF SAN CARLOS 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 (ALUC), that,

WHEREAS, the City of San Carlos is processing an application for a 188 room hotel at 501 Industrial Rd., including a related rezoning and, in accordance with PUC Sections 21676(b) and 21676.5(a), has referred the project to C/CAG, acting as the Airport Land Use Commission, for a determination of consistency with relevant airport / land use compatibility criteria in the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport* (San Carlos ALUCP); and

WHEREAS, four airport/land use compatibility factors are addressed in the San Carlos ALUCP that relate to the project, including: (a) noise compatibility, (b) safety compatibility, (c) airspace protection compatibility, and (d) overflight compatibility, as discussed below:

- (a) Noise Compatibility – The 60 dB CNEL (Community Noise Equivalent Level) aircraft noise contour defines the threshold for airport noise impacts established in the San Carlos ALUCP. Per San Carlos ALUCP Exhibit 4-2, the subject property lies within the bounds of the 60 dB CNEL contour and, per Table 4-3, hotel use is listed as compatible within this noise contour, so the use is determined consistent with the San Carlos ALUCP noise policies and criteria.
- (b) Safety Compatibility – The San Carlos ALUCP includes six sets of safety zones and related land use compatibility policies and criteria. Per San Carlos ALUCP Exhibit 4-3, the project site is located within Safety Zone 6. In accordance with San Carlos ALUCP Safety Policy 2, hotel development within Safety Zone 6 is compatible and is not restricted for safety reasons, so the proposed project is consistent with the safety policies and criteria.

- (c) Airspace Protection Compatibility –

Structure Heights - In order to be deemed consistent with the ALUCP, the maximum height of a new building must be the lower of (1) the height of the controlling airspace protection surface shown on Exhibit 4-4; or 2) the maximum height determined to not be a “hazard to air navigation” by the FAA in an aeronautical study prepared pursuant to the filing of Form 7460-1.

The proposed structure would have an overall maximum height of approximately 95

feet above mean sea level (AMSL). Per San Carlos ALUCP Exhibit 4-4, the Part 77 Airspace Protection Surface lies at approximately 155 ft AMSL, so the proposed project would be below this surface, in compliance with the Airspace Protection policies of the ALUCP. Additionally, the project sponsor has received a “Determination of No Hazard to Air Navigation” from the FAA for the project, and accordingly, the project is determined to be consistent with the airspace protection policies and criteria.

Other Flight Hazards - Certain land use characteristics are recognized as hazards to air navigation and, per Airspace Protection Policy 6, need to be evaluated to ensure compatibility with FAA rules and regulations. The proposed project does not include any such unusual hazards and is determined compatible with this policy.

- (d) Overflight Compatibility – The San Carlos ALUCP contains one policy regarding overflight compatibility that relates to the project: Overflight Policy 1 – *Real Estate Transfer Disclosure*. As the application materials do not reflect the real estate disclosure requirements, a condition is included in Exhibit A to ensure compliance.

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 subject to the condition contained in Exhibit A, attached, the proposed hotel project at 501 Industrial Road, San Carlos, including the related rezoning request, is determined to be consistent with the policies and criteria contained in the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport*.

PASSED, APPROVED, AND ADOPTED, THIS 12TH DAY OF OCTOBER 2023.

Davina Hurt, Chair

Resolution 23-88 – Conditions of Consistency Determination:

1. The City of San Carlos shall require that the project sponsor comply with the real estate disclosure requirements outlined in Overflight Policy 1 of the San Carlos ALUCP.

C/CAG AGENDA REPORT

Date: October 12, 2023

To: City/County Association of Governments of San Mateo County Board of Directors

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 23-89 determining that the Burlingame Zoning Ordinance Update is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport.

(For further information please contact Susy Kalkin at kkalkin@smcgov.org)

RECOMMENDATION

That the C/CAG Board of Directors, acting as the San Mateo County Airport Land Use Commission, approve Resolution 23-89 determining that the Burlingame Zoning Ordinance Update is 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), subject to the following conditions:

- *Prior to adoption, the Burlingame Zoning Ordinance shall be amended to incorporate the following revisions:*
 - Revise Chapter 25.24, as outlined in **Attachment 3**.
 - Amend Section 25.12.020 (D) and 25.14.020 (D) as follows, and add to Chapters 25.10.020 and 25.18.020 (additions in underline – deletions in ~~strikeout~~):

Airport Land Use Compatibility. Uses must comply with all applicable Noise, Safety, and Airspace Protection Compatibility Policies ~~SP-1 through SP-3~~ of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (ALUCP) ~~including Noise/Land Use Compatibility and Safety Compatibility Criteria listed in Tables IV-1 and IV-2. See Chapter 25.24 Comprehensive Airport Land Use Compatibility Plan Consistency. Some uses listed in Table 25.14-1 (Mixed Use Zoning Districts Use Regulations) may be incompatible in safety zones. Refer to ALUCP Exhibit IV-9 for a map of the safety compatibility zones.~~
 - Amend Table 25.10-1: Residential Zoning Districts Use Regulations as follows:
 - Add a footnote to “School” (public and private) and “Residential Care” (nursing homes) uses to clarify that they are not allowed within Safety Zones 2, 3 or 4.
 - Amend Table 25.12-1: Commercial and Industrial Zoning District Use Regulations as follows:

- Add a footnote to “Commercial Recreation – Large Scale” to clarify that stadiums and arenas are not permitted within Safety Zone 3.
 - Modify footnotes on “Daycare Centers”, “Office – Research and Development” and “Schools, Primary and Secondary” to remove reference to I/I zoning district (since restriction applies to all properties located within Safety Zone 3, regardless of zoning.)
 - Add a footnote to “Extended Stay Hotels”, “Hotels and Motels”, and “Caretaker Quarters” to note that such uses located within the CNEL 65 dB contour are subject to sound insulation and aviation easement requirements.
- Amend Table 25.18-1: Public/Institutional Zoning District Use Regulations as follows:
 - Add a footnote to “Hospitals” and “Schools” (Public and Private) to clarify that these uses are not allowed within Safety Zone 3.

BACKGROUND

In 2018, the City of Burlingame completed an update of its General Plan. This document was reviewed by the ALUC and found conditionally compatible with the SFO ALUCP. Subsequently, Burlingame developed updated zoning for the North Burlingame Mixed Use (NBMU) and North Rollins Mixed Use (RRMU) zone districts, which were also reviewed by the ALUC and found conditionally compatible. The current proposal includes a comprehensive update to the Zoning Ordinance, which is intended to implement the General Plan. The NBMU and RRMU chapters have not been changed since being reviewed by the ALUC and C/CAG, except to incorporate the changes that were included in the conditional compatibility determinations.

Virtually the entire community of Burlingame is located within Airport Influence Area B (AIA B), the “Project Referral” area, for SFO. The Zoning Amendments are subject to Airport Land Use Committee/Board review pursuant to California Public Utilities Code (PUC) Section 21676(b). In accordance with these requirements, the City of Burlingame has referred the Zoning Ordinance update 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

The SFO ALUCP includes policies regarding establishment of an Airport Influence Area, with related real estate disclosure requirements and Airport Land Use Commission review authority; noise compatibility policies and criteria; safety policies and criteria; and airspace protection policies. The consistency analysis for a zoning ordinance focuses on how the document will serve to prevent future development of land uses that would conflict with these airport land use compatibility policies.

New ALUCP Chapter

The Zoning Ordinance, which provides development standards and review procedures, needs to identify the steps that will be taken during project review to ensure ALUCP criteria are considered.

The general approach in this Zoning Ordinance Update has been to add a new Chapter (Chapter 25.24), entitled “Comprehensive Airport Land Use Compatibility Plan Consistency”, which establishes the standards and requirements related to consistency with the SFO ALUCP. ALUC staff has recommended revisions to Chapter 25.24, as outlined in **Attachment 3**, to ensure the language addresses all aspects of ALUCP compatibility. Subject to these revisions, Chapter 25.24 would address the following:

- Airport Real Estate Disclosure Notices – Require all applicable projects to comply with the real estate disclosure requirements outlined in SFO ALUCP Policy IP-1.
- 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.
- 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.
- 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 & 3.
- 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.

Land Use Regulations

In addition to the new ALUCP Chapter, the Zoning Ordinance includes footnotes within the “Use Regulation Tables” for the various zones that are affected by ALUCP policies to highlight/identify uses that may be restricted due to ALUCP policies. The proposal largely addresses ALUCP compatibility concerns, however a few modifications are recommended as follow:

- Amend Section 25.12.020 (D) and 25.14.020 (D) as follows, and add to Chapters 25.10.020 and 25.18.020 (additions in underline –deletions in ~~strikeout~~):

Airport Land Use Compatibility. Uses must comply with all applicable Noise, Safety, and Airspace Protection Compatibility Policies SP-1 through SP-3 of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (ALUCP) ~~including Noise/Land Use Compatibility and Safety Compatibility Criteria listed in Tables IV-1 and IV-2. See Chapter 25.24 Comprehensive Airport Land Use Compatibility Plan Consistency. Some uses listed in Table 25.14-1 (Mixed-Use Zoning Districts Use~~

~~Regulations) may be incompatible in safety zones. Refer to ALUCP Exhibit IV-9 for a map of the safety compatibility zones.~~

- Amend Table 25.10-1: Residential Zoning Districts Use Regulations as follows:
 - Add a footnote to “School” (public and private) and “Residential Care” (nursing homes) uses to clarify that they are not allowed within Safety Zones 2, 3 or 4.
- Amend Table 25.12-1: Commercial and Industrial Zoning District Use Regulations as follows:
 - Add a footnote to “Commercial Recreation – Large Scale” to clarify that stadiums and arenas are not permitted within Safety Zone 3.
 - Modify footnotes on “Daycare Centers”, “Office – Research and Development” and “Schools, Primary and Secondary” to remove reference to I/I zoning district (since restriction applies to all properties located within Safety Zone 3, regardless of zoning.)
 - Add a footnote to “Extended Stay Hotels”, “Hotels and Motels”, and “Caretaker Quarters” to note that such uses located within the CNEL 65 dB contour are subject to sound insulation and aviation easement requirements.
- Amend Table 25.18-1: Public/Institutional Zoning District Use Regulations as follows:
 - Add a footnote to “Hospitals” and “Schools” (Public and Private) to clarify that these uses are not allowed within Safety Zone 3.

SFO Planning Comments

SFO Planning and Environmental Affairs reviewed the proposal and provided a detailed comment letter, **Attachment 6**. In general, they do not note any specific concerns, but recommend some clarifying language to avoid potential ambiguity associated with governing height restrictions. This language has been incorporated into the recommended revisions to Chapter 25.24 (**Attachment 3**).

Airport Land Use Committee Meeting

The Airport Land Use Committee was scheduled to consider this item at its meeting on September 28, 2023, but the meeting was canceled due to lack of a quorum.

ATTACHMENTS

1. Resolution 23-89

The following attachments are available on the C/CAG website (See “Additional Agenda Materials”) at: <https://ccag.ca.gov/committees/board-of-directors-2/>

2. ALUCP application & related materials

3. Chapter 25.24 Comprehensive Airport Land Use Compatibility Consistency – Recommended Revisions (Redline)
4. SFO ALUCP Exhibit IV-6 – Noise
5. SFO ALUCP Exhibit IV-9 – Safety
6. Comment letter from SFO Planning and Environmental Affairs dated August 17, 2023

The following attachment is available on Burlingame's website at:

https://library.qcode.us/lib/burlingame_ca/pub/municipal_code/item/title_25

7. Burlingame Zoning Ordinance

RESOLUTION 23-89

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 BURLINGAME ZONING ORDINANCE UPDATE IS CONDITIONALLY CONSISTENT WITH 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 (ALUC), that,

WHEREAS, the City of Burlingame, which is located almost entirely within Airport Influence Area B (the “Project Referral Area” for San Francisco International Airport (SFO)), has prepared an update to its Zoning Ordinance to incorporate new development standards and regulations to implement the vision outlined in its General Plan; and

WHEREAS, California Public Utilities Code Section 21676 requires that, prior to adoption, a local agency must refer land use policy documents affecting property within AIA B, including general plans, zoning ordinances and/or any affected specific plan to the ALUC for a determination of consistency with the applicable Airport Land Use Compatibility Plan (ALUCP); and

WHEREAS, the City of Burlingame has referred its Zoning Ordinance update to C/CAG, acting as the San Mateo County Airport Land Use Commission, for a determination of consistency with the SFO ALUCP; and

WHEREAS, the SFO ALUCP includes policies regarding establishment of an Airport Influence Area, with related real estate disclosure requirements and Airport Land Use Commission review authority; noise compatibility policies and criteria; safety policies and criteria; and airspace protection policies; and

WHEREAS, in accordance with the guidance provided in the ALUCP, factors included in a Zoning Ordinance consistency determination include how the document describes the compatibility criteria to be applied to individual development applications; how the local agency will ensure that applicable compatibility criteria are incorporated into site-specific development projects; and identifies procedures for review and approval of development projects; and

WHEREAS, Burlingame’s Zoning Ordinance update includes a new chapter, Chapter 25.24, Airport Land Use Compatibility Plan Consistency, which includes the following requirements that, subject to modifications identified in Exhibit A, attached, comprehensively incorporate the requirements of the SFO ALUCP, as described below:

- 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. Residential Uses within the 70 dB Contour – acknowledges the requirement to comply with SFO ALUCP Noise Policy NP-4 stipulating that residential uses should not typically be allow in these high noise areas.
 - E. 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.
 - F. 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.; and

WHEREAS, the Zoning Ordinance includes footnotes within the “Use Regulation Tables” to highlight/identify uses that may be restricted due to ALUCP policies which, subject to modifications identified in Exhibit A, will further ensure ALUCP policies are considered in advance of project approvals.

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 subject to the conditions contained in Exhibit A, attached, the Burlingame Zoning Ordinance Update is determined to be 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 12TH DAY OF OCTOBER 2023.

Davina Hurt, Chair

Resolution 23-89– Conditions of Consistency Determination:

Prior to adoption, the Burlingame Zoning Ordinance shall be amended to incorporate the following revisions:

1. Revise Chapter 25.24, as outlined in **Attachment 1**.
2. Amend Section 25.12.020 (D) and 25.14.020 (D) as follows, and add to Chapters 25.10.020 and 25.18.020 (additions in underline – deletions in ~~strikeout~~):
 - a. Airport Land Use Compatibility. Uses must comply with all applicable Noise, Safety, and Airspace Protection Compatibility Policies SP-1 through SP-3 of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (ALUCP) ~~including Noise/Land Use Compatibility and Safety Compatibility Criteria listed in Tables IV-1 and IV-2. See Chapter 25.24 Comprehensive Airport Land Use Compatibility Plan Consistency. Some uses listed in Table 25.14-1 (Mixed Use Zoning Districts Use Regulations) may be incompatible in safety zones. Refer to ALUCP Exhibit IV-9 for a map of the safety compatibility zones.~~
3. Amend Table 25.10-1: Residential Zoning Districts Use Regulations as follows:
 - a. Add a footnote to “School” (public and private) and “Residential Care” (nursing homes) uses to clarify that they are not allowed within Safety Zones 2, 3 or 4.
4. Amend Table 25.12-1: Commercial and Industrial Zoning District Use Regulations as follows:
 - a. Add a footnote to “Commercial Recreation – Large Scale” to clarify that stadiums and arenas are not permitted within Safety Zone 3.
 - b. Modify footnotes on “Daycare Centers”, “Office – Research and Development” and “Schools, Primary and Secondary” to remove reference to I/I zoning district (since restriction applies to all properties located within Safety Zone 3, regardless of zoning.)
 - c. Add a footnote to “Extended Stay Hotels”, “Hotels and Motels”, and “Caretaker Quarters” to note that such uses located within the CNEL 65 dB contour are subject to sound insulation and aviation easement requirements.
5. Amend Table 25.18-1: Public/Institutional Zoning District Use Regulations as follows:
 - a. Add a footnote to “Hospitals” and “Schools” (Public and Private) to clarify that these uses are not allowed within Safety Zone 3.

25.24.010

Chapter 25.24

COMPREHENSIVE AIRPORT LAND USE COMPATIBILITY PLAN CONSISTENCY

Sections:

25.24.010 Purpose.

25.24.020 Airport Disclosure Notices.

25.24.030 Airport Noise Evaluation and Mitigation.

25.24.040 Avigation Easement.

25.24.050 Safety Compatibility Evaluation

25.24.060 Airspace Protection Evaluation

~~25.24.050 Other Flight Hazards.~~

25.24.010 Purpose.

~~This Chapter establishes the standards and requirements related to consistency with the Development must comply with Safety Compatibility Policies SP-1 through SP-3 of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (ALUCP) including Noise/Land Use Compatibility and Safety Compatibility Criteria listed in Tables IV-1 and IV-2 of the ALUCP. Some uses may be incompatible in certain safety zones. Refer to ALUCP Exhibit IV-9 for a map of the safety compatibility zones. (Ord. 2000 § 2, (2021))~~ The following requirements shall be incorporated into all applicable projects.

25.24.020 Airport Disclosure Notices.

All new development is required to comply with the real estate disclosure requirements of State law. The following statement must be included in the notice of intention to offer the property for sale:

“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.”

(Ord. 2000 § 2, (2021))

25.24.030 Airport Noise Evaluation and Mitigation.

All projects shall comply with the 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. Project applicants shall be required to evaluate potential airport noise impacts if the project is located within the 65 CNEL contour line of San Francisco International Airport (as mapped in the Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport). All projects 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 Airport Land Use Compatibility Plan or Burlingame General Plan, whichever is more restrictive. (Ord. 2000 § 2, (2021))

25.24.040 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 Airport Land Use Compatibility Plan) 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 Airport Land Use Compatibility Plan Policy NP-3 Grant of Avigation

Easement. (Ord. 2000 § 2, (2021))

25.24.050 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-8 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.

25.24.060 Airspace Protection Evaluation

All projects shall comply with the 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 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.

2. **Maximum Compatible Building Height.** All projects shall comply with the maximum building height requirements noted in ALUCP Policy AP-3 and depicted in Exhibit IV-18 of the ALUCP. For avoidance of doubt, the lower of the two heights identified by the ALUCP and the FAA shall be the controlling maximum height. Maximum building height includes all parapets, elevator overruns, stair towers, antennae, etc.

25.24.0503. Other Flight Hazards.

Within Airport Influence Area (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. 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. 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. (Ord. 2000 § 2, (2021))

C/CAG AGENDA REPORT

Date: October 12, 2023

To: City/County Association of Governments of San Mateo County Board of Directors

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 23-90 determining that the San Carlos Zoning Ordinance update is conditionally consistent with the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport.

(For further information please contact Susy Kalkin at kkalkin@smcgov.org)

RECOMMENDATION

That the C/CAG Board of Directors, acting as the San Mateo County Airport Land Use Commission, approve Resolution 23-90 determining that the San Carlos Zoning Ordinance update is conditionally consistent with the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport* (San Carlos ALUCP), subject to the following conditions:

- Amend Section 18.21.150 C. Airport Noise Evaluation and Mitigation to reference the aviation easement requirements of San Carlos ALUCP Noise Policy 7.
- Delete Section 18.21.150 F. Aviation Easements, as the referenced ALUCP Overflight Policy has been updated and is no longer relevant.
- Amend Section 18.21.150 B. Airspace Protection Evaluation to reference the aviation easement requirements of San Carlos ALUCP Airspace Protection Policy 7.

BACKGROUND

Earlier this year, the City of San Carlos referred its 2023-2031 Housing Element for an ALUCP consistency determination. At that time, San Carlos received feedback that recommended amending its zoning ordinance to include procedures to implement and ensure compliance with the ALUCP policies. San Carlos has now prepared those amendments and has submitted them for a determination of consistency with relevant airport / land use compatibility criteria in the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport* (San Carlos ALUCP). These amendments are subject to Airport Land Use Committee / Board review, pursuant to California Public Utilities Code (PUC) Section 21676(b).

The full text of the proposed amendments is included in **Attachment 2**. In general, the amendments describe the ALUCP compatibility criteria to be applied to development applications (noise, safety, structure heights, other flight hazards, and overflight notification requirements) and describe how the local agency will ensure compliance during review and approval of development projects. A new section is to be added entitled “Airport Land Use Compatibility Plan Consistency”, which outlines the requirements associated with each of the ALUCP policy areas.

Also included are amendments to the Zoning Ordinance “General Site Regulations” and “Zoning Clearance Regulations” to require conformance with the new “ALUCP Plan Consistency” Section. San Carlos has also provided a conceptual draft “ALUCP Compliance Checklist”, **Attachment 3**, to be used both by property owners and applicants to develop a proposal conforming with the ALUCP, and as reference guide for staff reviewers.

Discussion

ALUCP Consistency Evaluation

Four airport / land use compatibility factors are addressed in the San Carlos ALUCP that relate to the proposed Amendments. These include policies for: (a) noise compatibility, (b) safety compatibility, (c) airspace compatibility, and (d) overflight compatibility.

In accordance with the guidance provided in the ALUCP, local agencies must establish procedures in their zoning ordinances to implement and ensure compliance with the compatibility policies and address any direct conflicts between the zoning ordinance (heights, permitted uses, etc.) and the ALUCP.

The following sections address how the subject amendments address each of the land use compatibility factors.

(a) Noise Compatibility

The Zoning Ordinance amendments would establish a section requiring all development projects, alterations, or change of use subject to the ALUCP to be reviewed for consistency with the noise policies of the ALUCP. Uses listed as “conditionally compatible” in the ALUCP would be required to mitigate impacts to comply with the interior noise standards established in the ALUCP or General Plan, whichever is more restrictive.

The draft Checklist specifically names each of the ALUCP noise policies 1-5 and 7, provides references to the relevant sections, figures, tables, and exhibits within the ALUCP and requires the applicant to indicate whether the project is in conformance with the standards and criteria indicated in the ALUCP Noise Policies (which will be verified by San Carlos staff). The City’s Geographic Information System (GIS) platform will provide property owners, applicants, and reviewers detailed information, including applicable noise contours, on any parcel in San Carlos.

While the proposed text includes a general reference to Avigation Easements, it does reflect the updated policy enacted in 2022, which requires an avigation easement for certain “conditionally compatible” noise sensitive uses within the CNEL 60 dB (or greater) contour. Therefore, the following conditions are recommended:

- Amend Section 18.21.150 C. Airport Noise Evaluation and Mitigation to add reference to the avigation easement requirements of San Carlos ALUCP Noise Policy 7.
- Delete Section 18.21.150 F. Avigation Easements, as the referenced ALUCP Overflight Policy has been updated and is no longer relevant.

Subject to these conditions, implementation of the proposed amendments would ensure compliance with the Noise Compatibility policies of the San Carlos ALUCP.

(b) Safety Compatibility

The proposed amendments stipulate that all proposed development projects, alterations, or change of use subject to the ALUCP will be reviewed for consistency with the Safety Compatibility Policies of the ALUCP. Project applicants will be required to evaluate potential safety issues if the property is located within any of the Safety Compatibility Zones established in the ALUCP, which will be verified by staff as part of the development review process.

Implementation of this amendment will ensure compliance with the Safety Compatibility policies of the ALUCP.

(c) Airspace Compatibility

The San Carlos ALUCP 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 FAA of certain proposed construction or alterations of structures, and to review projects for certain land use characteristics that might pose a hazard to air navigation (*Other Flight Hazards*).

Text is included in the proposed zoning amendments to address ALUCP Airspace Policy consistency, summarized below:

Airspace Protection Evaluation. All proposed development projects, alterations, or change of use subject to the ALUCP will be reviewed for consistency with Airspace Protection Policies of the ALUCP. These include Notice of Proposed Construction or Alteration, Maximum Compatible Building Height and Other Flight Hazards.

Federal Aviation Administration (FAA) Requirements. Proof of consistency with FAA rules and regulations must be provided through either:

- Provision of an FAA “Review Not Required” form
- Receipt of a “Determination of No Hazard” by the FAA after submittal of FAA Form 7460-1 “Notice of Proposed Construction”.

While the proposed text includes general reference to compliance with all Airspace Protection Policies, it does not clearly reflect the updated policy enacted in 2022, which requires an aviation easement for potential projects that would exceed the height standards or allow a use that might cause a visual, electronic, navigational, or wildlife hazard. Therefore, the following condition is recommended:

- Amend Section 18.21.150 B. Airspace Protection Evaluation to add reference to the aviation easement requirements of San Carlos ALUCP Airspace Protection Policy 7.

Subject to the recommended condition, implementation of these zoning provisions will ensure future compatibility with the Airspace Protection Policies of the San Carlos ALUCP.

(d) Overflight Compatibility

The San Carlos ALUCP contains two policies regarding overflight compatibility which are generally “buyer awareness” measures focused on informing prospective buyers and/or tenants of property within the vicinity of an airport about the airport’s impact on the property. Overflight

Policy 1 – *Real Estate Transfer Disclosure*, requires that a notice of potential for overflights be included among the disclosures made during real estate transactions. Overflight Policy 2 – *Overflight Notification Zone 2* requires that all new residential development projects, other than additions and accessory dwelling units (ADUs), within Overflight Notification Zone 2 (AIA B) shall incorporate a recorded overflight notification requirement as a condition of approval.

The proposed zoning amendments include both of these policy provisions and therefore are consistent with the Overflight Compatibility policies of the San Carlos ALUCP.

Airport Land Use Committee

The item was scheduled for discussion at the Airport Land Use Committee meeting on September 28, 2023, however the meeting was not held due to lack of a quorum.

Attachments

1. Resolution 23-90

The following attachments are available on the C/CAG website (See “Additional Agenda Materials”) at: <https://ccag.ca.gov/committees/board-of-directors-2/>

2. Application Materials
3. Draft “ALUCP Compliance Checklist”

RESOLUTION 23-90

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 SAN CARLOS ZONING ORDINANCE UPDATE IS CONDITIONALLY CONSISTENT WITH THE COMPREHENSIVE AIRPORT LAND USE COMPATIBILITY PLAN FOR THE ENVIRONS OF SAN CARLOS 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, San Carlos has referred its Zoning Ordinance update to C/CAG, acting as the Airport Land Use Commission, for a determination of consistency with relevant airport / land use compatibility criteria in the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport* (San Carlos ALUCP); and

WHEREAS, to ensure compatibility, Zoning Ordinance amendments must describe the ALUCP compatibility criteria to be applied to development applications (noise, safety, structure heights, other flight hazards, and overflight notification requirements) and describe how San Carlos will ensure compliance with these requirements during review and approval of development projects; and

WHEREAS, the Zoning Ordinance includes a new section entitled “Airport Land Use Compatibility Plan Consistency”, which outlines the requirements associated with each of the ALUCP policy areas: (a) noise compatibility, (b) safety compatibility, (c) airspace protection, and (d) overflight compatibility, as discussed below:

- (a) **Noise Compatibility** - The Zoning Ordinance amendments establish a section requiring all development projects, alterations, or change of use subject to the ALUCP to be reviewed for consistency with the noise policies of the ALUCP. Subject to minor modifications, as outlined in Exhibit A to this resolution, the Zoning Ordinance would ensure compliance with the Noise Compatibility policies of the San Carlos ALUCP.
- (b) **Safety Compatibility** – The proposed amendments stipulate that all proposed development projects, alterations, or change of use subject to the ALUCP will be reviewed for consistency with the Safety Compatibility Policies of the ALUCP. Project applicants will be required to evaluate potential safety issues if a property is located within any of the Safety Compatibility Zones established in the ALUCP, which will be verified by staff as part of the development review process. Implementation of this amendment will ensure compliance with the Safety Compatibility policies of the ALUCP.
- (c) **Airspace Protection** - The San Carlos ALUCP airspace policies establish maximum heights for the compatibility of new structures; stipulate the need for compliance with

federal regulations requiring notification of the FAA of certain proposed construction or alterations of structures; and provide for review of projects for certain land use characteristics that might pose a hazard to air navigation (Other Flight Hazards). The Zoning Ordinance amendments require all proposed development projects, alterations, or change of use subject to the ALUCP to be reviewed for consistency with the Airspace Protection Policies of the ALUCP. For improved clarity, a condition is included in Exhibit A to ensure that associated language regarding aviation easements is accurately reflected. Subject to the recommended condition, implementation of these zoning provisions will ensure future projects will be compatible with the Airspace Protection Policies of the San Carlos ALUCP.

- (d) Overflight Compatibility** - The San Carlos ALUCP contains two policies regarding overflight compatibility which are generally “buyer awareness” measures focused on informing prospective buyers and/or tenants of property within the vicinity of an airport about the airport’s impact on the property. The Zoning Ordinance amendments reflect both of these policies and are therefore determined compatible with the Overflight Compatibility policies of the San Carlos ALUCP.

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 subject to the conditions contained in Exhibit A, attached, the San Carlos Zoning Ordinance update is consistent with the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport* (San Carlos ALUCP).

PASSED, APPROVED, AND ADOPTED, THIS 12TH DAY OF OCTOBER 2023.

Davina Hurt, Chair

Resolution 23-90– Conditions of Consistency Determination:

Prior to adoption, the San Carlos Zoning Ordinance shall be amended to incorporate the following revisions:

1. Amend Section 18.21.150 C. Airport Noise Evaluation and Mitigation to reference the aviation easement requirements of San Carlos ALUCP Noise Policy 7.
2. Delete Section 18.21.150 F. Aviation Easements, as the referenced ALUCP Overflight Policy has been updated and is no longer relevant.
3. Amend Section 18.21.150 B. Airspace Protection Evaluation to reference the aviation easement requirements of San Carlos ALUCP Airspace Protection Policy 7.

C/CAG AGENDA REPORT

Date: October 12, 2023

To: City/County Association of Governments of San Mateo County Board of Directors

From: Sean Charpentier, Executive Director

Subject: Approval of Resolution 23-91 determining that proposed amendments to the Millbrae Station Area Specific Plan to allow for uses classified as “Biotechnology Level 2” within portions of the Transit Oriented Development Zone north of the paseo connecting the Millbrae transit station and Rollins Road, south of the BART parking garage, east of Millbrae transit station, and west of Rollins Road, which are located within Safety Compatibility Zone 2, are inconsistent with the Safety Compatibility Policies of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport

(For further information please contact Susy Kalkin at kkalkin@smcgov.org)

RECOMMENDATION

That the C/CAG Board of Directors, acting as the San Mateo County Airport Land Use Commission, approve Resolution 23-91 determining that proposed amendments to the Millbrae Station Area Specific Plan to allow for uses classified as “Biotechnology Level 2” within portions of the Transit Oriented Development Zone north of the paseo connecting the Millbrae transit station and Rollins Road, south of the BART parking garage, east of Millbrae transit station, and west of Rollins Road, which are located within Safety Compatibility Zone 2, are inconsistent with the Safety Compatibility Policies of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (SFO ALUCP).

Discussion

BACKGROUND/PROPOSAL

The City of Millbrae completed its Millbrae Station Area Specific Plan (MSASP) in 2015. The document was reviewed at the time by the Airport Land Use Commission (ALUC) and determined to be conditionally compatible with the SFO ALUCP.

In 2020/21, Millbrae submitted proposed amendments to the MSASP to the ALUC for a determination of Consistency with the SFO ALUCP. The proposal included various amendments to the MSASP to allow for uses classified as “biotechnology level 2” within portions of the specific plan area, including the Transit Oriented Development (TOD) Zone, south of Millbrae Avenue. In November 2020, the C/CAG Board (acting as the Airport Land Use Commission) adopted Resolution 20-57, determining that the amendments were not consistent with the safety compatibility criteria of the SFO ALUCP. The City of Millbrae subsequently adopted findings in favor of overruling the ALUC action pursuant to Public Utilities Code Section 21676 (c) and approved the amendments.

In 2022, Millbrae undertook a similar amendment to allow biotechnology level 2 use within additional areas of the MSASP, including portions of the TOD Zone located east of El Camino Real, west of the railroad corridor and north of Millbrae Avenue, which are located within Safety Zone 2. The ALUC found these amendments inconsistent with the safety compatibility policies of the SFO ALUCP and the City of Millbrae again adopted findings overruling the ALUC determination.

Millbrae is now considering a further amendment to the Specific Plan to allow for uses classified as “biotechnology level 2”, including Biotechnology/Scientific Labs, Tech/Biotech Product Assembly, and Tech/Biotech Component Manufacturing, in an additional portion the Transit Oriented Development zone located north of the paseo connecting the Millbrae transit station and Rollins Road, south of the BART parking garage, east of Millbrae transit station, and west of Rollins Road, which are located within Safety Compatibility Zone 2.

The MSASP properties are located within Airport Influence Area (AIA) B for SFO, the area subject to formal CCAG/ALUC review. In accordance with the requirements of California Public Utilities Code Section 21676(b), the City of Millbrae has referred the proposal to C/CAG, acting as the San Mateo County Airport Land Use Commission, for a determination of consistency with the SFO ALUCP.

DISCUSSION

SFO ALUCP Consistency Evaluation

The SFO ALUCP includes policies regarding establishment of: A) an Airport Influence Area, with related real estate disclosure requirements and Airport Land Use Commission review authority; B) noise compatibility policies and criteria; C) safety policies and criteria; and D) airspace protection policies. As the proposed amendments do not involve noise sensitive uses and do not alter development standards, this review will focus on safety compatibility issues only.

C) **Safety Policy Consistency Analysis** – The overall objective of safety compatibility guidelines is to minimize the risks associated with potential aircraft accidents. The most fundamental safety compatibility component is to provide for the safety of people and property on the ground in the event of an aircraft accident near an airport.

The SFO ALUCP includes five sets of safety zones and identifies land uses which are either incompatible or should be avoided within each of these zones. As shown on **Attachment 3**, the property impacted by the proposed amendments lies within Safety Zone 2, the Inner Approach/Departure Zone (IADZ).

Per the SFO ALUCP, the compatibility criteria for safety are established in Table IV-2, included as **Attachment 4**. As shown, *Hazardous Uses* are incompatible within Safety Zone 2.

Hazardous Uses are further clarified in Safety Policy SP-3, included as **Attachment 5**, with relevant text excerpted below:

“D. Medical and biological research facilities handling highly toxic or infectious agents
These facilities are classified by “Biosafety Levels.” Biosafety Level 1 does not involve hazardous materials and is not subject to the restrictions on hazardous uses in Table IV-2.

Definitions of the other three biosafety levels are quoted from Biosafety in Microbiological and Biomedical Laboratories, below.

- a. Biosafety Level 2 practices, equipment, and facility design and construction are applicable to clinical, diagnostic, teaching, and other laboratories in which work is done with the broad spectrum of indigenous moderate-risk agents that are present in the community and associated with human disease of varying severity.*
- b. Biosafety Level 3 practices, safety equipment, and facility design and construction are applicable to clinical, diagnostic, teaching, research, or production facilities in which work is done with indigenous or exotic agents with a potential for respiratory transmission, and which may cause serious and potentially lethal infection.*
- c. Biosafety Level 4 practices, safety equipment, and facility design and construction are applicable for work with dangerous and exotic agents that pose a high individual risk of life-threatening disease, which may be transmitted via the aerosol route and for which there is no available vaccine or therapy.”*

As noted in the proposal, the amendments specifically request the ability to include hazardous uses on additional sites within Safety Compatibility Zone 2 in order to accommodate Biosafety Level 2 uses. Such action is in direct conflict with the safety policies of the SFO ALUCP and is therefore not consistent with these policies.

SFO Planning

Pursuant to standard practice, the project was referred to SFO Planning staff for review, who provided detailed comments, included as **Attachment 6**. In summary, they note objection to the amendments as inconsistent with the SFO ALUCP Safety Policies, believe they would pose an unreasonable safety hazard by exposing residents and businesses in Millbrae to greater harm in the event of an aircraft emergency, and recommend that the ALUC determine that the proposed amendments are incompatible with the SFO ALUCP.

Airport Land Use Committee Meeting

The Airport Land Use Committee was scheduled to consider this item at its meeting on September 28, 2023, but the meeting was canceled due to lack of a quorum.

ATTACHMENTS

1. Resolution 23-91

The following attachments are available on the C/CAG website (See “Additional Agenda Materials”) at: <https://ccag.ca.gov/committees/board-of-directors-2/>

2. Application Materials
3. SFO ALUCP Exh. IV-9 Safety Compatibility Zones
4. SFO ALUCP Table IV-2 Safety Compatibility Criteria
5. SFO ALUCP Policy SP-3 Hazardous Uses
6. Comment letter from SFO Planning dated September 13, 2023

RESOLUTION 23-91

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 AMENDMENTS TO THE MILLBRAE STATION AREA SPECIFIC PLAN TO ALLOW USES CLASSIFIED AS “BIOTECHNOLOGY LEVEL 2” WITHIN PORTIONS OF THE TRANSIT ORIENTED DEVELOPMENT ZONE NORTH OF THE PASEO CONNECTING THE MILLBRAE TRANSIT STATION AND ROLLINS ROAD, SOUTH OF THE BART PARKING GARAGE, EAST OF MILLBRAE TRANSIT STATION, AND WEST OF ROLLINS ROAD, WHICH ARE LOCATED WITHIN SAFETY COMPATIBILITY ZONE 2, ARE INCONSISTENT WITH THE SAFETY 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 (ALUCP); and

WHEREAS, the City of Millbrae completed the Millbrae Station Area Specific Plan (MSASP) update in 2015 which was reviewed at the time by the ALUC and determined to be conditionally compatible with the SFO ALUCP; and

WHEREAS, in 2020 Millbrae submitted proposed amendments to the MSASP to the ALUC for a determination of consistency with the SFO ALUCP. The proposal included various amendments to allow for uses classified as *Biotechnology Level 2* within portions of the specific plan area, including the Transit Oriented Development (TOD) Zone, south of Millbrae Avenue. In November 2020, the C/CAG Board (acting as the Airport Land Use Commission) adopted Resolution 20-57, determining that those amendments were not consistent with the Safety Compatibility Criteria of the SFO ALUCP; and

WHEREAS, in 2022, Millbrae undertook a similar amendment to allow biotechnology level 2 use within additional areas of the MSASP, including portions of the TOD Zone located east of El Camino Real, west of the railroad corridor and north of Millbrae Avenue, which are located within Safety Zone 2. The ALUC found these amendments inconsistent with the safety compatibility policies of the SFO ALUCP and the City of Millbrae adopted findings overruling the ALUC determination; and

WHEREAS, the City of Millbrae is now considering further amendments to the MSASP to allow uses classified as *Biotechnology Level 2* within additional portions of the TOD Zone located north of the paseo connecting the Millbrae transit station and Rollins Road, south of the BART parking garage, east of Millbrae transit station, and west of Rollins Road, which are located within Safety Compatibility Zone 2 of the SFO ALUCP (“Specific Plan Amendments”); and

WHEREAS, the area encompassed by the MSASP lies within Airport Influence Area (AIA) B for San Francisco International Airport, the area subject to formal CCAG/ALUC review, and accordingly, the City of Millbrae has referred the Specific Plan Amendments to C/CAG, acting as the San Mateo County Airport Land Use Commission, for a determination of consistency with the SFO ALUCP; and

WHEREAS, this airport land use plan consistency review is focused on safety compatibility issues since the Specific Plan Amendments do not address noise sensitive land uses nor change any development standards in the MSASP which were previously reviewed by the ALUC in 2015. Compatibility with the relevant safety compatibility policies is discussed below:

- a. The SFO ALUCP includes five sets of safety zones and identifies specific land uses which are either incompatible or should be avoided within each of these zones.
- b. The properties impacted by the proposed Specific Plan Amendments lie within Safety Compatibility Zone 2, the Inner Approach/Departure Zone (IADZ).
- c. The Specific Plan Amendments propose to include hazardous uses (Biosafety Level 2) as a conditionally permitted use within additional specific plan areas that are located within Safety Compatibility Zone 2 in order to accommodate Biosafety Level 2 uses.
- d. The compatibility criteria for safety are established in Table IV-2 of the SFO ALUCP, which lists *Hazardous Uses* as incompatible within Safety Zone 2. *Hazardous Uses* are further clarified in Safety Policy SP-3 to specify that Biosafety Level 2 uses are considered *Hazardous Uses*.
- e. The Specific Plan Amendments are in direct conflict with the Safety Policies of the SFO ALUCP and are therefore not consistent with these policies.

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 Specific Plan Amendments are determined to be inconsistent with the Safety Compatibility 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 12TH DAY OF OCTOBER 2023.

Davina Hurt, Chair

C/CAG AGENDA REPORT

Date: October 12, 2023

To: City/County Association of Governments of San Mateo County Board of Directors

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 23-92 authorizing the C/CAG Chair to execute Amendment No. 4 to the Agreement with the City of South San Francisco for fiber conduit purchase of the Smart Corridor Extension Project, extending the contract term to June 30, 2024, at no additional cost.

(For further information or questions, contact Audrey Shiramizu at ashiramizu@smcgov.org)

RECOMMENDATION

Review and approval of Resolution 23-92 authorizing the C/CAG Chair to execute Amendment No. 4 to the Agreement with the City of South San Francisco for fiber conduit purchase of the Smart Corridor Extension Project, extending the contract term to June 30, 2024, at no additional cost.

FISCAL IMPACT

There is not any financial impact associated with this item.

SOURCE OF FUNDS

Funding for the fiber conduit purchase came from Measure M, the annual ten dollars (\$10) vehicle registration fee program, specifically the intelligent transportation system (ITS)/Smart Corridor program category.

BACKGROUND

The San Mateo County Smart Corridor project is a longstanding Agency priority. It is designed to improve mobility of local arterial streets by installing Intelligent Transportation System (ITS) equipment, such as an interconnected traffic signal system, close circuit television (CCTV) cameras, dynamic message signs, and vehicle detection system, on predefined designated local streets and state routes. The ITS infrastructure provides local cities and Caltrans with day-to-day traffic management capabilities to address recurring and non-recurring traffic congestion.

The South San Francisco expansion of the Smart Corridor is now in the construction phase, with funding from State Transportation Improvement Program (STIP), the Traffic Light Synchronization Program (TLSP), and C/CAG Measure M program.

For the Smart Corridor devices to communicate with the Transportation Management Center, fiber optic communication infrastructure plays a critical role. The fiber communications network enables the sharing of data, supports coordinated and interoperable transportation systems across multiple jurisdictions, and facilitates technology-based transportation management strategies. The City of South San Francisco was offered by a third party an opportunity to purchase underground conduits through the City's Dig Once policy. The policy is the City's effort to allow parties to collaborate on

telecommunications construction projects in the City's Right-of-Way to reduce near and long-term impacts of construction and excavation work. A portion of the routes proposed for telecommunications installation by a third party overlaps with the Smart Corridor project alignment.

In June of 2020, C/CAG entered into a funding agreement with the City to purchase the underground conduit. The purchase is anticipated to save C/CAG \$1 Million in construction costs for the Smart Corridor project. To date, most of the conduits have been installed. The funding agreement was amended in June of 2021 to provide additional time to address unexpected utilities conflicts and allow for additional coordination required with the San Mateo County Flood and Sea Level Rise Resiliency District. The funding agreement was amended in June 2022 due to supply chain issues, which resulted in delays with obtaining the necessary Union Pacific Railroad (UPRR) permitting. The funding amendment was later amended in December of 2022 due to continued supply chain delays and UPRR permitting challenges.

The contractor has recently received favorable input from UPRR and is currently in the process of resubmitting the permit application, upon verification of underground utilities. The City is seeking a 6-month extension to the funding agreement to enable project completion.

Staff recommends that the C/CAG Board reviews and approves Resolution 23-92 authorizing the C/CAG Chair to execute Amendment No. 4 with the City of South San Francisco for fiber conduit purchase of the Smart Corridor Extension Project, extending the contract term to June 30, 2024 at no additional cost.

ATTACHMENTS

1. Resolution 23-92
2. Draft funding agreement amendment

RESOLUTION 23-92

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO AUTHORIZING THE C/CAG CHAIR TO EXECUTE AMENDMENT NO.4 TO THE AGREEMENT WITH THE CITY OF SOUTH SAN FRANCISCO FOR FIBER CONDUIT PURCHASE OF THE SMART CORRIDOR EXTENSION PROJECT, EXTENDING THE CONTRACT TERM TO JUNE 30, 2024 AT NO ADDITIONAL COST

RESOLVED, by the Board of Directors of the City/County Association of Governments of San Mateo County (C/CAG); that,

WHEREAS, the C/CAG sponsored San Mateo County Smart Corridor Project (Smart Corridor) is an Intelligent Transportation System (ITS) project that extends along El Camino Real and major local streets connecting to US-101, and enables cities and the California Department of Transportation (Caltrans) to proactively manage daily traffic and non-recurring traffic congestion cause by naturally diverted traffic due to major incidents on the freeway; and

WHEREAS, C/CAG, City of South San Francisco, and Caltrans desire to extend the Smart Corridor into the City of South San Francisco, which includes the installation of fiber optic communication network as well as deployment of an interconnected traffic signal system, close circuit video cameras, trailblazer/arterial dynamic message signs, and vehicle detection systems; and

WHEREAS, C/CAG was the Lead Agency for the Project Study Report and Project Approval and Environmental Document phases; and the City of South San Francisco is designated as the Lead Agency for Design and Construction Phases; and

WHEREAS, partnering with the City to purchase conduit would significantly reduce the future construction costs; and

WHEREAS, C/CAG and the City of San Francisco entered into a funding agreement for the purchase of Smart Corridor fiber conduit in an amount up to \$300,000 in June of 2020; and

WHEREAS, C/CAG and the City of San Francisco entered into agreement amendment No. 1 in June 2021 to address unexpected utilities conflicts and allow for additional coordination required with the San Mateo County Flood and Sea Level Rise Resiliency District; and

WHEREAS, C/CAG and the City of San Francisco entered into agreement amendment No. 2 in June 2022 to resolve permitting issues with the Union Pacific Railroad;

WHEREAS, C/CAG and the City of San Francisco entered into agreement amendment No. 3 in December 2022 to provide additional time to resolve ongoing permitting challenges with the Union Pacific Railroad;

WHEREAS, C/CAG and the City of San Francisco desire to enter into agreement for amendment No. 4 to allow the contractor to complete the installation;

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the City/County Association of Governments of San Mateo County that the C/CAG Chair is authorized to execute amendment No. 4 with the City of South San Francisco for fiber conduit purchase of the Smart extension project, extending the contract term to June 30, 2024 at no additional cost; and further authorize the Executive Director to negotiate final terms prior to execution, subject to review by Legal Counsel.

PASSED, APPROVED, AND ADOPTED, THIS 12TH DAY OF OCTOBER 2023.

Davina Hurt, Chair

**AMENDMENT NO. 4 TO THE AGREEMENT
BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
AND
THE CITY OF SOUTH SAN FRANCISCO**

WHEREAS, the City/County Association of Governments for San Mateo County (hereinafter referred to as “C/CAG”) and the City of South San Francisco (hereinafter referred to as “the City”) are parties to a Funding Agreement (the “Agreement”) originally dated October 28, 2020, for purchase and installation of conduits for the Smart Corridor Extension Project (the “Project”); and

WHEREAS, the City and C/CAG executed amendment No. 1 on July 1, 2021 to address unexpected utilities challenges and provide additional time to coordinate with the San Mateo County Flood and Sea Level Rise Resiliency District to advance the Project, and

WHEREAS, the City and C/CAG executed amendment No. 2 on June 2022 to resolve permitting issues with the Union Pacific Railroad; and

WHEREAS, the City and C/CAG executed amendment No. 3 in December 2022 to provide additional time to address permitting challenges with the Union Pacific Railroad;

WHEREAS, C/CAG and the City have determined that additional time is needed to allow the contractor complete the conduit installation; and

WHEREAS, C/CAG and the City desire to amend the Agreement as set forth herein.

IT IS HEREBY AGREED by C/CAG and the City as follows:

1. The term of the Agreement, as provided in Section 3 “Time of Performance,” shall be extended through June 30, 2024.
2. Except as expressly amended herein, all other provisions of the Agreement shall remain in full force and effect.
3. This amendment shall take effect on January 1, 2024.

[Signatures on the following page]

City/County Association of Governments (C/CAG)

City of South San Francisco

Davina Hurt
C/CAG Chair

By

Title: _____

Date: _____

Date: _____

Approved as to form:

Melissa Andrikopoulos
Legal Counsel for C/CAG

DRAFT

C/CAG AGENDA REPORT

Date: October 12, 2023

To: City/County Association of Governments of San Mateo County Board of Directors

From: Sean Charpentier, Executive Director

Subject: Receive a copy of executed Amendment No. 1 to the Fiscal Year 2021/22 Transportation Fund for Clean Air (TFCA) Funding Agreement with City of San Bruno for the Bicycle Route Installation Project, extending project completion date to October 31, 2024, at no additional cost.

(For further information, contact Kim Wever at kwever@smcgov.org)

RECOMMENDATION

That the C/CAG Board receives a copy of executed Amendment No. 1 to the Fiscal Year 2021/22 Transportation Fund for Clean Air (TFCA) Funding Agreement with City of San Bruno for the Bicycle Route Installation Project, extending project completion date to October 31, 2024, at no additional cost.

FISCAL IMPACT

There is not any financial impact. The original grant award to the City of San Bruno is \$246,760.

SOURCE OF FUNDS

The Bay Area Air Quality Management District (BAAQMD) is authorized under Health and Safety Code Section 44223 and 44225 to levy a fee on motor vehicles. Funds generated by the fee are referred to as the TFCA funds. These funds are used to implement projects that reduce air pollution from motor vehicles. Health and Safety Code Section 44241(d) stipulates that forty percent (40%) of funds generated within a county where the fee is in effect shall be allocated by the BAAQMD to one or more public agencies designated to receive the funds. For San Mateo County, C/CAG has been designated as the County Program Manager to receive the funds.

BACKGROUND

C/CAG is the Program Manager for the TFCA Program in San Mateo County. This program distributes fund to projects that aim to reduce air pollution, greenhouse gas emissions, and traffic congestion. At the October 14, 2021 meeting, C/CAG Board approved Resolution 21-71 authorizing the C/CAG Chair to execute a funding agreement with the City of San Bruno in an amount up to \$246,760, under the Fiscal Year 2021/22 TFCA program, for the Bicycle Route Installation Project.

The project was set to be completed by October 31, 2023. In May 2023, the Project received only one bid and the cost came in significantly higher, resulting in the need for additional time to obtain

additional funds for the Project and complete the work. The City of San Bruno wishes to extend the project's completion date to October 31, 2024.

C/CAG staff supported time extension and requested that the C/CAG Executive Director executes Amendment No. 1 to the funding agreement with City of San Bruno. Attachment 1 is a copy of the fully executed Amendment No. 1 to the Fiscal Year 2021/22 Transportation Fund for Clean Air (TFCA) Funding Agreement. Under the amendment, the project completion date is changed to October 31, 2024 at no additional cost.

ATTACHMENT

1. Amendment No. 1 to the Fiscal Year 2021/22 Transportation Fund for Clean Air (TFCA) Funding Agreement with City of San Bruno for the Bicycle Route Installation Project

**AMENDMENT NO. 1 TO THE FISCAL YEAR 2021-2022 TFCA AGREEMENT
BETWEEN
THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
AND
CITY OF SAN BRUNO**

WHEREAS, the City/County Association of Governments of San Mateo County (hereinafter referred to as “C/CAG”) and City of San Bruno are parties to the Fiscal Year 2021-2022 Transportation Fund for Clean Air (TFCA) Funding Agreement (the “Agreement”), effective November 1, 2021; and

WHEREAS, the Agreement provides funds to City of San Bruno for the Bicycle Route Installation Project (Project); and

WHEREAS, the Project’s original completion date is October 31, 2023;

WHEREAS, in May of 2023, the Project received only one bid and the cost came in significantly higher, resulting in the need for additional time to appropriate additional funds for the Project and complete the work;

WHEREAS, C/CAG and the City of San Bruno wish to extend the Project’s completion date to October 31, 2024; and

WHEREAS, C/CAG and the City of San Bruno desire to amend the Agreement as set forth herein.

NOW, THEREFORE, IT IS HEREBY AGREED by C/CAG and City of San Bruno that:

1. Section II, item 16, shall be replaced in its entirety and revised to read as follows: “Project Sponsor will complete the Project by October 31, 2024.”
2. Section III, item 2, shall be replaced in its entirety and revised to read as follows: “To reimburse costs incurred by Project Sponsor from the execution of this Agreement through October 31, 2024.”

Except as expressly amended herein, all other provisions of the Agreement shall remain in full force and effect. This amendment shall take effect upon the date of execution by both parties.

Signatures on the following page

City/County Association of Governments
(C/CAG)

DocuSigned by:

Sean Charpentier

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Sean Charpentier, Executive Director
C/CAG

Date: 9/27/2023

Approved as to form:

DocuSigned by:

Melissa Andrikopoulos

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Melissa Andrikopoulos, Legal Counsel
C/CAG

City of San Bruno

DocuSigned by:

Alex McIntyre

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Alex McIntyre, City Manager
City of San Bruno

Date: 9/24/2023

Approved as to form:

DocuSigned by:

Trisha Ortiz

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Trisha Ortiz, Legal Counsel
City of San Bruno

C/CAG AGENDA REPORT

Date: October 12, 2023

To: City/County Association of Governments of San Mateo County Board of Directors

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 23-93, authorizing the C/CAG Executive Director to execute a funding agreement with the City of Daly City in an amount not to exceed \$672,500, to install fiber and perform other related duties in preparation for the future deployment of the Northern Cities Smart Corridor project.

(For further information or questions, contact Audrey Shiramizu at ashiramizu@smcgov.org)

RECOMMENDATION

Review and approval of Resolution 23-93, authorizing the C/CAG Executive Director to execute a funding agreement with the City of Daly City in an amount not to exceed \$672,500, to install fiber and perform other related duties in preparation for the future deployment of the Northern Cities Smart Corridor project.

FISCAL IMPACT

The funding agreement amount is \$672,500.

SOURCE OF FUNDS

Funding for this agreement will come from local Measure M funds (the \$10 vehicle registration fee).

BACKGROUND

The San Mateo County Smart Corridor project is a longstanding Agency priority. It is designed to improve mobility of local arterial streets by installing Intelligent Transportation System (ITS) equipment, such as an interconnected traffic signal system, close circuit television (CCTV) cameras, dynamic message signs, and vehicle detection system, on predefined designated local streets and state routes. The equipment is connected to underground fiberoptic communication infrastructure, enabling the equipment to communicate and share data with local transportation management centers (TMCs). The ITS infrastructure provides local cities and Caltrans with day-to-day traffic management capabilities to address recurring and non-recurring traffic congestion. The segments between City of San Bruno at the northern limits to the Santa Clara County line in the City of East Palo Alto has been completed. This portion of the project includes more than 238 intersections, 50 miles of fiberoptic communication cable, and 600 devices installed as part of the Smart Corridor. The devices include 270 CCTV cameras, 117 trailblazer/arterial dynamic message signs, and 40 vehicle detection systems. The South San Francisco expansion is currently in construction and is expected to be completed in 2024.

Continuing with the vision to build the Smart Corridor from the Santa Clara County line to the San Francisco County line, the Northern Cities segment is the next segment of the project. The project is a joint effort by the cities of Daly City and Brisbane, the Town of Colma, C/CAG, and the California Department of Transportation (Caltrans). The Northern Cities segment has completed design and is

construction ready. A map of the Northern Cities project corridors is included as Attachment 2 to the staff report.

Typically, Smart Corridor construction includes the installation of underground conduits for fiberoptic cables. Because the City of Daly City has existing fiberoptic infrastructure in place, C/CAG has agreed to reimburse the City for the installation of conduit, fiber cables, and associated connections and terminations. This includes installing fiber optics cable on the San Pedro Road bridge, connecting the main trunkline fiber to City Hall, and terminating the fiber cable at traffic control cabinets. In the event that there are cost savings from the aforementioned work, the City can seek up to \$150,000 in reimbursement to build a video wall system for traffic monitoring purposes at the City Hall or the corporation yard. This financial support is intended to facilitate the integration of the City's existing fiber infrastructure with the Smart Corridor project. A list of the eligible expenses is included in Exhibit B of the Draft Funding Agreement (Attachment 3).

The City and C/CAG will enter into a separate memorandum of understanding and funding agreements regarding obligations and responsibilities for the upcoming construction phase of the project, as well as ongoing ownership, operations, and maintenance commitments.

Staff recommends that the C/CAG Board approves and authorizes the C/CAG Executive Director to execute a funding agreement with the City of Daly City in an amount not to exceed \$672,500, to install fiber and perform other related duties in preparation for the future deployment of the Northern Cities Smart Corridor project.

ATTACHMENTS

1. Resolution 23-93
2. Map of Northern Cities project corridors
3. Draft Funding Agreement (*The document is available to download at the C/CAG website (See "Additional Agenda Materials") at: <https://ccag.ca.gov/committees/board-of-directors-2/>*).

RESOLUTION 23-93

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE C/CAG EXECUTIVE DIRECTOR TO EXECUTE A FUNDING AGREEMENT WITH THE CITY OF DALY CITY IN AN AMOUNT NOT TO EXCEED \$672,500, TO INSTALL FIBER AND PERFORM OTHER RELATED DUTIES IN PREPARATION FOR THE FUTURE DEPLOYMENT OF THE NORTHERN CITIES SMART CORRIDOR PROJECT.

RESOLVED, by the Board of Directors of the City/County Association of Governments of San Mateo County (C/CAG); that,

WHEREAS, the C/CAG sponsored San Mateo County Smart Corridor Project (Smart Corridor) is an Intelligent Transportation System (ITS) project that extends 20 miles along El Camino Real and major local streets connecting to US-101 and enables cities and the California Department of Transportation (Caltrans) to proactively manage daily traffic and non-recurring traffic congestion cause by diverted traffic due to major incidents on the freeway; and

WHEREAS, C/CAG, City of Daly City, and Caltrans desire to extend the Smart Corridor into the City of Daly City, which includes the deployment of an interconnected traffic signal system, close circuit video cameras, trailblazer/arterial dynamic message signs, and vehicle detection systems; and

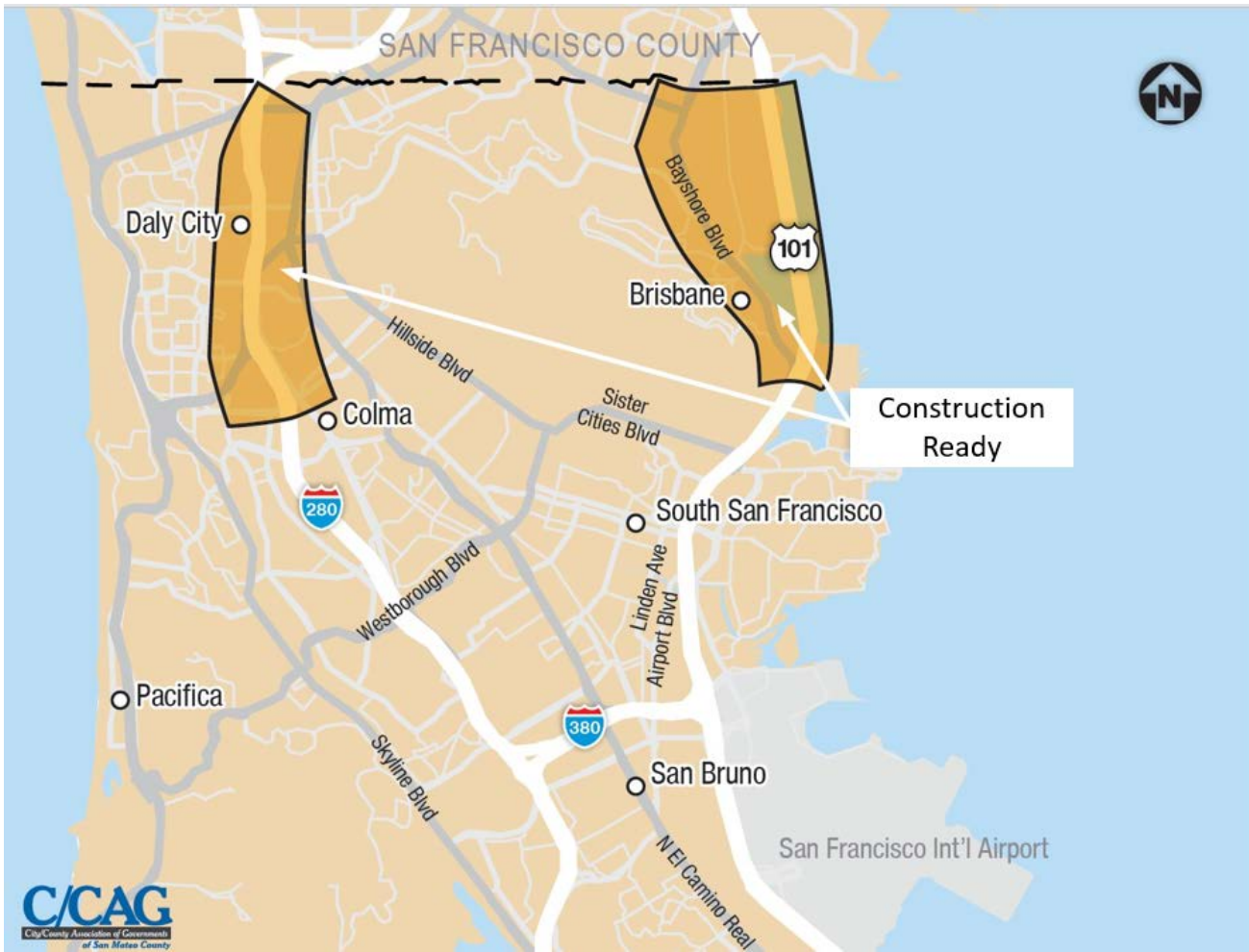
WHEREAS, C/CAG and the City desire to enter into a funding agreement to install fiber, add fiber cable terminations and conduit connections; splice the fiber; purchase of fiber switches and connect pull boxes for the future deployment of the Smart Corridor system in an amount not to exceed \$672,500.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County that the C/CAG Executive Director is authorized to execute a funding agreement with the City of Daly City in an amount not to exceed \$672,500, to install fiber and perform other related duties in preparation for the future deployment of the Northern Cities Smart Corridor project. Be it further resolved that the Executive Director is authorized to negotiate the final terms prior to execution by parties, subject to legal counsel approval as to form.

PASSED, APPROVED, AND ADOPTED, THIS 12TH DAY OF OCTOBER 2023.

Davina Hurt, Chair

Northern Cities Project Limits



C/CAG AGENDA REPORT

Date: October 12, 2023

To: City/County Association of Governments Board of Directors

From: Melissa Andrikopoulos, C/CAG Legal Counsel

Subject: Action on Compensation Adjustment for Executive Director and review and approval of Resolution 23-95 authorizing the C/CAG Chair to execute Amendment No. 2 to the agreement between C/CAG and Executive Director

(For further information or response to questions, contact Melissa Andrikopoulos at mandrikopoulos@smcgov.org)

RECOMMENDATION

That the C/CAG Board approve Resolution 23-95 authorizing the C/CAG Chair to execute Amendment No. 2 to the agreement between C/CAG and Executive Director.

FISCAL IMPACT

Funding for C/CAG staff is budgeted in the C/CAG annual budget.

BACKGROUND

At the July 8, 2021, meeting, the C/CAG Board approved Resolution 21-56 authorizing the C/CAG Chair to execute an agreement between C/CAG and Sean Charpentier for service as Executive Director for a term beginning on August 1, 2021 and continuing through July 31, 2024.

As contemplated by the agreement, the C/CAG Board conducted a performance review and held a conference with labor negotiators in a closed session at the September 14, 2023 Board meeting. It is recommended the C/CAG Board approve Resolution 23-95 authorizing the C/CAG Chair to execute Amendment No. 2 to the agreement between C/CAG and Sean Charpentier for service as Executive Director. The amendment will increase the annual salary to \$250,690 and the automobile allowance to \$500 per month; all other terms will remain in effect.

ATTACHMENTS

1. Resolution 23-95
2. Amendment No. 2 to the agreement between C/CAG and Sean Charpentier for service as Executive Director

RESOLUTION 23-95

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) AUTHORIZING THE C/CAG CHAIR TO EXECUTE AMENDMENT NO. 2 TO THE AGREEMENT BETWEEN C/CAG AND SEAN CHARPENTIER FOR SERVICE AS EXECUTIVE DIRECTOR

* * * * *

RESOLVED, by the Board of Directors of the City/County Association of Governments of San Mateo County (C/CAG), that,

WHEREAS, C/CAG Board of Directors has selected Sean Charpentier as the Executive Director; and

WHEREAS, on July 8, 2021, the C/CAG Board of Directors approved Resolution 21-56 authorizing the C/CAG Chair to execute an agreement between C/CAG and Sean Charpentier for service as Executive Director for a term from August 1, 2021 to July 31, 2024; and

WHEREAS, the agreement provided for annual performance reviews, and that any salary increase would be made in conjunction with the annual performance review; and

WHEREAS, the C/CAG Board of Directors conducted the Executive Director’s annual performance review and held a conference with labor negotiators in closed session at the September 14, 2023 Board meeting; and

WHEREAS, C/CAG and Executive Director desire to amend said agreement to reflect an annual salary of \$250,690 and a monthly automobile allowance of \$500, effective July 1, 2023, with no other changes to the terms of the agreement.

NOW, THEREFORE, BE IT RESOLVED that the City/County Association of Governments of San Mateo County (C/CAG) authorizes the Chair to execute Amendment No. 2 to the agreement between C/CAG and Sean Charpentier for service as Executive Director.

PASSED, APPROVED, AND ADOPTED THIS 12TH DAY OF OCTOBER 2023.

Davina Hurt, Chair

**AMENDMENT NO. 2 TO THE AGREEMENT BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
AND
SEAN CHARPENTIER FOR SERVICE AS EXECUTIVE DIRECTOR**

This Amendment No. 2 (“Amendment”) to the Agreement between the City/County Association of Governments of San Mateo County and Sean Charpentier for Service as Executive Director (“Agreement”) is entered into by and between the City/County Association of Governments of San Mateo County (“C/CAG”), and Sean Charpentier (“Executive Director”).

WITNESSETH

WHEREAS, C/CAG desires to continue to employ Sean Charpentier as the Executive Director of C/CAG; and

WHEREAS, Executive Director desires to continue to perform services for C/CAG on the terms and conditions contained in the Agreement, subject to changes described in this Amendment; and

WHEREAS, Executive Director has reviewed and accepted this Amendment.

NOW, THEREFORE, IT IS HEREBY AGREED by C/CAG and Executive Director that:

1. The first sentence of Section 4 of the Agreement, “Executive Director Salary,” shall be revised to read as follows:

Executive Director shall receive an annual salary of two hundred fifty thousand six hundred and ninety dollars (\$250,690) effective July 1, 2023.

2. The second sentence of Section 11 of the Agreement, “Automobile Allowance,” shall be revised to read as follows:

Therefore, the Executive Director shall be entitled to receive a monthly automobile allowance of five hundred dollars (\$500) for the acquisition, use, maintenance and insurance of an automobile while on all C/CAG business for business related travel in-County and within 100 miles of the County’s boundaries, irrespective of the number of miles traveled on County business.

3. Except as expressly amended herein and in Amendment No. 1 to the Agreement, all other provisions of the Agreement dated August 1, 2021 shall remain in full force and effect.

4. This Amendment, once executed by both parties, shall be effective as of July 1, 2023.

IN WITNESS WHEREOF, C/CAG and Executive Director, by their duly authorized representatives, have affixed their hands.

Executive Director

By: Sean Charpentier

Date:

City/County Association of Governments of San Mateo County (C/CAG)

By: Davina Hurt
C/CAG Chair

Date:

By: Melissa Andrikopoulos
C/CAG Legal Counsel

Date:

C/CAG AGENDA REPORT

Date: October 12, 2023

To: City/County Association of Governments of San Mateo County Board of Directors

From: Sean Charpentier, Executive Director

Subject: Review and approval of Resolution 23-94 approving the Proposed 2024 State Transportation Improvement Program (STIP) for San Mateo County and also authorize the C/CAG Executive Director to negotiate with the Metropolitan Transportation Commission (MTC) and California Transportation Commission (CTC) to make minor modifications as necessary. (Special voting procedures apply).

(For further information or questions, contact Jeff Lacap at jlacap@smcgov.org)

RECOMMENDATION

That the C/CAG Board review and approve of Resolution 23-94 approving the Proposed 2024 State Transportation Improvement Program (STIP) for San Mateo County and also authorize the C/CAG Executive Director to negotiate with the Metropolitan Transportation Commission (MTC) and California Transportation Commission (CTC) to make minor modifications as necessary.

FISCAL IMPACT

There is not any direct fiscal impact to C/CAG other than staff time. Upon CTC approval, the STIP funds will be allocated to project sponsors directly.

SOURCE OF FUNDS

Funding for the 2024 STIP Program will come from both state and federal funding sources.

BACKGROUND

2024 STIP

The State Transportation Improvement Program (STIP) is the biennial five-year plan for future allocations of state transportation funds. It is a five-year document adopted every two years by the California Transportation Commission (CTC) to program certain portions of the gas tax for transportation projects. The Program is developed in coordination with the Metropolitan Transportation Commission (MTC).

On June 28, 2023, Caltrans presented the draft STIP Fund Estimates for the upcoming five-year period (FY 2024-25 through FY 2028-29) to the California Transportation Commission (CTC). The CTC is scheduled to adopt this estimate at their August 16, 2023 meeting. MTC is scheduled to adopt regional STIP policy and procedures at the September 21, 2023 Commission meeting. MTC Staff shared detailed fund estimates for San Mateo County along with the rest of the Bay Area region on Jun 30, 2023. San Mateo County is projected to receive approximately \$37 million from the 2024

STIP. C/CAG Staff will use this as a working estimate, which may later be adjusted by CTC upon adoption of the final STIP Fund Estimate. The 2024 STIP identifies net new capacity only in the outer two years of the 2024 STIP, FY 2027-28 and FY 2028-29. Therefore, 2024 STIP funds can only be programmed within those two fiscal years.

For San Mateo County, C/CAG is the designated agency responsible for developing the regional share of the STIP. STIP candidate projects must be consistent with the Regional Transportation Plan as well as the County's Congestion Management Plan. In addition, projects must have an approved Project Study Report (PSR). A full funding plan is required for a project phase in order to program STIP funds. Also, projects in excess of \$50 million in total project cost must include a project level benefit evaluation, including lifecycle cost benefit analysis.

The last adopted cycle of the 2022 STIP covered the period between FY 2022-23 through FY 2026-27. Funds previously programmed for highway projects as adopted in the 2022 STIP are still committed; however, the timing of those funds being available is not guaranteed. CTC may also reprogram current projects into later years.

Staff collaborated with partner transportation agencies such as Caltrans and the San Mateo County Transportation Authority as well as Public Works Directors in identifying top regional projects that supports the continued policy of directing the STIP funds towards major highway improvement projects of regional significance in order to best leverage other state and federal funds (such as SB1) in addition to the San Mateo County Transportation Authority Highway Program funds.

At the August 17th C/CAG Congestion Management Program Technical Advisory Committee (CMP TAC) meeting, the City of Redwood City requested that US-101/SR-84 Interchange Project be considered for STIP funding for construction funds. Additionally, the City of Pacifica provided staff additional information on the construction schedule for the Highway 1/Manor Drive Overcrossing Project after the packet for the CMP TAC meeting was released. At the meeting, staff proposed an addendum to the published draft list to include funding the project from the City of Pacifica since the construction phase aligns with the availability of the 2024 STIP funds. The CMP TAC did not take action to allow staff time to gather more information on both projects and returned to the TAC in September. Upon review of the project timeline, the construction phase of the US-101/SR-84 Interchange Project does not align with the availability of the 2024 STIP funds.

The C/CAG Congestion Management and Environmental Quality (CMEQ) Committee recommended approval of the Draft 2022 STIP at their August 28th, 2023 meeting and the C/CAG Congestion Management Program Technical Advisory Committee (CMP TAC) recommended approval of the Draft 2022 STIP at their September 21st, 2023 meeting. The Draft 2024 STIP, including its proposed technical changes and new project proposals, was presented to the C/CAG Board at their September 14, 2023 meeting for review and received no comments.

Below are the highlights of the 2024 STIP:

- \$29,888,000 in to fund the construction phase of the US-101 Managed Lanes Projects – North of I-380, in FY27-28.
- \$5,000,000 to fund the construction phase of the Highway 1/Manor Drive Overcrossing Improvement Project in FY27-28.
- \$2,230,000 to fund the closeout phase of the US-101 Express Lanes Project – Whipple to I-380. This funding reflects previously allocated STIP funds to this project which was returned

to the 2024 STIP Fund Estimate.

An additional programming action is to fund \$1,685,000 million to the 92/101 Area Improvement Project. As part of the 2022 STIP, approximately \$3 million in Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) funds was available for funding projects and the 92/101 Area Improvement Projects received \$1,685,000 and the Northern Cities Smart Corridor Project received \$1,412,000 in CRRSAA funds. When the national debt ceiling negotiations occurred in May 2023, it led to a rescission of all unallocated CRRSAA funds, which originally had an allocation deadline of September 2024.

To save all of the County's CRRSAA funds, a decision was made to move all \$3 million of the funding to the Smart Corridor project, which was ready for construction funding allocation, and backfill the 92/101 Area Improvements Project with regular STIP funding. At the August CTC meeting, the Commission provided \$3 million in state funds in exchange for the federal CRRSAA funds on the Smart Corridor project and will continue on with the construction phase. MTC has instructed staff to formally program \$1,685,000 in regular STIP as part of the 2024 STIP update.

MTC Complete Streets Policy

Adopted in 2022, the Metropolitan Transportation Commission's (MTC) Complete Streets Policy (Resolution 4493) promotes the development of transportation facilities that accommodate all modes (walking, biking, rolling, and taking transit). In accordance with the Policy, project sponsors applying for regional discretionary transportation funding or endorsement from MTC with a total project cost of \$250,000 or more are required to complete a Complete Streets Checklist. The checklists are then reviewed by the County Transportation Agency (CTA) Bicycle and Pedestrian Advisory Committee (BPAC), and any comments from the C/CAG BPAC will be incorporated as part of the submittal to MTC. This Policy only applies to projects that have not previously received STIP funds.

Of the final four proposed projects that will be considered for 2024 STIP funding, only the City of Pacifica's Manor Drive Overcrossing Project needs to adhere to the Complete Streets Policy. The Manor Drive Overcrossing Project is a new project, and it has not previously received STIP programming. The C/CAG BPAC confirmed receipt of the Manor Drive Overcrossing Project and provided comments at their September 28th meeting.

Recommendation

The MTC adopted the regional policies on September 27, 2023; MTC staff has directed C/CAG to submit a project summary listing of projects to MTC by October 6, 2023 and a final project listing and other necessary documents by November 1, 2023.

Upon approval by the C/CAG Board, the proposed 2024 STIP for San Mateo County will be forwarded to the Metropolitan Transportation Commission (MTC) for inclusion in the Bay Area regional STIP proposal, also known as the Regional Transportation Improvement Program (RTIP). If approved by the MTC, as scheduled on December 20, 2023, the proposal will be forwarded to the California Transportation Commission (CTC) for approval in March 2024. During the coming months, it is anticipated Bay Area-wide and statewide negotiations will take place regarding the exact amount of funds available for each county in each fiscal year.

Staff requests that the C/CAG Board review and approve of Resolution 23-94 approving the Proposed 2024 State Transportation Improvement Program (STIP) for San Mateo County and also authorize the

C/CAG Executive Director to negotiate with the Metropolitan Transportation Commission (MTC) and California Transportation Commission (CTC) to make minor modifications as necessary.

ATTACHMENTS

1. Resolution 23-94
2. Summary of Proposed 2024 STIP for San Mateo County

RESOLUTION 23-94

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY APPROVING THE PROPOSED 2024 STATE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) FOR SAN MATEO COUNTY AND ALSO AUTHORIZE THE C/CAG EXECUTIVE DIRECTOR TO NEGOTIATE WITH THE METROPOLITAN TRANSPORTATION COMMISSION (MTC) AND CALIFORNIA TRANSPORTATION COMMISSION (CTC) TO MAKE MINOR MODIFICATIONS AS NECESSARY

RESOLVED, by the Board of Directors of the City/County Association of Governments of San Mateo County (C/CAG); that,

WHEREAS, the City/County Association of Governments (C/CAG) of San Mateo County is the designated Congestion Management Agency (CMA) for San Mateo County; and

WHEREAS, the California Transportation Commission (CTC) has adopted the Fund Estimate for the 2024 State Transportation Improvement Program (STIP) on August 16, 2023; and

WHEREAS, the Fund Estimate for the San Mateo County 2020 STIP is \$37 million dollars in new funds available for transportation projects and \$918,000 in Planning/Programming/Monitoring (PPM) funds; and

WHEREAS, the current working estimate is approximately \$37 million dollars in STIP funds for the 2024 STIP to program for transportation projects, available to be programmed in FY 2027-28 and FY 2028-29; and

WHEREAS, the Metropolitan Transportation Commission (MTC) and the California Transportation Commission (CTC) may need to go through iterations of STIP proposals submitted by various counties in the region and throughout the state in order to develop the final statewide STIP program.

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the City/County Association of Governments of San Mateo County to approve the San Mateo County Proposed 2024 State Transportation Improvement Program (STIP), as attached, and also authorize the C/CAG Executive Director to negotiate with the Metropolitan Transportation Commission (MTC) and California Transportation Commission (CTC) to make minor modifications as necessary.

PASSED, APPROVED, AND ADOPTED, THIS 12TH DAY OF OCTOBER 2023.

Davina Hurt, Chair

2024 STIP Program - San Mateo County

				Project Totals by Fiscal Year (\$1,000's)						Project Totals by Component (\$1,000's)						
	Lead Agency	PPNO	Project	Prior Info Only	23-24	24-25	25-26	26-27	27-28	28-29	R/W	Const	E & P	PS&E	R/W Sup	Con Sup
Projects	SM C/CAG	668D	SR 92/US 101 Short Term Area Improvements	5,628	1,685								2,411	3,217		1,685
	Redwood City	692K	Woodside Interchange Improvements	8,000							8,000					
	South San Francisco	702D	Produce Interchange - Improvements	5,000										5,000		
	Daly/Bris/Colma	658G	ITS Improvements in San Mateo Northern Cities - (Daly City, Brisbane, and Colma)	9,312								9,312				
	SM C/CAG	658M	US 101 Managed Lane Project North of I-380			5,477	1,700		29,888			29,888		5,477	1,700	
	Caltrans	658D	US 101 Express Lanes Project - Whipple to I-380		2,320							2,320				
	Pacifica	NEW	Highway 1/Manor Drive Overcrossing Improvement Project						5,000			5,000				
Admin	SM C/CAG	2140A	Planning, programming, and monitoring (CMA)	236	236	308	308	309	309	270						

2024 STIP

Available capacity for 2024 STIP: \$37,208

The 2024 STIP Fund Estimate identifies net new capacity only in the two years added to the STIP, FY 2027-28 and FY 2028-29.

Formally programs \$1,685,000 in regular STIP as part of the 2024 STIP update.

C/CAG AGENDA REPORT

Date: October 12, 2023

To: City/County Association of Governments of San Mateo County Board of Directors

From: Sean Charpentier, Executive Director

Subject: Open a public hearing on the draft update to the Congestion Management Program and continue the public hearing to November 9, 2023.

(For further information contact Jeff Lacap at jlacap@smcgov.org)

RECOMMENDATION

That the C/CAG Board open a public hearing on the draft update to the Congestion Management Program and continue the public hearing to November 9, 2023.

FISCAL IMPACT

At the February 2023 meeting, the C/CAG Board approved a consultant contract in the amount of \$141,624 to provide traffic monitoring services for the 2023 CMP.

SOURCE OF FUNDS

Funding for the project will come from federal Surface Transportation funds and local Congestion Relief Plan funds.

BACKGROUND

Overview

Every two years, as the Congestion Management Agency for San Mateo County, C/CAG is required to prepare and adopt a Congestion Management Program (CMP) for San Mateo County. The CMP is prepared in accordance with state statutes, which also establish requirements for local jurisdictions to receive certain gas tax subvention funds. The CMP's conformance with regional goals enable San Mateo County jurisdictions to qualify for state and federal transportation funding. The Metropolitan Transportation Commission (MTC) also reviews the CMP for consistency and compatibility with the Regional Transportation Plan (RTP).

The CMP legislation was initially passed in 1991 and last updated in 2001. The legislation is currently in conflict with other regulations like Senate Bill 743 (SB 743), the California Environmental Quality Act (CEQA), and current industry best practices. To resolve this conflict, existing CMP legislation must be amended to align with other more recent regulations. Most specifically, the performance measure metrics are at the core of this conflict.

CMP legislation requires use of a delay-based metric, Level of Service (LOS), to measure roadway performance. However, amended CEQA guidelines based on SB 743 in 2018 require use of vehicle miles-traveled (VMT) as the primary metric for traffic impacts. This transition from LOS to VMT supports statewide Greenhouse Gas (GHG) reduction goals and multimodal performance measurement.

2023 CMP Update

Given that state legislation has not yet addressed this conflict as mentioned in the previous section, C/CAG continues to comply with the CMP legislation. This 2023 update is focused on the compliance with state and regional CMP requirements by placing emphasis on the major CMP elements since the last update in 2021. The monitoring of freeway, highway, and intersection traffic conditions in the 2023 CMP update will be of particular interest, as the County emerges from the COVID-19 pandemic. The comparison of monitoring results between the 2023 and 2021 data will be helpful to understand how congestion has changed since COVID-19 restrictions had been lifted.

Some key elements in the 2023 Program are highlighted below:

- Chapter 5 – Trip Reduction and Travel Demand Element
 - Reflects the updated Transportation Demand Management (TDM) Policy adopted by the C/CAG Board in September 2021
- Chapter 7 – Deficiency Plan Guidelines
 - Reflects the updated 2023 LOS Monitoring results
- Chapter 8 – Seven Year Capital Improvement Program
 - Reflects the 2024 State Transportation Improvement Program (STIP) project list to be consistent with the Regional Transportation Improvement Program (RTIP) guidelines (The 2024 STIP is to be adopted by the CTC early next year)
- Appendices that were updated includes the following:
 - Appendix F - 2023 CMP Monitoring (Draft)
 - Appendix G - Status of Capital Improvement Projects
 - Appendix I - Land Use Guide and Updated List

2023 Traffic Level of Service and Performance Monitoring

To determine the change in LOS from one period to the next, C/CAG is required to measure the 53 roadway segments and 16 intersections on the Congestion Management Program roadway network. This year's study was conducted for the period of May 2023. The primary tasks completed include conflation of travel time data to Level of Service monitoring network and Level of Service Analysis. As a result of this monitoring, C/CAG is required to determine what location(s), if any, has (have) exceeded the LOS standard that was established by C/CAG in 1991. Per CMP legislation, should the LOS of any particular segment falls below the established standard, it moves on to a second process of volume reductions before determining deficiencies. C/CAG excludes traffic impacts attributable to interregional travel based on the C/CAG Travel Demand Model.

In the 2021 CMP Update, 5 roadway following roadway segments exceeded its LOS Standard before the reduction of interregional trips. After the exclusions for interregional traffic was applied, all 53 roadway segments are in compliance with the LOS standard. All 16 CMP intersections were in compliance with the LOS Standard in 2021.

The results of the 2023 CMP Monitoring indicate that the following 12 roadway segments and 1 intersection exceeded its LOS Standard before the reduction of interregional trips:

- SR-1 from SF County Line to Linda Mar Blvd – AM and PM Period
- SR-84 from Willow Rd to University Avenue – AM Period
- SR-92 from I-280 to US-101 – AM and PM Period
- SR-92 from US-101 to Alameda County Line – AM and PM Period
- US-101 from SF County Line to I-380 – PM Period
- US-101 from I-380 to Millbrae Ave - PM Period
- US-101 from Millbrae Ave to Broadway – AM and PM Period
- US-101 from Broadway to Peninsula Ave – AM and PM Period
- US-101 from SR-92 to Whipple Ave – PM Period
- I-280 from SR-1 (south) to San Bruno Ave – AM and PM Period
- I-280 from SR-92 to SR-84 – PM Period
- I-280 from SR-84 to Santa Clara County Line – PM Period

- El Camino Real (SR-82)/Millbrae Avenue Intersection – AM and PM Period

After the exclusions for interregional traffic was applied, there are not any deficient roadway segments or intersections.

The results of the LOS monitoring for the 2023 update indicate a return of pre-pandemic conditions. A summary of the number of roadway segments (before interregional traffic reductions) and intersections exceeding the LOS standard since the 2017 CMP can be found in the table below:

Year	Exceeds LOS Standards	
	Roadways	Intersections
2017	12	0
2019	19	0
2021	5	1
2023	12	1

To address deficiencies on the CMP network, C/CAG developed the San Mateo County Congestion Relief Plan (CRP). The CRP was originally adopted in 2002, and reauthorized in 2007, 2011, 2015, 2019, and most recently in 2023. The CRP fulfills the requirement of a Countywide Deficiency Plan, which aims to address all roadway segment and intersection deficiencies identified in the Congestion Management Programs from 1999 to 2023. With the CRP in place, jurisdictions in the County are not required to develop a deficiency plan as a result of this monitoring report. More information the CRP can be found here: <https://ccag.ca.gov/wp-content/uploads/2023/06/5.1-A2-CRP-Plan-FY24-FY27.pdf>

Companion Network

For the 2021 CMP Update, C/CAG staff developed a new Companion Network to monitor congestion in other areas of the county that may not be on the CMP network. The Companion Network is comprised of 10 roadway segments and 17 intersections, including local arterial roadways and locations along the coast. These locations are monitored for informational purposes only. Below is summary of the LOS results for the Companion Network from the 2021 and 2023 CMP update.

Companion Network Roadway Segment Weekday LOS

No roadway segments reported LOS E or worse.

CMP Companion Network Intersection Weekday LOS

The following table reports intersections with LOS E or worse:

Intersection	2021 CMP		2023 CMP	
	LOS	Peak Period	LOS	Peak Period
Industrial Rd/Holly St	E	PM	F	AM
Middlefield Rd/Marsh Rd	F	PM	-	-
University Ave/Bay Rd	E	PM	-	-
El Camino Real/Westborough Blvd	F	AM	-	-
SR-1/Cypress Ave	F	PM	F	PM
SR-84/Alameda de las Pulgas	-	-	F	AM
SR-92/SR-35	-	-	E	AM
SR-1/Main St	-	-	E	AM
SR-1/Reina del Mar Ave	-	-	F/E	AM/PM

CMP Companion Network Roadway Segment Weekend LOS

The following roadway segments reported LOS E or Worse:

Intersection	2021 CMP		2023 CMP	
	LOS	Peak Period	LOS	Peak Period
SR-1, Linda Mar Blvd to Frenchmans Creek Rd	-	-	E	Midday/PM
SR-1, Frenchmans Creek Rd to Miramontes Rd	E	Midday/PM	E	Midday/PM
SR-92, SR-1 to I-280	E	AM/Midday/PM	E	AM/Midday/PM

CMP Companion Network Roadway Segment Weekend LOS

The following intersections reported LOS E or worse:

Intersection	2021 CMP		2023 CMP	
	LOS	Peak Period	LOS	Peak Period
Main St/SR-92	-	-	E	Midday
SR-92/Skyline Blvd (SR-35)	E/F/E	AM/Midday/PM	E/F/E	AM/Midday/PM
SR-35/SR-92	F/E	AM/PM	F/E	AM/PM
SR-1/Reina Del Mar Ave	E	Midday	E	Midday
SR-1/Cypress Ave	F	Midday/PM	F	Midday/PM

Staff will use these results to help inform the planning of future projects to help alleviate congestion at these locations.

Average Travel Times on US-101

Travel times were also measured for the US-101 corridor for the entire segment in San Mateo County between the San Francisco and Santa Clara County Lines. The US-101 corridor was selected because, in addition to general purpose lanes, it includes express lanes, bus routes, and passenger rail. For the 2023 update, the travel times represented the recently opened US-101 Express Lanes from the Santa Clara County line to I-380.

The travel time methodology for US-101 on each lane type is as follows:

- Vehicles traveling on the general-purpose lane were calculated using INRIX travel time data during each respective AM and PM peak period.
- Vehicles traveling on the express lanes were calculated using actual travel time runs in the field for the limits of the express lanes (Santa Clara County line to I-380) summed with the INRIX results of the travel time in the general-purpose lanes between I-380 and the San Francisco County Line. It should be noted that the results of travel times of the express lane represent a smaller sample size compared to the general purpose lane travel time calculations. For the previous CMP updates in 2021 and older, the travel time of the previous HOV lane between Santa Clara County and Whipple Avenue was used.

Travel times for bus and passenger rail modes were estimated based on current SamTrans and Caltrain published schedules. SamTrans bus route 398 operates in the US-101 corridor. This route provides service through San Mateo County from San Francisco to Redwood City. Travel times were based on the average travel time between County lines during the commute hours. Travel time via Caltrain was calculated in a similar manner. Results for the 2023 travel time surveys are summarized below:

Mode	AM - Morning Commute Peak Period								PM - Evening Commute Peak Period							
	NB				SB				NB				SB			
	2023	2021	2019	2017	2023	2021	2019	2017	2023	2021	2019	2017	2023	2021	2019	2017
General Purpose Lanes	29	23	28	32	30	22	40	35	33	24	40	36	33	26	32	32
Express Lane	20	-	-	-	20	-	-	-	22	-	-	-	22	-	-	-
HOV Lane	-	24	26	32	-	22	38	34	-	24	40	36	-	26	31	32
Caltrain (Palo Alto to approx. SF County Line near Bayshore Station)	42	46	40	40	42	46	43	44	42	44	40	40	42	44	39	38
SamTrans Route 398 (Redwood City Station to SF)	58	65	57	80	70	67	74	-	66	84	83	-	61	63	74	91

Transit Ridership

The COVID-19 pandemic caused a drastic decrease in ridership for transit agencies across San Mateo County in FY21. However, there is a measurable recovery in transit ridership in FY 23. SamTrans total ridership saw an increase of 73%, Caltrain saw an increase of 290% and BART saw an increase of 217% over FY21. Even with these increases in annual ridership, it is still well below pre-pandemic numbers. When comparing FY 23 with pre-pandemic ridership numbers from FY 19, SamTrans total ridership is 27% lower, Caltrain is 71% lower and BART is 58% lower. Results for the FY 2023 transit ridership are summarized below.

Transit Agency	Average Weekday Ridership							
	Annual Total				Average Weekday			
	FY 2023	FY 2021	FY 2019	FY2017	FY 2023	FY 2021	FY 2019	FY 2017
SamTrans	7,796,753	4,503,358	10,670,850	11,816,760	30,387	13,620	35,150	38,700
Caltrain	5,052,371	1,295,656	17,662,773	18,648,850	20,453	4,099	63,597	62,190
BART (Colma and Daly City)	3,203,688	1,211,716	7,741,549	7,818,023	10,340	3,934	26,483	25,269
BART (South San Francisco, San Bruno, SFO, and Millbrae)	4,798,306	1,312,774	11,261,768	12,102,872	14,630	4,236	37,687	39,989
Combined Transit	20,851,118	8,323,504	47,336,940	50,386,505	75,810	25,889	162,917	166,148

The complete draft Monitoring Report is included in Appendix F of the Draft 2023 Congestion Management Program. (A copy is attached to this staff report)

Recommendation

The C/CAG Congestion Management Program Technical Advisory Committee recommended approval of the 2023 Draft CMP at their September 21, 2023 meeting. The Congestion Management and Environmental Quality Committee was not able to take a formal action at their September 25, 2023 meeting due to online disruption, but provided the committee with comments and questions via e-mail.

Responses to the comments received from the CMP TAC and CMEQ committee are summarized in the table below:

<u>Date</u>	<u>Committee</u>	<u>Comment</u>	<u>Response</u>
9/21/2023	CMP TAC	Will there be competition for funding from transit operators that are currently facing a financial cliff?	The current governor’s budget provided funding for transit operators, but it might not be sufficient for a long-term solution to the potential fiscal cliff. However, at this time, it is not anticipated that any future funding for the fiscal cliff would compete with local project delivery.
9/21/23	CMP TAC	In addition to the travel times reported, will vehicle count data be presented on the highway mainlines?	The methodology used to calculate travel times uses a big data source (INRIX) which only reports travel time, speed, and delay on roadways. Staff will be looking at alternate sources for vehicle count data.
9/25/2023	CMEQ Committee	Is there data available showing the changes in transit user demographics before and after the pandemic?	While the CMP performance measures for transit only requires reporting on ridership numbers, staff will work with transit agencies on getting transit user demographic data.

The next steps include:

<u>Date</u>	<u>Activity</u>
October 12, 2023	Draft 2023 CMP to Board
October 19, 2023	Final 2023 CMP to TAC
October 30, 2023	Final 2023 CMP to CMEQ
November 9, 2023	Final 2023 CMP to Board

A public notice was published in the San Mateo Daily Journal on Wednesday October 4, 2023 and will be published again before the proposed adoption at the November 9, 2023 C/CAG Board meeting. Staff requests that C/CAG Board open a public hearing on the draft update to the Congestion Management Program and continue the public hearing to November 9, 2023.

ATTACHMENTS

1. Draft 2023 San Mateo County CMP – Executive Summary

(The following attachments are available on the C/CAG website (See “Additional Agenda Materials”) at: <https://ccag.ca.gov/committees/board-of-directors-2/>).

2. Draft 2023 CMP Monitoring Report
3. Draft 2023 San Mateo County CMP & Appendix

EXECUTIVE SUMMARY



US-101 during peak hour conditions

San Mateo County maintains a Congestion Management Program (CMP) through the City/County Association of Governments of San Mateo County (C/CAG), the designated Congestion Management Agency (CMA), as required by the California Government Code 65089. C/CAG is also required to monitor the implementation of all elements of the CMP and prepare a monitoring report every other year. This report fulfils the biennial monitoring task as required by the State. This 2023 CMP

Monitoring Report provides an insight into the performance of various freeways, multilane highways, two-lane highways, arterials and intersections throughout the County, and assists with key decisions on future investment of transportation dollars.

CMP and Companion Monitoring Network

C/CAG established the CMP Network in 1991 that included all state highways and principal arterials in the County. In total, the 464.7 directional miles of the CMP network includes 301.4 miles of arterials/highways and 163.3 miles of freeways. The CMP network also includes 16 arterial intersections. Each CMP segment and intersection has an adopted LOS standard, discussed further in Chapter 1. This CMP monitoring effort also includes the Companion Monitoring Network (Companion Network), which grew out of a desire to see additional locations monitored besides the CMP network. There are a total of 10 roadway segments and 17 intersections in this network. This network is not subject to the standards and are monitored for information only.

Data Collection and Congestion Analysis

The biennial monitoring task requires extensive data collection for all established CMP and Companion Network segments and intersections included in the network. With changing needs and technological advancements, the data collection methodology has evolved over the last three decades since the first CMP was adopted. In order to collect accurate and useful data that is consistent with prior monitoring efforts, certain data collection methods were followed. The data was collected during May 2023 only on normal commute travel days (i.e.

Tuesdays, Wednesday, and Thursdays), while non-school days and days with any special events or incidents were eliminated. Available commercial speed data, 72-hour traffic counts, turning movement counts, and floating car surveys were utilized for the analysis. The commercial speed data was analyzed to obtain average speeds for each freeway segment and convert to LOS using Highway Capacity Manual (HCM) 1994 methodologies. Arterials and highways were monitored using 72-hour traffic counts and turning movement counts which were used to calculate a volume/capacity (V/C) ratio and assign the LOS based on HCM 1994 procedures. Intersections were modeled in Synchro using either HCM 2010 or 2000 methodology. Further discussion on data collection efforts is included in Chapter 2.

Monitoring Results

A total of 53 roadway segments and 16 intersections were monitored in this report during the AM and PM peak periods. The worst case direction was chosen as the official LOS, and a summary of these monitoring results are provided in **Table 1**.

Table 1: 2023 CMP Network Monitoring Results

Roadway Type	# of CMP Segments	Before Interregional Exemption		After Interregional Exemption	
		LOS Standard Met	LOS Standard Not Met	LOS Standard Met	LOS Standard Not Met
Arterials	27	26	1	27	0
Multilane Highways	1	0	1	1	0
Two-Lane Highways	9	9	0	9	0
Freeways	16	6	10	16	0
Intersections	16	15	1	16	0
TOTAL	69	56	13	69	0

In the 2023 Monitoring Cycle, one arterial segment, one multi-lane highway segment, ten freeway segments and one intersection falls below the LOS standard prior to the interregional exemption. However, all roadway segments met the LOS standard after interregional exemptions.

Multi-Modal Performance Measures

C/CAG monitors four multi-modal performance measures: LOS, multi-modal travel times, bicycle and pedestrian counts, and transit ridership/person throughput. LOS results are provided in Chapter 3. Multi-modal travel times along the US-101 corridor are reported with each biannual CMP monitoring effort. Travel times are measured from county line to county line on US-101 for four modes: single occupancy vehicle, HOV lane, Caltrain, and SamTrans. Travel times improved for vehicles in the HOV lane due to the 16 mile extension of HOV lane on I-101. Single occupant travel times increased significantly compared to 2021, but are the same or less than 2019 travel times. Caltrain travel times decreased slightly from 2021, while SamTrans travel times decreased except for the southbound direction during the PM peak period.

Bicycle/pedestrian planning efforts and counts with historical comparisons are summarized in this section, as is transit ridership for SamTrans, BART, and Caltrain. Overall, all three agencies have seen ridership increase since the pandemic decline as measured in FY 21. However, the increase is still significantly short of the ridership volume measured pre-pandemic in FY 19. This indicates that transit ridership is slowly recovering and still has more growth to return to pre-pandemic levels.

DRAFT

C/CAG AGENDA REPORT

Date: October 12, 2023

To: City/County Association of Governments of San Mateo County Board of Directors

From: Sean Charpentier, Executive Director

Subject: Presentation of C/CAG Equity Assessment and Framework Development Project Draft Final Report.

(For further information, contact Kim Springer at kspringer@smcgov.org)

RECOMMENDATION

Receive a presentation of C/CAG Equity Assessment and Framework Development Project Draft Final Report for review and comment through end of October, 2023.

FISCAL IMPACT

The existing Mariposa Planning Solutions agreement is for \$200,000 for the subject Project agreement.

SOURCE OF FUNDS

Fund were appropriated from the General Fund for this project will be partially reimbursed from Surface Transportation Program Planning Grant funds.

BACKGROUND

On April 24, 2022 the C/CAG Board of Directors adopted Resolution 22-16 authorizing the C/CAG Executive Director to execute an agreement with Mariposa Planning Solutions (Consultant) for the C/CAG Equity Assessment and Framework Development Project (Project). The Consultant began work on the project immediately.

Throughout the Project, the C/CAG Board has been updated with presentations. The first presentation was on October 13, 2022 and focused on the scope of the project, the first draft of the Equity Definition, and the first draft of the Historical Perspectives memo. The second meeting was held on February 9, 2023 and included additional updates to both the Equity Definition and Historical Perspective documents, and a new Equity Connections to C/CAG's programs document. The third meeting was on March 9, 2023 and focused on Existing Conditions analysis and identification (mapping) of Equity Focus Areas in San Mateo County. In addition, a proposed final Equity Framework outline was presented. The fourth presentation was September 14, 2023 and included a progress update, the draft final report structure, and a draft equity Action Plan for review and comment.

This presentation is the fifth of six presentations provided to the C/CAG Board throughout the Project. Comments received from the C/CAG Board and committees on the draft Action Plan, have been

incorporated. Staff and the Consultant will present the draft final Equity Assessment and Framework Development Project Report (Draft Report), which includes the Action Plan, this month, with the intent to return in November for the adoption of the final Equity Assessment and Framework Development Project report.

Throughout the Project the Consultant and staff have held multiple rounds of Working Group meetings with Community Based Organizations and Agency Partners. Community Based Organizations for this project include Youth Leadership Institute, Samaritan House, Nuestra Casa, El Concilio of San Mateo County, Youth United for Community Action (YUCA), and the Housing Leadership Council. Peninsula Conflict Resolution Center has supported coordination of some of these meetings. The Agency Partners engaged include SamTrans, County of San Mateo Equity Office, County Office of Sustainability, Peninsula Clean Energy, and Commute.org. In addition, the C/CAG Board established an Ad Hoc Equity Committee at its March meeting, with participation from Members Hurt, Papan, Taylor, Ortiz, Manalo, and Nicolas. The Ad Hoc Committee has met two times to review documents and provide input. At the September 14, 2023 Board meeting, staff provided a table of stakeholder meetings completed. As an update, to date, there have been 30 stakeholder meetings held. In the month of September, the Action Plan document, presented to the Board at the September 14, 2023, meeting, was presented to the four committees: Resource Management and Climate Protection, Congestion Management Program Technical Advisory, Congestion Management and Environmental Quality (CMEQ), and the Bicycle Pedestrian Advisory Committee. Unfortunately, the September CMEQ meeting was interrupted by Zoombombing, so the Equity item will be re-presented at the October 30, 2023 meeting. The presentation was distributed to CMEQ Committee members after the shortened meeting.

Mariposa Planning Solutions, with staff input, has prepared the Draft Report, which includes the following sections: acknowledgements, an executive summary, introduction, the main body of the report consisting of summaries of the project and deliverables, and appendices with final memo documents, meeting notes, and other documents relevant to the Project, developed through the project scope.

Christopher Lepe, Mariposa Planning Solutions, and staff will provide a presentation on the draft Final Equity Assessment and Framework Development Project report, which is provided as an attachment to this staff report; posted online at the link below. Once presented to the C/CAG Board this month for initial feedback, staff will distribute the draft report broadly to elected officials, committee members, and project stakeholders, requesting comments. Comments from the C/CAG Board and stakeholder, for incorporation into the final report, will be accepted through the end of October.

ATTACHMENTS

1. Executive Summary - Draft C/CAG Equity Assessment and Framework Development project report

The following attachment is available to download on the C/CAG website (See “Additional Agenda Materials”) at: <https://ccag.ca.gov/committees/board-of-directors-2/>

2. Draft C/CAG Equity Assessment and Framework Development project report

2023 C/CAG San Mateo County Equity Framework Draft Report

Image Placeholder.



Prepared for San Mateo County C/CAG by:



in partnership with



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Acknowledgements

The City/County Association of Governments of San Mateo County (C/CAG) Equity Framework would not have been possible without the valuable contributions and leadership of the staff, leaders, and representatives that participated in the process, that served on the Community and Agency Partner Working Groups and that participated in interviews and focus groups to inform the contents of this report. We would also like to thank all C/CAG staff, the C/CAG Board of Directors, Ad-Hoc Committee of the Board, and participating C/CAG Committees for their valuable contributions and leadership.

Project team:

- Kim Springer, C/CAG
- Christopher Lepe, Mariposa Planning Solutions
- Jake Warr, Espousal Strategies
- Anthony Thomas, Peninsula Conflict Resolution Center (PCRC)
- José R. López, PCRC

Participating C/CAG Staff:

- Audrey Shiramizu
- Eva Gaye
- Jeff Lacap
- Kaki Cheung
- Kim Wever
- Mima Crume
- Reid Bogert
- Sean Charpentier, Executive Director
- Susy Kalkin
- Van Dominic Ocampo

Community Working Group:

- Youth Leadership Institute
- Nuestra Casa
- El Concilio of San Mateo County
- Silicon Valley Bicycle Coalition
- Housing Leadership Council
- Samaritan House
- Youth United for Community Action

Agency Partners:

- Office of Equity, County of San Mateo
- Office of Sustainability, County of San Mateo
- San Mateo County Health
- SamTrans
- San Mateo County Transit District
- Peninsula Clean Energy
- Commute.org

C/CAG Board and Committees:

- C/CAG Board of Directors
- C/CAG Board Ad Hoc Committee
- Congestion Management & Environmental Quality Committee (CMEQ)
- Bicycle & Pedestrian Advisory Committee (BPAC)
- Resource Management and Climate Protection Committee (RMCP)
- Congestion Management Program Technical Advisory Committee (CMP TAC)

Executive Summary

In San Mateo County and across the nation, people of color and other underserved and underrepresented populations face persistently unequal economic, health, and quality of life outcomes. Public and private institutions have historically contributed to these inequities through laws, policies, investment decisions, and other actions. In San Mateo County, this has included investments in transportation infrastructure that reinforced segregation and the practices of redlining and racial steering, and placing undesirable land uses in areas where people of color were concentrated.

The City/County Association of Governments of San Mateo County (C/CAG) is committed to rectifying these and other historic harms by taking concrete steps to advance equity through its planning efforts, projects, programming, and role as a countywide funder that allocates millions of dollars into various programs and projects each year.

C/CAG commits to focusing on both process and outcome equity in its equity advancement journey. This is defined below:

- Process equity prioritizes access, influence, and decision-making power for vulnerable and underserved communities.
- Outcome equity is the result of successful process equity and is demonstrated by tangible benefits for vulnerable and underserved communities (Amended from *Interstate Bridge Replacement Program Definition of Equity*, 2021).

EQUITY DEFINITION:

“C/CAG defines equity as acknowledging and addressing historic & existing disparities so that race, class, ethnicity, gender, age, disability, or other demographics do not determine economic, health, and quality of life outcomes. Equity recognizes that members of our San Mateo County community do not all come from the same starting point, and it entails removing systemic barriers and providing customized forms and levels of engagement and support for underserved and impacted communities to remedy past harms and underinvestment.”

As part of the Equity Framework development process, C/CAG staff participated in a process of listing and review of all their programs, plans, processes, and funding calls, followed by a series of conversations to identify strengths, gaps, challenges, and opportunities to improve process and outcome equity.

C/CAG’s strengths and assets include:

- Influence as a countywide funder.
- Participation from every jurisdiction through 21 seats on the Board of Directors, and 9 standing committees with 123 seats.
- Experience leading multiple projects, programs, and planning efforts that incorporate equity goals, indicators, metrics, and proposed recommendations or actions.
- Equity-oriented hiring and human resources support from the County of San Mateo.

Gaps and limitations include:

- Limitations associated with being an agency that passes most of its funding through to other agencies and local jurisdictions, including:
 - Internal resource constraints for the agency’s own projects, programs, and staffing needs, and
 - Intermittent community engagement efforts, resulting in a lack of community awareness of C/CAG’s work and significant room to grow in building relationships with CBOs.
- Uneven application of equity advancement in its programs, projects, planning efforts, and funding calls.
- Uneven Board, committee, and staff diversity and equity training and expertise.
- Inadequate representation of historically underserved and underrepresented demographics and geographies on its committees.
- Lack of C/CAG-specific procurement and contracting policies and systems that facilitate participation from Disadvantaged Business Enterprises (DBEs).

Image Placeholder Pending Image Approval.

Through the development of this Equity Framework, C/CAG acknowledges that further improving on its strengths and addressing its agency’s gaps and limitations will be no easy task, but has set goals, desired outcomes, and actions to make progress. The agency will regularly evaluate and report back to its decision makers, advisory bodies, and community stakeholders, and adjust efforts as needed over time. C/CAG will need to update this internal agency assessment and framework as the agency progresses and new conditions and opportunities emerge.

Informed by the equity analysis, C/CAG will be taking the following steps to implement the report findings, including:

- Applying an Equity Approach and using an Equity Evaluation Review tool to help create standardized processes and practices around achieving equitable processes and outcomes across projects, plans, and programs.
- Committing to an [Action Plan \(Appendix VI\)](#), which includes 7 Equity Goals, 13 Outcomes, and 36 Actions. Action Plan Goals include:

Goal 1: *Create and maintain internal equity reporting, feedback, coordination, and collaboration structures.*

Goal 2: *Continually strengthen and maintain internal organizational understanding, resources, and capacity.*

Goal 3: *Promote economic justice and shared prosperity through procurement opportunities.*

Goal 4: *Infuse a pro-equity approach in projects, programs, plans, and funding calls to maximize benefits for Equity Focus Area (EFA) geographies and demographics.*

Goal 5: *Build and maintain trust, transparency, and lasting relationships with EFA CBOs and leaders and the populations they serve.*

Goal 6: *Use data and mapping to track and help achieve goals and intended outcomes.*

Goal 7: *Provide countywide leadership.*

Achieving equity outcomes requires continuous coordination, evaluation, analysis, learning, and adjustments over time. C/CAG sees this Framework and Action Plan as a living document that will evolve over time and be updated before 2030.

C/CAG invites the San Mateo County community to partner in this journey to optimize community benefits, create greater community inclusion and trust, and bring San Mateo County closer to a more equitable future.

C/CAG AGENDA REPORT

Date: October 12, 2023

To: City/County Association of Governments of San Mateo County Board of Directors

From: Sean Charpentier, Executive Director

Subject: Communications - Information Only (One Letter)

(For further information, please contact Mima Crume at mcrume@smcgov.org)

BACKGROUND

This item is for information only and are available for review as attachments at the link provided below.

There is one letters:

1. **9/23/2023** – Letter to Governor Gavin Newsom. RE: Requesting signature for AB 557

ATTACHMENTS

1. The written communications are available on the *C/CAG website* (See “*Additional Agenda Materials*”) at: <https://ccag.ca.gov/committees/board-of-directors-2/>

Overflight Notification

WHEN RECORDED MAIL TO:

Y CHAO TSAN WU
991 W. HEDDING ST
San Jose, Ca 95126

2023-052179 CONF

3:16 pm 10/16/2023 NOT Fee: \$176.00

Count of Pages 4

Recorded in Official Records

County of San Mateo

Mark Church

Assessor-County Clerk-Recorder



SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

RECORDED OVERFLIGHT NOTIFICATION

The Overflight Notification concerns the real property situated in the County of San Mateo and the City of San Carlos, State of California, described as 501 Industrial Road, San Carlos, CA 94070 [APN: 046-090-430 / 046-090-410] (the "Property;" see Exhibit A for legal description).

This *Overflight Notification* provides notification of the condition of the above-described property in recognition of, and in compliance with, California Business & Professions Code Section 11010 and California Civil Code Sections 1102.6, 1103.4 and 4255, and related state and local regulations and consistent with policies of the San Mateo County Airport Land Use Commission for the overflight notification provided in the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport*.

NOTICE OF AIRPORT IN VICINITY: This Property is located in the vicinity of an airport and within the airport influence area. The property may be subject to some of the annoyances or inconveniences associated with proximity to an airport and aircraft operations (for example: noise, vibration, overflights or odors). Individual sensitivities to those annoyances can vary from person to person. You should consider what airport annoyances, if any, affect the Property before you complete your purchase and whether they are acceptable to you.

The Federal Aviation Administration (FAA) has regulatory authority over the operation of aircraft in flight and on the runway and taxiway surfaces at the San Carlos Airport. The FAA is, therefore, exclusively responsible for airspace and air traffic management, including ensuring the safe and efficient use of navigable airspace, developing air traffic rules, assigning the use of airspace and controlling air traffic. Please contact the FAA for more detailed information regarding overflight and airspace protection issues associated with the operation of aircraft.

The airport operator, the County of San Mateo, maintains information regarding hours of operation and other relevant information regarding airport operations. Please contact your local airport operator for more detailed information regarding airport specific operational issues including hours of operation.

This *Overflight Notification* shall be duly recorded with the San Mateo County Assessor's Office, shall run with the Property, and shall be binding upon all parties having or acquiring any right, title or interest in the Property.

Effective Date:

Holly Hotel group LLC.

 manager CHAO WU

Property Owner Signature

Property Owner (print name)

x CHAO TSAN WU

9-29-2023
Date

CALIFORNIA ACKNOWLEDGMENT

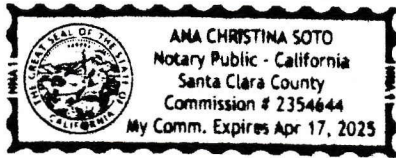
CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of Santa Clara

On 09/29/2023 before me, Ana Christina Soto
Date Here Insert Name and Title of the Officer
personally appeared Chao Tsan Wu
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Place Notary Seal and/or Stamp Above

Signature Ana Christina Soto
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: recorded overflight notification
Document Date: 09/29/2023 Number of Pages: 3
Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Chao Tsan Wu Signer's Name: _____
 Corporate Officer – Title(s): _____ Corporate Officer – Title(s): _____
 Partner – Limited General Partner – Limited General
 Individual Attorney in Fact Individual Attorney in Fact
 Trustee Guardian or Conservator Trustee Guardian or Conservator
 Other: _____ Other: _____
Signer is Representing: _____ Signer is Representing: _____

EXHIBIT "A"

Property Legal Description

For APN/Parcel ID(s): 046-090-430

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN CARLOS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

Parcel A, as shown on that certain Map entitled "Parcel Map of a Subdivision of the Lands of Sheet Metal Industrial Fund of San Mateo, as recorded in Deed 5819 O. R. 619, and of the lands of Schuetz, as recorded in Book 4713 Official Records, Page 280 and in Book 5819 Official Records, Page 622, Office of the Recorder of the County of San Mateo, State of California, on September 24, 1970 in Book 11 of Parcel Maps at Page(s) 9.

Excepting Therefrom that portion thereof conveyed to the City of San Carlos, a municipal corporation by Deed recorded June 4, 1991, as Document No. 91069093, Official Records of San Mateo County, California.

Also excepting therefrom:

All that portion described in the Grant Deed in favor of the City of San Carlos, a municipal corporation, recorded August 30, 2017, Instrument No. 2017-076298, of Official Records.

RESOLUTION 23-88

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 A PROPOSED 6-STORY, 188 ROOM HOTEL AT 501 INDUSTRIAL ROAD, SAN CARLOS, INCLUDING ASSOCIATED REZONING, IS CONDITIONALLY CONSISTENT WITH THE COMPREHENSIVE AIRPORT LAND USE COMPATIBILITY PLAN FOR THE ENVIRONS OF SAN CARLOS 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 (ALUC), that,

WHEREAS, the City of San Carlos is processing an application for a 188 room hotel at 501 Industrial Rd., including a related rezoning and, in accordance with PUC Sections 21676(b) and 21676.5(a), has referred the project to C/CAG, acting as the Airport Land Use Commission, for a determination of consistency with relevant airport / land use compatibility criteria in the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport* (San Carlos ALUCP); and

WHEREAS, four airport/land use compatibility factors are addressed in the San Carlos ALUCP that relate to the project, including: (a) noise compatibility, (b) safety compatibility, (c) airspace protection compatibility, and (d) overflight compatibility, as discussed below:

- (a) Noise Compatibility – The 60 dB CNEL (Community Noise Equivalent Level) aircraft noise contour defines the threshold for airport noise impacts established in the San Carlos ALUCP. Per San Carlos ALUCP Exhibit 4-2, the subject property lies within the bounds of the 60 dB CNEL contour and, per Table 4-3, hotel use is listed as compatible within this noise contour, so the use is determined consistent with the San Carlos ALUCP noise policies and criteria.
- (b) Safety Compatibility – The San Carlos ALUCP includes six sets of safety zones and related land use compatibility policies and criteria. Per San Carlos ALUCP Exhibit 4-3, the project site is located within Safety Zone 6. In accordance with San Carlos ALUCP Safety Policy 2, hotel development within Safety Zone 6 is compatible and is not restricted for safety reasons, so the proposed project is consistent with the safety policies and criteria.
- (c) Airspace Protection Compatibility –

Structure Heights - In order to be deemed consistent with the ALUCP, the maximum height of a new building must be the lower of (1) the height of the controlling airspace protection surface shown on Exhibit 4-4; or 2) the maximum height determined to not be a “hazard to air navigation” by the FAA in an aeronautical study prepared pursuant to the filing of Form 7460-1.

The proposed structure would have an overall maximum height of approximately 95

feet above mean sea level (AMSL). Per San Carlos ALUCP Exhibit 4-4, the Part 77 Airspace Protection Surface lies at approximately 155 ft AMSL, so the proposed project would be below this surface, in compliance with the Airspace Protection policies of the ALUCP. Additionally, the project sponsor has received a “Determination of No Hazard to Air Navigation” from the FAA for the project, and accordingly, the project is determined to be consistent with the airspace protection policies and criteria.

Other Flight Hazards - Certain land use characteristics are recognized as hazards to air navigation and, per Airspace Protection Policy 6, need to be evaluated to ensure compatibility with FAA rules and regulations. The proposed project does not include any such unusual hazards and is determined compatible with this policy.

- (d) Overflight Compatibility – The San Carlos ALUCP contains one policy regarding overflight compatibility that relates to the project: Overflight Policy 1 – *Real Estate Transfer Disclosure*. As the application materials do not reflect the real estate disclosure requirements, a condition is included in Exhibit A to ensure compliance.

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 subject to the condition contained in Exhibit A, attached, the proposed hotel project at 501 Industrial Road, San Carlos, including the related rezoning request, is determined to be consistent with the policies and criteria contained in the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport*.

PASSED, APPROVED, AND ADOPTED, THIS 12TH DAY OF OCTOBER 2023.



Davina Hürt, Chair

Resolution 23-88 – Conditions of Consistency Determination:

1. The City of San Carlos shall require that the project sponsor comply with the real estate disclosure requirements outlined in Overflight Policy 1 of the San Carlos ALUCP.